



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

April 6, 2016

Richard J. Bruckner
Director

Ambruster, Goldsmith & Delvac LLP
ATTN: Aaron Clark
12100 Wilshire Blvd., Suite 1600
Los Angeles, CA 90025

**REGARDING: MODIFICATION TO CONDITIONAL USE PERMIT
PROJECT NUMBER 96184
CONDITIONAL USE PERMIT NUMBER 96184, RPPL2015000311
1717 OLD TOPANGA CANYON ROAD, TOPANGA**

Hearing Officer Alex Garcia, by his action of **April 5, 2016**, 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 **April 19, 2016**. **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 OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 96184-(3)
CONDITIONAL USE PERMIT NO. 96184
RPPL2015000311**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of a minor modification to Conditional Use Permit No. 96184 ("CUP") on April 5, 2016.
2. The permittee, Manzanita School ("permittee"), requests a minor modification to conditions of approval for Conditional Use Permit No. 96184 to allow the inclusion of 11th and 12th grades in the levels of instruction with no changes to enrollment. 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 12. Students shall be prohibited from driving themselves to or from the school and from parking on-site."
3. The project site is located at 1717 Old Topanga Canyon Road in the unincorporated community of Topanga ("Project Site") in the A-1 Zone.
4. There is no change to the approved Exhibit "A".
5. 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 11th and 12th grades 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 allowed by the CUP remains at 250 as 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.
6. Pursuant to the provisions of Section 22.56.1630 of the County Code, if more than one protest to the request for a 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.
7. 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.
8. A duly noticed public hearing was held on April 5, 2016 before the Hearing Officer. Staff recommended that the modified condition be expanded to include that students would be prohibited from parking on-site, citing that this would facilitate enforcement of prohibiting students from driving to and from school. Staff reported that one phone

call was received from a neighbor who had concerns about the school and the students using the trail to the west of the school near her home and that being a potential noise nuisance. The principal of the school was able to contact this neighbor prior to the public meeting and staff received an email from the neighbor stating that her husband had a pleasant conversation with the principal and felt her concerns had been alleviated and that she wished the best for the school. The applicant was present for testimony and gave some background on the school to the hearing officer. The applicant agreed to the condition as modified. The Hearing Officer closed the public hearing and approved the modification to Condition 9.q. of Conditional Use Permit 96184.

9. The Hearing Officer finds that no protest to the granting of the application was received within the specified protest period.
10. The Hearing Officer finds that there is no proposed change to the approved Exhibit "A" and that the use of the property as a school will remain the same; therefore 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.
11. The Hearing Officer finds that as the maximum number of students allowed to attend the school will remain unchanged at 250 and that students will be prohibited from driving themselves either to or from school and from parking on-site; therefore, the inclusion of 11th and 12th grades will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit.
12. The Hearing Officer finds that the inclusion of 11th and 12th grades at an existing school will allow students to finish their secondary education at the same school and is therefore necessary to allow the reasonable operation and use granted in the conditional use permit.
13. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website. On February 25 ,2016, a total of 22 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 16 notices to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
14. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

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

THEREFORE, THE HEARING OFFICER:

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

ACTION DATE: April 5, 2016

MKK:sct
4/5/16

c: Zoning Enforcement, Building and Safety

**ADDENDUM TO CONDITIONAL USE PERMIT
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 96184-(3)
CONDITIONAL USE PERMIT NO. 96184
RPPL2015000311**

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 5, 2016, 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 12. Students shall be prohibited from driving themselves to and from the school and from parking on-site;*