

## SUPPLEMENTAL REPORT TO THE HEARING OFFICER

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DATE ISSUED: May 1, 2025

HEARING DATE: May 6, 2025 AGENDA ITEM: 5

PROJECT NUMBER: RPPL2021-004689

PERMIT NUMBER(S): Oak Tree Permit No. RPPL2021011244  
Environmental Assessment No. RPPL2024003297

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: 849 Madre Street, East Pasadena-East San Gabriel

OWNER/APPLICANT: Sushil and Kamatchi Anand/Larry Lachner

INCLUSIONARY HOUSING ORDINANCE ("IHO"): The Project is not subject to the IHO.

CASE PLANNER: Marie Pavlovic, Senior Planner  
mpavlovic@planning.lacounty.gov

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### RECOMMENDATION

*The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:*

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number RPPL2021-004689, Oak Tree Permit No. 202100112244 based on the revised Draft Findings and subject to the revised Draft Conditions of Approval.

Staff recommends the following motion:

### **CEQA:**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND ADOPT THE NEGATIVE DECLARATION FOR THE PROJECT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

### **ENTITLEMENT(S):**

I, THE HEARING OFFICER, APPROVE OAK TREE PERMIT NO. 20210011244 SUBJECT TO THE ATTACHED REVISED FINDINGS AND CONDITIONS.

### **BACKGROUND**

This item is a request for an Oak Tree Permit ("OTP") to encroach into the protected zone of 18 non-heritage oak trees (tree nos. 1, 3, 4, 5, 6, 8, 9, 10, 11, 16, 17, 22, 27, 29, 30, 31, 33, and 34 associated ); remove a limb from non-heritage oak tree no. 11, and remove five oak trees (tree nos. 2, 7, 12, 28, and 32), two of which are heritage oaks (tree nos. 7 and 12). The OTP

is needed to facilitate the construction of a single-family residence ("SFR"), accessory dwelling unit ("ADU"), swimming pool, tennis court, and appurtenant features ("Project") in the R-1-40,000 (Single-Family Residence – 40,000 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section 22.174.040 (Application and Review Procedures). The other three non-heritage oak trees (tree nos. 2, 28, and 32) are dead and recommended for removal by Board Certified Master Arborist, Chris Falco.

#### **ADDITIONAL INFORMATION**

As requested by the Hearing Officer, additional information is provided regarding the scope of the OTP request and clarification of the findings.

#### **Scope of OTP Request**

The scope of the OTP request is limited to APN 5377-019-019. A land use application has not been filed to develop APN 5377-019-020.

#### **Revised Materials**

The draft Findings have been revised to remove Finding No. 20 regarding building height. Staff concurs that the revised site plan depicts a single-family residence with a peak building height of 29.5 feet. Draft Finding Nos. 16 (Required Yards), 22 (Accessory Dwelling Unit), and 23 (Accessory Structures) were also removed. As stated in the Staff Report and Findings, the proposed land use, single-family residence, and accessory dwelling unit will be completed under a separate ministerial review.

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Report  
Reviewed By: *Ariel Mendoza* for Michele Bush  
Michele Bush, Supervising Regional Planner

Report  
Approved By: *Susan Tae*  
Susan Tae, AICP, Assistant Deputy Director

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#### **Attachments:**

1. Updated Draft Findings.

LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING  
UPDATED DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
PROJECT NO. PRJ2021-004689  
OAK TREE PERMIT NO. RPPL2021011244

**RECITALS**

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Oak Tree Permit No. **RPPL2021011244** (“OTP”) on May 6, 2025, continued from March 18, 2025.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was held before the Hearing Officer on March 18, 2025 and continued to May 6, 2025. The Hearing Officer heard a presentation from LA County Planning staff and testimony from the applicant, Sushil Anand, and his representative, Lawrence Lachner. Mr. Lachner confirmed during his testimony that only one utility trench would be dug for the residence. Mr. Lachner reiterated that the goal of the Project is to minimize impacts to the oak trees while delivering a product that meets his client’s needs. Mr. Lachner spoke about the challenges of designing the residence due to the large number of oak trees on the property and requested a reduction in the number of replacement plantings.

Mr. Anand spoke about his application processing journey and confirmed that the Project went through several design iterations to minimize impacts to the oak trees.

The Hearing Officer discussed concerns regarding the location of the tennis court, the semi-circular driveway unnecessarily impacting Oak Tree Nos. 9 and 10, and whether the property can accommodate 20 replacement tree plantings, given the coverage of existing oak trees. The Hearing Officer said she would be open to fewer, but larger replacement trees, with an extended monitoring period. , but deferred the question to the County’s technical experts, the Forester and LA County Planning’s staff biologist. The Hearing Officer asked the owner if he would be amenable to removing the southern driveway approach. The applicant/agent agreed to relocate the tennis court and remove the southern driveway access, and again asked for a reduction in replacement plantings. The Hearing Officer continued the hearing to give time for revising site plans reflecting one utility trench, the removal of the southern driveway approach, and relocation of the tennis court.

3. **ENTITLEMENT(S) REQUESTED.** The Permittee, Sushil and Kamatchi Anand ("Permittee"), requests the OTP to authorize encroachments into the protected zone of 18 non-heritage oak trees, five oak tree removals (including two heritage trees), and removal of a limb greater than two inches in diameter from tree no. 11, a non-heritage tree, to facilitate construction of a single-family residence (“SFR”), an attached accessory dwelling unit (“ADU”), swimming pool, tennis court, and appurtenant features (“Project”) on a property located at 849 Madre Street (Assessor’s Parcel

Number 5377-019-019 and 5377-019-020) in the unincorporated community of East Pasadena ("Project Site").

4. **ENTITLEMENT(S) REQUIRED.** The OTP is a request to authorize encroachments into the protected zone of 18 non-heritage oak trees (tree nos. 1, 3, 4, 5, 6, 8, 9, 10, 11, 16, 17, 22, 27, 29, 30, 31, 33, and 34); removal of five oak trees (tree nos. 2, 7, 12, 28, and 32), including two heritage oaks (Nos. 7 and 12); and removal a limb from Tree No. 11, a non-heritage tree, to facilitate construction of an SFR, ADU, swimming pool, tennis court, and appurtenant features in the R-1-40,000 (Single-Family Residence – 40,000 Square Feet Minimum Lot Area) Zone. The other three non-heritage oak trees (tree nos. 2, 28, and 32) are dead and recommended for removal by Board Certified Master Arborist, Chris Falco, in an oak tree report dated September 27, 2024.
5. **ENTITLEMENT(S) REQUIRED.** The SFR and accessory structures is being reviewed under Site Plan Review application RPPL2021013302).

All trees are identified as coast live oaks (*Quercus agrifolia*), ranging in size from 6 to 60 inches in diameter at breast height ("DBH"), as reported by Cris Falco, Board Certified Master Arborist, in an Oak Tree Report for the Project dated September 27, 2024.

Oak Tree	DBH (in inches)	Height (in feet)	Health	Impact	Encroach ment ("E") or Removal ("R")
#1	13	22	Fair	Fence footings	E
#2	25 (estimated)	40	Dead	Permeable driveway pavers, fence	R
#3	18	40	Good	Permeable driveway pavers, utility trench	E
#4	22	35	Good	Permeable pavers, utility trench, fence footings	E
#5	11	25	Fair	Permeable driveway pavers, utility trench, SFR,	E
#6	17	30	Good	Permeable driveway pavers, utility trench, fence footings	E
#7 (Heritage)	44	45	Fair	Permeable driveway pavers, utility trench, SFR, fence	R

#8	17, 9	28	Fair	Permeable driveway pavers, fence footings	E
#9	6, 12	25	Fair	Permeable driveway pavers, utility trench, fence footings	E
#10	10	20	Good	Permeable driveway pavers, utility trench, fence footings	E
#11	27 (estimated)	38	Good	ADU with limb in place, no encroachment after removal of the lateral limb	E
#12 (Heritage)	60	50	Fair	SFR, Permeable driveway pavers, utility trench	R
#13	19	35	Fair	No	£
#14	24	50	Good	No	£
#15 (Heritage)	38	55	Good	No	£
#16	22	40	Good	Fence footings	E
#17	18	35	Good	Fence footings	E
#18	15	25	Good	No	£
#19	10	16	Fair	No	£
#20	19	40	Good	No	£
#21	27	50	Good	No	£
#22	24	35	Fair	Fence footings	E
#23 (off-site)	16 (estimated)	35	Fair	No	£
#24 (off-site)	20 (estimated)	35	Fair	No	£
#25 (off-site)	22 (estimated)	40	Fair	No	£

#26	16	25	Good	No	E
#27	16 (estimated)	25	Good	fence	E
#28	20	40	Dead	<u>Tennis court</u> , fence	R
#29	31	50	Poor	Fence footings	E
#30	22	50	Good	Fence footings	E
#31	33	50	Fair	Fence footings	E
#32	13	22	Dead	Fence	R
#33	34	30	Fair	Fence footings	E
#34	24	35	Fair	<del>Tennis court</del> , <u>fence</u>	E
#35 (off-site)	13 (estimated)	25	Fair	No	E
#36 (off-site)	21 (estimated)	30	Fair	No	E

6. **LOCATION.** The Project is located at 849 Madre Street within the East Pasadena Zoned District and West San Gabriel Valley Planning Area.

7. **RELATED ENTITLEMENT:** Site Plan Review No. RPPL2021013302 (“related SPR”) is a related request under a separate ministerial review to authorize the construction of the SFR and accessory structures (ADU, tennis court, and swimming pool) (“associated single-family residential development”).

8. **PREVIOUS ENTITLEMENT(S).** No previous land use entitlements have been issued for the property. The Project Site is currently vacant.

**LAND USE DESIGNATION.** The Project Site is located within the H2 (Residential 2 – Up to 2 Dwelling Units Per Net Acre) and W (Water) land use categories of the General Plan Land Use Policy Map. An easement for the flood channel known as Eaton Wash is dedicated over the back portion of the property and fenced off from the portion of the property that will be developed for the described SFR and accessory structures. Further, this portion of the property has a separate Assessor Parcel Number, ending in -020, which is not included in the OTP application.

9. **ZONING.** The Project Site is located in the East Pasadena Zoned District and is currently zoned R-1-40,000. Pursuant to County Code Section 22.174.030 (Applicability), an OTP is required for the removal of oak trees, encroachment into the protected zone of oak trees, and the pruning of branches greater than two inches in diameter. Although the Project is located in the Chapman Wood Community Standards District (“CSD”), the Project application was deemed complete prior to the adoption of the CSD.

## 10. SURROUNDING LAND USES AND ZONING

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	H2 and W	R-1-40,000	SFRs
EAST	H2	R-1-40,000	SFRs
SOUTH	H2, H9 (Residential 9 – Up to 9 Dwelling Units Per Net Acre), W, and P (Public and Semi-Public)	R-1-40,000, R-1- 10,000 (Single- Family Residence- 40,000 Square Feet Minimum Lot Area) and R-1 (Single- Family Residence – 5,0000 Minimum Lot Area)	SFRs
WEST	H2, W, P	R-1-40,000 and R- 1-10,000	SFRs

## 11. PROJECT AND SITE PLAN DESCRIPTION.

### A. Existing Site Conditions

The subject property consists of two Assessor Parcel Nos. 5377-019-019 and -020. The Project Site, or buildable area, is 1.63 gross acres (1.35 net) acres in size and consists of only Parcel -019. The subject property is located in two different tax rate areas resulting in the two Assessor Parcel Numbers (“APNs”) because Parcel -020 has a flood control easement (Eaton Wash) over the parcel which renders it unusable for any other purpose. Further, the parcel’s land use designation of W is intended for the establishment of uses relating to bodies of water, not residential development. Therefore, Parcel -020 is not a part of the Project and not analyzed as part of the OTP application review, and is physically cordoned off from the buildable parcel (-019). The Project Site has flat topography, contains 31 oak trees on-site and five off-site oak trees, and is vacant.

### B. Site Access

The Project Site is accessible via Madre Street, a 60-foot-wide public right-of-way, to the east.

### C. Site Plan

The site plan depicts a total of 36 oak trees, 31 on-site and five off-site on the adjacent northerly property, building footprints for a new SFR and attached ADU with a tennis court and swimming pool located in the rear yard, as well as appurtenant features including, but not limited to, the permeable driveway, utility lines, and proposed perimeter fence with front gate. Although oak trees are spread throughout the site, the heaviest concentration of oak trees is along the easterly and southerly property boundaries. These improvements will encroach into the

protected zone of 18 non-heritage oak trees (tree nos. 1, 3, 4, 5, 6, 8, 9, 10, 11, 16, 17, 22, 27, 29, 30, 31, 33, and 34), remove five oak trees including two heritage trees (tree nos. 7 and 12), ranging in size from 6 to 60 inches in diameter at breast height (DBH”) and require the removal of one limb from oak tree no. 11, a non-heritage tree, as well as removal of two living oak trees, one of which is an heritage tree, and three dead trees (tree nos. 2, 28, 32) as stated on the site plan and Oak Tree Report. All trees are identified as Oak genus (*Quercus agrifolia*), in an oak tree report prepared by Cris Falco, Board Certified Master Arborist dated September 27, 2024.

**12. CEQA DETERMINATION.**

Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from LA County Planning determined that a Negative Declaration (“ND”) was the appropriate level of environmental document for the Project as the Project will have a less than significant impact in all environmental topic areas, including biological resources. The Project will be conditioned to plant replacement oak trees for each oak tree that is removed, except for the dead trees, identified by the certified arborist and confirmed by the County Forester. The heritage trees that are alive and proposed for removal have large cavities in the base of the trees, which can pose a hazard to people and property. These trees will be replaced at a ratio of 10:1 (10 plantings for each removal). The Initial Study also concluded that the project would have an impact on the oak woodland as the removal of dead trees and trees with compromised structural integrity, dead limbs, and herbaceous ground cover would result in a decrease of any existing or passing wildlife use, including loss of nesting and denning with the removal of old oaks with cavities; however, Project compliance with the standard replacement plantings regulations, as required by Title 22, would provide sufficient protection of oak trees resulting in a less than significant impact on biological resources. Further, Project conditions also require replacement plantings for any trees that fail as a result of encroachment, 2:1 for non-heritage oak trees and 10:1 for heritage trees. Therefore, the Project would not result in a significant impact on the environment.

**13. COMMUNITY OUTREACH.** No community outreach was conducted for the Project.

**14. PUBLIC COMMENTS.** No correspondence was received from the public regarding the Project.

**15. AGENCY RECOMMENDATIONS.**

County Fire Department, Forestry Division: Recommended clearance to public hearing with conditions in a letter dated September 27, 2024. The County Forester’s letter indicates that the oak tree report submitted by the applicant is accurate and complete as to the location, size, and conditions of approval, which have been incorporated into this OTP.



16. **LEGAL NOTIFICATION.** Pursuant to Section 22.174.040.E (Oak Tree Permits – Application with a Public Hearing) of the County Code, the community was properly notified of the public hearing by mail, and the Daily Journal, and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On January 28, 2025, a total of 194 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as nine notices to those on the courtesy mailing list for the East San Gabriel Zoned District and to any additional interested parties.

### **GENERAL PLAN CONSISTENCY FINDINGS**

17. **LAND USE POLICY.** While the Hearing Officer finds that the Project is for an OTP, the associated by-right single-family residential development is consistent with the goals and policies of the General Plan because the H2 land use category is intended for the development of single-family residences and issuance of an OTP will facilitate the development of a SFR and attached ADU, which is a land use that is permitted by right within the R-1 Zone. The Hearing Officer further finds that the Project is necessary to ensure the protection of oak trees which are valued historical, aesthetic, and ecological resources within the County.

12. **GOALS AND POLICIES.** The Hearing Officer finds that while the Project is for an OTP, the associated SFR development is consistent with the following goals and policies of the General Plan:

- Goal LU 7: *Compatible land uses that complement neighborhood character and the natural environment.*
- Land Use Element, Policy 4.1: *Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.*
- Land Use Element, Policy 5.1: *Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types, and styles.*

The encroachment into the protected zone of 18 non-heritage oak trees, removal of five oak trees including two heritage oak trees, and limb removal of one non-heritage oak tree are necessary to facilitate the development of a SFR, ADU, accessory structures, and appurtenant features. The development of a SFR in conjunction with an ADU is allowed and encourages infill development in such a residential community as East Pasadena. Maintaining the healthy oak trees on the premises while developing the vacant property with a single-family residential use that includes an ADU, accessory structures, and appurtenant features that comply with the Zoning Code will ensure complementary development that is consistent with the General Plan.

**ZONING CODE CONSISTENCY FINDINGS**

18. **PERMITTED USE IN ZONE.** The Hearing Officer finds that while the Project is for an OTP, the associated single-family residential development is consistent with the R-1-40,000 zoning classification and oak tree removals, cutting of branches greater than two inches in diameter, and encroachments into the protected zone of oak trees are permitted in such zone with an OTP pursuant to County Code Section 22.174.030 (Applicability).
19. ~~**REQUIRED YARDS.** The Hearing Officer finds that while the Project is for an OTP, the associated single-family residential development will be consistent with the County Code Section 22.18.040 (Development Standards for Residential Zones) which requires a minimum front setback of 20 feet, rear setback of 15 feet, and side setback of 5 feet. The proposed residence maintains a 15-foot side yard, parallel to the northerly property line and a four-foot side yard is provided between the attached ADU and southerly property line. State ADU law requires a minimum side setback of 4 feet and overrides any conflicting local setbacks. A 71-foot front setback and 300-foot rear setback are also provided. Compliance with the required yards will be verified during review of the related SPR prior to issuance of a building permit.~~
20. ~~**BUILDING HEIGHT.** The Hearing Officer finds that while the Project is for an OTP, the associated single-family residential development will be consistent with the county Code Section 22.18.040 (Development Standards for Residential Zones) which limits the height of a single-family residence to 35 feet. The residential building height, currently at 21 feet, will be reviewed for conformity under a separate ministerial permit.~~
21. **FENCING.** The Hearing Officer finds that while the Project is for an OTP, the associated single-family residential development, which includes proposed fencing, will be consistent with the standard identified in the County Code Section 22.110.070.B (Fences, Walls, and Landscaping) which limits the height of rear yard fences and walls to 6 feet and 3.5 feet for front yards. The Project proposes a six-foot high wrought perimeter fence which will be setback from the front property line a distance of at least 40 feet from Madre Street. Compliance with the fence/wall standards will be verified during review of the related SPR prior to issuance of a building permit.
22. ~~**ACCESSORY DWELLING UNIT.** The Hearing Officer finds that while the Project is for an OTP, the associated proposed and any future ADUs will be reviewed for consistency with the standards identified under the State ADU law which requires ADUs to be located 20 feet from the front property line and 4 feet from the side and rear property lines, and no taller than 25 feet. The proposed attached ADU is sited four feet from the side property boundary (southerly) and more than 50 feet from the front and rear property boundaries. Compliance with the ADU standards will be verified during review of the related SPR prior to issuance of a building permit.~~
23. ~~**ACCESSORY STRUCTURES.** The Hearing Officer finds that while the Project is for an OTP, the associated proposed accessory structures, except the ADU, will be reviewed for consistency with the standards identified in County Code Section 22.110.040.B (Accessory Structures and Equipment).~~

### **OAK TREE PERMIT FINDINGS**

24. **The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to Title 22 regulations on the subject property.** Of the 36 oak trees on or adjacent to the Project Site, the protected zone of 18 non-heritage oak trees will be encroached upon; one limb of Tree No. 11, a non-heritage tree, will be removed; and five oak trees (tree nos. 2, 7, 12, 28, and 32), including two heritage oaks (oak tree no. 7 and 12) will be removed with the related construction of the SFR, attached ADU, swimming pool, tennis court, and other appurtenant features. No adverse impact to any remaining oak tree is anticipated. All but five (three of which are either dead or have a large cavity in the base of the tree) of the 31 on-site oak trees will remain in place with measures imposed to protect the trees from construction impacts through the County Forester recommended conditions of approval. The five off-site oak trees (tree nos. 23, 24, 25, 35, 36) will not be impacted by the development as the proposed perimeter fence is designed to avoid the protected zones of these oaks and no encroachment would result to these neighboring oak trees. The Project conditions of approval require the Permittee to provide mitigation trees should any protected tree fail as a result of the approved encroachments, and to plant mitigation trees within one (1) year of the permitted oak tree removal, and to require the use of hand tools to minimize and prevent damage to any of the on-site trees to be encroached upon.
25. **The Hearing Officer finds that the removal or relocation of the oak trees proposed will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.** The Project Site is undeveloped. Removal of five oak trees will not result in soil erosion as 31 oak trees will remain in place. Further, construction of a SFR and accessory structures will be subject to the Low Impact Development Ordinance and reviewed by the Department of Public Works prior to issuance of a building permit. Therefore, erosion requirements to control drainage and minimize site runoff will apply to the Project Site.
26. **The Hearing Officer finds that the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that (i) Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or (ii) Placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized.** A total of 36 oak trees form the sphere of influence of the oak woodland. Due to the sheer number of oak trees that cover the property, it is difficult for construction of the primary SFR, accessory structures, and appurtenant features to avoid all oak trees. The majority of the oak trees are clustered along the southerly and easterly property lines. The proposed removal of five oak trees, three of which are dead, allow for reasonable development of the property, consistent with the prescribed land use category and zoning. An alternative site plan with a different primary building footprint and detached ADU indicated more impacts to oak trees.

**27. The Hearing Officer finds that the removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the Oak Tree Permit procedure.** To balance development and the environment, the Zoning Code permits oak trees to be removed, so long as a development's design preserves the greatest practicable number of trees and ensures their replacement and propagation. The Project is subject to the County's Oak Tree Ordinance, which requires the planting of replacement trees at a ratio of 2:1 for non-heritage oak tree removals. The Forester is recommending a replacement ratio of 10:1 for the removal of healthy heritage oak trees, which means a total of 20 replacement trees will need to be planted. The arborist has identified three oak trees that are either dead or have large cavities in their base (No. 7, 28, 32) necessitating removal and confirmed by the Forester; therefore, replacement trees are not required for the removal of the dead oak trees.

### **ENVIRONMENTAL FINDINGS**

**28.** After consideration of the ND, together with the public comments received during the public review process for the environmental document, the Hearing Officer finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will not have a significant effect on the environment, and further finds that the ND reflects the independent judgment and analysis of the Hearing Officer. The Project includes conditions requiring replacement trees to be planted at a ratio of 10 new trees for each living heritage tree that is removed. Additionally, Project conditions also require replacement plantings for any trees that fail as a result of encroachment, 2:1 for non-heritage oak trees and 10:1 for heritage trees.

**29.** The Hearing Officer finds that the Permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code, which is required for an ND determination.

### **ADMINISTRATIVE FINDINGS**

**30. LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Foothills Development Services Section, LA County Planning.

### **BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

**A.** The proposed construction or proposed use will be accomplished without endangering the health of the remaining oak trees subject to County Title 22 (Planning and Zoning) regulations on the subject property.

- B. The removal of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.
- C. The removal of the oak trees proposed is necessary as continued existence at the present location frustrates the planned improvement or proposed use of the subject property to such an extent that alternate development plans cannot achieve the same permitted density and that placement of such tree precludes the reasonable and efficient use of such property or a use otherwise authorized.
- D. The removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

**THEREFORE, THE HEARING OFFICER:**

- 1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will not have a significant effect on the environment; and adopts the Negative Declaration; and
- 2. Approves **OAK TREE PERMIT NO. RPPL2021011244**, subject to the attached conditions.

**ACTION DATE: May 6, 2025**

MRB:MP

~~March~~ April 24, May 1, 2025