



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 22, 2015

Armbruster, Goldsmith & Delvac LLP
ATTN: Aaron Clark
11611 San Vicente Blvd., Ste 900
Los Angeles, CA 90049

**REGARDING: MODIFICATION TO CONDITIONAL USE PERMIT
PROJECT NUMBER 96184
CONDITIONAL USE PERMIT NUMBER 96184
1717 OLD TOPANGA CANYON ROAD, TOPANGA**

Hearing Officer John Calas, by his action of **April 21, 2015**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and modified conditions relating to the approval. Please carefully review each document. You are also required to file an affidavit accepting the modified conditions before the grant becomes effective.

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **May 5, 2015**. **Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and a certified copy of the recorded findings and addendum to conditions of approval must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Shaun Temple of the Zoning Permits West Section at (213) 974-6462, or by email at stemple@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Addendum to Conditional Use Permit, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement;

MKK:SCT

CC.060412

FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NUMBER 96184-(3)
CONDITIONAL USE PERMIT NUMBER 96184**

REQUEST: Minor modification to conditions of approval to previously approved Conditional Use Permit No. 96184. Condition No. 9.q as modified, shall read as follows:

"That the school enrollment is restricted to a total of 250 students. The levels of instruction shall be limited to grades pre-school through 10. Students shall be prohibited from driving themselves to or from the school."

HEARING DATE: April 21, 2015

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The project site is located at 1717 Old Topanga Canyon Road in the unincorporated community of Topanga.
2. Zoning on the subject property is A-1 (Light Agricultural Zone).
3. The project was originally approved on April 30, 1997 by the Regional Planning Commission to authorize the levels of instruction at the school to be limited to grades pre-school through 9.
4. The applicant has requested a minor modification to the conditions of approval for Conditional Use Permit No.96184 to allow the inclusion of 10th grade in the levels of instruction. As 10th grade is the grade in which students begin to drive, the modified condition will clarify that students will not be allowed to drive themselves to and from campus so as not to introduce an impact that did not previously exist.
5. There is no change to the approved Exhibit "A".
6. Pursuant to Section 22.56.1600, the minor modification to previously approved conditions is allowed for modifications that will not result in a substantial alteration or material deviation from the terms and conditions of the previously approved permit. This project requests to include 10th grade in the levels of instruction offered at the school. As the use of the property as a school will remain the same, and as the maximum number of students projected to attend during the upcoming school year following this approval is 75 students, which remains below the 250 total number of students permitted by the original CUP approval, and as the students will be prohibited from

driving themselves either to or from school, there is not a substantial alteration or material deviation from the previously approved conditions.

7. The proposed minor condition modification is needed to allow Manzanita's existing 9th grade students to continue on into 10th grade during the 2015/2016 school year. The applicant will subsequently be filing a new CUP application to authorize education instruction through 12th grade at Manzanita. Implementation of the proposed condition modification will not be injurious or negatively impactful to surrounding residents or neighboring properties, but will allow the applicant the reasonable operation and use of its property, as regulated by the CUP.
8. With the requested modifications, the Conditions 9.q will read as follows:

"That the school enrollment is restricted to a total of 250 students. The levels of instruction shall be limited to grades pre-school through 10. Students shall be prohibited from driving themselves to or from the school."
9. Pursuant to the provisions of Section 22.56.1630 of the County Code, if more than one protest to the request for a minor modification to a conditional use permit is not received during the appeal period the Hearing Officer may approve the request. No protests have been received regarding this permit.
10. Pursuant to the provisions of Sections 22.56.1620 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
11. Staff has not received any protests or comments from the public.
12. A duly noticed public hearing was held on April 21, 2015 before the Regional Planning Hearing Officer. The applicant was present for questions. The Hearing Officer asked the applicant how the school would be able to monitor and prohibit students from driving themselves to and from campus. The applicant responded that students are required to be dropped off by carpool and do to the small nature of the campus and student body size that this would be easy for the staff to monitor. The Hearing Officer closed the public hearing and approved the modification to Condition 9.q of Conditional Use Permit 96184.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE MINOR MODIFICATION OF THE CONDITIONAL USE PERMIT:

- A. That not more than one protest to the granting of the application was received within the specified protest period;
- B. That the burden of proof for the conditional use permit as modified has been satisfied as required by Los Angeles County Code Section 22.56.040;
- C. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and
- D. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a minor modification to a conditional use permit as set forth in Section 22.56.1630, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. In view of the findings of facts presented above, the requested Minor Modification to Conditional Use Permit 96184 is **APPROVED**.

Attachments:

Original Findings & Conditions of Approval for CUP 96184

c: Zoning Enforcement, Building and Safety

4/21/15

**ADDENDUM TO CONDITIONAL USE PERMIT
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 96184-(3)
CONDITIONAL USE PERMIT NO. 96184**

MODIFICATION OF CONDITION NUMBER 9.Q OF CONDITIONAL USE PERMIT NUMBER 96184.

Pursuant to Section 22.56, Part 11 of the County Zoning Ordinance (Conditional Use Permit – Modifications or Eliminations of Conditions), and in conformance with the Hearing Officer approval action regarding modification to Conditional Use Permit Number 96184 on April 21, 2015, Condition Number 9.q of the originally approved Conditional Use Permit Number 96184 is hereby modified as follows:

9. *This grant authorizes the proposed addition of two classrooms, enclosure of a service area, expansion of an office structure and the continued use of the existing "Cali Camp" facility which includes a private elementary school, summer youth day camp and commercial recreational facilities subject to the following restrictions as to use:*
 - q. *That the school enrollment is restricted to a total of 250 students. The levels of instruction shall be limited to grades pre-school through 10. Students shall be prohibited from driving themselves to and from the school;*