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Decision Date: May 25, 2016

Appeal End Date: June 9, 2016

Zoran Vujic (A)(O)
2120 Federal Avenue
Los Angeles, CA 90025

Apple Engineering Group (R)
9080 Telstar Avenue, Suite 309
El Monte, CA 91731

Case No. AA-2015-559-PMLA
Related Case: None
2120-2122 Federal Avenue
West Los Angeles Planning Area
Zone : R2-1
D. M. : 123 B 149
C. D. : 11
CEQA: ENV-2015-560-CE
Legal Description : Lot 6, Tract 6238

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Advisory Agency determined that the Categorical Exemption ENV-2015-560-CE adequately serves as the environmental clearance and approved Parcel Map AA-2015-559-PMLA composed of one lot for a maximum 2 unit condominium, located at 2120-2122 Federal Avenue, as shown on map stamp-dated September 18, 2015. This unit density is based on the R2-1 Zone and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building permit issued.

BUREAU OF ENGINEERING – SPECIFIC CONDITIONS

1. That the following improvement be either constructed prior to recordation of the final map, or that the construction be suitably guaranteed:
 - a. Improve Federal Avenue adjoining the subdivision by the construction of a new 5-foot wide concrete sidewalk adjacent to the property line; repair or replace any broken or offgrade curb, gutter, roadway pavement; and plant trees as required by the Street Tree Division of the Bureau of Street Services.
 - b. Construct the necessary sewer house connection to serve the project and evaluate the efficiency of the existing house connection sewers, or any other arrangement acceptable to the West Los Angeles Engineering District Office.

Any questions regarding this report should be directed to Ray Said of Land Development Group located at 201 North Figueroa Street, or by calling (213)202-3492.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated June 11, 2014, Log No. 84456 and attached to the case file for Parcel Map No. AA-2015-559-PMLA.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning code violations existing on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication.
 - c. Provide a copy of the recorded community driveway agreement for street access to Lot A with adjoining property or record a new community driveway agreement easement of 20 ft. width throughout.

Notes:

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Huang at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

4. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

5. That prior to recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department approval and review prior to recordation of Parcel Map Action.
 - b. Adequate public and private fire hydrants shall be required.
 - c. Access for Fire Department apparatus and personnel to and into all structures shall be required.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit application, etc., and shall be accomplished BY APPOINTMENT ONLY.

DEPARTMENT OF RECREATION AND PARKS

6. That the Quimby fee be based on the R2-1 Zone.

DEPARTMENT OF WATER AND POWER

7. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering.

BUREAU OF STREET LIGHTING-SPECIFIC CONDITIONS

8. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
 - a. Construct one (1) new street light on Federal Avenue.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selections.

Condition set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

INFORMATION TECHNOLOGY AGENCY

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05-N. written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (2130) 978-0856.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

10. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. **Use**. Limit the proposed development to a maximum 2 units.
 - b. **Parking**. That a minimum of two (2) parking spaces per dwelling unit plus one (1) guest parking be provided, for a minimum of five (5) on-site parking spaces. All exterior parking area lighting shall be shielded and directed onto the site.
 - c. **Landscape Plans**. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. **Failure to**

comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
 - ii. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
 - iii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - iv. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
- d. **Plans.** Prior to the issuance of building permits, detailed development plans, including a project design plan shall be prepared consistent with the West Los Angeles Community Plan.
- e. Advisory Agency additional development requirements and/or limitations as follows:
- Not Applicable.
- f. **Parcel Map Conditions on Building Plans.** In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable parcel map conditions affecting the physical design of the building and or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable parcel map conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

Alternatively, if a building permit for apartments shall not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant shall not request a permit for

apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

- g. **Fence.** That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard. The wall shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.

Note: Should the Department of Building and Safety grant a Common Access Driveway for both properties located at 2116-2118 Federal Avenue and 2120-2122 Federal Avenue, no block wall fence is required along the dividing line of the two properties.

- h. **Energy Conservation.** That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- i. **Air Filtration.** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
- j. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site:

N/A.

- k. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

11. That the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
12. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - CM-1 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - CM-2 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
 - CM-3 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - CM-4 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
 - CM-5 The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
 - CM-6 The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:

- Ground stabilization
- Selection of appropriate foundation type and depths
- Selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

CM-7 The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

FINDINGS OF FACT (CEQA):

On February 2, 2015, the Environmental Review Section of the Planning Department determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 designates the subject project as Categorically Exempt under Article III, Section 1, Class 15, ENV-2015-560-CE.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2015-559-PMLA, pursuant to Section 66474 of the State of California Government Code (the Subdivision Map Act), the Advisory Agency of the City of Los Angeles makes the prescribed findings as follows:

- (a) PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted General Plan Land Use Element is made up of 35 Community Plans. The subject project is within the West Los Angeles Community Plan. West Los Angeles Community Plan Land use Designation for the subject property is Low Medium I Residential. This requires at least 2,500 square feet of lot area per dwelling unit. Proposed Parcel A has a net square feet area of 5,281. Based on the square footage of the subject parcel, the maximum density allowed by right is 2 dwelling units after required dedication. The proposed project is for two residential condominium dwelling units on one lot. Therefore, the project is consistent with the General Plan Land Use Designation.

The project is within the West Los Angeles Transportation Improvement and Mitigation Specific Plan Area. The West Los Angeles Transportation Improvement and Mitigation Specific Plan does not address development issues. It identifies trip fee requirements for non-residential projects.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

According to the Bureau of Engineering letter dated January 28, 2016, there is an existing sanitary sewer in Federal Avenue adjoining the subdivision. The construction of house connection sewers will be required to serve each parcel. See conditions under department.

The project is within the West Los Angeles Transportation Improvement and Mitigation Specific Plan Area. The West Los Angeles Transportation Improvement and Mitigation Specific Plan does not address development issues. It identifies trip fee requirements for non-residential projects.

The site is level and is not located in a liquefaction area, a flood zone, or a landslide area. On a memo dated June 11, 2014, the Department of Building and Safety, Grading Division, tentatively approved the proposed project, subject to requirements and conditions contained in Log No. 84456. The subject property is located outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards.

Therefore, as conditioned, the design and improvement of the proposed preliminary parcel map is consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The lot is 148 feet by 45 feet. Proposed Parcel A has a net square footage of 5,281 after required dedication. The subdivision maintains a minimum of 5-foot side yard setbacks to the east and west with a 15 foot rear yard setback. The project maintains the required 15 feet front yard setback after required improvements on Federal Avenue per Bureau of Engineering.

The subject site is level and not located in a flood zone, liquefaction, or landslide area. On February 5, 2015, the Department of Building and Safety, Grading Division, stamped and tentatively approved the preliminary parcel map. The project has been conditioned so that prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division.

The preliminary parcel map was circulated to various City departments and agencies for their review and recommendations. Their comments are incorporated into the project's conditions of approval. Therefore, as conditioned, the site is physically suitable for a one-lot subdivision.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT

The subject site is zoned R2-1. This requires at least 2,500 square feet of lot area per dwelling unit. Proposed Parcel A is approximately 5,281 square feet after required dedications. The maximum density allowed by right is two dwelling units on the subject parcel. The proposed project is for two residential dwelling units with five parking spaces on the subject lot. Therefore, the lot is sufficient in size to allow a density of two dwelling units.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Department of City Planning issued a Categorical Exemption ENV-2015-560-CE as the environmental clearance for the subject property on February 5, 2015.

Furthermore, the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There are no apparent health problems that might be caused by the design or construction of the proposed condominium units. The Bureau of Engineering has reported that an existing sanitary sewer is available in Federal Avenue adjoining the subdivision. Construction of house connection sewer may be required to serve the proposed subdivision. This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION

No such easements are known to exist. However, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed Parcel Map.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau, located at 200 N. Main Street Room 1255, regarding the cable television franchise holder for this area, or by calling (213) 978-0856.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the West Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No.

CP-7769, must be submitted, accepted as complete, and appeal fees paid by 5:00 PM on June 9, 2016* at one of the City Planning Department Public Counters, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Bl., Room 251
Van Nuys, CA 91401
(818) 374-5050

*Please note the cashiers at the public counters close at 3:30 PM.

Appeal forms are available on-line at <http://planning.lacity.org/>

There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 5:00 p.m. **May 25, 2019.**

No requests for time extensions or appeals received by mail shall be accepted.

If you have any questions, please call Parcel Maps staff at (213) 978-1397.

Vincent P. Bertoni, AICP
Advisory Agency


JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

VPB:JCR:IW:th

cc: Bureau of Engineering
Dept. of Building & Safety, Zoning
Department of Building & Safety, Grading
Department of Fire
Department of Recreation & Parks
Bureau of Street Lighting
Department of Transportation, CPC Section
Street Tree Division