

SUPPLEMENTAL
REPORT TO THE HEARING OFFICER

DATE ISSUED:	March 17, 2025	
HEARING DATE:	March 18, 2025	AGENDA ITEM:5
PROJECT NUMBER:	PRJ2024-000924-(5)	
PERMIT NUMBER(S):	Oak Tree Permit (“OTP”) No. RPPL2024002516 Zoning Conformance Review No. RPPL2024002515	
SUPERVISORIAL DISTRICT:	5	
PROJECT LOCATION:	2980 Crestford Drive, Altadena (Assessor’s Parcel Number 5829-029-050)	
OWNER:	Mary Hines	
APPLICANT:	Mary Hines	
CASE PLANNER:	Jolee Hui, Principal Planner jhui@planning.lacounty.gov	

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 PRJ2024-000924-(5), OTP Number RPPL2024002516, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT(S):

I, THE HEARING OFFICER, APPROVE OAK TREE PERMIT NUMBER RPPL2024002516 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

- Oak Tree Permit (“OTP”) a request to authorize retroactive encroachment into the protected zone of one heritage-sized oak tree (identified as Tree No. 1), associated with legalizing a 97 square-foot trellis covered patio and a 283 square-foot addition to an existing single-family residence (“SFR”), and to authorize new encroachment associated with the proposed interior remodeling within this SFR addition, and corrective pruning of Tree No. 1 as recommended by the consulting arborist in the R-1-7,500 (Single-Family Residence – 7,500 Square Feet Minimum Required Lot Area) Zone pursuant to County Code Section [22.174.030 \(Applicability\)](#).

B. Project Updates

On March 18, 2025, Staff received a memo requesting additional information from the Hearing Officer. In response, the following information was compiled to address the Hearing Officer’s comments/questions:

- 1) *Draft Condition 8 states, “Inspections shall be made...”. How many? What is the proposed timing of the inspections? What would be the deposit amount?*

Draft Condition No. 8 has been updated to require one zoning enforcement inspection and a deposit of \$456.00 for this one zoning enforcement inspection. Since the remaining proposed scope of work primarily involves interior remodeling and the completion of the trellis/covered patio, the anticipated amount of ground disturbing activities will be minimal. One zoning enforcement inspection, along with two subsequent inspections by the County Forester after permit approval (Condition No. 2 in the Forester’s letter), is deemed adequate to ensure the health and survival of the heritage oak tree.

- 2) *Asphalt to the rear of the garage and extending the length of the rear property line, bricks, stones, and a planter fall within the protected zone of Oak Tree No. 1. Why are these features not included in the site plan or the subject of a condition requiring either their removal or some sort of mitigation?*

The applicant’s representative provided the following background regarding the existing hardscaping and landscaping within the protected zone of Tree No. 1.

The asphalt to the rear of the garage as well as the brick patio around the tree and some of the walkways were already present when the current property owner moved there in 1969. Other walkway was updated in the 70’s and 80’s as it eroded and sank over the years. The asphalt area has never been repaved, and that the area was a part of an easement that was not originally a part of the subject property and the abutting neighboring property at 3035 El Nido Drive. The representative further added that the area “may have been owned by the County. The drainage from the property from the north caused dirt and mud debris to wash through the rear of the yard because the asphalt

was not poured to the rear cinderblock wall. In 1976, plants were added to help hold the soil in place. The property line originally ended in line with the back wall of the garage. The ally was County property and truck could gain access to a neighboring street (El Nido). Sometime in the 1970's this easement was given to the property owners [3035 El Nido Drive] on the West side of Crestford Drive."

The consulting arborist, Peter Harnisch, stated in an email that "*having those materials [bricks] close to the trunk does not present a problem for the oak...as watering or installing mulch in that area would be harmful anyway. The brick walkway leading from the tree to the rear of the house (also pre-existing) has a negligible impact on the oak as it is porous and allows gaseous exchange for underlying roots.*" Therefore, removal or additional mitigation is currently not warranted.

Although these landscaping and hardscaping features may have been installed before the Oak Tree Permit Ordinance took effect on August 20, 1982, County Planning has no records to verify their timeline. For the purposes of this oak tree permit, these existing landscaping and hardscaping features have been added to the project description and scope of the permit request. The project description in the draft Findings and Conditions of Approval has been updated to incorporate this revision.

Report

Reviewed By:

Michele R. Bush

Michele R. Bush, Supervising Regional Planner

Report

Approved By:

Mama K. Nair

for S. Tae

Susan Tae, AICP, Assistant Deputy Director

Attachments: Revised Draft Findings and Conditions of Approval (Redline)

From: peter@harnischtreecare.com
To: [Jolee Hui](#)
Subject: RE: Hearing Officer's Questions
Date: Thursday, March 13, 2025 12:20:23 PM
Attachments: [image001.png](#)

CAUTION: External Email. Proceed Responsibly.

Hi Jolee,

The asphalt at the rear of the property existed prior to 1980s. The bricks and stone also existed prior to 1980s. In any event, having those materials close to the trunk does not present a problem for the oak in my opinion as watering or installing mulch in that area would be harmful anyway. The brick walkway leading from the tree to the rear of the house (also pre-existing) has a negligible impact on the oak as it is porous and allows gaseous exchange for underlying roots. I'm not sure which planter you are referring to.

From: Jolee Hui <JHui@planning.lacounty.gov>
Sent: Wednesday, March 12, 2025 3:15 PM
To: Renee Y Hines <evsmom@hotmail.com>; peter@harnischtreecare.com
Subject: Hearing Officer's Questions

Good afternoon,

Please see the attached memo detailing two outstanding questions from the Hearing Officer. I will be able to respond to the first question, but the second question will require input from the property owner and the arborist. I did not include a condition in the oak tree permit requiring the removal of the planter, bricks, stones, asphalt, and etc.. within the oak tree protected zone because it was not specifically called for in the oak tree report.

Question:

“Asphalt to the rear of the garage and extending the length of the rear property line, bricks, stones, and a planter fall within the protected zone of Oak Tree No. 1. Why are these features not included in the site plan or the subject of a condition requiring either their removal or some sort of mitigation?”

Peter: Is the removal of such features necessary to improve the health of the oak tree?

Renee: Do you know when these features or improvements were in place?

Thank you.

JOLEE HUI (she/her/hers)

PRINCIPAL PLANNER, Foothills Development Services

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Email: jhui@planning.lacounty.gov

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From: [Renee Y Hines](#)
To: [Jolee Hui](#); peter@harnischtreecare.com
Subject: Re: Hearing Officer's Questions
Date: Thursday, March 13, 2025 9:35:42 AM
Attachments: [image001.png](#)

CAUTION: External Email. Proceed Responsibly.

Good Morning,

Regarding the features at the rear of the property:

Asphalt at the rear of the garage and extending the length of the property was there in 1969. This area has not ever been repaved. This area was a part of an easement that was not originally a part of the property owners' lots and may have been owned by the county. The drainage from the property from the north caused dirt and mud debris to wash through the rear of the yard because the asphalt was not poured to the rear cinderblock wall.

Approximately, 1976 plants were added to help hold the soil in place. The property line originally ended in line with the back wall of the garage. The alley was county property and truck could gain access to a neighboring street. (El Nido) Sometime in the 70's this easement was given to the property owners on the West side of Crestford Drive.

Why would the flower bed and the brick planter need to be mitigated if they have always been there?

Perhaps I am confused as to what flower bed, stones and brick area you are referring to?

Please advise.

Thank you,

Renée

From: Jolee Hui <JHui@planning.lacounty.gov>
Sent: Wednesday, March 12, 2025 3:14 PM
To: Renee Y Hines <evsmom@hotmail.com>; peter@harnischtreecare.com
<peter@harnischtreecare.com>
Subject: Hearing Officer's Questions

Good afternoon,

Please see the attached memo detailing two outstanding questions from the Hearing Officer. I will be able to respond to the first question, but the second question will require input from the property owner and the arborist. I did not include a condition in the oak tree permit requiring the removal of the planter, bricks, stones, asphalt, and etc.. within the oak tree protected zone because it was not specifically called for in the oak tree report.

Question:

“Asphalt to the rear of the garage and extending the length of the rear property line, bricks, stones, and a planter fall within the protected zone of Oak Tree No. 1. Why are these features not included in the site plan or the subject of a condition requiring either their removal or some sort of mitigation?”

Peter: Is the removal of such features necessary to improve the health of the oak tree?

Renee: Do you know when these features or improvements were in place?

Thank you.

JOLEE HUI (she/her/hers)

PRINCIPAL PLANNER, Foothills Development Services

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LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2024-000924-(5)
OAK TREE PERMIT NO. RPPL2024002516

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 ("OTP") No. **RPPL2024002516** on March 18, 2025.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT(S) REQUESTED.** The Permittee, Mary Hines ("Permittee"), requests the OTP to authorize retroactive encroachment into the protected zone of one heritage sized oak tree, associated with the prior construction of a partially completed 97-square-foot trellis covered patio, ~~and~~ an unpermitted 283 square-foot floor area addition dating back to 1967, existing landscaping and hardscaping features in the rear yard, as well as proposed encroachment associated with the corrective pruning, new security gate in the north side yard, interior remodeling of the unpermitted addition inside the existing single-family residence ("SFR") ("Project") on a property located at 2980 Crestford Drive in the unincorporated community of Altadena ("Project Site") in the R-1-7,500 (Single-Family Residence – 7,500 Square Feet Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") Section 22.174.030 (Applicability).
4. **RELATED ENTITLEMENT(S).** The additions were completed or partially completed without a permit and is currently being reviewed, along with proposed interior remodeling of the 283-square-foot habitable space addition inside the SFR and new security gate, under the associated Zoning Conformance Review No. RPPL2024002515 ("related ZCR"). The proposed remodeling under the related ZCR includes improvements to an existing bathroom inside the Master's bedroom to provide American Disability Act features.
5. **PREVIOUS ENTITLEMENT(S).**

CASE NO.	REQUEST	DATE OF ACTION
BL 9702280044	Building permit to alter slope of roof.	February 28, 1997

6. **LAND USE DESIGNATION.** The Project Site is located within the LD (Low Density Residential – One to Six Dwelling Units per Gross Acre) land use category of the Altadena Community Plan ("Community Plan") Land Use Policy Map, a component of the General Plan.

7. **ZONING.** The Project Site is located in the West San Gabriel Valley Planning Area, the Altadena Zoned District, and the Altadena Community Standards District (“CSD”); the Project Site is currently zoned R-1-7,500. Pursuant to County Code Section 22.174.030 (Applicability), an OTP is required to encroach into the protected zone of one heritage oak tree.

8. **SURROUNDING LAND USES AND ZONING**

LOCATION	COMMUNITY PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	LD	R-1-7,500	SFRs
EAST	LD	R-1-7,500	SFRs
SOUTH	LD, I (Institutions)	R-1-7,500	SFRs, child and family services
WEST	LD, City of Pasadena	R-1-7,500, City of Pasadena	SFRs, Hahamongna Watershed Park

9. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The Project Site is 0.15 Acres in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is developed with the subject SFR and accessory structures.

B. Site Access

The Project Site is accessible via Crestford Drive, a 50-foot-wide public street, to the west.

C. Site Plan

The Project Site depicts an existing SFR situated roughly in the center of the parcel, with a detached garage in the northeast corner towards the rear of the parcel. Two oak trees are identified in the vicinity of the SFR. An off-site oak tree is in front of the residence (in the public right-of-way) and falls outside of the work scope. The subject oak tree for this OTP is a heritage oak tree located in the rear yard identified as Tree No. 1, with the protected zone overlapping the rear portion of the SFR and garage. The “to be legalized” 97-square-foot trellis covered patio and 283-square-foot habitable space addition, as well as the proposed north security gate, are located along the rear of the SFR within the oak tree protected zone. The proposed interior remodeling of the existing bathroom may include plumbing upgrades and ADA improvements and is located within the “to be legalized” addition area.

10. **CEQA DETERMINATION.**

Prior to the Hearing Officer’s public hearing on the Project, LA County Planning staff determined that the Project qualified for Class 1- Existing Facilities, and Class 4- Minor Alterations to Land, categorical exemptions from 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. The Project involves a request to retroactively authorize a prior oak tree encroachment related to an unpermitted a covered patio/trellis, existing landscaping/hardscaping, and a 283-square-foot floor area addition to the existing SFR as well as a new encroachment related to the proposed interior remodeling, and a new security gate, which fall within a Class 1 exemption. Class 4 exemptions typically consist of alterations in the conditions of land where no removal of healthy, mature, or scenic trees is proposed. The proposed corrective pruning is recommended by the consulting arborist. The Project involves encroachment into the protected zone of one heritage-sized oak tree located on private land that does not involve the removal of healthy mature, scenic trees related to the legalization of additions and interior remodeling to an SFR.

No exceptions to the Categorical Exemption are found to apply to the Project per section 15300.2 of the California Code of Regulations. The subject property is located in a developed community and is not located within or near an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. The surrounding area is an urbanized residential neighborhood. The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. The Project is not on a scenic highway or a hazardous waste site, is not known to contain historic resources, and will not have a significant or cumulative environmental impact; thus, the Project does not meet any exceptions to the identified Categorical Exemption.

- a) Location: The Project Site does not contain any identified environmental resource of hazardous or critical concern as designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- b) Cumulative Impacts: The Project mainly involves retroactive encroachment into the protected zone of one heritage-sized oak, in order to legalize an existing small 283-square-foot floor area addition and other small improvements to the existing single-family residence, as well as a potential new encroachment related to the proposed interior remodeling within this small floor area located in the protected zone, such as updating the existing bathroom inside the Master’s bedroom. Corrective pruning is also proposed under the supervision of the consulting arborist.
- c) “Unusual Circumstances” or Significant Effects: The Project is to authorize encroachment into the protected zone of one heritage-sized oak tree in order to legalize the construction of a minor physical expansion of the existing structures by the prior construction of a 97 square foot trellis covered patio and 283 square foot addition to the existing SFR. Adequate utilities and roadway infrastructure already exist to serve the Project Site, and no environmentally sensitive areas will be impacted by any additional development as none is proposed.

- d) Scenic Highways: According to California's Scenic Highway Program, which is administered by Caltrans, the Project Site is not located within or near an officially designated state scenic highway.
- e) Hazardous Waste Sites: The Project Site is not located on a site which is included on any list compiled pursuant to Government Code Section 65962.5. According to the California Department of Toxic Substances Control's ("DTSC's") EnviroStor and State Water Resources Control Board's GeoTracker web databases, no active or open hazardous waste sites were identified at the Project Site. A review of the Hazardous Waste and Substances Site List-Site Cleanup database also shows no records on the Project Site. Finally, the Project Site is not included in any Water Board's list of solid waste disposal sites, list of "active" orders where necessary actions have not yet been completed (known as Cease-and-Desist Orders and Cleanup and Abatement Orders).
- f) Historical Resources: The Project Site does not contain any historical resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources or included in a local register of historical resources. According to the County's Historic Resources Sites Policy mapping, there is no historic or cultural resource site within the vicinity of the Project Site. The County also does not consider the Project Site to be a discretionary historical resource per Public Resources Code Section 21084.1.

The Project Site and the surrounding properties have been altered from their natural conditions and exist in a fully developed part of Altadena. The Project Site is currently occupied by an SFR. The one affected oak tree does not constitute an intact oak woodland and are part of a severely degraded oak woodland due to decades of development on the Project Site and in this residential community. The retroactive approval of the SFR improvements and the proposed renovation will have minimal impacts due to small-scale development activities and no new ground disturbance.

The requested encroachment is considered a minor impact that would not result in further loss of an ecosystem. The Project Site has been used for the SFR use since 1950. Furthermore, the County Forester ("Forester") has reviewed the Project for the requested encroachments. The arborist's recommendations to ensure the continued survival of the heritage-oak tree will be conditioned as part of the OTP. The future inspections by the Forester will ensure that any remaining oak trees survive, or if they do not survive that they are replaced. If an oak tree should die from prior and/or future construction impacts, the Permittee will be required to replace a dead heritage oak tree at 10:1 on the property and follow-up monitoring will continue to be required to ensure survival. If the replacement mitigation trees are deemed impossible by the County Forester, then a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. These recommended conditions of approval by the Forester and the recommendations provided in the oak

tree report are incorporated by reference in the OTP. They have been determined by the Forester to be sufficient to recover any losses to trees.

The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. No significant effect due to unusual circumstances and no cumulative impacts are anticipated. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

11. **COMMUNITY OUTREACH.** Staff is not aware of any community outreach efforts as of the drafting of these findings.
12. **PUBLIC COMMENTS.** Staff has received one public comment as of the drafting of these findings. The public comment voiced objection to the requested authorization for any new oak tree encroachment, especially due to the recent Eaton Fire.
13. **AGENCY RECOMMENDATIONS.** County Fire Department, Forestry Division: Recommended clearance to public hearing with conditions in a letter dated July 30, 2024. The Forester confirmed that the Oak Tree Report submitted by the Permittee is accurate and complete as to the location, size, condition and species of the oak trees on the Project Site and recommends several conditions of approval, which have been incorporated into this OTP.
14. **LEGAL NOTIFICATION.** Pursuant to Section 22.174.040.E (Oak Tree Permits – Application and Review Procedures – Application with a Public Hearing) of the County Code, the community was properly notified of the public hearing by mail and newspaper (*Pasadena Star-News*). Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On January 30, 2025, a total of 14 Notices of Public Hearing were mailed to those on the Altadena Zoned District and OTP courtesy lists, and any additional interested parties. Additionally, case materials were available on LA County Planning's website.

GENERAL PLAN CONSISTENCY FINDINGS

15. **LAND USE POLICY.** The Hearing Officer finds that the Project is a request to encroach into the protected zone of one heritage oak tree, in conjunction with the legalization of a 97-square-foot trellis covered patio and 283 square foot addition to an existing SFR, along with other proposed minor work, and is consistent with the goals and policies of the General Plan and Community Plan because the LD designation is intended for SFR development, a category into which this Project falls. The Hearing Officer further finds that the Project promotes the continued SFR use and character of the surrounding area.
16. **GOALS AND POLICIES.** The Hearing Officer finds the Project is consistent with the following goals and policies of the Community Plan:

- Land Use, Policy 4.3, Page 4-2: *Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities.*
- Land Use, Goal 4-2, Page 4-1: *Maintain and enhance a living environment for Altadena residents which provides for their needs: health, physical safety, and high quality of life.*

Preserving the heritage oak tree in conjunction with the legalization of the additions to the SFR will ensure that the existing residential character of the property continues to be compatible with that of the neighborhood and surrounding natural environment. While the OTP is for the encroachment, the approval of the OTP along with its conditions of approval will be necessary to ensure that the affected heritage oak tree continues to thrive, to be monitored, maintained, and cared for in accordance with the professional recommendations of the consulting arborist and County Forester. The new security gate, the recommended corrective pruning by the consulting arborist, legalizing a 97-square-foot trellis covered patio and 283-square-foot addition to the SFR would not conflict with the above goal and policies.

- Environmental Resources, Policy No. 12, Page 10-2: *Continue standards which minimize grading in foothill areas.*
- Land Use, Policy No. 9, Page 4-3: *Permit developers to utilize innovative residential construction and siting techniques, provided that they maintain physical safety and health and are compatible with existing land use and the environmental setting.*
- Environmental Resources, Policy No. 13, Page 10-2: *Require new development in foothill areas minimize siltation of streams and canyons.*

While the Project consists of encroachment into the protected zone of one heritage-sized oak tree, the associated work triggering the encroachment consists of legalizing a 97-square-foot trellis covered patio and 283-square-foot habitable space to the SFR and proposed remodeling within the SFR. The Project is not located near any streams or canyons or sensitive areas. The Project does not propose grading and will not impact any areas with slopes greater than 25 percent. Furthermore, the existing addition and proposed interior remodel to the SFR complies with all development standards.

17. GOALS AND POLICIES. The Hearing Officer further finds that while the Project is for the encroachment into the protected zone of one oak trees, the underlying SFR development is consistent with the following goal 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.*

Maintaining the heritage oak tree and the SFR use on the Project Site will ensure that the existing character of the Project Site will continue to be compatible with and maintain the character of the residential neighborhood and surrounding natural environment.

ZONING CODE CONSISTENCY FINDINGS

18. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-1 zoning classification as the encroachment into the protected zone of a heritage oak tree in conjunction with the legalizing of a 97-square-foot trellis covered patio and 283-square-foot habitable space addition to an SFR along with other proposed minor work at the SFR, is permitted in such zone and subject to an OTP pursuant to County Code Section 22.174.030 (Applicability).
19. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.18.040 (Development Standards for Residential Zones). While the Project consists of one heritage oak tree encroachment associated with the conversion of a former patio space into habitable space that occurred starting in 1967 at an existing SFR, a 35-foot height limit is required, and the additions to be legalized do not exceed 18 feet in height. The height will be reviewed and approved under the related ZCR.
20. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). While the Project is a request for the encroachment into the protected zone of a heritage oak tree in conjunction with the legalization of a 97-square-foot trellis covered patio and 283-square-foot addition to an SFR, SFR use (under four bedrooms) requires a minimum of two covered parking spaces in the Altadena CSD. An existing garage attached to the SFR will remain unaffected by the Project and provides the required two covered parking spaces for the SFR.
21. **COMMUNITY STANDARDS DISTRICT (“CSD”).** The Hearing Officer finds that the Project Site is located in the Altadena CSD, and that the Project is consistent with the standards identified in County Code Chapter 22.306 (Altadena CSD). While the Project is a request for encroachment into the protected zone of a heritage oak tree in conjunction with the legalizing of a 97-square-foot trellis covered patio and 283-square-foot addition to an SFR and other proposed minor work, an interior side yard setback of 10 percent of the average lot width, with a minimum of five feet is required for SFRs. The Project Site has an average lot width of 58 feet, resulting in a required side yard setback of 5.8 feet. The additions to be legalized are located no closer than 9.5 feet to the side property line. A 20-foot front setback, and a 25-foot rear setback is also required for lots under 20,000 square feet, and the additions to the SFR to be legalized are located more than 44 feet from the front property line, and 42 feet from the rear property line. The calculated Gross Structural Area (GSA) of the Project Site is

2,658.5 square feet and the floor area of the SFR (after 283-square-foot addition) will be 1,521 square feet. Lot coverage (after adding the 362 square feet garage and 97 square feet covered patio) will also not exceed this number. The setbacks, lot coverage, and GSA will be reviewed and approved under the related ZCR.

OAK TREE PERMIT FINDINGS

22. **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 County Code Title 22 (Planning and Zoning) regulations on the subject property.** One heritage sized oak tree in the rear yard (Tree No. 1) has been encroached upon by the past residential improvements that likely occurred from 1967 to 2023 at the existing SFR property, and the most recent encroachment associated with the covered patio was found not to result in significant adverse effects to the heritage oak tree, as noted in the oak tree report prepared by Peter C. Harnisch, Consulting Arborist, dated January 3, 2024. The consulting arborist further indicated that he did not observe “any obvious signs of stress that would normally be seen when root loss occurs such as deadwood at branch extremities or sparsity within the leaf canopy.” These construction activities were completed without a permit. The approval of the related ZCR would legalize these existing additions and allow them to remain in place as well as authorize the proposed bathroom remodel. Otherwise, additional ground disturbing activities within the protected zone of the heritage oak tree would occur if these additions were required to be physically removed. The second oak tree located in front of the SFR falls outside of the work scope and will not be impacted by the proposed interior remodel. To minimize any possible adverse impacts, the OTP will incorporate the standard recommendations from the Forester as well as the consulting arborist.
23. **The Hearing Officer finds that the removal or relocation 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.** No oak trees are proposed to be removed or relocated as a part of this Project. The Project is a request for encroachment into the protected zone of a heritage oak tree in conjunction with the legalizing of a 97-square foot trellis covered patio, existing landscaping/hardscaping, and ~~and~~ 283-square-foot addition to an SFR and other proposed minor work. Corrective pruning is also proposed under the supervision of the consulting arborist to encourage healthy regrowth.
24. **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 placement of such oak trees precludes the reasonable and efficient use of such property for a use otherwise authorized.** No oak trees are proposed to be removed or relocated as a part of this Project. The Project is a request for encroachment into the protected zone of a heritage oak tree in conjunction with the legalizing of a 97-square-foot trellis porch, existing landscaping/hardscaping, and 283-square-foot addition to an SFR and other proposed minor work such as interior remodeling. Corrective pruning

is also proposed under the supervision of the consulting arborist to encourage healthy regrowth.

25. **The Hearing Officer finds that the removal of the oak tree proposed will not be contrary to or be in substantial conflict with the intent and purpose of the Oak Tree Permit procedure.** No oak trees are proposed to be removed as a part of this Project. The Project is a request for encroachment into the protected zone of a heritage oak tree in conjunction with the legalizing of a 97-square-foot trellis covered patio, existing landscaping/hardscaping, and 283 square foot addition to an SFR along with other minor work such as the interior remodeling of a bathroom. Corrective pruning is also proposed as recommended by the consulting arborist. The purpose of the Oak Tree Permit is allow the reasonable use of the property while preserving the existing oak trees located in the vicinity. The protective measures that will be undertaken as part of the Project will remedy any existing damage to the subject Tree No. 1 and will protect it from any further adverse effects due to remaining work to be completed such as the interior bathroom remodeling. Thus, the requested encroachment, new and retroactive in nature, are consistent with the provisions of the County Code.

ENVIRONMENTAL FINDINGS

26. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 and 15304 (Class 1- Existing Facilities, and Class 4- Minor Alterations to Land categorical exemptions). The Project involves a request to retroactively authorize the encroachment into the protected zone of one heritage tree, associated with the prior construction of a trellis covered patio, existing landscaping/hardscaping, and the addition of 283 square feet of habitable space as well as proposed interior bathroom remodel to an existing SFR, new security gate installation, and corrective pruning. As the Project proposes the legalization of previous construction, the remodeling of the interior of an existing SFR and other minor work, this falls within a Class 1 exemption. Class 4 exemptions typically consist of alterations in the conditions of land where no removal of healthy, mature, or scenic trees is proposed. The Project involves encroachment into the protected zone of one oak tree located on private land that does not involve the removal of healthy mature, scenic trees related to the legalization of additions to an SFR.

No exceptions to the Categorical Exemption are found to apply to the Project per section 15300.2 of the California Code of Regulations. The subject property is located in a developed community and is not located within or near an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. The surrounding area is an urbanized residential neighborhood. The subject property and its surroundings are developed with roadways, driveways, utility poles and lines, buildings, ornamental landscaping, and other infrastructure. The Project is not on a scenic highway or a hazardous waste site, is not known to contain historic resources, and will not have a significant or cumulative environmental impact; thus, the Project does not meet any exceptions to the identified Categorical Exemption.

ADMINISTRATIVE FINDINGS

27. 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 trees subject to County Code Title 22 (Planning and Zoning) regulations on the subject property.
- B. The removal or relocation 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. 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 placement of such oak trees precludes the reasonable and efficient use of such property for 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. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 and 16304 (Class 1- Existing Facilities, and Class 4- Minor Alterations to Land categorical exemptions); and
- 2. Approves **OAK TREE PERMIT NO. RPPL2024002516**, subject to the attached conditions.

ACTION DATE:

MRB:SD

March 18, 2025

c: Hearing Officer, Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2024-000924-(5)
OAK TREE PERMIT NO. RPPL2024002516

PROJECT DESCRIPTION

The project is to authorize the encroachment (both retroactive and proposed in nature) into the protected zone of one heritage-sized oak tree (identified as Tree No.1 on Exhibit "A"), associated with the legalization of a 97-square-foot trellis covered patio, a 283-square-foot habitable space addition dating back to 1967, existing hardscaping/landscaping in the rear yard, and proposed interior remodeling at an existing single-family residence, new security gate in the north side yard, and proposed corrective pruning ("SFR") subject to the following conditions of approval:

GENERAL CONDITIONS

1. **Permittee.** Unless otherwise apparent from the context, the term "Permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. **Affidavit of Acceptance.** This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("LA County Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4 and 7 shall be effective pursuant to Section 22.222.230 of the County Code.
3. **Indemnification.** The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. **Litigation Deposit.** In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee according to County Code Section 2.170.010.

5. **Invalidation.** If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
 6. **Transfer.** Upon any transfer or lease of the property during the term of this grant, the Permittee, or the owner of the subject property, if other than the Permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
 7. **Grant Term.** This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the SFR and satisfaction of Condition No. 2 shall be considered use of this grant.
 8. **Inspections.** The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of or any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum of \$456.00 which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for one (1) inspection to be conducted after the issuance of the final building permit. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).
- If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be ~~\$441~~\$456.00 per inspection, or the current recovery

cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

9. **Revocation.** Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.
10. **Fire Code.** All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
11. **County Department of Public Works Requirements.** All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
12. **Exhibit "A".** All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning ("Director").

PROJECT SITE-SPECIFIC CONDITIONS

13. **Grant.** This grant shall authorize the encroachment (both retroactive and proposed in nature) into the protected zone of one heritage oak tree (identified as Tree No. 1) as depicted on Exhibit "A," in association with the legalization of the prior construction of a 97-square-foot trellis covered patio a 283-square-foot habitable space addition, and proposed interior remodeling at the existing SFR, new security gate, and proposed corrective pruning on branches greater than two inches in diameter under the supervision of a consulting arborist on record.
14. **County Forester.** The Permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division ("Forester"), letter dated July 30, 2024 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division and by these conditions.
15. **Consulting Arborist.** Before commencing any work authorized or required by this grant, the consulting arborist shall submit a letter to the Director and Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director and the Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates, if applicable.

16. **Replacement Ratio.** The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) for any tree specified above that dies as a result of the approved encroachments.
17. **Replacement Trees.** All required replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus* sp.) as the removed or dead tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
18. **Rooting Zones of Replacement Trees.** When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus* sp.) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
19. **Recommendations in Oak Tree Report.** The recommendations provided in the Oak Tree Report prepared by Peter C. Harnisch, Consulting Arborist, dated January 3, 2024, shall be accomplished to the satisfaction of the Forester and LA County Planning, as advised by the arborist on record in Condition No. 15 above. Except as otherwise expressly modified or waived by the County Forester, these recommendations shall be implemented under the service, supervision and direction of the arborist on record and include the following:
 - a. Provide and install a three-inch layer of suitable disease and pest free organic mulch around the root zone where possible. No mulch piling against tree trunks. Type of mulch used shall be approved by the consulting arborist on record or County Forester.
 - b. Provide adequate irrigation during dry months if necessary. Location, type of irrigation, and watering schedule to be approved by the consulting arborist on record or County Forester. Trees which have roots cut may require additional watering.
 - c. Provide end weight reduction on over-extended horizontal limbs during the appropriate summer months. Pruning should be kept to a minimum to achieve desired goals. All pruning work to conform to ANSI A300 pruning standards.
 - d. Perform a climbing inspection. Report findings and any recommendations to the County Forester for further review. Permittee shall undertake any recommendation deemed appropriate by the County Forester.
 - e. Perform a root crown excavation and inspection. Report findings and any recommendations to the County Forester for further review. Permittee shall undertake any recommendation deemed appropriate by the County Forester.

Attachments:

Fire Department, Forester Letter dated July 30, 2024

PROJECT NO. PRJ2024-000924-(5)
OAK TREE PERMIT NO. RPPL2024002516

EXHIBIT D
CONDITIONS OF APPROVAL
PAGE 5 OF 5

Oak Trees: Care and Maintenance Guide
Oak Tree Report prepared by Peter C. Harnisch, dated January 3, 2024