PLANNING COMMISSION – November 12, 2026
DRAFT CONDITIONS OF APPROVAL

16401 Kennedy Road
Tree Removal Permit Application T25-148

Consider an Appeal of a Community Development Director Decision to Approve a Large Protected Tree Removal on Property Zoned R-1:10. APN 532-15-036. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15303: New Construction, and 15304: Minor Alterations to Land. Property Owner: Mazen Louis. Applicant: West Valley Arborists, Inc. Appellant: Amr Abdelrazik. Project Planner: Ryan Safty.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below.
2. EXPIRATION: The Tree Removal Permit approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. REPLACEMENT TREES: Replacement trees are required. As noted in the application materials, four, 24-inch box Indian Laurel, or similar, evergreen trees shall be planted along the shared property line with 130 Clover Way.
4. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
5. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

   Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole

discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

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