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May 6, 2014

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Agenda No. 70
03/18/14

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

#29 May 6, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2013-01148-(1)
CONDITIONAL USE PERMIT NUMBER 2013-00063-(1)
OAK TREE PERMIT NUMBER 2013-00025-(1)
FIRST SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced permit to authorize the construction and operation of a charter school for 1,250 students and 60 teachers and staff located at 4800 East Cesar E. Chavez Avenue in the unincorporated community of East Los Angeles, applied for by KIPP LA Schools. At the conclusion of the hearing, your Board indicated an intent to approve the permits and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

RICHARD D. WEISS
Chief Deputy

EML:vn
Enclosures

c: William T Fujioka, Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2013-01148-(1)
CONDITIONAL USE PERMIT NUMBER 2013-00063-(1)
OAK TREE PERMIT NUMBER 2013-00025-(1)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Project No. R2013-01148-(1) consisting of Conditional Use Permit No. 2013-00063-(1) ("CUP") and Oak Tree Permit No. 2013-00025-(1) ("Oak Tree Permit") (collectively, the "Project Permits") on March 18, 2014. The Project Permits were heard concurrently with Zone Change Case No. 2013-00003-(1) ("Zone Change"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed hearing on the Project Permits and Zone Change on January 22, 2014.
2. The permittee, KIPP LA Schools ("Permittee"), seeks to construct and operate a charter school for grades kindergarten through eight ("Project"). The Permittee requests the CUP to facilitate development of the Project and the Oak Tree Permit to authorize encroachment into the protected zone of five oak trees resulting from the Project. The Permittee also seeks the related Zone Change to change the zoning for the subject property from the O-S Zone (Open Space) to the IT Zone (Institutional) in which schools are allowed with a CUP.
3. The Project consists of the conversion of an office building (Building 1) and a warehouse building (Building 2) into two education buildings with 17 classrooms and five classrooms, respectively, and the construction of a new education building (Building 3) with 21 classrooms. Combined floor area for all three buildings will be approximately 57,060 square feet, consisting of 43 classrooms, two teacher lounges, faculty and student restrooms, administrative offices, a 2,562-square-foot dance classroom, a 2,884-square-foot multi-purpose room, a 1,407-square-foot outdoor eating area, 9,918 square feet of outdoor play area, 15,288 square feet of landscaped area, on-site parking for 84 automobiles, and approximately 200 linear feet of an on-site queuing area for student pick-up and drop off.
4. Project grading includes approximately 1,750 cubic yards of cut, 296 cubic yards of fill, 1,733 cubic yards of compaction, and 1,454 cubic yards of export. The charter school will be operated by 60 teachers and administrative staff. Maximum enrollment will be 1,250 students. Maximum instruction hours for lower grade students (K-4) will be from 7:45 a.m. to 4:00 p.m. on Monday through Thursday, and 7:45 a.m. to 2:00 p.m. on Friday. Instruction hours for upper grade students (5-8) will be from 7:30 a.m. to 5:00 p.m. on Tuesday through Thursday, 7:30 a.m. to 1:00 p.m. on Monday, and 7:30 a.m. to 3:30 p.m. on Friday. An after-school enrichment program will be provided for approximately 250 students daily until 6:00 p.m. Project conditions will limit special events to four events per month and no more than one event per day, including parent-teacher conferences, committee meetings, and fundraisers.

5. The Project site is located at 4800 East Cesar E. Chavez Avenue in the unincorporated community of East Los Angeles. The APN for the subject parcel is 5251-009-906. The Project site has an area of 2.6 acres and approximately 375 feet of street frontage along East Cesar E. Chavez Avenue, classified as an Existing Secondary Highway in the County Master Plan of Highways ("Highways Master Plan"), and approximately 300 feet of street frontage along Mednik Avenue, which is classified as an Existing Major Highway in the Highways Master Plan.
6. The Project site plan depicts a rectangular lot. The Project site is currently developed with the former offices of the County Housing Authority ("Housing Authority"), including a two-story, 20,658-square-foot building (Building 1) and a one-story, 10,500-square-foot building (Building 2), 21,740 square feet of landscaped areas, and 165 parking spaces. Access to the site is provided from Cesar E. Chavez Avenue and Mednik Avenue.
7. The proposed new two-story, 25,900-square-foot building (Building 3) would be located to the south of Building 2. The proposed site plan depicts 15,288 square feet of landscaping and 84 parking spaces. Proposed vehicle circulation for drop-off and pick-up would be limited to ingress from Cesar E. Chavez Avenue and egress onto Mednik Avenue.
8. The Project would encroach into the protected zone of five oak trees. Four of the oak trees are located along East Cesar E. Chavez Avenue and the fifth oak tree is located near the southern boundary of the property.
9. There are two outdoor murals designed by artist David Lopez located along the southeasterly portion of the Project site. The murals are approximately 25 feet in width by 13 feet in height and are set back approximately 35 feet from Mednik Avenue. The murals were originally painted on a wall of the former Casa Maravilla housing project ("Maravilla project") (located to the north of the Project site), and were salvaged and relocated to the Project site when the Maravilla project was demolished in 1975 for redevelopment. The murals were originally designed for the local community. The Permittee intends to protect and maintain the murals and the Project will not disturb them.
10. The subject property is zoned O-S. Surrounding properties are zoned as follows:
 - North: R-3 (Limited Multiple Residence), C-3 (Unlimited Commercial), C-2 (Neighborhood Business);
 - South: O-S, R-3;
 - East: O-S; and
 - West: C-3, R-3, R-2 (Two-Family Residences).

11. The subject property is developed with the former offices of the Housing Authority. Surrounding properties are developed as follows:
 - North: Maravilla project and commercial retail;
 - South: Belvedere Park and First Street Elementary School;
 - East: Belvedere Park; and
 - West: Commercial retail/offices and apartments.
12. Previous zoning and case history for the site includes Ordinance No. 4051 which established the R-3 Zone on the property and was adopted on January 14, 1942, and effective on April 2, 1942. Ordinance No. 880153Z established the O-S Zone on the property and was adopted on September 13, 1988 and effective on October 13, 1988. CUP No. 107 and Variance No. 64 authorized a temporary trailer park on the site to provide temporary housing for tenants during reconstruction of the Maravilla project to the north of the project site. The trailer park was not developed because the temporary housing was found to be unnecessary. The Commission approved CUP No. 5067 to authorize a new central office and storage facility on the site for the Housing Authority on August 21, 1974. The CUP was amended on January 28, 1976, to permit addition of 8,000 square feet to the central office and 2,000 square feet to the storage facility.
13. The Zone Change from the O-S to IT zone, in which schools are allowed with a CUP, is appropriate given that, as discussed below, the land use category for the property under the East Los Angeles Community Plan ("Community Plan"), a part of the County's General Plan ("General Plan"), is intended to allow for schools. Addition of a school at the Project site, which is located near a medium-density housing area to the north, will improve the school-housing balance in the community, thereby promoting walkable neighborhoods and reducing the necessity of vehicle trips for student transportation.
14. The Project site is located within the P (Public Use) land use category of the Community Plan, a category that is intended for location of schools, parks/open space, public buildings, and hospitals. As such, the Project is consistent with the Community Plan.
15. The following policies of the Community Plan are applicable to the Project:
 - (a) provides for new development that is compatible with and complements existing uses (Land Use Element); and
 - (b) encourages the expansion of school facilities, especially in elementary schools, so that adequate acreage is provided (Education Element).
16. The Project will expand the availability of existing education facilities in the local community. Thus, the proposed school is consistent with the Community Plan's Land Use Element as well as its Land Use designation of Public Use. Such a school will complement the existing residential and educational uses, which also supports the goals and policies of the Community Plan.

17. Pursuant to section 22.40.710 of Title 22 of the County Code ("Zoning Ordinance"), establishments in the IT Zone are subject to the parking development standards in section 22.52.1200 of the Zoning Ordinance which delineates parking required for schools. Under these development standards, the County Department of Regional Planning ("Regional Planning") determined that the school will need 81 parking spaces. Eighty-four parking spaces are proposed for the Project and thus the Project complies with the parking requirements in the Zoning Ordinance.
18. The Project is located in the area regulated by, in part, the East Los Angeles Community Standards District ("CSD"), which includes height standards for fences and buildings. The CSD sets a maximum fence height of six feet. However, Regional Planning staff recommended, and the Board approved, a deviation from this standard to allow an eight-foot-high perimeter fence consisting of a combination of block wall and wrought iron fencing. The existing and proposed buildings range in height from 26 feet to 31.5 feet, which complies with the CSD's 40-foot maximum building height requirement.
19. The Project will not significantly alter the aesthetics of the Project site. The only new structure proposed, Building 3, will be located at the back of the site behind Building 1. In addition, a condition of approval requires the maintenance of a row of trees along the southern property perimeter to screen view of the proposed building from patrons in the Belvedere Community Regional Park to the south. The murals, discussed above, will be maintained for the community's benefit.
20. The proposed school is within walking distance of the Maravilla project directly to the north and surrounding residential neighborhoods to the east and west. Due to this proximity, the Project will create a more walkable neighborhood, reducing the necessity of vehicle trips for student transportation, thereby contributing positively to the general welfare of the community .
21. As reflected by Finding Nos. 13 – 20 above, the proposed use will be compatible with the surrounding area.
22. Based on the foregoing, the Board concludes the Project complies with the IT Zone development standards, the Zoning Ordinance, and the Community Plan.
23. As set forth below, the Project was reviewed and, and with specified conditions, recommended for approval by the County Fire Department ("Fire Department"), County Forester ("Forester"), County Department of Public Health ("Public Health"), County Department of Parks and Recreation ("Parks"), and County Department of Public Works ("Public Works").
24. By letter dated September 30, 2013, Parks recommended conditions of approval regarding vegetative screening along the southern boundary of the property which fronts the Belvedere Community Regional Park, the limits to hours of

construction, and use of the park facilities by the school. Said conditions are included in the Project conditions.

25. By letter dated November 1, 2013, Public Health cleared the Project for public hearing with recommended conditions of approval regarding potable water supply, wastewater disposal, and noise. Those recommended conditions are included in the Project conditions.
26. By letter dated November 18, 2013, Public Works cleared the Project for public hearing with recommended conditions of approval regarding the Project's road improvements, drainage plan, grading, street lighting, and sewer connection. However, on January 14, 2014, Public Works advised Regional Planning staff that it had granted a request by the Permittee to waive the street widening requirements on Mednik Avenue. As a result, Public Works waived Condition Nos. 1.3, 1.4, 1.5, 1.6, 1.7, 1.13, 1.14, and 4.1 in the November 18, 2013 letter. Except for those specific conditions, all of Public Works' original conditions are included as Project conditions.
27. By letter dated November 21, 2013, the Forester cleared the Project for public hearing with recommended conditions regarding the encroachment of five oak trees, all of which are included as Project conditions.
28. By letter dated December 13, 2013, the Fire Department cleared the Project for public hearing with recommended conditions of approval regarding fire flow, site access, gate locking devices, and a required new fire hydrant, all of which are included as Project conditions.
29. Regional Planning staff prepared an Initial Study for the Project pursuant to the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the County Environmental Document Reporting Procedures and Guidelines. The Initial Study showed that there is no substantial evidence that the Project may have a significant impact on the environment. Based on the Initial Study, a Negative Declaration was prepared for the Project. The Board adopted the Negative Declaration at the conclusion of its public hearing on the Project.
30. The Commission held its duly-noticed public hearing on the Project on January 22, 2014. Prior to the hearing, three letters of support were received. At the Commission hearing, Regional Planning staff explained the Project and recommended a revision to one of the conditions to clarify the type of maintenance and care required for the existing murals at the Project site. Regional Planning staff also notified the Commission that the Permittee, as discussed above, requested a waiver of the requirement by Public Works to widen Mednik Avenue, which Public Works granted, and that this change would be reflected in Project conditions. After the staff presentation, one of the Commissioners requested that the condition regarding graffiti removal be revised to require that graffiti be removed no later than 6:30 a.m. every day, for the first

six months after the opening of the school. Said requirement is included in the Project conditions.

31. At the Commission hearing, the Permittee's representative, Alma Cibrian of KIPP LA Schools, along with Maria Badrakhan of the Housing Authority, which owns and had occupied the property, testified in favor of the Project, but requested a modification of the wall height to allow fencing and gates up to a maximum of eight feet in height. Twelve speakers, including students from KIPP LA schools, testified in favor of the Project. There were no speakers opposing the Project. After completion of testimony, the Commission closed the public hearing and approved the Negative Declaration and the Project Permits, subject to the conditions recommended by Regional Planning staff and agreed to by the Permittee's representative. The Commission also agreed to the requested waiver of the six-foot height fence limit, allowing an eight-foot fence, and also approved a resolution supporting the Zone Change, recommending its approval to the Board.
32. The Board held its duly-noticed public hearing on the Project on March 18, 2013. Regional Planning staff briefly described the Project and advised the Board that the Commission had approved the Negative Declaration, approved the Project Permits, and recommended approval of the Zone Change. By letter to the Board, Regional Planning requested that the Board approve the Negative Declaration prepared for the Project, instruct County Counsel to prepare the necessary documents to approve the Zone Change, and prepare necessary findings to approve the Project Permits. One person testified at the Board hearing regarding the Project, expressing neither support nor opposition.
33. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was appropriately notified of the Commission and the Board public hearings by mail, newspaper, and property posting.
34. Based on the foregoing, the Board finds that the construction, operation, and maintenance of the charter school will not negatively affect the health, comfort, or welfare of surrounding residents, be materially detrimental to the use, enjoyment, or value of surrounding properties, or constitute a hazard to public health or safety.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

35. The Project site is located within the Public Use land use category of the Community Plan which is intended for schools, parks/open space, public buildings, and hospitals.
36. The Project will expand the availability of existing education facilities in the local community and complement existing uses, both of which support the goals and policies of the Community Plan. Therefore, the Board finds that proposed use will be consistent with the adopted General Plan for the area.

37. The Board finds that the Project will not significantly alter the aesthetics of the Project site, as the only new structure proposed, Building 3, will be located at the rear of the property behind Building 1. In addition, a condition of approval will require the maintenance of a row of trees along the southern property perimeter, to screen view of the proposed building by patrons in the Belvedere Community Regional Park to the south. The Initial Study prepared for the Project concluded there will be no significant environmental impacts from the Project. Therefore, the Board finds that the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
38. The Board finds that the Project complies with the development standards of the IT Zone pursuant to section 22.40.710 of the Zoning Ordinance regarding design, access and parking, development features, and signs. The Project also complies with the development standards of the CSD as set forth in section 22.44.118 of the County Code, except for the fence height, the modification of which was approved by the Board. The Project includes a 200-linear-foot queuing area for student drop-off and pick-up. Therefore, the Board finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Zoning Ordinance, or as is otherwise required to integrate said use with the uses in the surrounding area.
39. The Board finds that the Project site is served by East Cesar E. Chavez Avenue, an Existing Secondary Highway, and Mednik Avenue, an Existing Major Highway. Therefore, the Board finds that the Project site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

OAK TREE PERMIT SPECIFIC FINDINGS

40. The Board finds that pursuant to section 22.56.2140, a copy of the Permittee's oak tree report as required by section 22.56.2090 was sent to the Forester to review the accuracy of statements contained therein, and to facilitate the Forester's inspection of the Project site. The Forester concurred with the oak tree report submitted by the Permittee, which was completed by a certified arborist, and supports the approval of the Oak Tree Permit, subject to the attached conditions.
41. The Board finds that based on that report as verified by the Forester, the proposed construction of the proposed use will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

42. The Board finds that the proposed encroachment into the protected zone of five oak trees will not have an adverse impact on the surrounding neighborhood. Conditions of approval will ensure that potential loss of the oak trees due to construction will be mitigated by requiring the replacing of the lost trees at the appropriate ratio.
43. The Board finds that the proposed encroachment into the protected zone of the oak trees is not contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

ADDITIONAL FINDINGS

44. Approval of the Project Permits will not become effective until the Board has adopted the Zone Change ordinance and such ordinance has become effective.
45. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Board determines that it is necessary to limit the term of the grant to 30 years.
46. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional 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 Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS:

1. Having considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Board that there is no substantial evidence that the Project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Board, and certifies that it adopted the Negative Declaration at the close of the public hearing.
2. Approves Conditional Use Permit No. 2013-00063-(1) and Oak Tree Permit No. 2013-00025-(1), subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NUMBER R2013-01148-(1)
CONDITIONAL USE PERMIT NUMBER 2013-00063-(1)
OAK TREE PERMIT NUMBER 2013-00025-(1)

1. The project consists of a conditional use permit for the construction and operation of a charter school in the IT Zone and an oak tree permit for the encroachment into the protected zone of five oak trees, subject to the following conditions of approval.
2. 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.
3. 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 ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 11 and 13. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, 10, 11, and 13 shall be effective immediately upon the date of final approval of this grant by the County.
4. Approval of this permit will not take effect until Zone Change No. 2013-00003-(1) takes effect. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to the foregoing and section 22.60.260 of the County Code.
5. 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 reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional 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. 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.

7. 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.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, 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.
9. This grant shall terminate on the day that is 30 years after the final approval date of this grant. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
10. This grant shall expire unless used within two years from the date of final approval of the grant. A single one-year time extension may be requested in writing with the payment of the applicable fee prior to such expiration date.
11. 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan

on file. The permittee shall deposit with the County the sum of \$3,000. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 15 biennial (one every other year) inspections. Inspections shall be unannounced.

12. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required.
13. Within three days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$2,231.25 (\$2,156.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
14. 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 22.56, Part 13 of the County Code.
15. All development pursuant to this grant must be kept in full compliance with the County Fire Department to the satisfaction of said department.
16. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
17. 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 Regional Planning ("Director").

18. The permittee shall maintain the subject property in a neat and orderly fashion.
19. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
20. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
21. During the first six months after the school opens, the permittee shall monitor the school grounds for graffiti or other extraneous markings, and remove or cover said graffiti, or other extraneous markings, by no later than 6:30 a.m. the next day after such occurrence, weather permitting. After the first six months after the school opens, in the event of graffiti or other extraneous markings occur, the permittee shall remove or cover said graffiti or extraneous markings within 24 hours of notification of such occurrence, weather permitting. In removing or covering graffiti or other extraneous markings pursuant to this condition, paint utilized in covering such graffiti or other markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
22. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, three copies of a modified Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of final approval of this grant. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

OAK TREE PERMIT SPECIFIC CONDITIONS

23. The Oak Tree Permit shall not be effective until an Exhibit "A" is approved by the Director for the construction of the charter school, demonstrating the need to encroach upon said trees.
24. The permittee shall comply with all conditions and requirements contained in the County Forester and Fire Warden, Forestry Division, letter dated November 21, 2013 (attached hereto), to the satisfaction of said division, except as otherwise required by said division.

25. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as the tree removed for each mitigation tree planted. The acorns shall be planted at the same time as, and within the watering zone of, each mitigation tree.
26. All replacement trees, if necessary, shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as any 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.
27. If 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.

PROJECT SITE SPECIFIC CONDITIONS

28. The school shall be limited to a maximum enrollment of 1,250 students and a maximum staff of 60 persons.
29. Student instruction shall begin no earlier than 7:30 a.m. and cease no later than 5:00 p.m. Start times for the lower grade students (K-4) and upper grade students (5-8) shall be staggered no less than 15 minutes apart. Dismissal times for the lower and upper grade students shall be staggered no less than one hour apart.
30. The after-school enrichment program shall cease by 6:00 p.m. daily and shall be limited to a maximum enrollment of 250 students.
31. During pick-up and drop-off times, at least four adult monitors, identified appropriately with reflective vests or similar gear, shall monitor student drop-off and pick-up operations.
32. Outdoor lunch periods for students shall be staggered, weather permitting, to minimize noise emanating from the Project site.
33. Special events, such as parent-teacher conferences, committee meetings, and fundraisers, shall not exceed four events per month, with no more than one event per day.

34. The permittee shall provide parking as required by County Code section 22.52.1200 (Schools), which requires at least 81 total parking spaces. If the permittee changes the operation of the school so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.
35. If the school substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement described in the above Condition, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.
36. Within 60 days of the final approval date of this grant, the permittee shall submit a signage exhibit to Regional Planning covering the signage for the site. The Director must approve this signage exhibit prior to the installation of any signage at the site.
37. The permittee shall install and maintain vegetated screening along the southern property perimeter of the project site.
38. Construction activities for the project shall not occur on weekends.
39. The permittee shall maintain access to the existing murals on the project site and conduct routine maintenance and conservation work in accordance with industry standards for the preservation of murals.
40. Outdoor lighting shall be installed and maintained in all uncovered parking areas for the project. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during the school's operating hours and shall be designed to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining properties. Lighting shall be turned off within 30 minutes after conclusion of the school's operating hours or on-site activities, with the exception of sensor-activated security lights and/or low-level lighting.
41. All gates on the project site shall comply with Fire Regulation 5 access standards to the satisfaction of the County Fire Department.
42. Perimeter fences and gates shall be a maximum of eight feet in height and consist of a combination of block wall and wrought iron.
43. The permittee shall comply with all conditions set forth in the attached County Parks Department letter dated September 30, 2013.
44. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated November 1, 2013.

45. The permittee shall comply with all conditions set forth in the attached County Department of Public Works ("Public Works") letter dated November 18, 2013 except Condition Nos. 1.3, 1.4, 1.5, 1.6, 1.7, 1.13, 1.14, and 4.1. These conditions associated with the widening of Mednik Avenue were waived by Public Works on January 14, 2014.
46. The permittee shall comply with all conditions set forth in the attached County Forester letter dated November 21, 2013.
47. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated December 13, 2013.

Attachments:

Parks Department letter dated September 30, 2013
Public Health Department letter dated November 1, 2013
Public Works Department letter dated November 18, 2013
County Forester letter dated November 21, 2013
Fire Department letter dated December 13, 2013
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

September 30, 2013

Sent via e-mail: mtashjian@planning.lacounty.gov

TO: Maral Tashjian
Department of Regional Planning

FROM: Julie Yom, Park Planner *JY*
Environmental and Regulatory Permitting Section

SUBJECT: CUP CONSULTATION
PROJECT NO. R2013- 01148-(1)
CUP 201300063
4800 EAST CESAR CHAVEZ AVE., LOS ANGELES
KIPP CHARTER SCHOOL
APN: 5253- 009- 906

The above project, which proposes a construction, use, and maintenance of a charter school campus for grades K-8 on a 2.59-acre lot has been reviewed for potential impacts on the facilities of the Department of Parks and Recreation (DPR). The proposed project is located directly northwest of Belvedere Community Regional Park (4914 East Cesar Chavez Avenue) and it will have the following impacts to the park.

AESTHETICS

Due to the close proximity, the proposed 2- story building will have an adverse effect on the view from park. Mitigation for aesthetic impacts should include vegetative screening of the project site so that it can create visual relief for the park patrons.

AIR QUALITY

The proposed activities associated with project construction and increased traffic generated by the project will result in fugitive dust, mobile emissions, and various stationary source emissions. Park patrons, especially the users of the nearby soccer and baseball fields as well as the fitness zone will be vulnerable to the effects of air pollutants, including the elderly, children, and persons with pre-existing respiratory or cardiovascular illness. The programming of the fields are generally from 5pm to 10 pm on weekdays and from 9am to 9pm on weekends. The fitness zone is used from 6 am to 9pm every day. Construction should be limited to weekdays and not allowed on weekends when the park is most heavily used.

NOISE

The construction of the proposed project will generate increased noise levels adversely affecting the users of the nearby soccer and baseball fields as well as the fitness zone, the elderly, and children. Although construction noise is a temporary impact, mitigation measures should be implemented to reduce this significant impact. The programming of the fields are generally from 5pm to 10 pm on weekdays and from 9am to 9pm on weekends. The fitness zone is used from 6 am to 9pm every day. Construction should be limited to weekdays and not allowed on weekends when the park is most heavily used.

RECREATION

The construction of the project will have adverse aesthetics, air quality, and noise impacts to the park patrons especially affecting the users of the nearby soccer and baseball fields as well as the fitness zone.

In addition, the site plan does not include a gym, multipurpose fields or aquatics facility. If the school desires to use the facilities at Belvedere Park, this potential use must be discussed with DPR. Also, parking for Belvedere Park can be impacted during parent conferences and events especially, if they take place late afternoons when there are sports activities in progress at Belvedere Park. If the school holds an event on weekends, the park staff should be notified of the event as soon as possible to avoid conflicts with the park's special event, traffic or parking concerns. For questions or inquiries related to recreation, please contact Anthony Montanez at (626) 968-2791 or amontanez@parks.lacounty.gov.

Thank you for including this Department in the review of this document. If we may be of further assistance, please contact me at (213) 351-5127 or jvom@parks.lacounty.gov.

JY/R2013-01148, Kipp Charter School CUP

Enclosure: Map of Project and Belvedere Park

c: Department of Parks and Recreation (N. E. Garcia, K. King, F. Gonzales, J. Rupert, M. Escobar, A. Montanez)



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov



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November 1, 2013

TO: Maral Tashjian
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, MPA, REHS *M.T.*
Environmental Health Division
Department of Public Health

SUBJECT: PERMIT CONSULTATION – CHARTER SCHOOL
PROJECT NO. R2013-01148
4800 E. CESAR CHAVEZ AVE., LOS ANGELES 90022

- Environmental Health recommends approval of this CUP.
- Environmental Health does **NOT** recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the construction, use, and maintenance of a charter school campus for grades K-8, on a 2.59-acre lot. Conversion of the existing two-story, 20,658 square foot office building, and 10,500 square foot warehouse building into two education buildings, and construction of a new two-story, 25,900 square foot education building. Construction of the proposed project will be delivered in phases.

The Department recommends approval of this CUP with the following conditions:

Potable water supply and wastewater disposal

The proposed project shall remain connected to existing public water and public sewer facilities.

Noise

This is to inform you that staff from Toxics Epidemiology Program has reviewed the acoustical study, "KIPP LA Charter Noise Technical Study" dated October 2013 and the Draft DRP's draft initial study (IS) for the school project referenced above. We concur with the findings and recommendations found in the draft Initial Study and the acoustical study.

The project shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in Title 12 of the Los Angeles County Code.

For questions regarding the above section, please contact Robert Vasquez or Evenor Masis at (213) 738-3220.

If you should have any other questions, please contact me at (626) 430-5382.



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
http://dpw.lacounty.gov

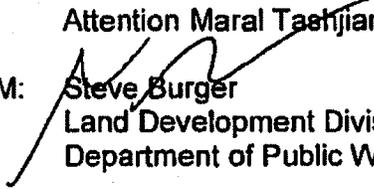
ADDRESS ALL CORRESPONDENCE TO
P O BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 18, 2013

IN REPLY PLEASE
REFER TO FILE LD-2

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Maral Tashjian

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201300063
OAK TREE PERMIT (OTP) NO. 201300025
ZONE CHANGE NO. 201300003
PROJECT NO. R2013-01148
4800 EAST CESAR E. CHAVEZ AVENUE
ASSESSOR'S MAP BOOK NO. 5251, PAGE 9, PARCEL NO. 906
UNINCORPORATED COUNTY AREA OF EAST LOS ANGELES

We reviewed the site plan for the proposed project located at 4800 East Cesar E. Chavez Avenue in the unincorporated County area of East Los Angeles. The proposed Charter Campus School (Grades K-8) project involves the conversion of the existing 20,658-square-foot office building (Building 1) and 10,500-square-foot warehouse building (Building 2) into two education buildings as well as the construction of a new 25,900-square-foot education building (Building 3).

Combined floor area for all three buildings will be approximately 57,560-square-feet and will consist of a total of 43 classrooms, one multi-purpose room, two teacher lounges, and two administrative offices. The site will include 1,486 square feet of outdoor eating area, 9,918 square feet of outdoor play area, 15,288 square feet of landscaped area, and 84 on-site parking spaces will be provided. Projected grading includes 1,750 cubic yards of cut, 296 cubic yards of fill, 1,733 cubic yards of compaction, and 1,454 cubic yards of export.

The proposed school will have a maximum enrollment of 1,250 students and 60 faculty members. Lower grade students (Grades K-4) will have regular instruction hours from 7:45 a.m. to 4 p.m. on Monday through Thursday and 7:45 a.m. to 2 p.m. on Friday. Upper grade students (Grades 5-8) will have regular instruction hours from 7:30 a.m. to 5 p.m. Tuesday through Thursday and will have a 1 p.m. dismissal on Monday and

Maria Masis
November 18, 2013
Page 2

3:30 p.m. dismissal time on Friday. An after school enrichment program will be provided for approximately 250 students until 6 p.m. daily. Special events (including parent-student conferences, committee meetings, and fundraisers) would not exceed 4 events per month and no more than one event per day.

Public Works recommends approval of this site plan.

Public Works does **NOT** recommend approval of this site

Upon approval of the site plan, we recommend the following conditions:

1. **Road**

- 1.1 Dedicate an adequate right of way for a corner cut-off, based on a 35-foot curb return radius, at the southeast corner of Cesar E. Chavez Avenue and Mednik Avenue to the satisfaction of Public Works. A fee will be required for the review of the dedication documents.
- 1.2 Permission is granted to waive the road widening on Cesar E. Chavez Avenue since a 12-foot-wide sidewalk will provide pedestrian and student access to the Charter School.
- 1.3 Construct new standard curb, gutter, and full-width sidewalk, 42 feet from centerline, on Mednik Avenue to the satisfaction of Public Works.
- 1.4 Provide an adequate curb transition on Mednik Avenue fronting the adjacent southerly property (APN 5251-009-909) from the northerly driveway of APN 5251-009-909 to the existing curb and gutter to the satisfaction of Public Works. The northerly driveway of APN 5215-009-909 will be part of the road widening on Mednik Avenue, and the relocation of the existing street light will be required to accommodate the curb transition. A 25-foot minimum curb return radius or other acceptable radius should be used to accommodate street sweepers to the satisfaction of Public Works. Relocate any affected utilities.

Please note this widening may impact the driveway leading to the adjacent property located immediately south of the project site (APN 5251-009-909). Should the adjacent driveway, which is currently being used for maintenance purposes to the existing park site, be affected, it must be reconstructed to comply with current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. A construction letter, in a form acceptable to Public Works, from the property owner of the adjacent property (APN 5251-009-909) must be obtained to gain permission to enter

and reconstruct the driveway. The driveway will need to be depressed and remedial off-site grading may be necessary. It shall be the sole responsibility of the applicant to gain all necessary off-site approvals.

- 1.5 Construct base and pavement to join new curb and gutter on Mednik Avenue, to the satisfaction of Public Works.
- 1.6 Construct a 35-foot curb return radius with a standard curb ramp at the southeast corner of Cesar E. Chavez Avenue and Mednik Avenue to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate/upgrade any affected utilities including the existing traffic signal equipment, which will require a separate signal plan.
- 1.7 Reconstruct the concrete that is cracked in the vicinity of the existing curb return, as needed, at the southeast corner of Cesar E. Chavez Avenue and Mednik Avenue to the satisfaction of Public Works.
- 1.8 Reconstruct the driveway approach that serves the site on Mednik Avenue to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
- 1.9 Replace any displaced/broken sidewalk along the property frontage on Mednik Avenue and Cesar E. Chavez Avenue to the satisfaction of Public Works.
- 1.10 Plant street trees on Mednik Avenue along property frontage to the satisfaction of Public Works. Existing trees in the right of way shall be removed and replaced if not acceptable as street trees.
- 1.11 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.12 Comply with all the requirements listed in the attached letter from Public Works' Traffic and Lighting Division letter dated November 12, 2013, to the satisfaction of Public Works.
- 1.13 Submit plans for the relocation of the Los Angeles County Flood Control District catch basin and the storm drain connection to Land Development Division, Permits and Subdivisions Section, prior to obtaining a grading/drainage permit. The existing catch basin is located on Cesar E. Chavez Avenue near the curb return.

- 1.14 Submit a traffic signal plan to Public Works for review and approval for the upgrade/relocation of traffic signals, which includes loop restoration that accommodates the road widening of Mednik Avenue, to the satisfaction of Public Works.
- 1.15 Submit a signing and striping plan to Public Works for review and approval to address the necessary restriping/extension of the existing crosswalks (due to the widening of Mednik Avenue and the modification to the existing curb return) as well as to comply with the requirements outlined in the attached Public Works' Traffic and Lighting letter dated November 12, 2013, to the satisfaction of Public Works.
- 1.16 Submit street improvement plans to Public Works and acquire street plan approval or direct check status before obtaining a grading/drainage permit.
- 1.17 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Ruben Cruz, rcruz@dpw.lacounty.gov, or Teni Mardirosian, tmardirosian@dpw.lacounty.gov, of Public Works' Land Development Division at (626) 458-4910.

2. Drainage

- 2.1 Prior to issuance of building permits, a drainage concept plan must be approved by Public Works. If major changes to the site configuration are made as a result of Low-Impact Development design, a revised site plan will be required to include the impacts identified in the approved drainage concept plan. The drainage concept plan/project must:
 - 2.1.1 Show the extent of drainage impacts including off-site drainage patterns from adjoining properties and provide mitigation acceptable to the County for the proper distribution of contributory drainage, if necessary. Engineering calculations to support sizing of retention and detention basins must also be provided.
 - 2.1.2 Include and comply with a Low-Impact Development Plan (LID) as part of the drainage concept. Per County Code Section 12.84.460 comply with LID requirements and provide calculations in accordance with the LID Standards Manual, which can be found at: [http://dpw.lacounty.gov/wmd/LA County LID Manual.pdf](http://dpw.lacounty.gov/wmd/LA%20County%20LID%20Manual.pdf).

- 2.1.3 Comply with the current Municipal Separate Storm Sewer System (MS4) Permit as part of the drainage concept. This will require all infiltration water quality devices to be sized using the .75-inch storm or the 85th percentile storm, whichever is greater. A map with the 85th percentile storm can be found at (<http://dpw.lacounty.gov/wrd/hydrologygis/>).

For questions regarding the drainage conditions, please contact Toan Duong of Land Development Division at (626) 458-4921 or tduong@dpw.lacounty.gov.

3. Grading

- 3.1 Submit a grading/drainage plan, as appropriate, for approval to Public Works. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, the water quality devices, and the LID features, if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.
- 3.2 Provide the latest drainage concept/hydrology/water quality/LID plan by Land Development Division's Storm Drain and Hydrology Section.
- 3.3 Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 3.4 Provide soil/geology approval of the grading plan by Public Works' Geotechnical and Materials Engineering Division, as applicable.

For questions regarding the grading conditions, please contact Ruben Cruz, rcruz@dpw.lacounty.gov, or Teni Mardirosian, tmardirosian@dpw.lacounty.gov, of Land Development Division at (626) 458-4910.

4. Street lighting

- 4.1 Provide street lighting plans to address the relocation of the existing street lights on concrete poles with underground wiring, along the property frontage on Mednik Avenue, to the satisfaction of Public Works. The relocation of the street lights is due to the required road widening on Mednik Avenue. The street lighting plans, when submitted, shall show all existing lights along with existing and/or proposed underground utilities plans and should be submitted as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.

Maria Masis
November 18, 2013
Page 6

For questions regarding the street lighting condition, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or jchow@dpw.lacounty.gov.

5. Sewer

- 5.1 Secure a sewer lateral connection permit and pay all applicable fees to the satisfaction of the County of Los Angeles Sanitation Districts. Should the applicant request to connect to Public Works' Sewer Maintenance District sanitary sewer, the applicant will be required to submit a sewer area study to determine if capacity is available in the sewerage system servicing this project prior to submitting plans for the sewer lateral connection permit from Public Works.

For questions regarding the sewer condition, please contact Jae Kim of Land Development Division at (626) 458-4921 or jakim@dpw.lacounty.gov.

If you require additional information, please contact Ruben Cruz, rcruz@dpw.lacourty.gov, or Teni Mardirosian, tmarderosian@dpw.lacounty.gov, at (626) 458-4910.

TM:tb

P:\dpub\SUBPCHECK\Plan Check\CUP\CUP 201300063-4800 Cesar\TCUP 201300063\2013-11-12\13-11- CUP 201300063.docx

Attach.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

November 21, 2013

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

Dear Maral Tashjian:

OAK TREE PERMIT NUMBER 2013-00025
PROJECT NUMBER R2013-01148-(1)
4800 EAST CESAR E. CHAVEZ AVENUE, LOS ANGELES

We have reviewed the "Request for Oak Tree Permit #2013-00025." The project is located at 4800 East Cesar E. Chavez Avenue in the unincorporated area of Los Angeles. 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 Don Wynn, the consulting arborist, dated April 11, 2013 and revised October 7, 2013.

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

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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, 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 five (5) trees of the Oak genus identified as Tree Numbers 1, 2, 6, 9 and 10 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.
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.

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,



J. LOPEZ, ACTING ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JL:jl

Enclosure

COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division – Land Development Unit

5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783



DATE: December 13, 2013

SITE PLAN DATE: FD 09/11/13

TO: Department of Regional Planning
Zoning Permits - Maral Tashjian

PROJECT #: R2013-01148

LOCATION: 4800 East Cesar Chavez Avenue, Los Angeles (unincorporated)

- The required fire flow for this development is 2000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Water:** The fire flow is adequate for this project.

As noted on Sheet A2.2, install one (1) public fire hydrant on Cesar Chavez Avenue, west of the entry point as noted on the . The installation of the public fire hydrant is required as part of Phase 1 of the development.
- Access:** Provide access as noted on Sheet A2.2.

Access shall comply with Section 503 of the Fire Code.

Provide a minimum driveway width of 26 feet, clear-to-sky, to be posted "No Parking-Fire Lane" to within 150 feet distance of any exterior portion of all on-site structures.

Provide a minimum center-line turning radius of 32 feet for each turn.

Provide an approved Fire Department locking device at each gate location to gain access to the development.
- Conditions for Approval:** Submit a minimum of three (3) copies of the water plans indicating the location of public fire hydrant to be installed on Cesar Chavez Avenue to the Department's Land Development Unit for review. The water plan can be submitted after the public hearing.
- Comments:** The proposed project is "cleared" to proceed to public hearing.

All fire protection facilities, including water and access, must be provided prior to and during construction. Should any questions arise regarding this matter, please contact our office at (323) 890-4243.

Inspector: *Wally Collins*



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://lacofd.org/Forestry_folder/otordin.htm

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 WIGLIZENII

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

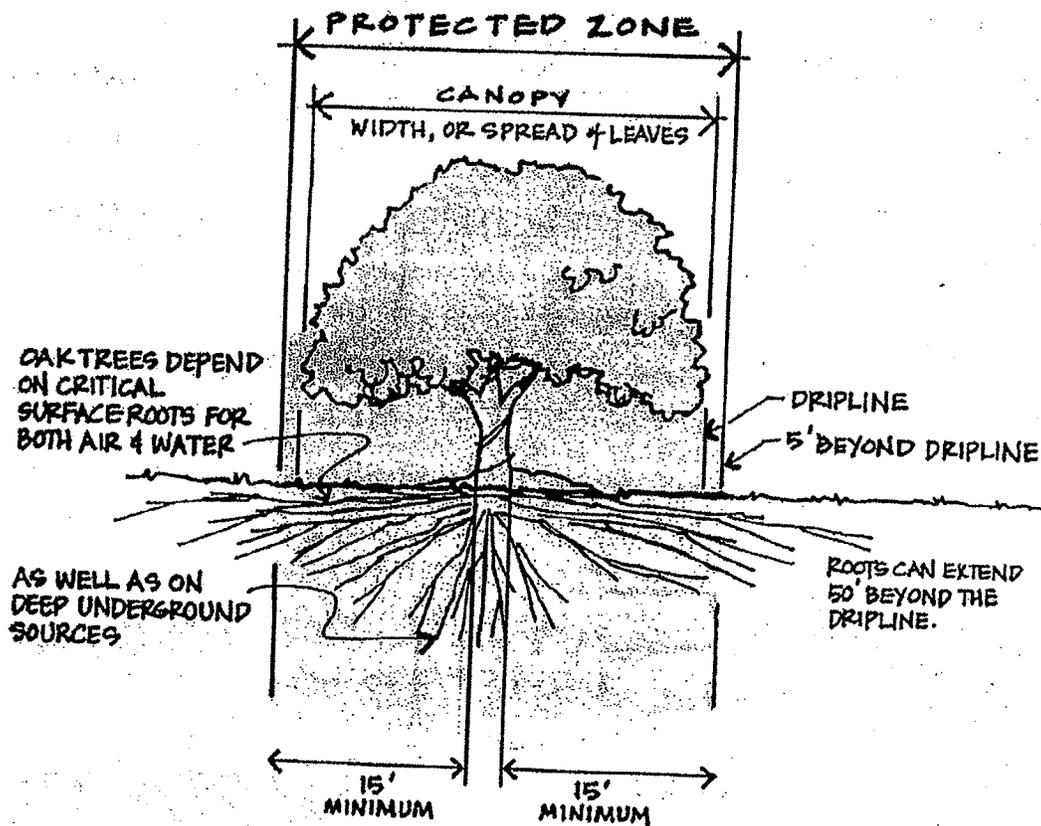
THE PROTECTED ZONE

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.

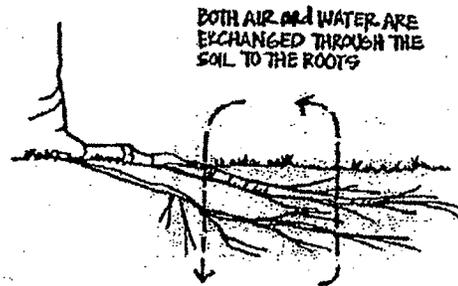
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

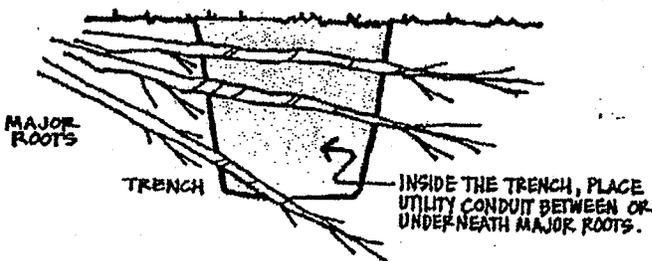
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

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.

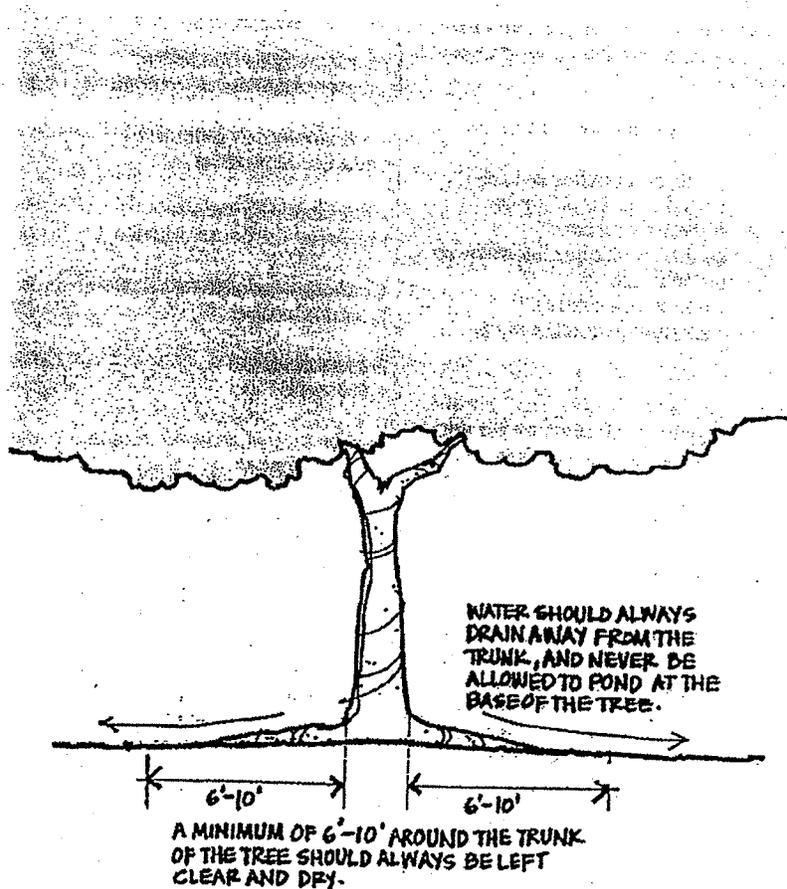
Pruning

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> Camel 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://lacofd.org/forestry.htm>

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
<http://danr.ucop.edu/ihrmp>

Private Organizations

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

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

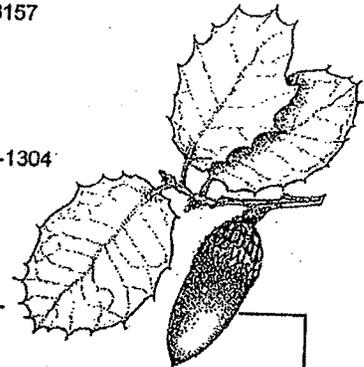
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
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
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik... [et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.