

# Hearing Officer Transmittal Checklist

Hearing Date  
July 5, 2016  
-----  
Agenda Item No.  
10

Project Number: R2005-02957-(3)  
Case(s): Conditional Use Permit Case No. RPPL2015000145  
Planner: Joshua Huntington, AICP

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Previous CUP Conditions
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- GIS Layers Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: Joshua Huntington



Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**

R2005-02957-(3)

**HEARING DATE**

July 5, 2016

**REQUESTED ENTITLEMENTS**

CUP No. RPPL2015000145

# PROJECT SUMMARY

**OWNER / APPLICANT**

United World of the Universe Foundation /  
The Canyon at Peace Park

**MAP/EXHIBIT DATE**

N/A

**PROJECT OVERVIEW**

A request to authorize a replacement CUP to allow the continued use of a state-licensed alcohol/drug treatment group home which houses 10 patrons. The group home consists of a 5-bedroom 6,200 sq. ft. single-family residence with an attached 1-bedroom guesthouse (jointly referred to as the "yellow house"). This group home is part of a larger facility that also operates an additional group home on an adjacent parcel. This CUP only covers the property in question (APN: 4465-001-036) and the one group home authorized to house 10 patrons within this property. This request would replace CUP No. 200500178 which authorized the existing group home use on the property. No physical or operational changes are proposed as part of this request.

**LOCATION**

2890 Kanan Dume Road, Unincorporated Santa Monica  
Mountains Coastal Zone

**ACCESS**

Kanan Dume Road

**ASSESSORS PARCEL NUMBER(S)**

4465-001-036

**SITE AREA**

38.4 Acres

**GENERAL PLAN / LOCAL PLAN**

Santa Monica Mountains Land Use Plan

**ZONED DISTRICT**

The Malibu

**LAND USE DESIGNATION**

RL20 (Rural Lands 20)

**ZONE**

R-C-20 (Rural-Coastal – 20 Acre Minimum Required Lot Area)

**PROPOSED UNITS**

None (one existing unit)

**MAX DENSITY/UNITS**

One

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Santa Monica Mountains Land Use Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.44.1750 (R-C Zone-Specific Development Standards)
  - 22.44.810(J)(3) (Permit Required)
  - 22.56 (Part 1) (Conditional Use Permits)

**CASE PLANNER:**

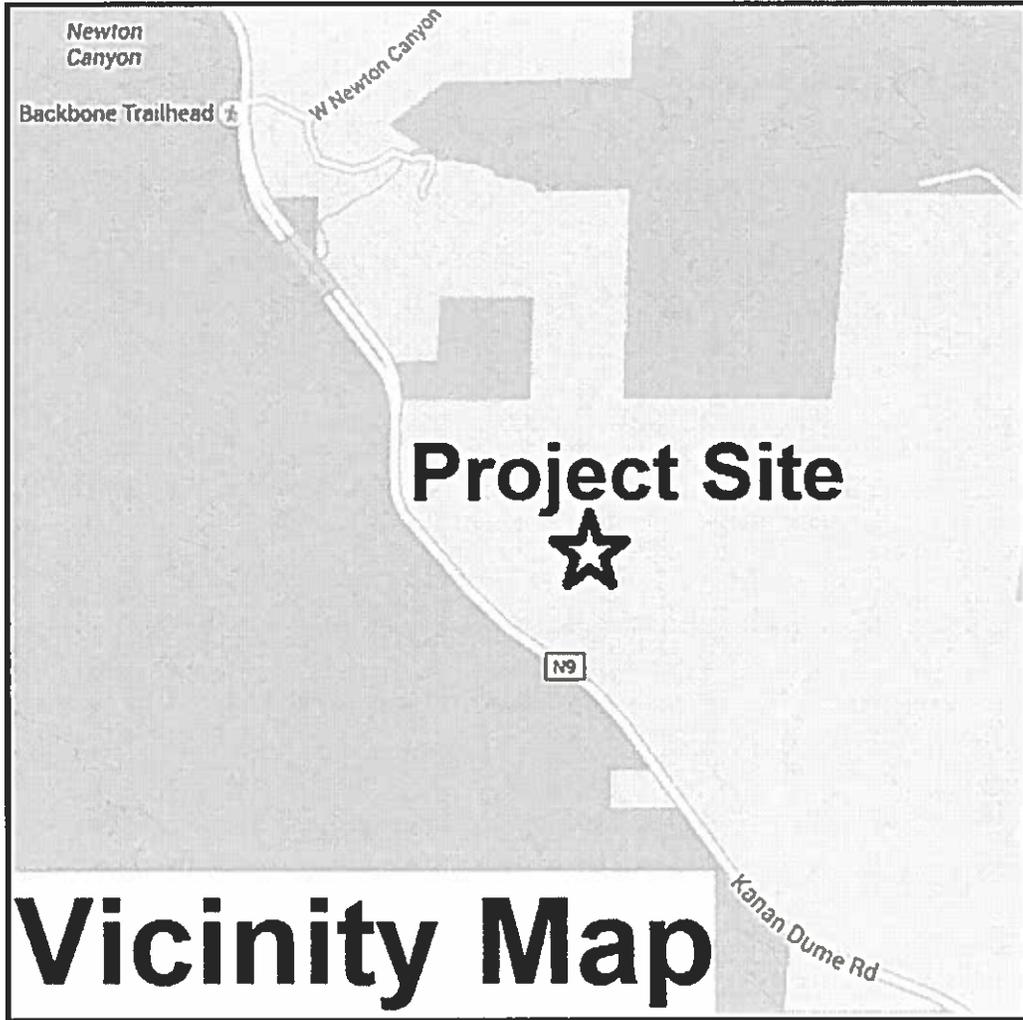
Joshua Huntington, AICP

**PHONE NUMBER:**

(213) 974 - 6462

**E-MAIL ADDRESS:**

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# Vicinity Map

### **ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) to continue the use of a state-licensed alcohol/drug treatment group home which houses 10 patrons. The group home consists of a 5-bedroom 6,200 sq. ft. single-family residence with an attached 1-bedroom guesthouse (jointly referred to as the "yellow house") in the Santa Monica Mountains Coastal Zone (Coastal Zone) in the Rural-Coastal Zone – 20 Acre Minimum Lot Area Required (R-C-20) Zone pursuant to County Code Section 22.44.810.J.3 of the Santa Monica Mountains Local Implementation Program (SMMLIP).

### **PROJECT DESCRIPTION**

The project is a request for a Conditional Use Permit (CUP) for the continued use of a state-licensed alcohol/drug treatment group home which houses 10 patrons. The group home consists of a 5-bedroom 6,200 sq. ft. single-family residence with an attached 1-bedroom guesthouse (jointly referred to as the "yellow house") in the Coastal Zone. Pursuant to Section 22.44.810.J.3, where an existing use permit expires in the Coastal Zone and no new development is proposed and the use remains unchanged from the previous approval, a replacement permit of the same type with the same conditions may be granted. The applicant is requesting to continue the use of the project site for the existing group home with no changes being proposed; therefore, the project is eligible to obtain a replacement CUP to continue its operation in the Coastal Zone.

This group home is part of a larger facility that also operates an additional group home (referred to as the "blue house") on an adjacent parcel. This CUP covers only the property in question (APN: 4465-001-036) and the one group home authorized to house 10 patrons within this property. This request would replace CUP No. 200500178 which authorized the existing group home use on the property and expired on June 20, 2016. No physical or operational changes are proposed as part of this request. The Project is located on a property located at 2890 Kanan Dume Road in the unincorporated community of the Santa Monica Mountains Coastal Zone.

The existing facility received a Coastal Development Permit (CDP) from the California Coastal Commission in 1990, and has received subsequent planning approvals and building permits. Therefore, all of the existing structures on the site were legally established and constructed.

### **EXISTING ZONING**

The subject property is zoned R-C-20.

Surrounding properties are zoned as follows:

North: R-C-20, Open Space-Parks (O-S-P)

South: R-C-20, O-S-P

East: R-C-20

West: O-S-P

**EXISTING LAND USES**

The subject property is developed with an alcohol/drug treatment group home which houses 10 patrons.

Surrounding properties are developed as follows:

- North: Open space, vacant
- South: Open space, vacant
- East: Vacant, alcohol/drug treatment group home (the blue house)
- West: Open space

**PREVIOUS CASES/ZONING HISTORY**

The project site was previously zoned A-1-1 (Light Agricultural – One Acre Minimum Lot Area Required). Under the new SMMLIP, the project site is zoned R-C-20. The case history for the project site is as follows:

- Coastal Development Permit ("CDP") 5-89-7 43 and Plot Plan No. 39558 authorized the construction of the group home with a maximum of six residents. The CDP also approved access driveways. The CDP was approved by the California Coastal Commission in 1990, and the Plot Plan was approved by the County in 1992.
- Oak tree permit 94-057 permitted the encroachment within the protected zone of eleven oak trees (approved on October 18, 1994) for the construction of the yellow house under Plot Plan 39558.
- CUP No. 200500178-(3) approved the group home to house up to 10 patrons on June 20, 2006.
- Oak Tree Permit No. 201000011 approved 81 past oak encroachments associated with the development of the blue house and the yellow house on May 7, 2013.
- Revised Exhibit "A" No. 201400236, approved on March 20, 2013, allowed the relocation and redesign of the accessory climbing wall.

**ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is a request to continue the operation of an alcohol/drug treatment group home with no new development or changes to the operations. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

**STAFF EVALUATION**

General Plan/Community Plan Consistency

The project site is located within the Rural Land 20 (RL 20) land use category of the Santa Monica Mountains Land Use Plan. This designation is intended for land that consists of rolling hills, steep slopes, and remote mountain lands with difficult or no access. The principal permitted use is single-family homes. Other permitted uses – those sensitively located and consistent with all development standards – may include

group homes, limited confined animal facility (including equestrian) uses, limited agricultural uses, retreats, monasteries, public recreation areas and facilities, trails, campgrounds, tent camps, bed-and-breakfast facilities, schools, water tanks, and telecommunications facilities. Therefore, the continued use of the existing group home facility is consistent with the permitted uses of the underlying land use category.

#### Zoning Ordinance and Development Standards Compliance

The project is located in the R-C-20 Zone. Per Section 22.44.1750 (B) of the SMMLIP, residences may be used as adult residential facilities or group homes for more than six patrons where said facility has a capacity for more than six persons in the R-C-20 Zone with an Administrative Coastal Development Permit with Hearing. However, pursuant to Section 22.44.810.J.3, the SMMLIP states that where an existing use permit expires in the Coastal Zone and no new development is proposed and the use remains unchanged from the previous approval, a replacement permit of the same type with the same conditions may be granted if the project meets the following criteria:

1. All development that was constructed on the site after the effective date of the Coastal Act was approved in a Coastal Commission-issued CDP (or the CDP requirement was waived by the Executive Director); and,
2. No new development is proposed, including but not limited to any change in intensity of use.

The applicant is requesting to continue the existing use of a state-licensed alcohol/drug treatment group home which houses 10 patrons with no changes being proposed. The structures on the site were built legally, and the project site has previous planning approvals, including a CUP to operate the site as a group home with 10 patrons. Therefore, the project is eligible to obtain a replacement CUP to continue its operation in the Coastal Zone in accordance with the provisions above.

#### Site Visit

Staff has visited the site and found it very well-maintained and all development is reflected on the site plan.

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code (CUP Burden of Proof). The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

#### Neighborhood Impact/Land Use Compatibility

The yellow house has been operating on the project site for more than 10 years without any notices of violation or complaints from the public. The project site is located in an isolated location along Kanan Dume Road. The yellow house is operated in conjunction with the blue house, another group home. These two facilities are extremely isolated and do not have any nearby neighboring houses. The two group homes are integrated into the environment and the surrounding habitat, and no new construction is proposed. Therefore, the project is not expected to adversely affect the health, peace, comfort or welfare of persons residing or working in the area, be materially detrimental to the use

or valuation of property in the area, or jeopardize the public health, safety or general welfare of people in the area.

The project site is compliant with all required development standards, including parking. Together, the blue house and the yellow house provide 41 parking spaces. In addition, the project is not proposing any new construction or to increase the intensity of use on the site. Therefore, as confirmed by the Fire Department and the Department of Public Works, the project site is adequately served by existing utility systems, including water and roads.

#### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The project was sent out for consult to the County Departments of Public Works and Fire Department. All departments cleared the project with no substantive comments or conditions.

#### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.44.133, 22.60.174, and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

#### **PUBLIC COMMENTS**

Staff has not received any comments at this time.

#### **FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

#### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2005-02957-(3), Conditional Use Permit Number 2015000145, subject to the attached conditions.

#### **SUGGESTED APPROVAL MOTION:**

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER RPPL201500145 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Josh Huntington, Principal Regional Planner, Zoning Permits West Section

**PROJECT NO. R2005-02957-(3)**  
**CONDITIONAL USE PERMIT NO. 2015000145**

**STAFF ANALYSIS**  
**PAGE 5 OF 5**

Attachments:  
Draft Findings  
Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Site Photographs  
Site Plan

JSH  
June 23, 2016

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2005-02957-(3)  
CONDITIONAL USE PERMIT NO. RPPL2015000145**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit ("CUP") No. RPPL2015000145 on July 5, 2016.
2. The permittee, The Canyon at Peace Park ("permittee"), requests the Project Permit to authorize the continued use of a state-licensed alcohol/drug treatment group home which houses 10 patrons. The group home consists of a 5-bedroom 6,200 sq. ft. single-family residence with an attached 1-bedroom guesthouse (jointly referred to as the "yellow house"). This group home is part of a larger facility that also operates an additional group home (referred to as the "blue house") on an adjacent parcel. This CUP only covers the property in question (APN: 4465-001-036) and the one group home authorized to house 10 patrons within this property ("Project"). This request would replace CUP No. 200500178 which authorized the existing group home use on the property. No physical or operational changes are proposed as part of this request. The Project is located on a property located at 2890 Kanan Dume Road in the unincorporated community of the Santa Monica Mountains Coastal Zone ("Project Site") in the Rural-Coastal Zone – 20 Acre Minimum Lot Area Required (R-C-20) pursuant to Los Angeles County Code ("County Code") section 22.44.810.J.3.
3. The Project Site is 38.4 gross acres in size. The Project Site is irregular in shape with areas of steep-sloping topography and is developed with an alcohol/drug treatment group home.
4. The Project Site is located in the Malibu Zoned District within the Santa Monica Mountains Coastal Zone.
5. The Project Site is located within the Rural Land 20 (RL 20) land use category of the Santa Monica Mountains Land Use Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: R-C-20, Open Space-Parks (O-S-P)
  - South: R-C-20, O-S-P
  - East: R-C-20
  - West: O-S-P
7. Surrounding land uses within a 500-foot radius include:
  - North: Open space, vacant
  - South: Open space, vacant
  - East: Vacant, alcohol/drug treatment group home (the blue house)
  - West: Open space

8. The project site was previously zoned A-1-1 (Light Agricultural – One Acre Minimum Lot Area Required). Under the new Santa Monica Mountains Local Coastal Program (“SMMLCP”), the project site is zoned R-C-20. The case history for the project site is as follows:
  - Coastal Development Permit (“CDP”) 5-89-7 43 and Plot Plan No. 39558 authorized the construction of the group home with a maximum of six residents. The CDP also approved access driveways. The CDP was approved by the California Coastal Commission in 1990, and the Plot Plan was approved by the County in 1992.
  - Oak tree permit 94-057 permitted the encroachment within the protected zone of eleven oak trees (approved on October 18, 1994) for the construction of the yellow house under Plot Plan 39558.
  - CUP No. 200500178-(3) approved the group home to house up to 10 patrons on June 20, 2006.
  - Oak Tree Permit No. 201000011 approved 81 past oak encroachments associated with the development of the blue house and the yellow house on May 7, 2013.
  - Revised Exhibit “A” No. 201400236, approved on March 20, 2013, allowed the relocation and redesign of the accessory climbing wall.
9. The site plan for the Project depicts the Project Site as having steeply sloping topography. The Project Site is accessed from an existing asphalt driveway off of Kanan Dume Road. The driveway leads downhill first to the blue house and then on to the yellow house. The existing square footage for the yellow house is 6,200 square feet. The Project Site also includes a water tank, small accessory structure, ground-mounted solar collectors, and a climbing wall. Six parking spaces are provided on the Project Site, with an additional 35 parking spaces located on the neighboring blue house property.
10. The Project Site is accessible via Kanan Dume Road to the southwest. Primary access to the Project Site is through the blue house property via an entrance/exit on Kanan Dume Road.
11. The yellow house property contains six parking spaces. The neighboring blue house property contains 35 parking spaces. Together, the two properties contain 41 parking spaces. Previous CUP No. 200500178-(3) required that a minimum of 20 parking spaces be provided between the two group homes. No changes are proposed for the site; therefore, the Project Site is required to continue to provide a minimum of 20 parking spaces.
12. The County Departments of Public Works and Fire reviewed the project. The County Fire Department had no additional comments for the Project. The Department of Public Works unconditionally approved the project.

13. Prior to the public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the continued operation of a group home with no expansion of use beyond that which was previously existing.
14. Pursuant to the provisions of sections 22.44.133, 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Prior to the public hearing, staff did not receive any correspondence on the Project.
16. The Hearing Officer finds that the Project is consistent with the land use designation for the Project Site. The project site is located within the Rural Land 20 (RL 20) land use category of the Santa Monica Mountains Land Use Plan, which is intended for land that consists of rolling hills, steep slopes, and remote mountain lands with difficult or no access. The principal permitted use is single-family homes. Other permitted uses – those sensitively located and consistent with all development standards – may include group homes such as this, as well as limited confined animal facility (including equestrian) uses, limited agricultural uses, retreats, monasteries, public recreation areas and facilities, trails, campgrounds, tent camps, bed-and-breakfast facilities, schools, water tanks, and telecommunications facilities. Therefore, the continued use of the existing group home facility is consistent with this land use.
17. The Hearing Officer finds that CUP No. 200500178-(3) approved the group home for up to 10 patrons on June 20, 2006 in the A-1-1 Zone, and that the Project was compliant with the development standards for the A-1 Zone.
18. The Hearing Officer finds that with the Project Site is currently zoned Rural-Coastal Zone 20 (R-C-20). The applicant is requesting to continue the use of the existing facility for a state-licensed alcohol/drug treatment group home which houses up to 10 patrons with no changes being proposed. The structures on the site received building permits and were legally built, and the project site has previous planning approvals, including a CUP to operate the site as a group home with up to 10 patrons. Therefore, the project is eligible to obtain a replacement CUP to continue its operation in the Coastal Zone in accordance with the provisions above and is deemed consistent with the R-C-20 Zone.

The Hearing Officer finds that the Project does not adversely affect the health, peace, comfort or welfare of persons residing or working in the area. The two neighboring group homes are in a very isolated location and have been operating without any notices of violation or complaints from the public.

19. The Hearing Officer finds that the Project is not detrimental to the use, enjoyment or valuation of property of people in the vicinity of the Project Site. The two group

homes are integrated into the environment and surrounding habitat. They are in an isolated area without any nearby neighboring houses.

20. The Hearing Officer finds that the Project does not jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare. The group homes have been operating at their present locations for more than 10 years without any notices of violation or complaints from the public.
21. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the required yards, walls, fences, parking, landscaping, and any other development features to integrate the use with the surrounding area. The project site is compliant with all required development standards, including parking, which is all contained on the Project Site or on the neighboring blue house property.
22. The Hearing Officer finds that the Project Site is adequately served by existing streets and other public and private services. The project is not proposing any new construction and is not increasing the intensity of use on the site, which has been operating as a group home for more than 10 years. Therefore, as confirmed by Fire, and Public Works, the project site is adequately served by existing utility systems, including water and roads.
23. 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 and at the Topanga library. On May 31, 2016, a total of 27 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site and those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
24. 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 THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, 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 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.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit Number RPPL2015000145, subject to the attached conditions.

**ACTION DATE: July 5, 2016**

JSH  
6/22/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2005-02957-(3)  
CONDITIONAL USE PERMIT NO. RPPL2015000145**

**PROJECT DESCRIPTION**

The project is a request to authorize a replacement Conditional Use Permit ("CUP") to allow the continued use of a state-licensed alcohol/drug treatment group home which houses 10 patrons. The group home consists of a 5-bedroom 6,200 sq. ft. single-family residence with an attached 1-bedroom guesthouse (jointly referred to as the "yellow house"). This group home is part of a larger facility that also operates an additional group home on an adjacent parcel. This CUP only covers the property in question (APN: 4465-001-036) and the one group home authorized to house 10 patrons within this property. This request would replace CUP No. 200500178 which authorized the existing group home use on the property. No physical or operational changes are proposed as part of this request. subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, 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 subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. 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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate 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 reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 5, 2036.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new CUP application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the alcohol/drug treatment group home and satisfaction of Condition No. 2 shall be considered use of this grant.

10. 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$2,000.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. The permittee shall maintain the property in compliance with requirements of the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden.
13. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
15. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Public Health. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
16. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
18. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.

19. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **October 5, 2016**.
20. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PROJECT SITE SPECIFIC CONDITIONS**

21. This grant allows for the operation and maintenance of an adult residential facility to be developed in accordance with the approved Revised Exhibit "A", and subject to the following conditions:
  - a. The permittee shall provide care and supervision to the residents consistent with the definition of an adult residential facility in Section 22.08.010 of the Zoning Ordinance. Care and supervision may include such services as room and board, recreational therapy, assistance essential for sustaining the activities of daily living, and other therapeutic services. Services that are not permissible include a resident or on-duty physician, diagnosis, x-ray, nuclear medicine, pathology laboratory, and surgical services;
  - b. The adult residential facility is permitted to have a maximum of 10 total residents, subject to the issuance of the necessary license by the State of California Department of Alcohol and Drug programs.
  - c. The permittee shall comply with all staffing, rules, regulations and facility requirements established and regulated by the State of California Department of Alcohol and Drug programs;

- d. In total, the facility consisting of both group homes (the "yellow house" and the "blue house") shall maintain a minimum of 20 on-site automobile parking spaces including two handicapped accessible parking space, of which one is to be van accessible;
  - e. An emergency evacuation plan shall be provided prior to final approval of the Exhibit "A";
22. The permittee shall comply with all conditions set forth in the attached County Department of Public Works letter dated March 9, 2016.

Attachments:  
Department of Public Works Letter dated March 9, 2016



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

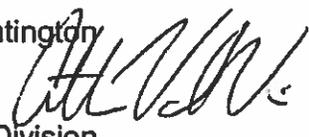
ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

March 9, 2016

IN REPLY PLEASE  
REFER TO FILE: LD-1

TO: Mi Kim  
Zoning Permits West Section  
Department of Regional Planning

Attention Joshua Huntington

FROM: Art Vander Vis   
Land Development Division  
Department of Public Works

**PLAN CASE NO. 2015000145**  
**WORKCLASS TYPE: CUP**  
**2890 KANAN DUME ROAD**  
**ASSESSOR'S MAP BOOK NO. 4465, PAGE 1, PARCEL NO. 36**  
**UNINCORPORATED COUNTY AREA OF MALIBU**

Thank you for the opportunity to review the plan case associated with the continuance of an existing land use currently permitted by CUP No. 2015000178-(3). The property is currently being used as a group home for the voluntary treatment of alcohol and drug abuse. There is no on-site medication dispensed or detoxification that takes place. The existing CUP allows a total of ten (10) patrons to be housed and treated at the facility. The requested CUP does not propose any physical or operational changes on the site.

- Public Works has no conditions that need to be applied to this project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents and therefore a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

If you require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-6967 or [mrodrigue@dpw.lacounty.gov](mailto:mrodrigue@dpw.lacounty.gov).

MR:plg

P:\dpub\SUBPCHECK\Plan\CUP\CUP 2015000145-2890 KANAN DUME RD\CUP 2015000145\2016-01-25 TCUP 2015000145 SUBMITTAL.docx



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

- 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
  2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The requested CUP for continuation of the current use of the subject group home to serve 10 patrons would not constitute a physical change and would not adversely affect persons in the surrounding area and not be materially detrimental to the use, enjoyment, or valuation of property of other persons, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare.

- 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.**

This CUP request does not include any physical changes and the Group home would continue to adequately accommodate 10 patrons, and the site would continue to conform to zoning and other requirements with approval of this cup request for a continuation of an existing permitted use.

- 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 traffic such use would generate, and
  2. By other public or private service facilities as are required.

the requested cup is for the continuation of an existing permitted use, and as such, there would be no change in traffic, or demand for other public or private service facility, and existing infrastructure and services would continue to adequately serve the project.

1. This grant authorizes the operation of a non-medical adult residential facility for persons undergoing treatment for drug and alcohol dependence. A maximum capacity of 10 residents is permitted, subject to all of the following conditions of approval:
2. 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.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property 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, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required inspection and processing fees have been paid pursuant to Condition No. 9.
4. 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 notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. 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 expenses 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.
  - 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 the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing with the appropriate fee six months before the expiration date.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
9. **This grant will terminate June 27, 2016.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for a continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

10. 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 **\$1,500.00**. The monies shall be placed in a performance Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **10 annual inspections**.

If any inspection discloses that the subject property is being used in violation of any 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
12. Upon approval of this grant, 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. Any necessary facilities shall be provided as may be required by said Department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. The subject property 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.
15. All structures shall comply 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 provide pertinent information about said premises.
17. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, 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.
18. The property shall be developed and maintained in substantial conformance with the approved plan. In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans for approval to the Director of Planning. All revised plot plans must be accompanied by the written authorization of the property owner.
19. This grant allows for the operation and maintenance of an adult residential facility to be developed in accordance with the approved Revised Exhibit "A", and subject to the following conditions:

- a. The permittee will provide care and supervision to the residents consistent with the definition of an adult residential facility in Section 22.08.010 of the Zoning Ordinance. Care and supervision may include such services as room and board, recreational therapy, assistance essential for sustaining the activities of daily living, and other therapeutic services. Services that are not permissible include a resident or on-duty physician, diagnosis, x-ray, nuclear medicine, pathology laboratory, and surgical services;
- b. The adult residential facility is permitted to have a maximum of sixteen total residents. That is: four (4) additional to the existing six (6) at the Yellow House and the six (6) allowed by-right for the Blue House, subject to the issuance of the necessary license by the State of California Department of Alcohol and Drug programs. The request for the additional four for the Blue House is denied.
- c. The permittee will comply with all staffing, rules, regulations and facility requirements established and regulated by the State of California Department of Alcohol and Drug programs;
- d. The permittee will maintain a minimum of 20 on-site automobile parking spaces including two handicapped accessible parking space, of which one is to be van accessible;
- e. An emergency evacuation plan shall be provided prior to final approval of the Exhibit "A"
- f. The permittee shall comply with all conditions of the Los Angeles County Fire Department in their letter dated March 1, 2006, or as otherwise required by said Department;
- g. The permittee shall comply with all conditions of the Los Angeles County Health Department in their letter dated March 23, 2006. All requirements for septic system upgrades shall be completed prior to final approval of the Exhibit "A"; and
- h. The permittee shall comply with all conditions of the Department of Public Works in their letter dated March 7, 2006, or as otherwise required by said Department.

**ATTACHMENTS:**

Department of Public Works, letter dated March 7, 2006

Fire Department, letter dated March 1, 2006

Department of Health Services, letter date March 23, 2006



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

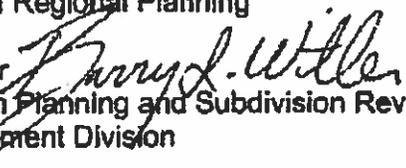
900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

March 7, 2006

IN REPLY PLEASE  
REFER TO FILE: LD-0

TO: Russell Fricano  
Zoning Permits Section I  
Department of Regional Planning

FROM: Barry S. Witler   
Transportation Planning and Subdivision Review Section  
Land Development Division

### CONDITIONAL USE PERMIT NO. R2005-02957

We have reviewed the subject Permit in the Malibu area in the vicinity of Kanan Dume Road and Newton Canyon Road (2890 and 2900 Kanan Dume Road). This Permit is for the expansion of the two existing by right group homes from the 12 patrons allowed by right in the two homes to 20 patrons.

There are no right of way or improvement requirements recommended as a condition of approval for this Permit.

WH:ca

P:\LDPUB\TRANS\CUP\S\CUPR2005-02957 EXPANSION OF NUMBER OF PATRONS IN EXISTING TWO HOMES

R.P.-  
Mario MASIS



**COUNTY OF LOS ANGELES  
FIRE DEPARTMENT**

5823 Rickenbacker Road  
Commerce, California 90040

**DATE:** March 1, 2006

**TO:** Department of Regional Planning  
Permits and Variances

**PROJECT #:** CUP R2005-02957

**LOCATION:** 2890 & 2900 Kanan Dume Rd., Malibu CA

- The Fire Department has no additional requirements for this permit.
- The required fire flow for this development is \_\_\_ gallons per minute for \_ hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Install \_\_ Public 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** \_\_\_\_\_
- Location:** \_\_\_\_\_
- Access:** \_\_\_\_\_
- Special Requirements:** \_\_\_\_\_

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: *Juan C. Padilla*  
*JCP*

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



**COUNTY OF LOS ANGELES  
DEPARTMENT OF HEALTH SERVICES  
Public Health**

**BRUCE A. CHERNOF, M.D.**  
Acting Director and Chief Medical Officer

**FRED LEAF**  
CHIEF OPERATING OFFICER

**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director of Public Health and Health Officer

**Environmental Health**  
ARTURO AGUIRRE, Director

**Bureau of Environmental Protection**  
Mountain & Rural/Water, Sewage & Subdivision Program  
5050 Commerce Drive, Baldwin Park, CA 91706-1423  
TEL (626)430-5380 · FAX (626)813-3018  
[www.lapublichealth.org/eh/progs/envirp.htm](http://www.lapublichealth.org/eh/progs/envirp.htm)



**BOARD OF SUPERVISORS**

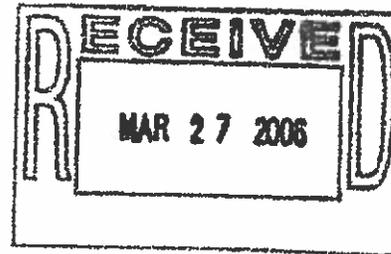
Gloria Molina  
First District

Yvonne Brathwaite Burke  
Second District

Zev Yaroslavsky  
Third District

Don Krabe  
Fourth District

Michael D. Antonovich  
Fifth District



March 23, 2006

RFS No. 06-0007244

Maria B. Masis  
Los Angeles County  
Department of Regional Planning  
Zoning Permits I Section  
320 West Temple Street  
Los Angeles, CA 90012

**RE: Project No. R2005-02957/CUP 200500178**  
**Location: 2890 & 2900 Kanan Dume, Malibu**

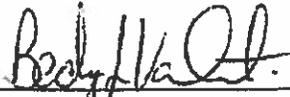
A Notice of Consultation was received by the Los Angeles County Department of Health Services concerning a Conditional Use Permit for the above proposed project. Approval for the project is contingent upon the following conditions:

1. The increased sewage load requires the installation of a minimum 2000 gallon septic tank at each house. This necessitates the creation of new dispersal fields for each house sized to accommodate the larger septic tanks. In addition, the Los Angeles County Plumbing Code requires a 100% expansion area for each house. Prior to project approval, feasibility reports containing the required improvements shall be submitted to this Department for review and approval. The feasibility reports shall conform to the requirements outlined in the interim document, "Procedures for Application for Approval of Private Sewage Disposal System Construction." (handout included)
2. Public sanitary sewers are not available within 200 feet of any part of the project and each house is dependent upon the use of individual private sewage disposal systems.
3. Septic tanks to be abandoned shall be emptied of effluent and removed, or filled with approved materials.

4. Provide documentation of an adequate, sustainable supply of potable water for each house. The potable water shall be from an approved source in compliance with the California Safe Drinking Water Act and the Los Angeles County Code, Title 11, chapter 11:38.

If you have any questions or require further information, please contact me at (626) 430-5380.

Respectfully,



---

Becky Valenti, E.H.S. IV  
Mountain and Rural/Water, Sewage, and Subdivision Program





**R2005-02957-(3)**

**CUP No. RPPL2015000145**

Printed: Jun 23, 2016



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# ZONING

## ZONING 500 FOOT RADIUS MAP

Proj. R2005-02957 (3)  
RCUP RPPL2015000145

### Legend

- R-C - Rural Coastal
- O-S-P - Open Space - Parks



### VICINITY MAP



0 60 120 240 360 480 Feet



LOS ANGELES COUNTY  
Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012

