

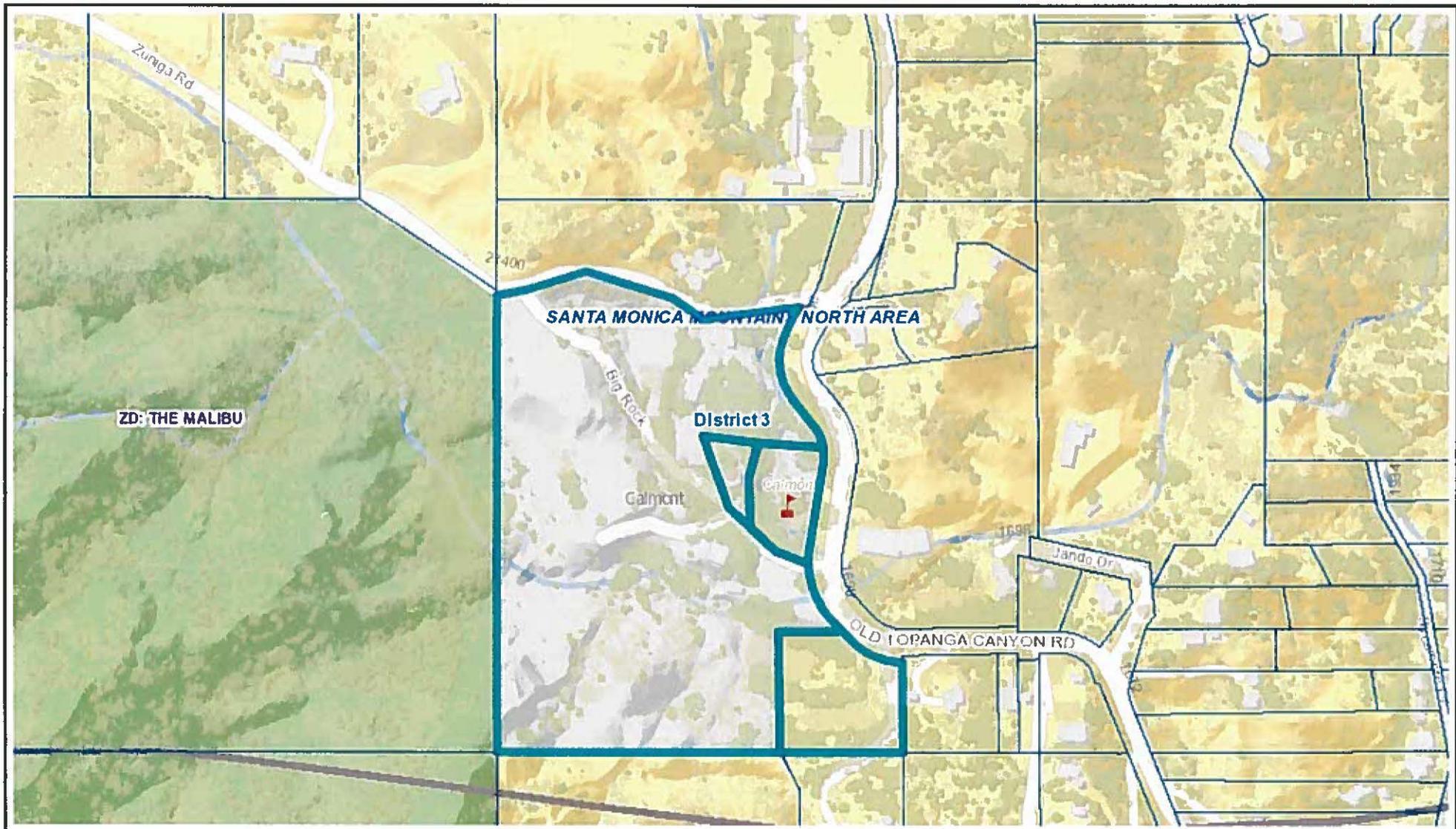
Hearing Officer Transmittal Checklist

Hearing Date
04/21/2015
Agenda Item No.
9

Project Number: 96184-(3)
Case(s): Conditional Use Permit Case No. 96184
Planner: Shaun Temple

- Project Summary
- Property Location Map
- Hearing Officer Memo (CUP Modification)
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Original Findings and Conditions of Approval
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



1717 Old Topanga Road Property Location Map

Printed: Apr 08, 2015



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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 8, 2015

TO: John Calas
Hearing Officer

FROM: Shaun Temple *ST*
Regional Planning Assistant II
Zoning Permits West Section

SUBJECT: PROJECT NO. 96184-(3)
MINOR MODIFICATION TO CONDITIONAL USE PERMIT 96184
April 21, 2015 Discussion & Possible Action

The applicant, Manzanita School, requests to modify conditions of approval to previously approved Conditional Use Permit No. 96184. The Regional Planning Commission approved the conditional use permit (CUP) on April 30, 1997. The action authorized the continued operation of the project site as the existing "Cali Camp" facility, which includes a private school, summer youth day camp, and commercial recreational facilities. The project site is located at 1717 Old Topanga Canyon Road in the unincorporated community of Topanga in the Malibu Zoned District.

The original CUP authorized a pre-school through 9th grade private school. The purpose of the requested condition modification is to amend the conditional use permit to allow the extension of the levels of instruction offered at the school to include 10th grade. There are no proposed changes to the approved Exhibit "A". The current enrollment is 250 students and the total number of students allowed to be enrolled at the school will remain at 250. Students in grades pre-school through 9th grade do not drive; therefore, the amended condition further clarifies that 10th grade students are also prohibited from driving themselves to and from school. As such, no new impacts are created by the amended condition and the project does not substantially alter or deviate from the original approval.

The applicant proposes modifying Condition 9.q. related to levels of instruction.

Condition 9.q., as currently approved, reads 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 9"

With the requested modification, Condition 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 and from the school."

As required by Section 22.56.1620 of the County Code, notice of the request for a minor modification were mailed to all property owners within the 500-foot radius and other interested parties on March 11, 2015. The notice was also published in the newspaper and posted at the project site for at least 30 days.



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

According to Section 22.56.1630 of the County Code, "The hearing officer shall approve an application to modify or eliminate any condition(s) of a previously approved conditional use permit only upon a finding by the hearing officer that (1) not more than one protest to the granting of the application is received within the specified protest period; and (2) the information submitted by the applicant substantiates the following findings:

1. That the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040;
2. 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,
3. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit."

Staff has received no opposition to the proposed modification of the conditions of approval for this project.

Staff believes that the burden of proof for a minor modification is met by the project. The applicant will be filing a new CUP application to authorize educational instruction through 12th grade at Manzanita; however, this proposed minor condition modification is needed in the immediate term in order to allow 10th grade instruction at Manzanita during the 2015/2016 school year for the existing 9th graders to continue at the school while the forthcoming CUP application to authorize instruction through 12th grade at the school is being processed. The change in conditions to allow the inclusion of 10th grade in the levels of instruction offered at the school does not substantially alter the use of the site as a private school, and there are no alterations to the site plan so the use is not intensified. The addition of a grade level does not increase enrollment and prohibition of students driving themselves to and from campus will ensure that a new impact is not introduced; therefore, the proposal will not substantially deviate from the terms and conditions of the current CUP.

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Class 1 – Existing Facilities, under CEQA reporting requirements as it is an existing facility and no changes are being requested other than an allowance for 10th Grade.

Due to the aforementioned factors, staff recommends that the Hearing Officer APPROVE the Minor Modification to Conditional Use Permit No. 96184.

Attachments:
Draft Findings
Applicant's Burden of Proof statement
Original Findings & Conditions of Approval for 96184-(3)

4/8/15
MK:sct

**DRAFT 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 total number of students allowed to be enrolled at the school will remain unchanged at 250, 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. The project has been granted a Class 1 Categorical Exemption under CEQA reporting requirements categorized as "Existing Facilities".

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. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects that has been determined to not have a significant effect on the environment. The project meets the criteria set forth in Section 15302 of the State CEQA Guidelines and Class 1 – Existing Facilities, Categorical Exemption of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
2. 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

4/8/15

Burden of Proof Statement:**Minor Modification to Conditional Use Permit No. 96-184-(3)
Manzanita School (1717 Old Topanga Canyon Road, Topanga)****Background:**

The subject property is an approximately 21-acre, developed site located within the unincorporated Santa Monica Mountains (3rd Supervisorial District) at 1717 Old Topanga Canyon Road. Conditional Use Permit No. 96-184-(3) (the "CUP") was unanimously approved by the Regional Planning Commission on April 10, 1997. The CUP, which expires May 7, 2022, authorizes the continued use of the subject property's long-established "Cali Camp" facilities, which includes a summer youth day camp, a host of commercial recreational facilities related thereto and a private school. The CUP prohibits the summer youth day camp (Cali Camp) and the private school (the "Manzanita" school) from being in operation at the same time on the subject property. Accordingly, the youth camp operates on the site during the summer months (after the school closes) and the school operates on the site during normal school months (after the camp closes at the end of summer). Condition no. 9.q of the CUP establishes an enrollment cap for the school of 250 students; with only 37 students currently enrolled at the school, Manzanita operates well under this cap (note the school projects a maximum enrollment of approximately 75 students for the 2015/2016 school year, which is still far below the CUP's 250-student enrollment cap). Condition no. 9.q of the CUP also stipulates that the school's grade span be pre-school through 9th grade, which, for the reasons outlined below, the Applicant is proposing to expand to 10th grade under the subject minor CUP condition modification request.

Manzanita's Educational Philosophy:

Manzanita is an independent school that was founded to provide the community a necessary counterpoint to the mainstream institutions and models available to educate children; the subject property is the property from which Manzanita operates.

Manzanita firmly believes that adolescence is a critical time in the human lifespan, and that youth between the ages of 9 and 15 experience tremendous changes in their emotional, intellectual, and interpersonal lives. Manzanita's educational model honors students' intrinsic gifts, and fosters strong relationships between students and staff, who are committed to guiding youth meaningfully through this transitional age. While traditional schools disrupt the education process at 5th and 8th grade, Manzanita believes students experience a more fluid and natural transition process during 4th and 9th grade.

Nestled within the peaks and valleys of the Santa Monica Mountain Range, Manzanita believes "nature connection" to be an integral component of human learning and understanding. Manzanita's academic curriculum thus incorporates a deep connection to, and relationship with, the natural world and the environment in which the school is situated. The school's emphasis on symbiotic learning (interdisciplinary course study) supports students in making connections between what they're learning both inside and outside of the classroom, allowing them to build a lifelong love of all types of learning.

Minor Condition Modification Request:

Condition no. 9.q of the CUP currently reads 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 9.

With approval of the Applicant's proposed minor condition modification, condition no. 9.q of the CUP would be modified at read as follows (no other modifications to the CUP are being proposed):

That the school enrollment is restricted to a total of 250 students. The levels of instruction shall be limited to grades pre-school through 9 10. Students shall be prohibited from driving themselves to or from the school.

Applicant's Burden of Proof Statements:

A. That the requested use at the location will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**

For the reasons set forth below, implementation of the proposed minor modification to condition of approval no. 9.q of the CUP will in no way adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The proposed condition modification would authorize Manzanita to expand its grade offerings to include 10th-grade students (whereas the CUP currently authorizes instruction through 9th grade at the school). This condition modification is essential for the school, because the 9th graders currently enrolled at Manzanita would have to leave the school and find a different school if this condition modification is not implemented well in advance of the start of the 2015/2016 school year. Having to leave the school because it does not accommodate 10th grade instruction would create a true hardship for the school's currently enrolled 9th-grade students, and their families. Note the Applicant is proposing new condition language prohibiting any student from driving himself or herself to or from school; all of the school's students—regardless of their grade level and whether they may have a driving learner's permit or driver's license—will continue to be driven to and from school by their parents or other driving adult.

The Applicant's proposed condition modification would in no way adversely affect persons working or living in the vicinity of the property, as the school would continue to operate well below its authorized 250 student enrollment cap and no students will be

allowed to drive themselves to or from school. Merely allowing an accommodation for 10th grade instruction at the school will do nothing to adversely impact or affect the health, peace, comfort or welfare of persons residing or working in the area; it will, however, have a profound positive impact on the school, its students and the students' families, by providing the school's few current 9th grade students and their families peace of mind that they will be able to continue at the school they love as 10th graders. This modification will also allow other potential students not currently enrolled at the school to attend the school next year as 10th graders, which will help to meet the region's growing demand for the type of progressive, environmentally-conscious education Manzanita provides. (Note the Applicant will subsequently be filing a new CUP application with the County to authorize educational instruction through 12th grade at Manzanita; however, the proposed minor condition modification is needed in the immediate term in order to allow 10th grade instruction at Manzanita during the 2015/2016 school year, while the forthcoming CUP application to authorize instruction through 12th grade at the school is being processed by the County.)

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

For the reasons set forth below, implementation of the proposed minor modification to condition of approval no. 9.q of the CUP will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. The proposed minor condition modification would simply allow a reasonable accommodation for 10th grade instruction the school. As noted, new condition language is being proposed by the Applicant to make it clear no students would be allowed to drive themselves to or from school; and, the school will continue to operate well under its allotted 250-student enrollment cap per the CUP. As noted, the subject property has accommodated both summer day camp and private school uses for many years; merely adding 10th grade education at the existing private school would do nothing to alter the subject property's existing relationship to surrounding properties, especially in light of the fact that all students would continue to be prohibited from driving themselves to and from school. For these reasons, allowing 10th grade education at Manzanita School would have no appreciable effect or impact on neighboring property owners' use or enjoyment of their properties, nor would it affect neighboring property values.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

The Applicant's proposed minor modification to the CUP condition would not serve to jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. To the contrary, it would only positively serve the public welfare by

allowing a reasonable accommodation for 10th grade education at the existing private school, which, as noted, is critically important for Manzanita's existing 9th grade students, and their families. Furthermore, at Manzanita, the current 9th graders serve as significant role models and mentors to younger students, and adding 10th grade would serve to continue this very beneficial cross-grade-level support system.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

As reflected on the approved Revised Exhibit "A"/site plan for the subject property on file with the Department, the 21-acre subject property is more than adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in the County Zoning Code.

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate; and**
- 2. By other public or private service facilities as are required.**

The subject property is served by streets of sufficient width that are fully improved to carry the kind and quantity of vehicular traffic generated by the school. The school is also served by public and private service facilities, as required by the County.

D. That the modified conditional use permit will not materially deviate from the terms and conditions imposed in the previously approved conditional use permit; and

As outlined herein, the applicant's proposed CUP condition modification is minor in nature and would not materially deviate from the terms and conditions imposed in the CUP. While the proposed condition modification would not adversely affect neighboring residents or surrounding properties, approval of the proposed minor condition modification allowing 10th grade instruction at the school is critically important to Manzanita, its current 9th grade students and their families.

E. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

As outlined herein, the proposed minor condition modification is a reasonable accommodation that is needed to allow Manzanita's existing 9th grade students to continue on into 10th grade during the 2015/2016 school year. As noted, the applicant will subsequently be filing a new CUP application to authorize educational instruction through 12th grade at Manzanita; however, the proposed minor condition modification is needed in the immediate term in order to allow 10th grade instruction at Manzanita during the 2015/2016 school year, while the forthcoming CUP application to authorize instruction through 12th grade at the school is being processed by the County. 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.

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

CONDITIONAL USE PERMIT 96184 - (3)

**COMMISSION HEARING DATES: FEBRUARY 26, 1997, FIELD TRIP APRIL 8,
1997 AND CONTINUED HEARING APRIL 9, 1997**

SYNOPSIS:

The applicant has requested authorization to continue the use of the existing "Cali Camp" facility which includes private elementary school, summer youth day camp and commercial recreational facilities. Applicant proposes to add two classrooms, enclose a service area and an existing office structure.

PROCEDURE BEFORE THE COMMISSION:

The applicant and his representatives testified in favor of the applicant's request. Five neighboring residents testified in opposition. The Regional Planning Commission scheduled a field trip to the site for April 8, 1997 and a continued hearing to discuss the results of the field trip April 9, 1997. Prior to the continued hearing the applicant and neighboring opposing residents submitted copies of an agreement they had reached including additional conditions which had been mutually agreed upon.

There being no further testimony, the Commission closed the public hearing and, by a vote of 5-0, instructed staff to prepare findings and conditions for approval.

FINDINGS:

1. The applicant has requested authorization to continue use of the existing "Cali Camp" facility which includes a private elementary school, summer youth day camp and commercial recreational facilities.
2. The applicant proposes to add two classrooms, enclose a service area and to expand an existing office structure.
3. The applicant requested that no time limit be imposed per the new conditional use permit.
4. The subject property is located at 1717 Old Topanga Canyon Road within the Malibu Zoned District of Los Angeles County.
5. The subject property is a 21 acre site, irregular in shape with hilly topography.

6. Surrounding properties are vacant to the north and west with a commercial dog kennel located to the east and single-family residences to the south.
7. The subject property is depicted within Categories 2, 4 and 5 of the Malibu Santa Monica Mountain Plan.
8. The applicant's proposal has been determined to qualify for a Categorical Exemption Class 14 because it is an existing land use with only minor additions proposed.
9. The applicant's plot plan depicts scattered classroom facilities and scattered recreational facilities which include a dune buggy track, a go-cart course, horse corral, swimming pool, tennis, volleyball, softball, gymnastics and miniature golf facilities and 67 parking spaces.
10. Existing summer youth camp accommodates 350 children per day between June 20th and August 30 of each year.
11. Existing Calmont Elementary School accommodates 170 students from September through mid-June.
12. Existing picnic grounds are operated weekends and holidays April through October. Use of picnic grounds is rented to companies, employee organizations, clubs, etc.
13. The subject property has a lengthy case history. Recreational camp facilities were first authorized per Zone Exception Case No. 8618 which was approved December 19, 1967. The use was expanded through the approval of Conditional Use Permit Case No. 1197. Said case authorized the continued use of the summer day camp and picnic grounds and it authorized the addition of a tennis club, riding school and private elementary-secondary school. The Planning Commission's initial September 13, 1978 approval of Conditional Use Permit Case No. 1197 was appealed to the Board of Supervisors by the applicant who objected to four of the Commission's conditions. The Board referred the matter back to the Commission for additional hearings. The second approval of Conditional Use Permit 1197 on March 7, 1979 amended the four appealed conditions. Conditional Use Permit Case No. 2129 was subsequently approved July 6, 1983. Conditional Use Permit 2129 authorized an increase in the maximum number of people permitted to use the picnic grounds and recreational

facilities from 500 persons to 2,500 persons. All previous conditions of Conditional Use Permit Case No. 1197 remained in effect.

On June 7, 1984 the Board of Supervisors requested that the Regional Planning Commission initiate Revocation proceedings as a result of complaints received from the public and the Forester and Fire Warden. The Regional Planning Commission conducted two hearings (Revocation Case No. 87) and made two separate field trips to the subject property. At the close of its proceedings, the Commission voted to amend conditions for both Conditional Use Permits 1197 and 2129. The applicant appealed the Commission's decision to the Board of Supervisors. The Board of Supervisors did not conduct a public hearing. The Board reviewed the Planning Commission transcripts and case records and determined that it would uphold the Commission's modifications. The Board's findings and condition modifications were prepared by Charles Moore, Deputy County Counsel and are dated July 15, 1985. The thrust of the modifications is to reduce the maximum number of picnickers to 500 again to impose new restrictions on the use of the outdoor public address system; to require that horse-back riding and hiking by the picnickers be restricted to the subject property and remediate visual impacts imposed by illegally conducted grading on the subject property. County Counsel recommended that questions relating to the use of "go carts" not be addressed per the Revocation process but should be addressed in a new Conditional Use Permit application.

Conditional Use Permit Case No. 85043 was actually filed before the Revocation proceedings had been completed. The new case was approved by the Regional Planning Commission October 2, 1985. It authorized the use of "gasoline - powered go carts and cycles" in conjunction with the operation of the private school and summer day camp. It also authorized the addition of a preschool facility on the subject property and allowed a parking lot area to be utilized as a school and camp play field. Conditional Use Permit 85043 also modified noise mitigation conditions imposed by Revocation Case No. 87.

14. February 26, 1997, five neighboring residents testified in opposition to the applicant's request at the public hearing conducted by the Regional Planning Commission. The opposing residents stated concern related to excessive noise, delivery trucks blocking access to Zuniga Road, problems with weekend picnickers, trespassing on their properties and a lack of response to their complaints on the part of the applicant.

15. In response to concerns expressed by neighboring residents, the Regional Planning Commission conducted a field trip to the subject property on April 8, 1997 and scheduled a continued hearing for April 9, 1997.
16. The applicant reached a written agreement with the neighboring residents who had testified in opposition to his request prior to the continued hearing of April 9, 1997. The nine opposing neighbors have withdrawn their opposition and have signed a contractual agreement with the applicant for the purpose of addressing concerns expressed at the February 26, 1997 public hearing. A number of the provisions of the agreement have been incorporated into an expanded set of conditions.
17. The project is categorically exempt (Class 14) from environmental impact reporting requirements in that the request is for authorization to continue operation of an existing land use with only a minor expansion.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. The requested use is consistent with the adopted General Plan.
- B. With the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area and 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.
- C. The site is adequate in size and shape to accommodate the development features prescribed in the Zoning Ordinance and otherwise required to integrate the use requested with the uses in the surrounding area.
- D. The site has adequate traffic access and is adequately served by other public or private facilities which it requires.

COMMISSION ACTION:

1. The Regional Planning Commission finds that the project is categorically exempt (Class 14) from the requirements of the California Environmental Quality Act and that the project will not have a significant effect on the environment.

2. In view of the findings of fact presented above, Conditional Use Permit 96184 - (3) is GRANTED with the attached conditions.

VOTE:	5-0
Concurring:	Clark, Wulliger, Toy, Vargo, Russell
Dissenting:	0
Abstaining:	0
Absent:	0
Date of Action:	April 30, 1997

1. 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. This grant shall not be effective for any purpose 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 of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by permittee according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within two years from the date of approval. A one year time extension may be requested before the expiration date.
6. This grant will terminate on May 7, 2022.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$2,500.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 25 annual inspections.

If any future 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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

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:

- a. That a minimum of 62 off-street parking spaces shall be continuously maintained on the subject property;
- b. That this permit allows the use of campgrounds for group picnics on Saturdays, Sundays and legal holidays from the hours of 8:00 a.m. until dusk and on a maximum of 10 specific weekdays per calendar year from the hours of 3:00 p.m. until dusk. A schedule of the weekday picnics shall be on file with the applicant for review upon request by Los Angeles County Zoning Enforcement;
- c. That the number of picnickers is restricted to a maximum of 500 persons at any one time on the subject property; and
- d. That the public address system or other means of outdoor electronic amplification may be used as a convenience for announcements and administration of activities only, and shall not be used as a continuous ongoing entertainment device at any time. Continuous ongoing entertainment includes, but is not limited to, the following:
 - 1) Use of a master of ceremonies to promote or encourage participation in activities;
 - 2) Provision of a running commentary of any games or other activity or exhortations to any participants or spectators; a non-amplified, hand-held megaphone is acceptable;
 - 3) Recognition or awards ceremonies, with the exception of thank you speeches and door-prizing-drawing winner announcements, not to exceed fifteen minutes in duration and only in the main picnic area on the level portion of the property adjacent to Old Topanga Canyon Road;
 - 4) Instrumental music, singing or other live entertainment or introductions or descriptions of such activities; and

- 5) The conduct of bingo games and similar activities requiring continuous announcements; a non-amplified, hand-held megaphone is acceptable.
- e. The operator shall submit a list of activities that require the use of the public address system for approval by the Director of Planning before conducting any picnics on the subject property. Subsequent to the Director's approval, use of the public address system shall be strictly limited to the purposes listed;
- f. Each employee having access to the public address system or other electronic amplification devices shall be provided with a copy of the approved list;
- g. Notwithstanding the provisions of the aforementioned conditions, the public address system or other amplified sound may be used in conjunction with entertainment carried out as a part of camp or school activities subject to the following restrictions:
 - 1) The entertainment and any amplification devices, including speakers, shall be confined to the immediate vicinity of the stage located easterly of the pool and northerly of the office;
 - 2) The entertainment shall consist of skits or similar activities carried out by the campers, students, counselors or instructors;
 - 3) The use of the sound system for entertainment shall be for a maximum of 60 minutes on any day and shall occur between the hours of 9:30 a.m. and 4:00 p.m.;
 - 4) The sound system shall be calibrated, modified or adjusted, as necessary, to assure that the maximum sound at the property line is 45 dbA or less, taking into account that the user of the sound system may be inclined to shout into the microphone to overcome crowd noise;

- 5) The permittee shall secure the services of a qualified sound engineer to verify compliance with the sound level restriction. Checks shall be made at least once before each summer camp season and once when the camp is in session. A report on the engineer's findings shall be provided to the Department of Regional Planning; and
 - 6) Each person having access to control of the sound system shall be acquainted with the measures necessary to restrict sound to the permitted levels.
- h. That the loudspeakers of the public address system shall be arranged so that the sound is directed toward the interior of the subject property;
- i. Should the staff of the Department of Regional Planning, on the basis of its own field observation, determine that the permittee may be operating the sound system in violation of aforementioned noise-related conditions, the permittee shall provide to staff the services of a qualified sound engineer acceptable to the Director of Planning. The engineer shall, at the direction of staff, make such sound measurements as are necessary to verify whether or not the sound system is being operated in compliance with the conditions and report these findings directly to staff without prior consultation with the permittee; and
- j. That all activities shall be confined to the limits of the subject property, except that off-site horseback riding or hiking is permitted subject to the following restrictions:
- 1) Off-site riding or hiking shall be limited to persons enrolled in the school or camp and their teachers or counselors;
 - 2) Off-site riding or hiking by picnic participants is prohibited; and
 - 3) There shall be no off-site riding or hiking on private property without the express written consent of the owner.

- k. That all patron automobile and bus parking spaces, as well as passenger loading and unloading, shall be confined to the subject property;
- l. That off-site bus assembly areas for picnic patrons shall conform to all applicable local codes;
- m. That this permit allows the use of the tennis court by a private tennis club composed of not more than 125 persons who are bonafide members paying regular dues. The membership list shall be on file with the applicant for review upon request by Los Angeles County Zoning Enforcement;
- n. That this permit specifically prohibits the commercial use of the tennis courts and no tournaments involving non-members are allowed;
- o. That the tennis courts may be lighted and that the lights shall be arranged and shielded to insure that no illumination is directed toward the surrounding properties;
- p. That the tennis club activity shall cease at 10:00 p.m.;
- 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 9;
- r. That overnight camping is permitted by camp children on four specified nights and school children on four specified nights per each calendar year. A schedule of the eight specific dates shall be on file with the applicant for review upon request by the Planning Director;
- s. That the camping, school, picnicking and tennis uses are exclusive, and none shall be scheduled at the same time as any other; that the riding school may be scheduled for the same hours as the tennis club, except after dark; and
- t. That this grant allows the use of up to eight off-road vehicles for school or summer camp use subject to the following conditions:

- 1) Operation of the off-road vehicles shall be limited to the tracks shown on the approved Exhibit "A";
- 2) All such vehicles shall be equipped with mufflers which equal or exceed the specifications of the manufacturer of the vehicle or engine (as applicable) and shall have a maximum engine displacement of 200 cubic centimeters, or 4 horsepower rating; and
- 3) Each vehicle shall fully comply with the requirements of the Forester and Fire Warden.

Use of any other motor vehicles of any size or type on the premises for any reason other than incidental to transportation or maintenance is prohibited.

- u. That the use or parking of recreational vehicles on the grounds overnight is specifically prohibited;
- v. That all activities on the subject property shall be restricted to the hours of 7:00 a.m. to 6:00 p.m., except as provided in conditions and except parent-teacher evening activities;
- w. That the air rifle and archery range shall be arranged and operated so that errant missiles will be contained within the subject property in a safe manner;
- x. That the provisions of this grant shall supersede the provisions and conditions of Zone Exception Case No. 8618, Conditional Use Permit Case No. 1197, Conditional Use Permit Case No. 2129, Revocation Case No. 87, Conditional Use Permit Case No. 85043. The aforementioned grants shall become null and void upon acceptance of the conditions of Conditional Use Permit Case No. 96184; and
- y. Establish, implement and continuously maintain a procedure to accommodate complaints from the general public regarding operations of the subject

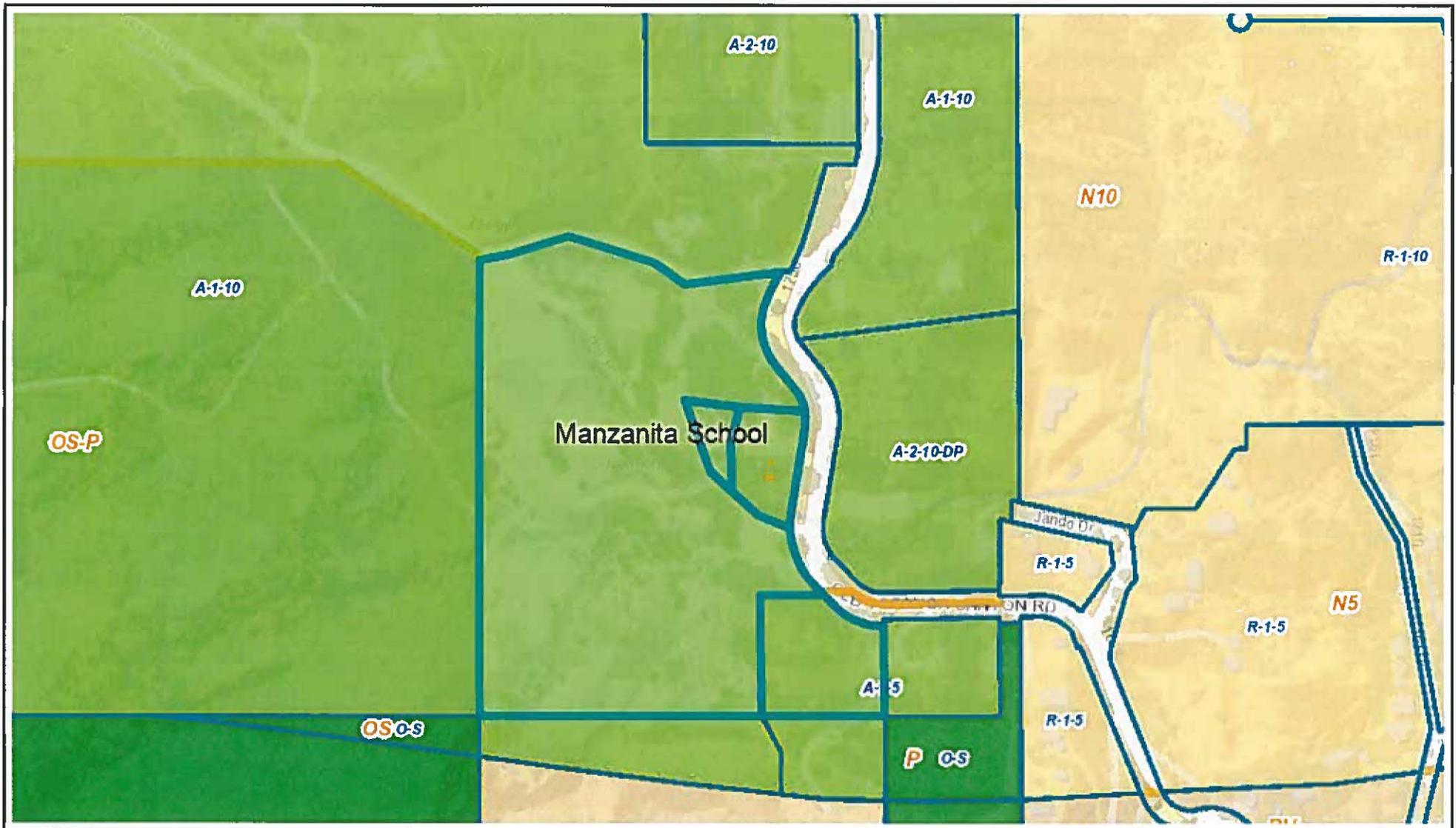
facility. Post a public notice at the main entrance of the facility which describes this procedure and which provides a telephone number to accommodate persons wishing to register a complaint. A complaint log shall be maintained and made available for review by Los Angeles County Zoning Enforcement staff upon demand. Aforementioned public notice shall also include the telephone number of County Zoning Enforcement, (213) 974-6453, for those persons wishing to register a complaint regarding possible zoning violations.

10. Three copies of revised plans, similar to Exhibit "A" as presented at the public hearing and depicting Zuniga Road truck accessway, location of no parking signs, delivery truck parking and turn around areas and all fencing and relocated classroom shall be submitted for approval to the Director of Planning. The property shall be developed and maintained in substantial conformance with the approved plan. All revised plot plans must be accompanied by the written authorization of the property owner.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. Provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works. Drainage plans and two signed grading plans shall be submitted to the Department of Public Works for approval before grading or construction.
13. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said Department.
14. Upon receipt of these conditions, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required by said Department.

15. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
16. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises.
17. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
18. That the use of Zuniga Road by the applicant shall be limited to commercial food deliveries between the hours of 9:00 a.m. and 1:00 p.m. Monday through Friday. The use of Zuniga Road to accommodate deliveries on Saturday and Sunday is prohibited.
19. That the applicant or his successor in interest shall be responsible for instructing all delivery truck drivers that all truck parking shall be limited to a single lane adjacent to the southerly side of Zuniga Road or inside the gated storage area as depicted on the revised site plan and that no delivery truck may block Zuniga Road at any time.
20. That the use of Zuniga Road by propane delivery trucks and septic evacuation trucks shall be restricted to these hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.
21. That use of trailer trucks to conduct deliveries to the subject property via Zuniga Road is prohibited.
22. That the applicant or/his successor in interest shall contribute 50% of the costs for on-going maintenance and/or refurbishing of Zuniga Road between Old Topanga Canyon Road and the Zuniga Road truck delivery accessway depicted on the Revised Exhibited "A".
23. The applicant or his successor in interest shall maintain that portion of Zuniga Road utilized to accommodate delivery trucks in a litter-free condition at all times.

24. The applicant or his successor in interest shall be responsible for posting and maintaining "No Parking" signs on the southerly side of Zuniga Road at intervals or 50 feet as depicted on the Revised Exhibit "A".
25. The applicant or his successor in interest shall continue to make available to Zuniga Road residents use of on-site accessways during emergency situations such as brush fires, floods and earthquakes.
26. Proposed parking overflow area located on the southwesterly corner of Old topanga Canyon Road and Zuniga Road shall not be paved. A trash container shall be maintained on said parking lot at all times. Said parking lot shall be maintained in a litter-free condition at all times by the applicant or his successor in interest.
27. The applicant or his successor in interest shall install and continuously maintain a convex mirror on Zuniga Road at its intersection with Old Topanga Canyon Road for the purpose of providing safer entry onto Old Topanga Canyon Road.
28. Employee parking on Zuniga Road is prohibited.
29. The existing 20 year old sound system shall be replaced with a new sound system which shall be oriented away from neighboring residences within sixty days from the effective date of this grant.
30. The applicant or his successor in interest shall meet with neighboring property owners and residents to review all potential concerns such as control of noise levels on the subject property, traffic impacts on Zuniga Road, sufficient staffing to maintain neighborhood and facility safety, regulation of off-site hiking and horseback riding, maintenance of Zuniga Road and other concerns related to the operation of the "Cali Camp" facility. The required meetings shall be conducted a minimum of once each year. The applicant or his successor in interest shall be responsible for scheduling the meeting and for notifying neighboring property owners and residents of the time and location of said meeting via certified mail.

END —



1717 Old Topanga Road Zoning & Land Use Map

Printed: Apr 08, 2015



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