

REPORT TO THE HEARING OFFICER

DATE ISSUED: November 7, 2024
HEARING DATE: November 19, 2024 AGENDA ITEM: 10
PROJECT NUMBER: PRJ2021-002580-(5)
PERMIT NUMBER(S): Oak Tree Permit (“OTP”) RPPL2021006902
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 4329 Briggs Avenue, La Crescenta-Montrose
(Assessor’s Parcel Number: 5810-006-057)
OWNER: Frank Kim
APPLICANT: Frank Kim
CASE PLANNER: Sean Donnelly, AICP, Senior Planner
sdonnelly@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 PRJ2021-002580-(5), OTP Number RPPL2021006902, 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 RPPL2021006902 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

- OTP to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of branches greater than two inches in diameter on two oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing single-family residence (“SFR”) (“Project”) in the R-1 (Single-Family Residence) Zone pursuant to [County Code Section 22.174.030 \(Applicability\)](#).

B. Project

The Project is a request to retroactively authorize the encroachment into the protected zone of three oak trees, identified as Trees #3, #4, and #5, and the pruning of two of those oak trees, Trees #4 and #5, associated with the prior construction of an enclosed patio to create habitable space in the existing SFR, located at 4329 Briggs Avenue (“Project Site”). None of the impacted trees are classified as heritage oaks. The three trees are identified as coast live oak in an oak tree report prepared by Arsen Margossian, Consulting Arborist, dated April 14, 2021. The previous construction work associated with patio conversion was completed without a permit and is currently being reviewed under associated Site Plan Review No. RPPL2021006903 (“related SPR”).

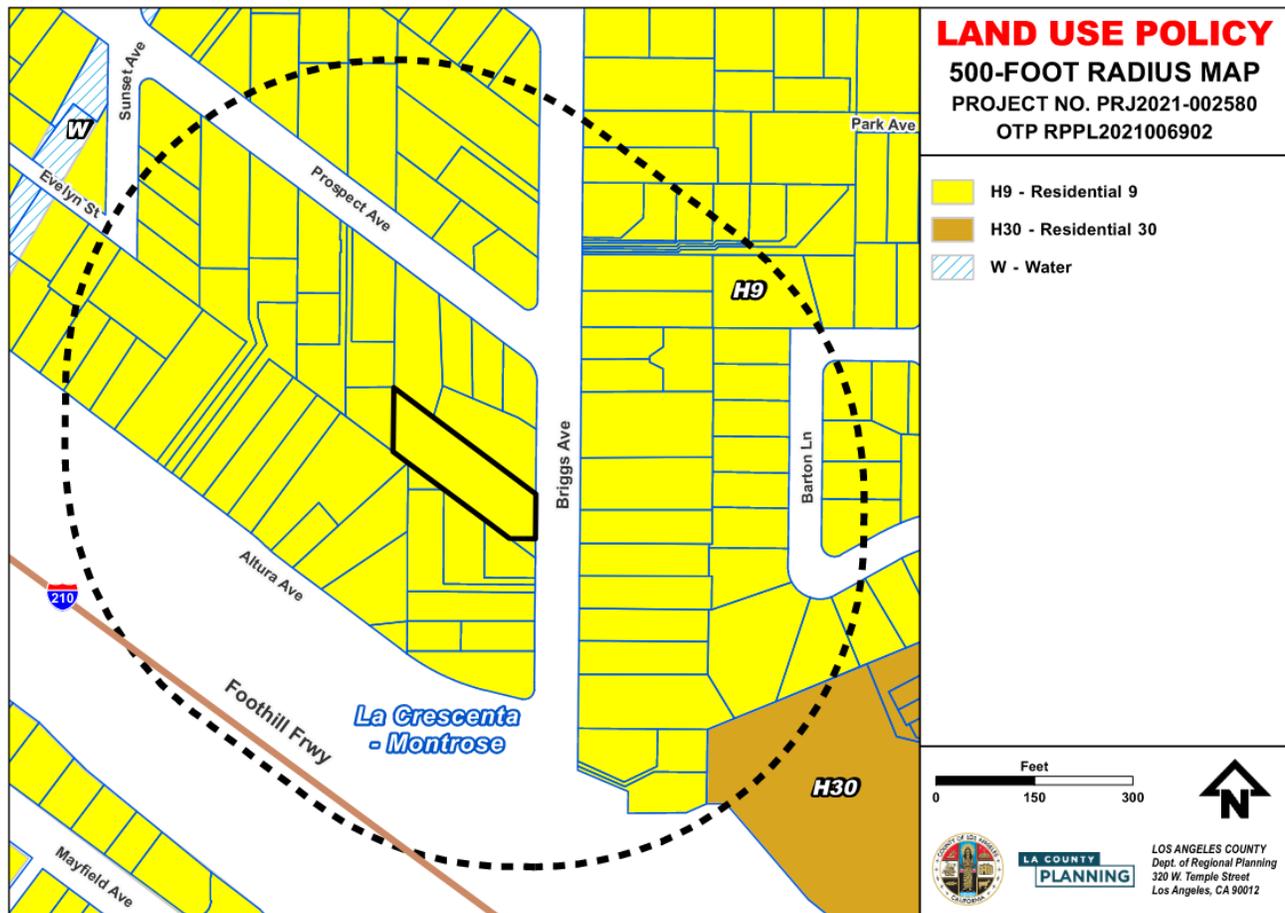
<u>Oak Tree</u>	<u>DBH (Diameter at Breast Height in Inches)</u>	<u>Height (in feet)</u>	<u>Condition</u>	<u>Approximate Location</u>	<u>Request</u>
Tree 3 (off-site)	29	30	Average	South side of subject SFR, in adjoining yard	Encroachment (retroactive)
Tree 4 (off-site)	16	25	Average	South side of subject SFR, in adjoining yard	Encroachment & Pruning (retroactive)
Tree 5 (off-site)	18	26	Average	South side of subject SFR, in adjoining yard	Encroachment & Pruning (retroactive)

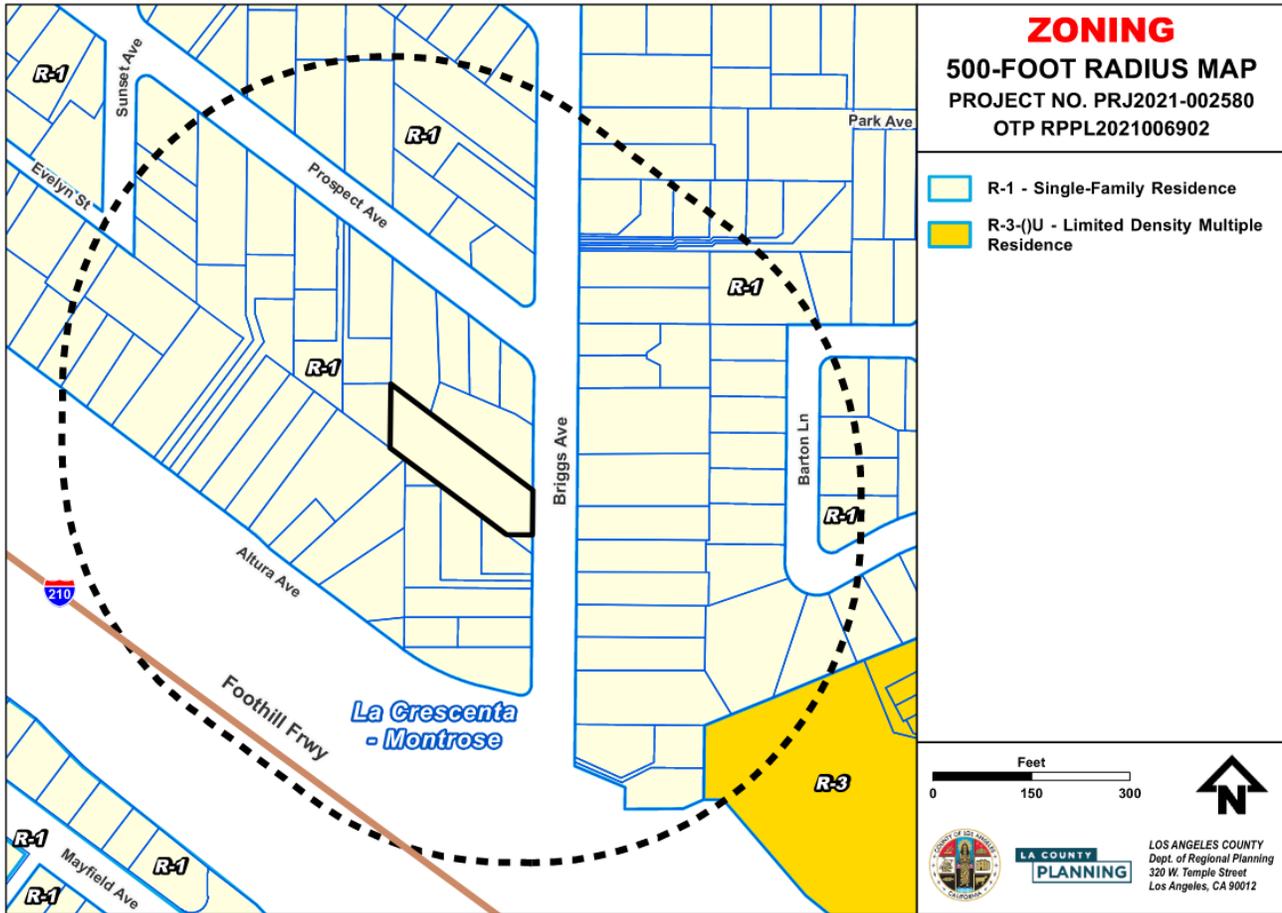
Three additional oak trees (Tree #1, #2, and #6) are identified onsite. Trees #1 and #2 are in the rear yard of the Project Site while Tree #6 are sited near the front yard. They will be preserved in place and remain unaffected by the Project.

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	H9 (Residential 9 – Up to 9 Dwelling Units Per Acre)	R-1	SFR
NORTH	H9	R-1	SFRs
EAST	H9, H30 (Residential 30 – 20 to 30 Dwelling Units Per Acre)	R-1, R-3 (Limited Density Multiple Residence)	SFRs, multi-family residences
SOUTH	H9	R-1	SFRs, Interstate 210 Freeway
WEST	H9	R-1	SFRs





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
5290	R-1	March 15, 1949

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
RPPL2017010300	Garage Conversion to Accessory Dwelling Unit.	Approved February 21, 2018
RPPL2017008872/ TR77199	Tentative Parcel Map to authorize the creation of four SFR parcels.	Approved February 21, 2023
RPPL2021005934	Landscape Plan per requirements of TR77199.	Approved May 1, 2023

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
BENF2021000092	Work done without permits.	Opened January 11, 2021

ANALYSIS

A. Land Use Compatibility

While the OTP is for the retroactive encroachment into the protected zone of three non-heritage oak trees and the pruning of two of those trees, the additions to the SFR are compatible with the surrounding area in terms of size, massing and use, thus maintaining the residential character of the neighborhood without removal of any existing oak trees. Surrounding land uses consist of other SFRs and accessory structures. The existing addition of habitable floor space to the existing SFR is not out of character and is compatible with the neighborhood.

B. Neighborhood Impact (Need/Convenience Assessment)

The ongoing impacts to the oak trees from the encroachments and pruning that were already done, will be minor and not expected to cause significant effects to their health or structures, resulting in the continued benefits of the trees to the surrounding area.

C. Design Compatibility

The current existing SFR has been located on the Project Site since 1984. The additions to the SFR proposed to be legalized under the associated SPR were done in YEAR and are in a similar style to the existing SFR as well as designed to match the character of surrounding development. The additions do not change the character of the neighborhood, which is primarily other single-family residences. The Project is located within the La Crescenta-Montrose Community Standards District, however there are no applicable development standards for projects within an R-1 Zone. Retroactive approval of the patio conversion will be reviewed and approved under the related SPR.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

STATEMENT OF FINDINGS (FORMERLY BURDEN OF PROOF)

The applicant is required to substantiate all facts identified by [Section 22.174.060 \(Findings\)](#) of the County Code. The Statement of Findings with applicant’s responses is attached (Exhibit E – Applicant’s Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption- Existing Facilities, and Class 4 Exemption- Minor Alterations to Land) under the California Environmental Quality Act (“CEQA”) and the County environmental guidelines. The Project involves a request to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees, and the pruning of two of those oak trees, associated with the construction of an enclosed patio to create habitable space in the existing SFR. As the Project proposes the legalization of the existing enclosure of a covered patio, 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 are removed. The Project involves encroachment into the protected zone of three oak trees, with the pruning of branches with diameter greater than two inches on two of those trees 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.

- 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 involves the encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures by enclosing a patio to add 230 square feet of floor space that was added to the existing SFR.
- c) “Unusual Circumstances” or Significant Effects: The Project is to authorize encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures by enclosing a patio to add 230 square feet of floor space that was added 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. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. 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 La Crescenta-Montrose. The Project Site is currently occupied by an SFR. The three affected non-heritage oak trees do 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 will have minimal impacts due to small scale development activities and minimal ground disturbance.

The requested encroachments are considered minor impacts that would not result in further loss of an ecosystem. The Project Site has been used for an SFR use since 1936, with the current SFR constructed in 1984. Furthermore, the County Forester ("Forester") has reviewed the Project for the requested encroachments. The Forester will require proper temporary fencing to secure the protected zones during any remaining construction if any, and the use of hand tools or hand-held power tools if trenching or clearance of vegetation is needed within the protected zones, to reduce negative impacts on the roots. The arborist's tree protection measures and tree care instructions during construction will also be required if any construction is proposed. The future inspections by the Forester will ensure that the 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 applicant will be required to replace a dead oak tree at a 2:1 ratio and at 10:1 for a heritage oak on the property and follow-up monitoring will continue to be required to ensure survival. 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.

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.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The County Fire Department, Forestry Division, in a letter dated August 16, 2021, recommended that the Project proceed to public hearing with required conditions of approval. The Forestry Division confirmed that the Oak Tree Report submitted by the applicant is accurate and complete as to the location, size, condition and species of the oak trees on the site and recommends several conditions of approval, which have been incorporated into this OTP.

B. Other Agency Comments and Recommendations

Staff has not received any comments at the time of report preparation.

C. Public Comments

Staff has not received any comments at the time of report preparation.

Report
Reviewed By: *Michele R. Bush*
Michele R Bush, Supervising Planner

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

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	Draft Conditions of Approval
EXHIBIT E	Applicant's Statement of Findings (Burden of Proof)
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence
EXHIBIT J	Oak Tree Report



PROJECT NUMBER PRJ2021-002580-(5)
HEARING DATE November 19, 2024
REQUESTED ENTITLEMENT(S)
 Oak Tree Permit No. RPPL2021006902

PROJECT SUMMARY

OWNER / APPLICANT

Frank Kim

MAP/EXHIBIT DATE

April 14, 2021

PROJECT OVERVIEW

The Project is a request for an Oak Tree Permit to retroactively authorize the encroachment into the protected zone of three on-heritage oak trees (numbers 3, 4, and 5), and pruning of two oak trees (numbers 4 and 5), associated with legalizing the unpermitted conversion of a patio area into 230 square feet of habitable space for the existing single-family residence. Retroactive approval of the patio conversion will be reviewed and approved under a separate Site Plan Review (RPPL2021006903).

LOCATION

4329 Briggs Avenue, La Crescenta-Montrose

ACCESS

Briggs Avenue

ASSESSORS PARCEL NUMBER(S)

5810-006-057

SITE AREA

0.47 Acres

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

Montrose

PLANNING AREA

West San Gabriel Valley

LAND USE DESIGNATION

H9 (Residential 9 – 0 to 9 dwelling units per net acre)

ZONE

R-1 (Single-Family Residence)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

La Crescenta-Montrose

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities
 Class 4 Categorical Exemption – Minor Alterations to Land

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section [22.174.060 \(Oak Tree Permit Findings and Decision Requirements\)](#)
 - Chapter [22.328 \(La Crescenta – Montrose CSD requirements\)](#)
 - Section [22.18.040 \(Development Standards for Residential Zones\)](#)

CASE PLANNER:

Sean Donnelly, AICP

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E-MAIL ADDRESS:

sdonnelly@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2021-002580-(5)
OAK TREE PERMIT NO. RPPL2021006902

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. **RPPL2021006902** on November 19, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT(S) REQUESTED.** The Permittee, Frank Kim ("Permittee"), requests the OTP to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of two of the three oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing single-family residence (“SFR”) (“Project”) on a property located at 4329 Briggs Avenue in the unincorporated community of La Crescenta-Montrose (Assessor’s Parcel Number: 5810-006-057) ("Project Site") in the R-1 (Single-Family Residence) zone pursuant to Los Angeles County Code ("County Code") Section 22.174.030 (Applicability). The previous construction work associated with patio conversion was completed without a permit and is currently being reviewed under associated Site Plan Review No. RPPL2021006903 (“related SPR”)
4. **PREVIOUS ENTITLEMENT(S).**

CASE NO.	REQUEST	DATE OF ACTION
RPPL2017010300	Garage Conversion to Accessory Dwelling Unit.	Approved February 21, 2018
RPPL2017008872/ TR77199	Tentative Parcel Map to authorize the creation of four single-family residence parcels.	Approved February 21, 2023
RPPL2021005934	Landscape Plan per requirements of TR77199.	Approved May 1, 2023

5. **LAND USE DESIGNATION.** The Project Site is located within the H9 (Residential 9 – 0 to 9 dwelling units per net acre) land use category of the General Plan Land Use Policy Map.
6. **ZONING.** The Project Site is located in the Montrose Zoned District and in the West San Gabriel Valley Planning Area, and is currently zoned R-1. Pursuant to County Code Section 22.174.030 (Applicability), an OTP is required to encroach into the protected zone of oak trees or prune branches which are greater than two inches in diameter.

7. SURROUNDING LAND USES AND ZONING

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	H9	R-1	SFRs
EAST	H9, H30 (Residential 30 – 20 to 30 Dwelling Units Per Acre)	R-1, R-3 (Limited Density Multiple Residence)	SFRs, multi-family residences
SOUTH	H9	R-1	SFRs, Interstate 210 Freeway
WEST	H9	R-1	SFRs

8. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 0.47 acres in size and consists of one legal lot. The Project Site is irregular in shape with flat topography and is developed with the subject SFR as well as a detached accessory dwelling unit (“ADU”). As the Project is to retroactively authorize the encroachment and pruning of non-heritage oak trees, the conversion of the patio has already been completed and is existing.

B. Site Access

The Project Site is accessible via Briggs Avenue, a 66-foot-wide public right-of-way to the east.

C. Site Plan

The Project is a request to retroactively approve the encroachment into the protected zone of three oak trees, identified on the site plans as Trees #3, #4, and #5, and the pruning of two of those oak trees, Trees #4 and #5, associated with the prior conversion of a patio space into habitable space at an existing SFR. None of the impacted trees are classified as heritage oaks. The three trees are located on the south side of the SFR. Three other oak trees, Trees #1, #2, and #6 are located on the Project Site and are unaffected by the Project, Trees #1 and #2 are to the northwest of the SFR, and Tree #6 is to the south near the front.

D. Parking

An existing garage attached to the SFR will remain unaffected by the Project and provides the required two covered parking spaces for the SFR.

9. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff (“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, as the Project involves a request to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of two non-heritage oak trees in association with the legalization of the construction of an enclosed patio to create additional habitable space in the existing SFR. As the Project proposes the conversion of a patio space into habitable space at an existing SFR, 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 are removed. The Project involves encroachment into the protected zone of three non-heritage oak trees, with the pruning of two of those trees on private land that does not involve the removal of healthy mature, scenic trees related to the conversion of a patio space into habitable space at an existing 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 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 involves the encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures by enclosing a patio to add 230 square feet of floor space that was added to the existing SFR.
- c) “Unusual Circumstances” or Significant Effects: The Project is to authorize encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures by enclosing a patio to add 230 square feet of floor space that was added 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. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. 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 La Crescenta-Montrose. The Project Site is currently occupied by an SFR. The three affected non-heritage oak trees do 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 will have minimal impacts due to small scale development activities and minimal ground disturbance.

The requested encroachments are considered minor impacts that would not result in further loss of an ecosystem. The Project Site has been used for an SFR use since 1936, with the current SFR constructed in 1984. Furthermore, the County Forester ("Forester") has reviewed the Project for the requested encroachments. The Forester will require proper temporary fencing to secure the protected zones during any remaining construction if any, and the use of hand tools or hand-held power tools if trenching or clearance of vegetation is needed within the protected zones, to reduce negative impacts on the roots. The arborist's tree protection measures and tree care instructions during construction will also be required if any construction is proposed. The future inspections by the Forester will ensure that the 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 applicant will be required to replace a dead oak tree at a 2:1 ratio and at 10:1 for a heritage oak on the property and follow-up monitoring will continue to be required to ensure survival. 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.

10. **COMMUNITY OUTREACH.** Staff is not aware of any community outreach as of report preparation.
11. **PUBLIC COMMENTS.** Staff has not received any comments at the time of report preparation.
12. **AGENCY RECOMMENDATIONS.** County Fire Department, Forestry Division: Recommended clearance to public hearing with conditions in a letter dated May 13, 2024. The Forestry Division confirmed that the Oak Tree Report submitted by the applicant 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.
13. **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 October 10, 2024, a total of 11 Notices of Public Hearing were mailed to those on the Montrose 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

14. **LAND USE POLICY.** The Hearing Officer finds that the Project is a request to encroach into the protected zone of three non-heritage oak trees, and pruning of two of the three oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing SFR, and is consistent with the goals and policies of the General Plan because the H9 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.
15. **GOALS AND POLICIES.** The Hearing Officer finds that while the Project is for the encroachment into the protected zone of three non-heritage oak trees, and pruning of two of the three oak trees, in conjunction with associated 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.*

Preserving the three oak trees in conjunction with the retroactively constructed addition 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. The other three oak trees (Trees #1, #2, and #6) will be unimpacted and preserved in place. While the OTP is for the encroachment into the protected zone of three non-heritage oak trees, and pruning of two of the three oak trees, the retroactive addition of 230 square feet of floor area to the SFR would not conflict with the above goal and policies. This improvement will provide continued housing opportunity for the area.

ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-1 zoning classification as the retroactive encroachment into the protected zone of oak trees, and pruning of two of the three oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing SFR, is permitted in such zone and subject to an OTP pursuant to County Code Section 22.174.030 (Applicability).
17. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.18.040 (Development Standards for Residential Zones). While the Project is a request for three oak tree encroachments and the pruning of two of those oak trees associated with the legalizing a conversion of a patio space into habitable space at an existing SFR, a five-foot interior side yard setback is required for SFRs. The additions to be legalized are located no closer than eight feet to the side property line. A 40-foot front setback, and 15-foot rear setback are also required, and the additions to the SFR to be legalized are located more than 40 feet from the front property line, and more than 140 feet from the rear property line. These setbacks will be reviewed and approved under the related SPR.
18. **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 three non-heritage oak tree encroachments and the pruning of two of those oak trees associated with the legalizing a conversion of a patio space into habitable space at an existing SFR a 35-foot height limit is required, and the additions to be legalized do not exceed 25 feet in height. The height will be reviewed and approved under the related SPR.
19. **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 three oak tree encroachments and the pruning of two of those oak trees associated with the legalizing a conversion of a patio space into habitable space at an existing SFR, SFRs require a minimum of two covered parking spaces. An existing garage attached to the SFR will remain unaffected by the Project and provides the required two covered parking spaces for the SFR.
20. **COMMUNITY STANDARDS DISTRICT (“CSD”).** The Hearing Officer finds that the Project Site is located in the La Crescenta-Montrose CSD. There are no applicable development standards for R-1 zoning in this CSD.

OAK TREE PERMIT FINDINGS

21. **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.** Three non-heritage sized oak trees have been encroached upon by the Project without being removed and should not suffer ill effects as a result of the Project. The construction work was completed without a permit. To minimize any possible adverse impacts, the Project will incorporate the standard recommendations from the Forester. Three additional oak trees (Tree #1, #2, and #6) are identified onsite. Trees #1 and #2 are in the rear yard of the Project Site while Tree #6 are sited near the front yard. They will be preserved in place and remain unaffected by the Project.
22. **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 to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of branches greater than two inches in diameter on two oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing SFR.
23. **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 to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of branches greater than two inches in diameter on two oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing SFR.
24. **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 to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of branches greater than two inches in diameter on two oak trees, in conjunction with the legalizing a conversion of a patio space into habitable space at an existing SFR.

ENVIRONMENTAL FINDINGS

25. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301, 15302, and 15304 (Class 1, Existing Facilities, and Class 3, New Construction or Conversion of Small Structures categorical exemptions). The Project involves the new construction of a detached ADU on a property which currently contains an SFR. As the Project proposes the legalization of the enclosure of a covered patio and construction of additional floor

space to existing SFR, 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 are removed. The Project involves encroachment into the protected zone of three oak trees, with the pruning of two of those trees 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 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 involves the encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures, with 230 square feet of new floor space added to the existing SFR.
- c) “Unusual Circumstances” or Significant Effects: The Project is to authorize encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures, with 230 square feet of new floor space added 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. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. 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 La Crescenta-Montrose. The Project Site is currently occupied by an SFR. The three affected oak trees do 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 proposed improvements will have minimal impacts due to small scale development activities and minimal ground disturbance.

The requested encroachments are considered minor impacts that would not result in further loss of an ecosystem. The Project Site has been used for an SFR since 1936. Furthermore, the Forester has reviewed the Project for the requested encroachments. The Forester will require proper temporary fencing to secure the protected zones during construction and the use of hand tools or hand-held power tools if trenching or clearance of vegetation is needed within the protected zones, to reduce negative impacts on the roots. The arborist’s tree protection measures and tree care instructions during construction will also be required. The future inspections by the Forester will ensure that the trees survive, or if they do not survive that they are replaced. If an oak tree should die from the construction impacts, the applicant will be required to replace a dead oak tree at a 2:1 ratio and at 10:1 for a heritage oak on the property and follow-up monitoring will continue to be required to ensure survival. 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.

ADMINISTRATIVE FINDINGS

26. 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 sections 15301, and 15304 (Class 1, Existing Facilities, and Class 4, Minor Alterations to Land categorical exemption); and
- 2. Approves **OAK TREE PERMIT NO. RPPL2021006902**, subject to the attached conditions.

ACTION DATE:

MRB:SD

11/7/2024

c: Hearing Officer, Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2021-002580-(5)
OAK TREE PERMIT (“OTP”) NO. RPPL2021006902

PROJECT DESCRIPTION

The project is to retroactively authorize the encroachment into the protected zone of three non-heritage oak trees and pruning of two of those oak trees, in association with the legalization of the construction of an enclosed patio to add habitable space in the existing single-family residence subject to the following conditions of approval:

GENERAL CONDITIONS

1. 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. This 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. 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. 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. 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. 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. 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 single-family residence and satisfaction of Condition No. 2 shall be considered use of this grant.
8. 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. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If 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 \$441.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

9. 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. 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. 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. 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. This grant shall authorize the retroactive encroachment into the protected zone of three non-heritage oak trees identified as Oak Trees #3, #4, #5, and pruning of two of those oak trees, Oak Trees #4 and #5, as depicted on Exhibit "A," in association with the legalization of the converted patio area into additional habitable space for the existing single-family residence.
14. 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 August 16, 2021 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division and by these conditions.
15. In the event of an oak tree becoming deceased as a result of work related to this Project, the permittee shall plant one healthy acorn of the same species of oak (*Quercus* sp.) as the deceased tree for each deceased tree. The acorns shall be planted within the watering zone of the deceased tree.
16. 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.
17. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments. In addition, any tree that reaches ordinance size during the construction and monitoring period shall be included in this permit and subject to these conditions of approval.

18. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus* sp.) as the removed 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.

19. 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.

Attachments:

- Exhibit D-1 Fire Department Letter dated August 16, 2021
- Exhibit D-2 Oak Trees: Care and Maintenance Guide



**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401
www.fire.lacounty.gov

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FOURTH DISTRICT
KATHRYN BARGER
FIFTH DISTRICT

August 16, 2021

Michele Bush, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Michele Bush:

**OAK TREE PERMIT NUMBER RPPL2021006902
4329 BRIGGS AVE, LA CRESCENTA**

We have reviewed the "Request for Oak Tree Permit #RPPL2021006902." The project is located at 4329 Briggs Ave in the unincorporated area of La Crescenta. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Arsen Margossian, the consulting arborist, dated April 14, 2021.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CARSON	EL MONTE	INGLEWOOD	LAWNDALE	PICO RIVERA	SIGNAL HILL
ARTESIA	CERRITOS	GARDENA	IRVINDALE	LOMITA	POMONA	SOUTH EL MONTE
AZUSA	CLAREMONT	GLENDORA	LA CANADA-FLINTRIDGE	LYNWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	COMMERCE	HAWAIIAN GARDENS	LA HABRA	MALIBU	ROLLING HILLS	TEMPLE CITY
BELL	COVINA	HAWTHORNE	LA MIRADA	MAYWOOD	ROLLING HILLS ESTATES	VERNON
BELL GARDENS	CUDAHY	HERMOSA BEACH	LA PUENTE	NORWALK	ROSEMEAD	WALNUT
BELLFLOWER	DIAMOND BAR	HIDDEN HILLS	LAKEWOOD	PALMDALE	SAN DIMAS	WEST HOLLYWOOD
BRADBURY	DUARTE	HUNTINGTON PARK	LANCASTER	PALOS VERDES ESTATES	SANTA CLARITA	WESTLAKE VILLAGE
CALABASAS		INDUSTRY		PARAMOUNT		WHITTIER

inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department's Forestry Division 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 of Regional Planning and the County 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.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Number 3, 4, and 5 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines

are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments. In addition, any tree that reaches ordinance size during the construction and monitoring period shall be included in this permit and subject to these conditions of approval.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

Michele Bush, Planner
August 16, 2021
Page 4

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure

An illustration of several oak leaves and a branch. The leaves are detailed with veins and have a lobed, wavy edge. Some leaves are shaded in light gray, while others are white with black outlines. The branch is dark and textured, showing small knots and a rough surface. The entire illustration is enclosed in a thin black rectangular border.

OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

<http://www.fire.lacounty.gov>

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG; PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS; FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG; SPINY, ROUNDED, AND HOLLY-LIKE; BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS :

CALIFORNIA BLACK OAK : QUERCUS KELLOGGI
CANYON LIVE OAK : QUERCUS CHRYSOLEPIS
ENGELMANN OAK : QUERCUS ENGELMANNII

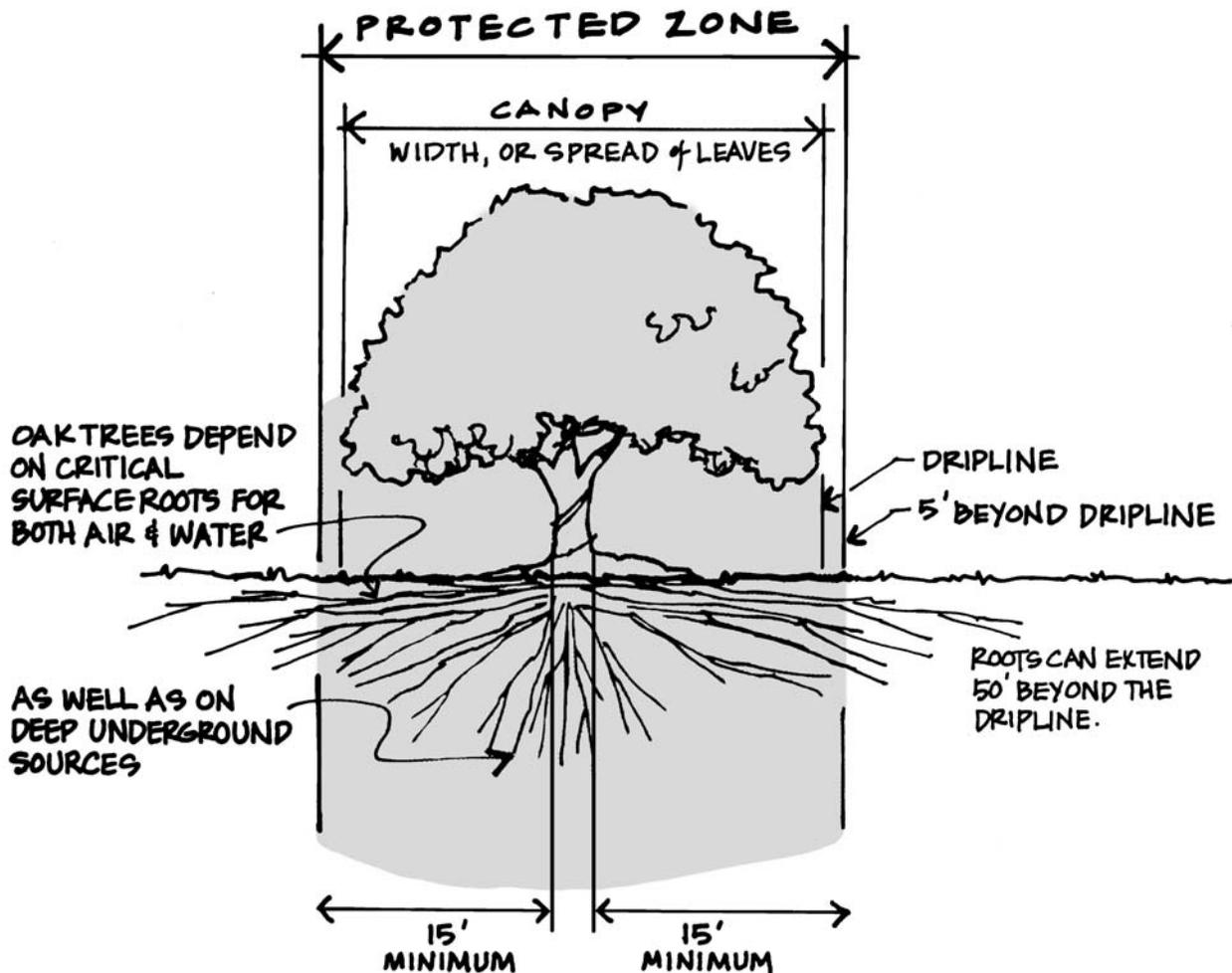
THE PROTECTED ZONE

The **protected zone** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

“The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater.”



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

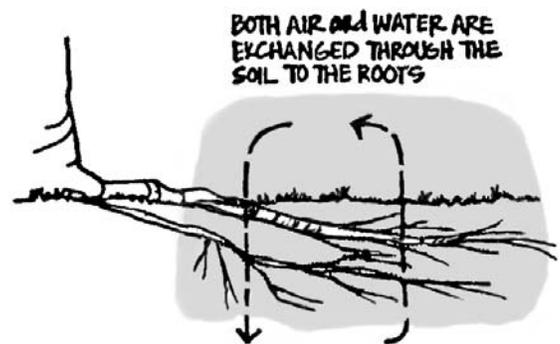
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

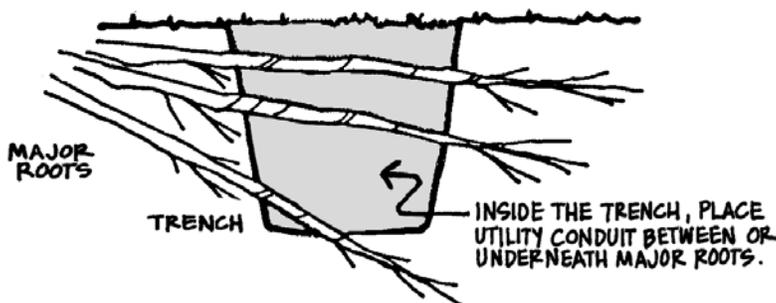
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require **any** additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

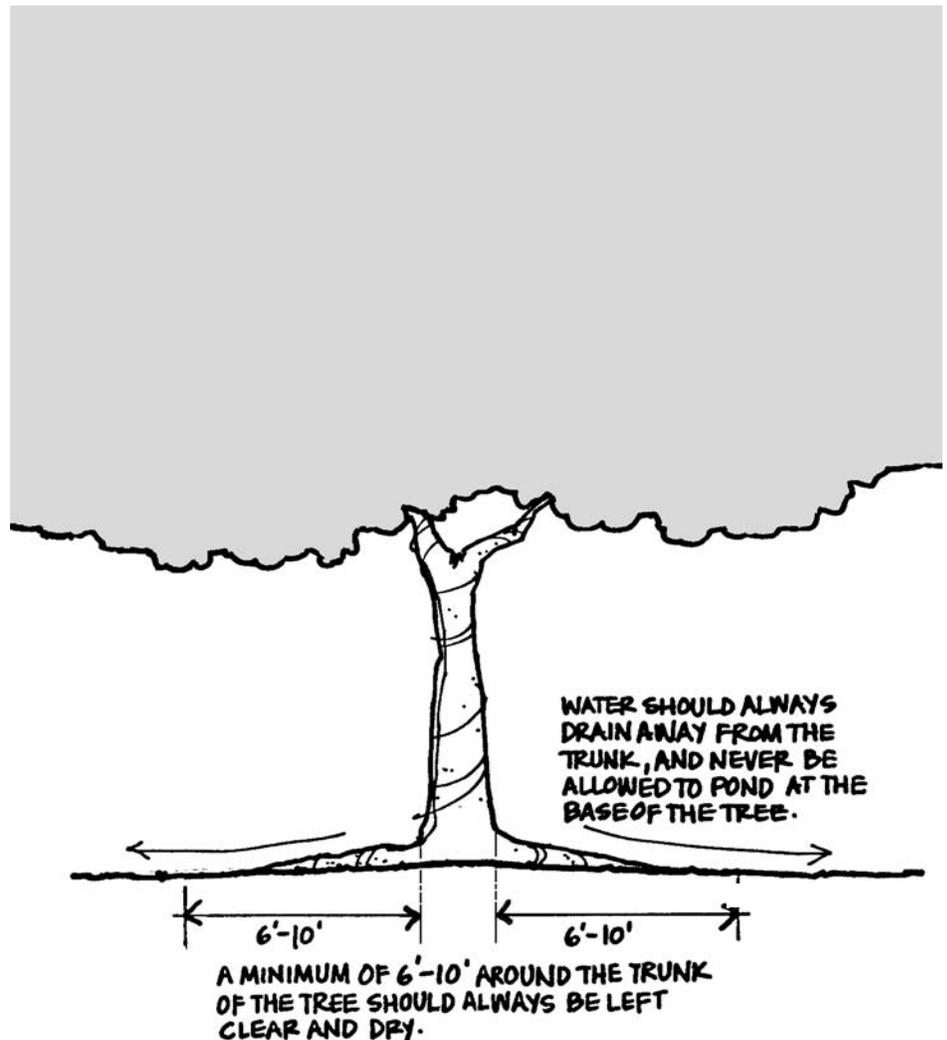
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for “dry shade.” Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera spp.</i> Coral Bells	2-4' mound. Flowers on an upright stem 2-3' high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the [Sunset Western Garden Book](#) to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://www.fire.lacounty.gov/forestry>

**University of California
Oak Woodland Conservation Workgroup**
http://ucanr.edu/sites/oak_range/

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
2707 K Street, Suite 1
Sacramento, CA 95816-5113
(916) 447-2677
www.cnps.org

California Oaks
428 13th. Street, Suite 10A
Oakland, CA 94612
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

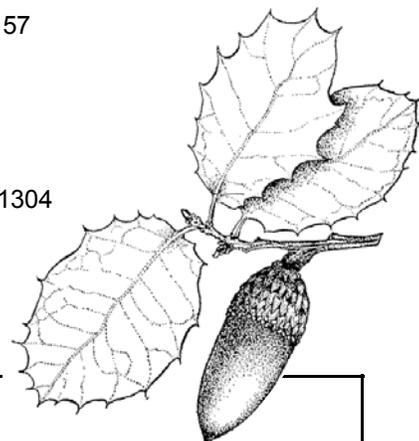
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-1948
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(818) 243-6488



Publications

For a list of publications both free and for purchase checkout the **University of California Oak Woodland Conservation Workgroup** at http://ucanr.edu/sites/oak_range/

Goldspotted Oak Borer: Integrated Pest Management for Land Managers and Landscape Professionals
University of California Statewide Integrated Pest Management Program. January 2013.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Hilda L. Solis, First District
Mark Ridley Thomas, Second District
Sheila Kuehl, Third District
Janice Hahn, Fourth District
Kathryn Barger, Fifth District

County of Los Angeles Fire Department

Daryl L. Osby, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720



Los Angeles County Department of Regional Planning



Planning for the Challenges Ahead

OAK TREE PERMIT FINDINGS

Please identify the number of oak trees proposed for:

0 Removal 2 Encroachment 6 To Remain 6 Total existing oak trees

Pursuant to Section 22.174.060 (Findings and Conditions), the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

<p>B.1 The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Title 22 regulations, if any, on the subject property.</p>
<p>The proposed construction will be accomplished by building over an existing patio. Two oak tree drip lines will be encroached upon but the oak tree report has shown that there will be no impact. the construction will build over existing hardscape and will cause no significant change to the surrounding area.</p>
<p>B.2 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.</p>
<p>No oak trees will be removed or relocated in the proposed construction. No soil erosion or change to the surrounding landscape is expected.</p>
<p>B.3 In addition to the above facts, at least one of the following findings apply:</p> <ul style="list-style-type: none"> a. 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: <ul style="list-style-type: none"> 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; b. That the oak trees proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees; or c. That the condition of the oak trees proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices.

Rev. 03/2019

no oak trees will be removed or impacted. all oak trees are in good conditions and reflected in our oak tree report.

B.4 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.

No oak trees will be removed or impacted. all oak trees are in good conditions and reflected in our oak tree report.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: November 19, 2024
PROJECT NUMBER: PRJ2021-002580-(5)
PERMIT NUMBER(S): Oak Tree Permit (“OTP”) RPPL2021006902
SUPERVISORIAL DISTRICT: 5
PROJECT LOCATION: 4329 Briggs Avenue, La Crescenta-Montrose
OWNER: Frank Kim
APPLICANT: Frank Kim
CASE PLANNER: Sean Donnelly, AICP, Senior Planner
sdonnelly@planning.lacounty.gov

Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (“CEQA”).

The Project involves the new construction of a detached ADU on a property which currently contains an SFR. As the Project proposes the legalization of the enclosure of a covered patio and construction of additional floor space to existing SFR, 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 are removed. The Project involves encroachment into the protected zone of three oak trees, with the pruning of two of those trees 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 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 involves the encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures, with 230 square feet of new floor space added to the existing SFR.
- c) “Unusual Circumstances” or Significant Effects: The Project is to authorize encroachment into the protected zone of three oak trees with the pruning of two of those oak trees, in order to legalize the construction of a minor physical expansion of the existing structures, with 230 square feet of new floor space added 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. There are no public drinking wells within the Project Site that may pose conflicts with the lists compiled by the California Department of Health Services. 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 La Crescenta-Montrose. The Project Site is currently occupied by an SFR. The three affected oak trees do 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 proposed improvements will have minimal impacts due to small scale development activities and minimal ground disturbance.

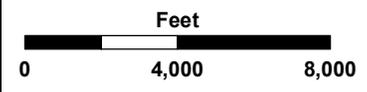
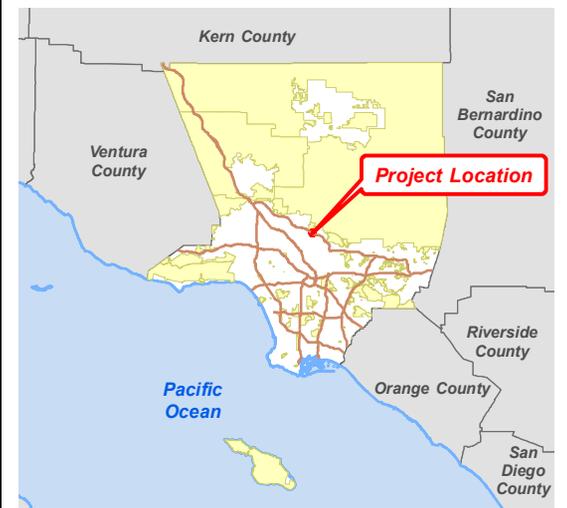
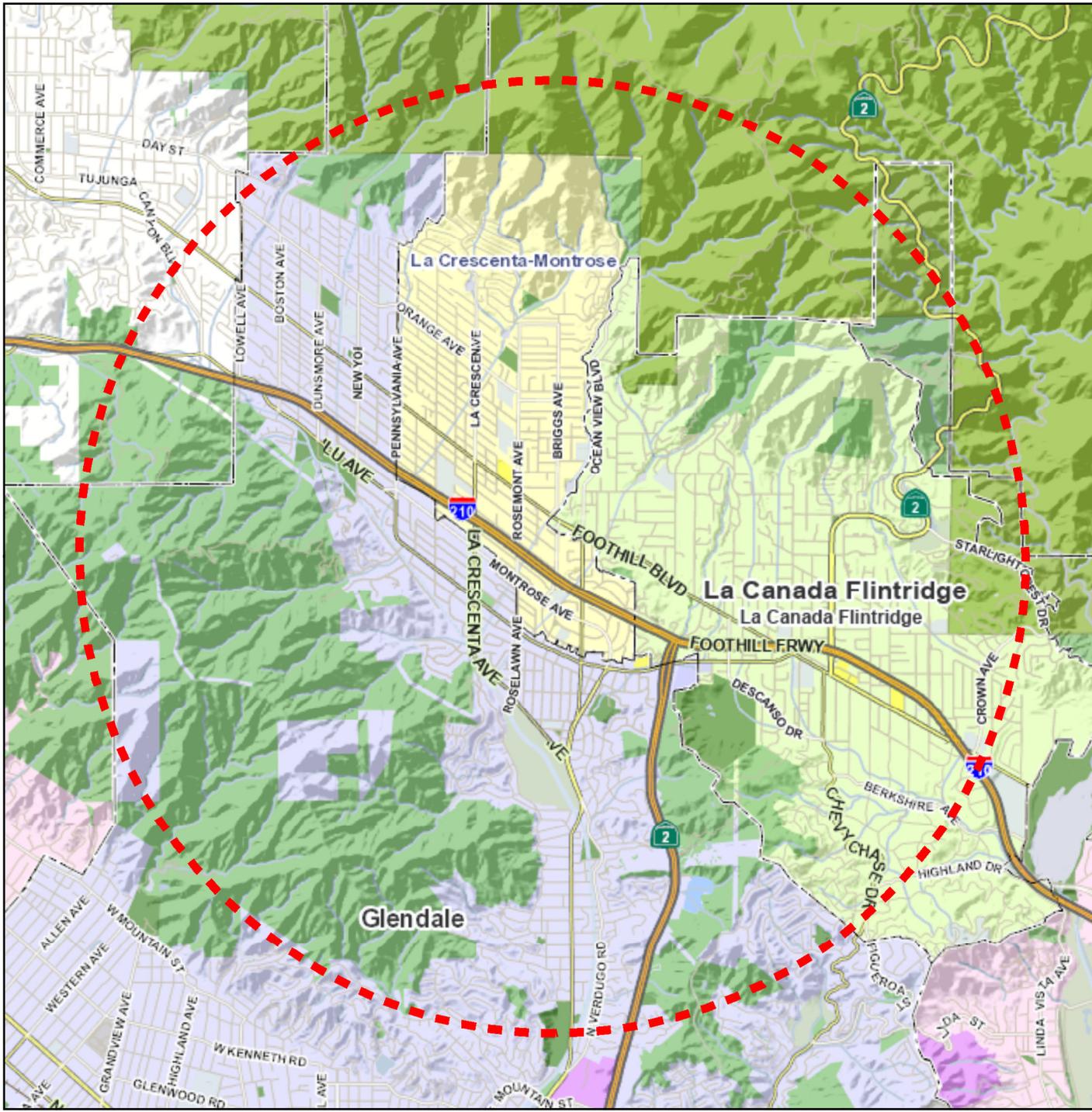
The requested encroachments are considered minor impacts that would not result in further loss of an ecosystem. The Project Site has been used for an SFR since 1936. Furthermore, the Forester has reviewed the Project for the requested encroachments. The Forester will require proper temporary fencing to secure the protected zones during construction and the use of hand tools or hand-held power tools if trenching or clearance of vegetation is needed within the protected zones, to reduce negative impacts on the roots. The arborist's tree protection measures and tree care instructions during construction will also be required. The future inspections by the Forester will ensure that the trees survive, or if they do not survive that they are replaced. If an oak tree should die from the construction impacts, the applicant will be required to replace a dead oak tree at a 2:1 ratio and at 10:1 for a heritage oak on the property and follow-up monitoring will continue to be required to ensure survival. 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.

3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2021-002580

OTP RPPL2021006902



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



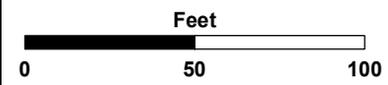
AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2021-002580

OTP RPPL2021006902

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2024



LA COUNTY
PLANNING

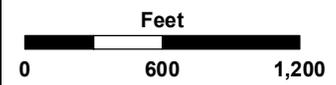
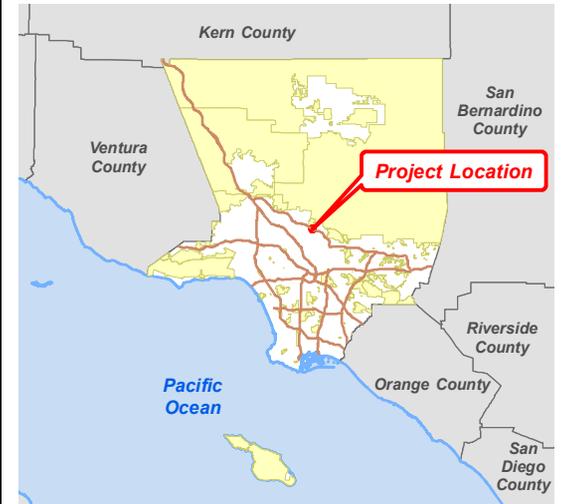
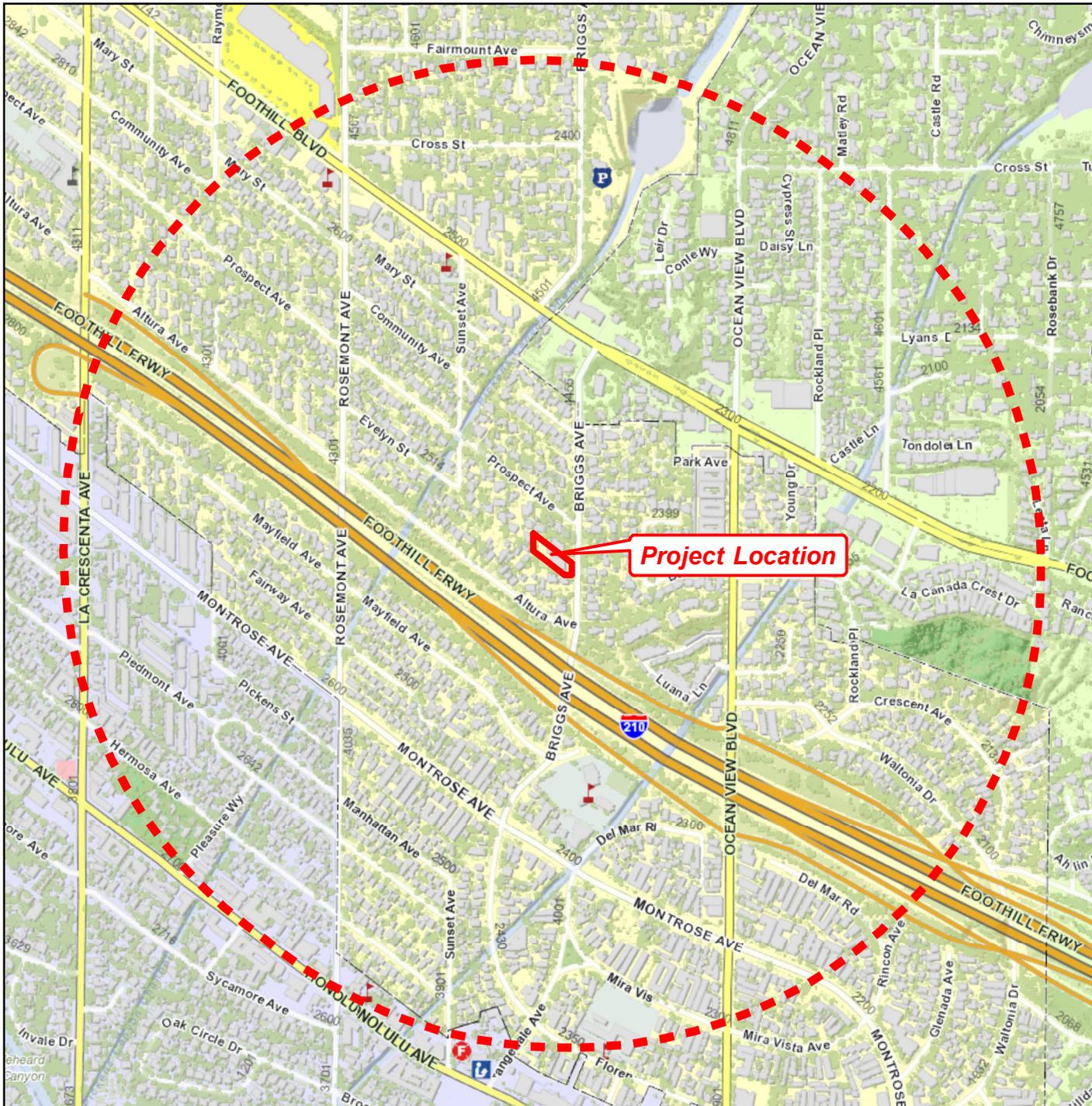
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2021-002580

OTP RPPL2021006902



LOS ANGELES COUNTY
Dept. of Regional Planning
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Los Angeles, CA 90012

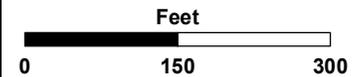
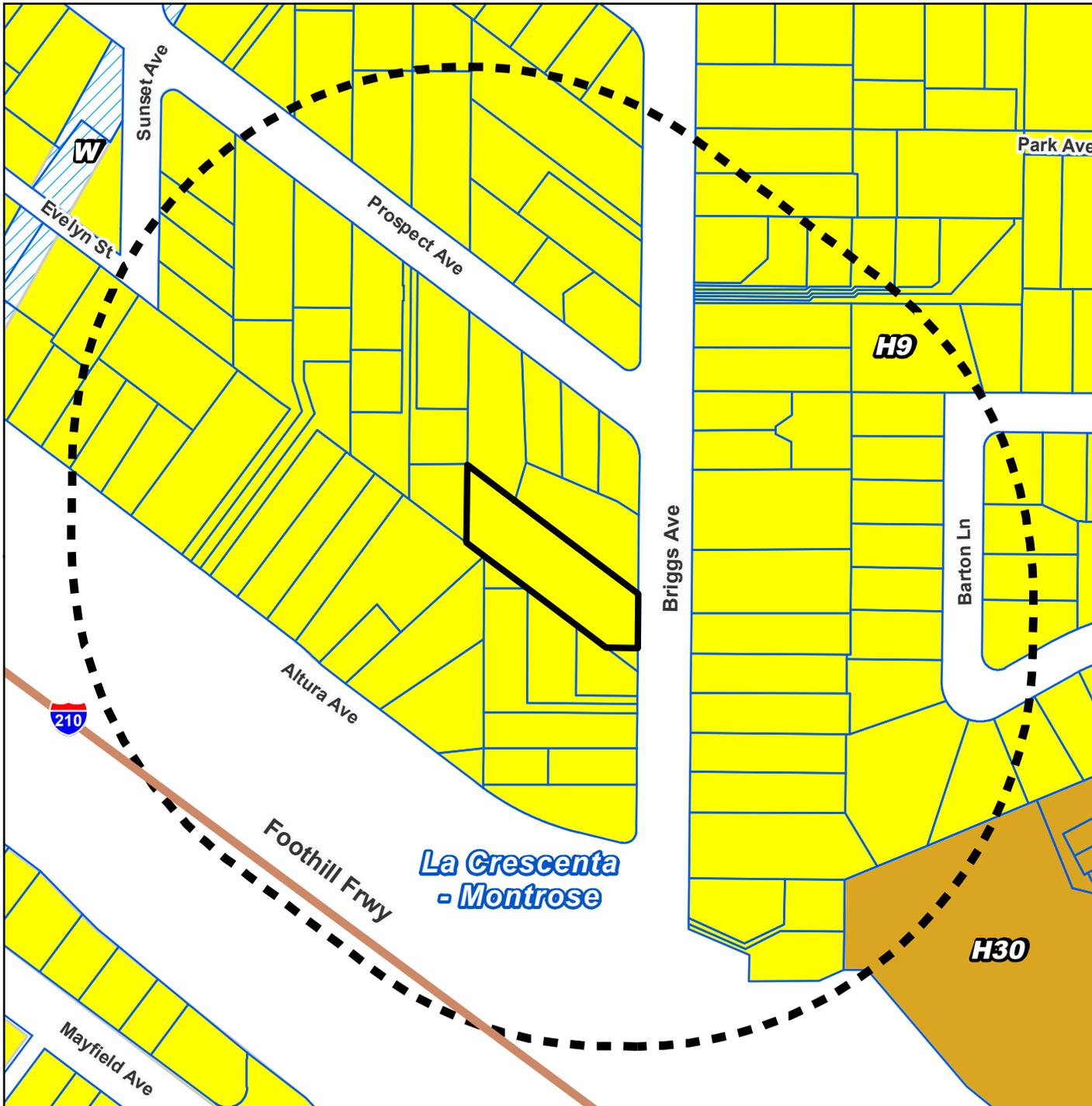
LAND USE POLICY

500-FOOT RADIUS MAP

PROJECT NO. PRJ2021-002580

OTP RPPL2021006902

-  H9 - Residential 9
-  H30 - Residential 30
-  W - Water



LA COUNTY
PLANNING

LOS ANGELES COUNTY
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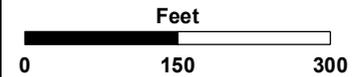
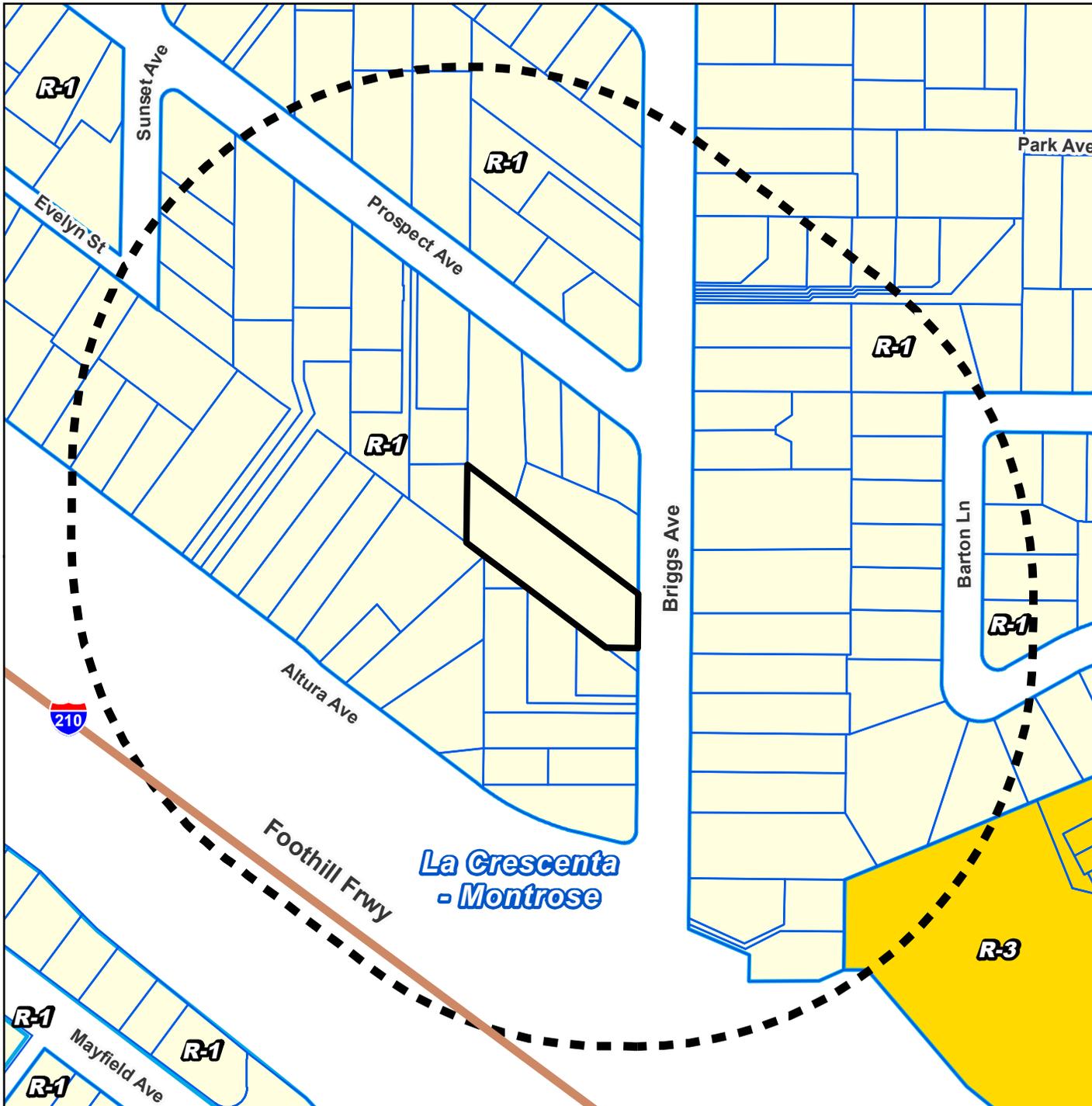
ZONING

500-FOOT RADIUS MAP

PROJECT NO. PRJ2021-002580

OTP RPPL2021006902

-  R-1 - Single-Family Residence
-  R-3-(U) - Limited Density Multiple Residence



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012







**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

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LOS ANGELES, CALIFORNIA 90063-3294
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www.fire.lacounty.gov

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FOURTH DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

August 16, 2021

Michele Bush, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Michele Bush:

**OAK TREE PERMIT NUMBER RPPL2021006902
4329 BRIGGS AVE, LA CRESCENTA**

We have reviewed the "Request for Oak Tree Permit #RPPL2021006902." The project is located at 4329 Briggs Ave in the unincorporated area of La Crescenta. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Arsen Margossian, the consulting arborist, dated April 14, 2021.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY
CALABASAS

CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY
DIAMOND BAR
DUARTE

EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS
HAWTHORNE
HERMOSA BEACH
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY

INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE
LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER

LAWNDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
VERNON
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department's Forestry Division 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 of Regional Planning and the County 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.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Number 3, 4, and 5 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines

are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments. In addition, any tree that reaches ordinance size during the construction and monitoring period shall be included in this permit and subject to these conditions of approval.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

Michele Bush, Planner
August 16, 2021
Page 4

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure

An illustration of several oak leaves and a branch. The leaves are detailed with veins and have a lobed, wavy edge. Some leaves are shaded in light gray, while others are white with black outlines. The branch is dark and textured, extending from the left side of the frame.

OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

<http://www.fire.lacounty.gov>

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG; PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG; SPINY, ROUNDED, AND HOLLY-LIKE; BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS :

CALIFORNIA BLACK OAK : QUERCUS KELLOGGI
CANYON LIVE OAK : QUERCUS CHRYSOLEPIS
ENGELMANN OAK : QUERCUS ENGELMANNII

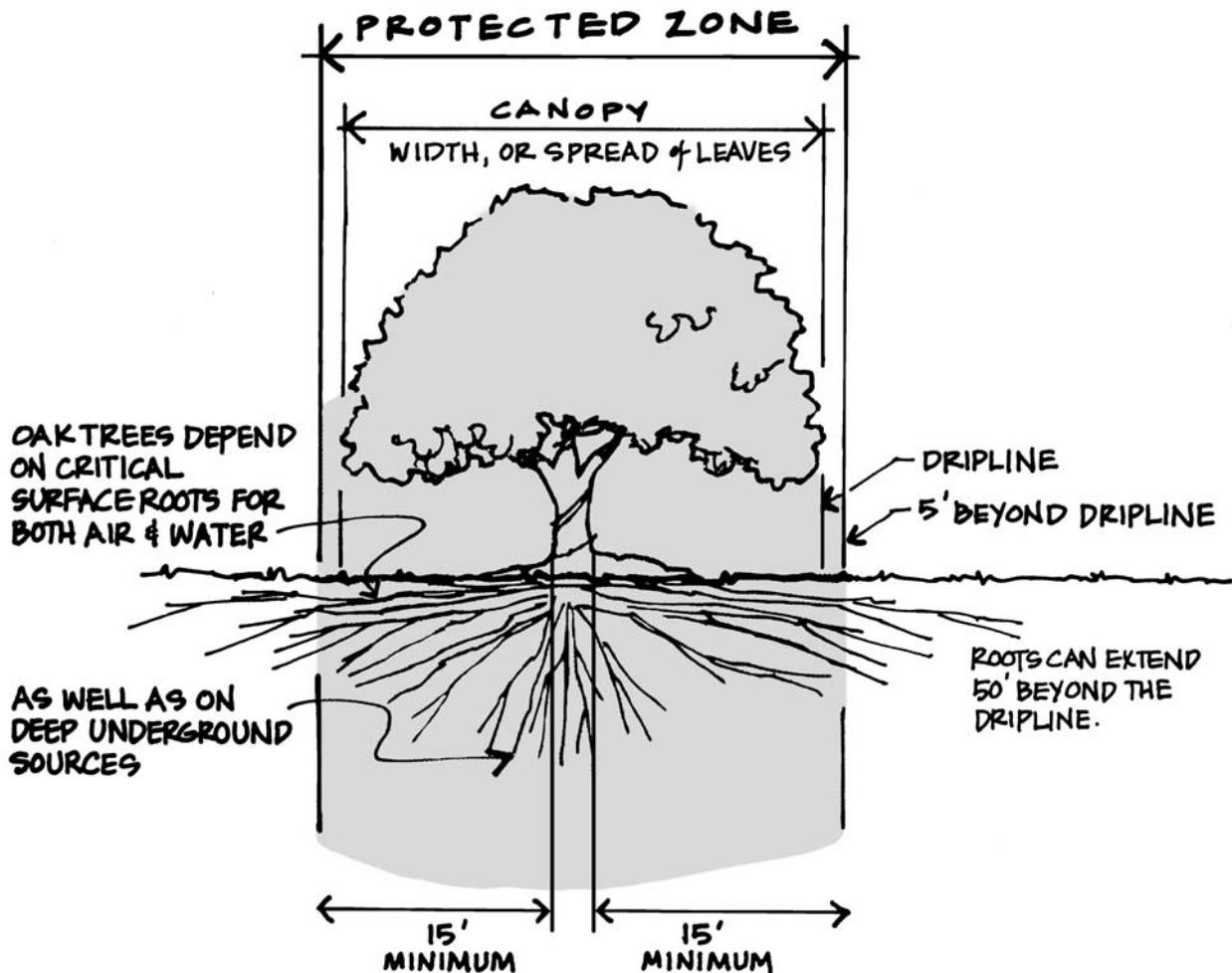
THE PROTECTED ZONE

The **protected zone** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

“The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater.”



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

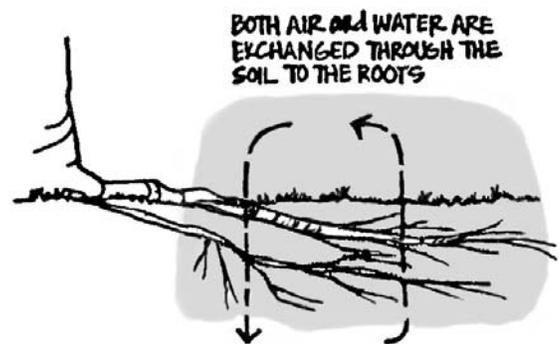
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

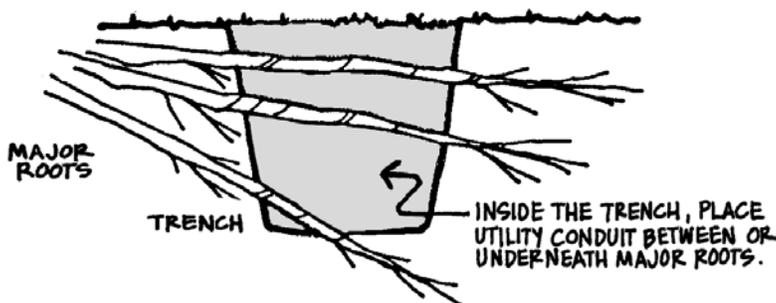
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under *mulching*).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require **any** additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

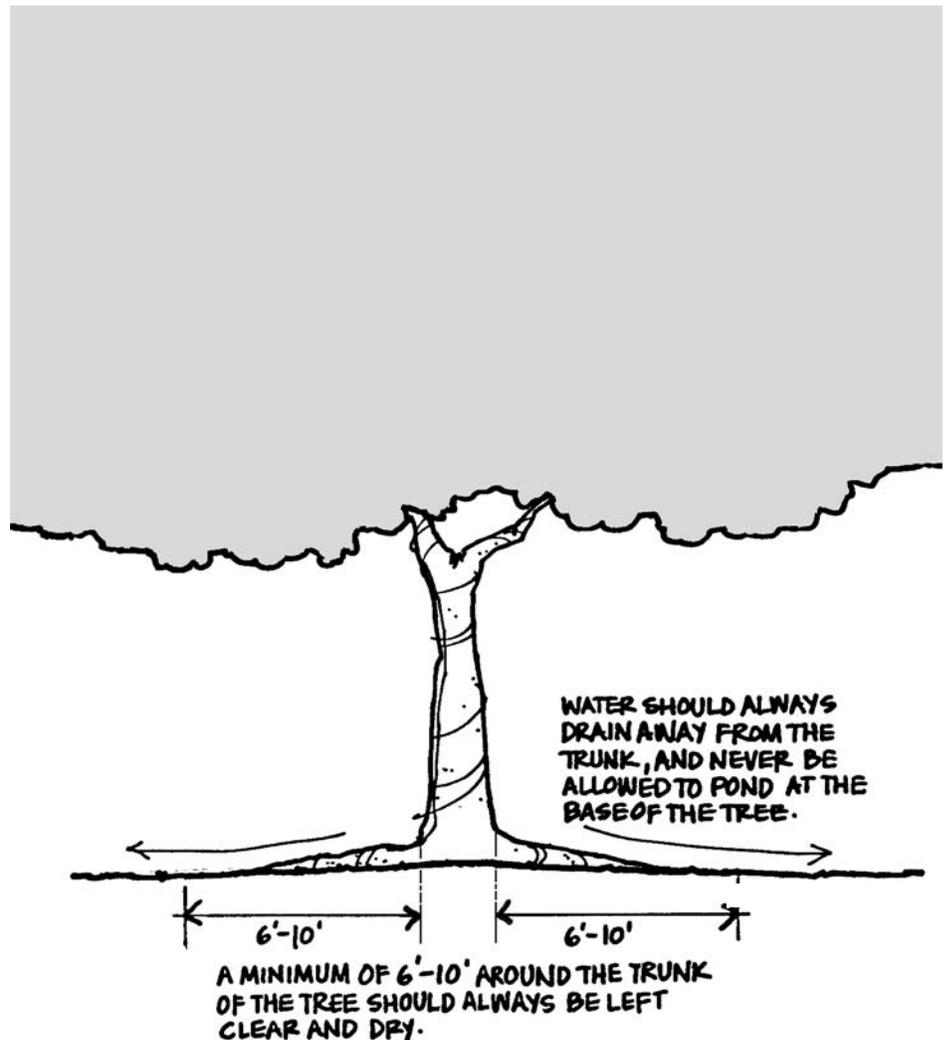
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for “dry shade.” Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera spp.</i> Coral Bells	2-4' mound. Flowers on an upright stem 2-3' high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the [Sunset Western Garden Book](#) to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://www.fire.lacounty.gov/forestry>

**University of California
Oak Woodland Conservation Workgroup**
http://ucanr.edu/sites/oak_range/

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
2707 K Street, Suite 1
Sacramento, CA 95816-5113
(916) 447-2677
www.cnps.org

California Oaks
428 13th. Street, Suite 10A
Oakland, CA 94612
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

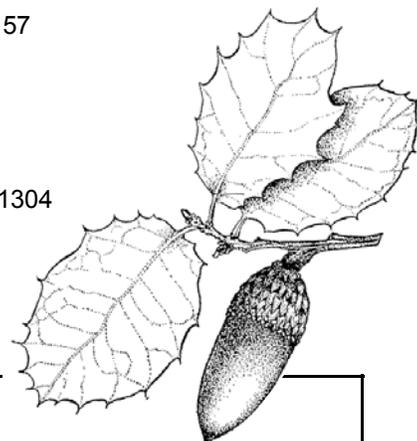
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-1948
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(818) 243-6488



Publications

For a list of publications both free and for purchase checkout the **University of California Oak Woodland Conservation Workgroup** at http://ucanr.edu/sites/oak_range/

Goldspotted Oak Borer: Integrated Pest Management for Land Managers and Landscape Professionals
University of California Statewide Integrated Pest Management Program. January 2013.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Hilda L. Solis, First District
Mark Ridley Thomas, Second District
Sheila Kuehl, Third District
Janice Hahn, Fourth District
Kathryn Barger, Fifth District

County of Los Angeles Fire Department

Daryl L. Osby, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

**OAK TREE REPORT
FOR
PROPERTY
AT**

**4329 BRIGGS AVENUE
MONTROSE, CA 91020**

(APN: 5810-006-001)

Prepared for:

Mr. Daniel Kim
KOAM Construction, Inc.
818 795 6021
daniely@koamcon.com

April 14, 2021

Prepared by:

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ISA Tree Risk Assessment Qualified (TRAQ)
California Licensed Pest Control Adviser #071429
California Licensed Forestry Pesticide Applicator #121525
3512 Rosemary Avenue
Glendale, CA 91208
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SUMMARY

I was contacted by Mr. Daniel Kim, from KOAM Construction, Inc., to write an Oak Tree Report and evaluate the impact to oak trees, from construction activity that has happened at a residential property, located at 4329 Briggs Ave., in Montrose, California.

As surveyed, there are three oak trees in the vicinity of the construction area, and all three trees are outside the property line, but their branches and possibly roots encroach over the property.

As communicated, no major roots were cut during the construction activities. And as observed, some branches have been cut from two oak trees, for clearance purposes. These two trees look in acceptable condition, with no apparent signs of stress or disease.

INTRODUCTION

Background

Mr. Daniel Kim, from KOAM Construction, Inc., contacted me and inquired if I would be interested to prepare an oak tree report, for a residential property. He informed me that construction activity had happened near native protected oak trees, and that the Los Angeles County Planning was requesting that the oak trees be assessed, for their health and condition.

After discussing my fees, I was retained to prepare the oak tree report.

Assignment

I agreed to perform the following:

- Inspect and evaluate the oak trees on site.
- Submit a written oak tree report of my observations and findings.
- Make appropriate recommendations if needed, based on my findings.

Limits of the Assignment

This report and the observations included herein are based on my visit to the site on April 2, 2021.

This arborist report was performed entirely at ground level. The inspection and evaluation of the trees were limited to visual examination of accessible items without dissection, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.

Purpose and Use of the Report

Mr. Daniel Kim, on behalf of KOAM Construction, Inc., contacted me and indicated that site improvements had happened at a residential property, located at 4329 Briggs Ave., in Montrose, California, 91020. Addition and conversion into living area to the main single-family dwelling on the lot has happened near protected oak trees. Apparently that work was performed without the proper permits, and the County of Los Angeles Planning is requesting that an Oak Tree Report be submitted and the impact from that construction activity to the oak trees be assessed.

Therefore, the purpose of this report is to present the evaluation and possible impact from the construction to the protected native oak trees.

This report is intended for the exclusive use of Mr. Daniel Kim and KOAM Construction, Inc. and their representatives. Upon submission, this report will become their property and its use will be at their discretion.

OBSERVATIONS

General Site Observations

The residential property is located at 4329 Briggs Ave., in the unincorporated area of Montrose, County of Los Angeles, California, 91020.

The Assessor's Parcel Number (APN) is: 5810-006-001.

The lot is a **parallelogram** in shape, in the east-west direction and on the west side of the street. Located on a gentle hill, the lot is mostly on flat terrain, except for slight grade decrease from the northwest to the southeast side of the property.

Access to the area is from the Foothill (210) Freeway, off from Ocean View Blvd. The nearest cross-streets are Altura Ave. and Prospect Ave., and the nearby major roads are Foothill Blvd. and Montrose Ave.

Located in an R-1-1 residential zoning, there are two dwellings on the 21,680 sq. ft. lot. The work that was completed, added 230 sq. ft. to the 5,354 sq. ft. main house. The second dwelling on the lot has 1,155 sq. ft. of living area.

The existing trees on site are various ornamental trees, and three Coast Live oak (*Quercus agrifolia*) trees. There are also another three Coast Live oak trees on the abutting property at 4325 Briggs Ave., close to where the construction has happened. Apparently, the wood fence between the two properties is not placed on the property line, and as a result, one of these three oak trees is on the north side of the fence and looks as if it is on the property. A second oak tree is in the middle of the wood fence.

I took photographs of the trees and the lot (**Appendix II**), took measurements and used the architect's plan for the location of the trees. The measured spread of tree **canopy** is included on the site plan (**Appendix III**).

Tree Evaluation.

The County of Los Angeles Oak Tree Ordinance, article 22.56.2060, specifically indicates: (...**a person shall not cut, destroy, remove, relocate, inflict damage or encroach into a protected zone of any tree of the oak genus which is eight inches in diameter as measured four and one-half feet above mean natural grade, and in the case of an oak with more than one trunk, whose combined diameter is 12 inches....**)

According to this ordinance, there are three oak trees on the property. These three oak trees are outside the construction footprint. The three oak trees that are close to the construction area are actually as surveyed, located on the abutting property at 4325 Briggs Ave. I was able to measure the **DBH** (Diameter at Breast Height or at 54 inches from grade) of two of these oak trees; the third one's trunk was not visible, and one only could see its **crown**, which is completely toward the south side, away from the property. I estimated most characteristics of this tree.

Physical characteristics and health evaluation of the trees are summarized in the Oak Tree Survey (**Appendix I.**)

DBH was measured with a Lufkin diameter tape. Other dimensions were measured with a DeWALT measuring tape. Tree height was estimated.

Tree #1

This Coast Live oak tree is located at the far west side of the property.

It is a mature tree, and its trunk has a DBH of 29 inches.

The crown is quite unevenly-spread; at its shortest, it extends 13 feet away from the trunk toward the east side, and at its longest, 30 feet toward the south side.

The longest canopy spread is of 53 feet, in the north-south directions.

The main trunk divides to two at about five feet from grade; one stem heads toward the northwest side, and the other stem toward the south side.

The height of the tree reaches 30 feet.

The tree has little **deadwood** in the inner crown, an indication that it has been maintained. There are visible **decay cavities** on the main trunk and a main **scaffold branch** extending toward the southwest side. No oozing or injured **bark** is noticed on the main trunk and the two stems, as well as no dead main branches are observed or damage from insects is noticed.

There is no **included bark** at the **crotch** of the main trunk division, an indication that the union is structurally strong and not prone to storm and end-weight damage.

Buttress roots at the **trunk flare** area are partially visible.

Overall, the tree is in average health, structure and **vigor**.

On a 0 to 5 scale (0 being dead and 5 being excellent), the **condition rating** for this tree is 3 (Average).

This tree is far from the construction footprint and has not been impacted.

Tree #2

This Coast Live oak tree is located in the southwest area of the property.

It too has a single erect trunk, with a DBH of 20.5 inches.

The main trunk divides to five stems, each extending into various directions.

This tree has more evenly-spread crown, with branches reaching 13-18 feet in various directions.

The longest canopy spread is of 33 feet in the north-south directions.

A main scaffold branch has been cut on the stem that extends toward the east side.

The tree has quite a dense crown, with mostly healthy foliage. Leaf size appears to be normal and the **foliage** is dark green color. New leaves are seen at the edges of the crown. Few dead branches and twigs are seen on this tree, which has a raised crown.

The height of this tree is about 25 feet.

Overall, this tree also is in average health, structure and vigor.

On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).

This tree also is far from the construction footprint and has not been impacted.

Tree #3

This Coast Live oak tree is located almost at the center of the south side property line, on the south side of the wooden fence. Since I did not have access to the abutting property, it was not possible to measure the exact size of the trunk, but a good estimate is about 18 inches.

The tree's trunk as extends up, leans toward the south side and the resulting crown also is completely away from over the property line. The longest canopy spread is in the east-west direction, reaching about 20 feet.

The height of the tree is about 22 feet, and the crown is somehow thin and not well-structured.

The tree looks healthy, and like all the other oak trees on site, has new leaves and **catkins**, an indication that it has not been impacted by the construction activity.

On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 3 (Average).

This tree is about 24 feet from the edge of the addition and conversion that was done to the house. And since the crown is completely away from the property line, therefore, no impact has happened to the crown.

However, there is a recently added concrete slab to the existing concrete walkway which used to run on the south side of the house. The edge of the added concrete slab is about 20 feet from the trunk of this tree. It would be quite rare to have damaged any major roots of Tree #3, while Trees #4 and #5 are closer to the construction footprint.

Tree #4

Tree #4 is located on the east side of Tree #3, and it is on the north side of the wood fence. It is the second oak tree located on the abutting property.

It has a single slightly twisted trunk, that has a DBH of 16 inches.

As it extends upward, it then leans westward, with not many branching emerging from the main trunk.

The overall height of this tree is about 28 feet, and the longest canopy spread is of 22 feet, in the east-west direction.

The tree is in average condition, with no signs of stress and symptoms of disease or decline.

As observed, some small branches have been cut from this tree to provide clearance to the addition.

As for encroachment into the **root plate** area of this tree, the distance of the tree from the foundation for the addition is about 14 feet, which is quite a safe distance not cause significant structural damage if roots were severed at that distance. Hopefully they were cut clean.

Tree #5

This is the third Coast Live oak tree located on the abutting property. It is located in the middle of the wood fence, and a chain-link fence borders it on the north side. The trunk has a DBH of 18 inches, and the overall height of the tree is of 26 feet. This is the closest tree to the footprint of the construction.

It has a single south-leaning trunk that divides to main five stems at about eight feet from grade.

The longest canopy spread is of 33 feet, in the east-west direction.

This tree had more crown spread prior to the construction, and as observed, there are three or four branches of about three to four inches girth that have been cut to provide clearance for the addition/conversion. This tree is the most impacted, and given its distance from the foundation of the addition, most probably roots also must have been severed from this tree.

Although this tree is the one that has had the most encroachment, however, it looks healthy, and new branches have emerged at the points of cut branches.

Given all of the above, the condition of this tree also is average (3).

Tree #6

This oak tree is located in the front yard area, close to the property line on the south side.

The single trunk has a DBH of 22 inches. It divides to two at six feet from grade. The height of the tree is about 25 feet, and the longest canopy spread is of 28 feet in the north-south direction.

This is a healthier tree, with dense foliage, no deadwood, and no signs of disease or infestations.

Overall, the tree is in good health, structure and vigor.

On a 0 to 5 scale (0 being dead and 5 being excellent), the condition rating for this tree is 4 (Good).

This tree is far from the construction footprint, and it hasn't been impacted.

CONSTRUCTION IMPACT

As indicated above, construction has happened within the **drip line** of Trees #4 and #5. Maybe also roots of Tree #3 have been severed.

As mandated by the Los Angeles County Tree Ordinance, the construction has happened within the Tree Protection Zone (TPZ) of the above mentioned two trees. The TPZ would be an additional distance of five feet from the tree's drip line, or at 15 feet from the tree trunk, whichever is farthest.

I was able to observe the cuts for the removed branches of these two trees, but the extent of root severance cannot be discovered and its extent assessed. However, both trees look to be in acceptable condition, with no adverse effects from the impact of the construction.

I would advise that these two trees in particular and Tree #3, be monitored for at least a year, to be sure that root severance will not cause their decline.

CONCLUSION

This report will be reviewed by the Forestry Department of the County of Los Angeles, and the Department might have further input to mitigate the impact to the trees.

Appendix I

OAK TREE SURVEY

All trees are Coast Live Oak (*Quercus agrifolia*).

Tree #	Diameter (DBH) (inches)	Height (feet)	Spread (feet)	Condition Rating	Status
1	29	30	53	3	Not Impacted
2	20.5	25	33	3	Not Impacted
3	18	22	20	3	Not Impacted
(Tree #3 numbers are estimates.)					
4	16	28	22	3	Impacted/Preserved
5	18	26	33	3	Impacted/Preserved
6	22	25	28	4	Not Impacted

Condition Rating: 5=Excellent, 4=Good, 3=Average, 2=Fair, 1=Poor, 0=Dead

Appendix II
PHOTOGRAPHS



View of the property from the street.
(This and the following photographs were taken on April 2, 2021.)



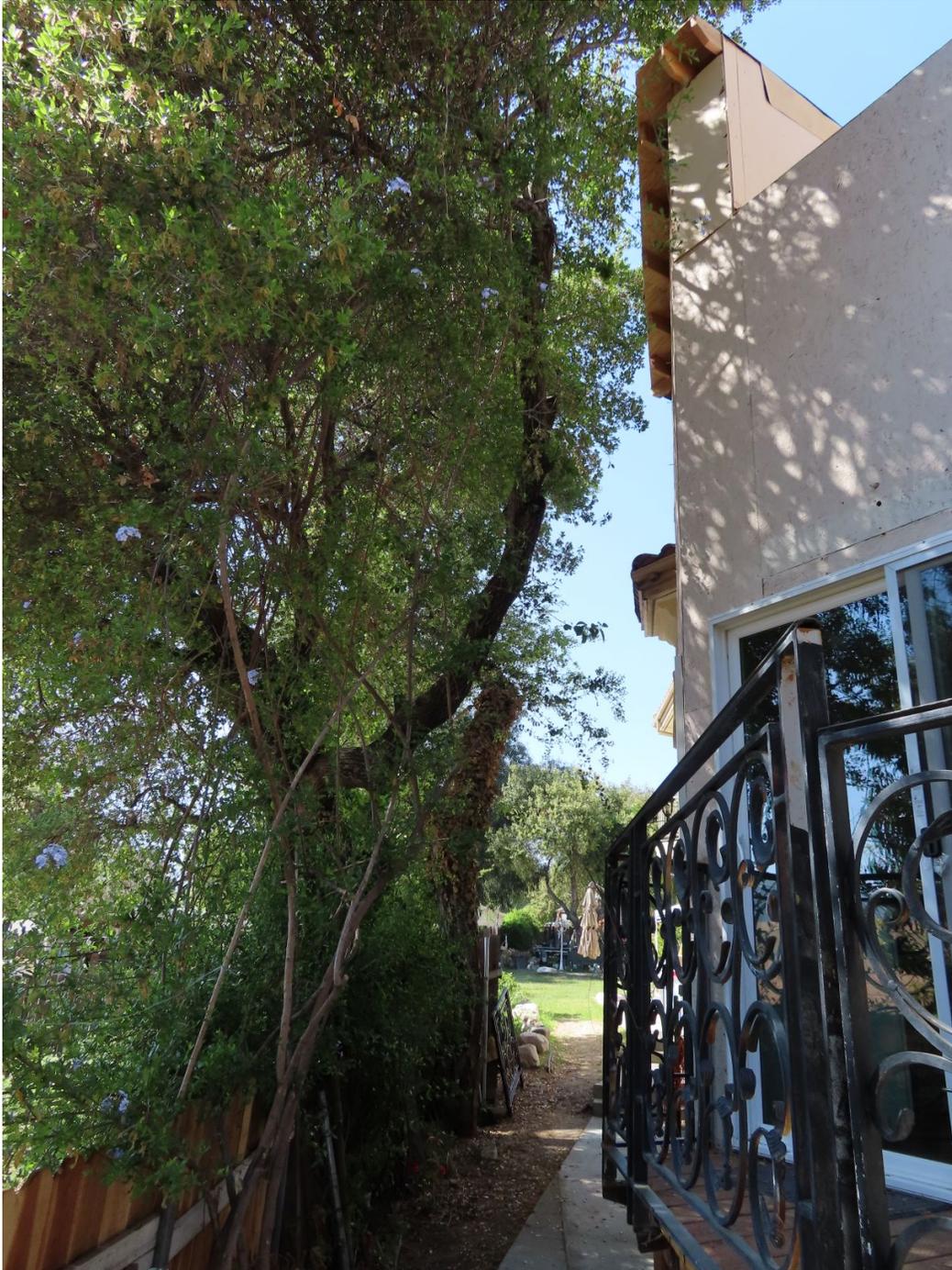
Tree #1.



Tree #2.



Tree #3 on the right side and Tree #4 close to the house.



Tree #5 in the foreground.



Tree #5 cut branches.



Lower section of Tree #6.

Appendix III

SITE PLAN

(See in back pocket.)

Glossary

Buttress Root	A large woody root located at the base of the trunk that helps to support the tree and equalize mechanical stress; root collar or root flare.
Bark	Protective covering over branches and stem that arises from cork cambium; the outermost layer.
Catkin	Cylindrical slim flower cluster with inconspicuous or no petals.
Canopy	The cover formed by the leafy upper branches of a tree.
Condition Rating	The condition of a tree expressed as percentage of ideal for that species.
Crotch	The area of a tree at which a main branch joins the trunk. Parts of the tree above the trunk that includes the leaves and branches.
Crown	Parts of the tree above the trunk that includes the leaves and branches.
Deadwood	Dead branches remaining attached within the canopy of the tree.
Decay cavity	Gradual decomposition of organic matter, creating a hole.
Diameter at Breast Height	Basic measure of tree girth usually at 4.5 feet above ground level.
Drip Line	Perimeter of the area under a tree delineated by the crown.
Foliage	The leaves in the canopy of the tree.
Included Bark	Bark that becomes embedded in a crotch between branch and trunk or between co-dominant stems and causes a weak structure.

Parallelogram	A four-sided geometric shape with opposite sides parallel.
Root Plate	That part of the root system (excluding the small outermost roots) needed to keep a tree windfirm.
Scaffold Branch	A permanent, main branch in the crown of a tree which supports many smaller branches and helps to form the shape of the crown.
Trunk Flare	Region where the trunk meets the underground roots.
Vigor	Overall health of a tree; the capacity to grow and resist physiological stress.

Assumptions and Limiting Conditions

This arborist report and any values expressed herein represent my personal opinion and my fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

The information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection.

I certify that I have no personal interest in or bias with respect to the subject matter of this report. I have inspected the subject trees, and to my knowledge and belief, all statements and information in this report are true and correct.

This arborist report was performed entirely at ground level. The inspection and evaluation of the trees were limited to visual examination of accessible items without dissection, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.

Certification of Performance

I, **Arsen Margossian**, certify:

- That I have personally inspected the trees and/or property referred to in the report, and have stated my findings accurately. The extent of the evaluation is stated in the attached report and the Terms of Assignment;
- That I have no current or prospective interest in the vegetation on the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;
- That my analysis, opinions and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices;
- That no one provided significant professional assistance to me, except as indicated within the report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assignment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists (ASCA) and International Society of Arboriculture (ISA).

I am an ISA Certified Arborist (#WE-7233A), an ISA Tree Risk Assessment Qualified (TRAQ), a California Licensed Pest Control Advisor (#71429) and California Licensed Forestry Pesticide Applicator (#121525).

Signed:



Date: April 14, 2021

Copies of Licenses



The International Society of Arboriculture

Hereby Announces That

Arsen Margossian

Has Earned the Credential

ISA Certified Arborist®

By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

Caitlyn Pollhan
Caitlyn Pollhan
CEO & Executive Director

5 March 2005

30 June 2023

WE-7233A

Issue Date

Expiration Date

Certification Number



The International Society of Arboriculture

Hereby Announces That

Arsen Margossian

Has Earned the Credential

ISA Tree Risk Assessment Qualification®

By successfully meeting ISA Tree Risk Assessment Qualification certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

Caitlyn Pollhan
Caitlyn Pollhan
CEO & Executive Director

1 February 2013

20 July 2021

Issue Date

Expiration Date



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LICENSING/CERTIFICATION PROGRAM**

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AGRICULTURAL PEST CONTROL ADVISER LICENSE



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Categories: AB Issued: 1/1/2020

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GLENDALE, CA 91208



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 **DEPARTMENT OF PESTICIDE REGULATION
LICENSING/CERTIFICATION PROGRAM**

QAL
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LICENSE #: 121525 **EXPIRES: 12/31/2021**
Categories: BCEFN Issued: 1/1/2020

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