



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

April 14, 2015

Richard J. Bruckner
Director

TO: Hearing Officer

FROM: Travis Seawards 
Zoning Permits West Section

SUBJECT: **Project No. R2014-02801-(3)**
Conditional Use Permit No. 201400133
HO Meeting: April 21, 2015
Agenda Item: 8

This memo summarizes changes to Finding No. 21 and to the Project Description for the Conditions of Approval. The project is a request for a conditional use permit to authorize the continued year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups and the use of the premises by public and private schools. Finding No. 21 and the Conditions of Approval Project Description now read as follows:

Finding No. 21:

The Hearing Officer finds that the maximum school enrollment is 200 students, which is based on Finding No. 11 of prior CUP 1541-(5). The Hearing Officer further finds that the maximum number of guests who may stay overnight on the subject property shall be 210 persons.

Conditions of Approval Project Description

The project is a request for a conditional use permit to authorize the continued year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups and the use of the premises by public and private schools as follows, and subject to the following conditions of approval:

- MUSE School, including Afterschool Care and two events (Lavender Faire and Under the Stars), from September through June;
- Summer School, during the months of June and August; and,
- 20-25 annual seminars

The maximum school enrollment is 200 students, and the maximum number of guests that may stay overnight on the subject property is 210 persons. Any increase to the school enrollment or overnight guests will require a new coastal development permit. The changes have been made to both documents, which have been updated on the Department website.

If you need further information, please contact Travis Seawards at (213) 974-6435 or TSeawards@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MKK:TSS

Enc: Revised Draft Findings and Draft Conditions of Approval

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02801-(3)
CONDITIONAL USE PERMIT NO. 201400133**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400133 ("CUP") on April 21, 2015
2. The permittee, Anglin Classics, LLC ("permittee"), requests the Project Permit to authorize the year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups, and the use of the premises by public and private schools ("Project") on a property located at 1666 Las Virgenes Canyon 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) Zone pursuant to Los Angeles County Code ("County Code") section 22.44.810.J.3.
3. The Project Site is 22 gross acres in size and consists of two legal lots. The Project Site is irregular in shape with areas of steep-sloping topography and is developed with a private school campus.
4. The Project Site is located in the Malibu Zoned District within the Santa Monica Mountains Coastal Zone, and is therefore subject to the provisions of the Santa Monica Mountains Local Coastal Plan, which consists of the Land Use Plan and the Local Implementation Program.
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: Open Space-Parks (O-S-P)
 - South: R-C-20
 - East: O-S-P
 - West: O-S-P, R-C-20, and Resort Recreation (R-R)
7. Surrounding land uses within a 500-foot radius include:
 - North: Santa Monica Mountains Recreation Area – King Gillette Ranch and Malibu Creek State Park
 - South: Single-family residence and ranch
 - East: Santa Monica Mountains Recreation Area – King Gillette Ranch
 - West: Single-family residence and a mobile-home park

8. 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:
 - Zoning Exception Case No. 9526 approved a children’s camp on August 4, 1970.
 - CUP No. 1541-(5) approved the continued use of the site on July 25, 1980 as a year-round resident camp with a mobile home unit as a counselor’s lounge, caretaker’s unit, and 70 parking spaces. This permit expired on August 4, 1995.
 - CUP No. 93-211 approved the continued use of the site as a year-round recreation camp facility for adult retreats, seminars, church groups, youth groups, and for public and/or private schools on May 13, 1994. This permit expires August 4, 2015.
 - Revised Exhibit “A” No. 93-211 approved the site for use as a private school with an operations plan for 150 students on October 4, 2007.
 - Revised Exhibit “A” No. 2012000251 approved six ground-mounted solar units on May 15, 2013.
9. The site plan for the Project depicts the Project Site, which is accessed from an existing asphalt driveway off of Las Virgenes Canyon Road. The driveway leads downhill to the campus area, which is surrounded by steeply sloping hills to the north and east. The campus consists of an array of existing classrooms, lodge hall, dormitory buildings, an office, and storage sheds. The existing square footage for all of the structures is 20,841 square feet. The campus also includes a rifle range, archery range, horse stable, amphitheater, basketball court, and swimming pool. Seventy-two parking spaces are located throughout the campus.
10. The Project Site is accessible via Las Virgenes Canyon Road to the east. Primary access to the Project Site is via an entrance/exit on Las Virgenes Canyon Road.
11. The Project Site provides seventy-two parking spaces. Previous CUP No. 93-211-(3) required that a minimum of 70 parking spaces on the Project Site. No changes are proposed for the site; therefore, the Project Site is required to continue to provide a minimum of 70 parking spaces, and 72 parking spaces are provided.
12. The County Departments of Public Works, Fire, and Public Health reviewed the project. The County Fire Department had no additional comments for the Project. The Department of Public Health approved the use of the existing on-site wastewater system and water system. The Department of Public Works approved the project but has required that upon approval, the applicant must clear an outstanding on-site grading violation from 2011 within 90 days of approval.
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 private school 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 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, public and local-serving private schools, water tanks, and telecommunications facilities. Therefore, the continued year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups, and the use of the premises by public and private schools are consistent with this land use.
17. The project site and facilities currently operate the following uses:
 - MUSE School. Private school, with approximately 90 students. The current grades being taught at MUSE are Early Childhood Education to 4th grade, Monday through Friday, 8:30 a.m. to 3:00 p.m., and afterschool care from 3:00 p.m. to 5:30 p.m., September through June. MUSE also hosts two annual events, the Lavendar Faire and Under the Stars.
 - Summer School, with approximately 75-125 campers. The hours of operation are 8:30 a.m to 4:30 p.m., for the months of July and August.
 - Seminars and Workshops: There are approximately 20-25 annual seminars or workshops that are held at the facility.
18. The Hearing Officer finds that the first planning approval for the project site was for a children's camp on August 4, 1970. Therefore, all of the existing structures on the site were legally established and constructed before the passage of the California Coastal Act (1976).
19. The Hearing Officer finds that CUP No. 93-211 approved the continued use of the site as a year-round recreation camp facility for adult retreats, seminars, church groups, youth groups, and for public and/or private schools on May 13, 1994 in the A-1-1 Zone, and that the Project was complaint with the development standards for the A-1 Zone.

20. The Hearing Officer finds that in May of 2007, the project site was first used as a private school (Calmont School) with an approved enrollment of 150 students in accordance with a Revised Exhibit "A". In September of 2011, MUSE School took over the use of the project site.
21. The Hearing Officer finds that the maximum school enrollment is 200 students, which is based on Finding No. 11 of prior CUP 1541-(5). The Hearing Officer further finds that the maximum number of guests who may stay overnight on the subject property shall be 210 persons.
22. The Hearing Officer finds that all development that has been constructed on the site after the effective date of the Coastal Act, such as the placement of six solar arrays, was approved in a Coastal Commission-issued CDP, or the CDP requirement was waived by the Coastal Commission Executive Director.
23. 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 year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups, and the use of the premises by public and private schools with no changes being proposed. The structures on the site were built prior to the effective date of the Coastal Commission, and the project site has previous planning approvals, including a CUP to operate the site as a private school. 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.
24. 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 MUSE School and all other associated activities have been operating on the property since 2011 without any notices of violation or complaints from the public. The project site is located in a valley at the terminus of Las Virgenes Canyon Road so much of the school campus is shielded from view on adjacent properties. The school operates in existing buildings and no new construction is proposed. The use is well-integrated into the character of the community as the site has been used as a school, campground, or retreat since the 1970's.
25. 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 use is well-integrated into the character of the community as the site has been used as a school, campground, or retreat since the 1970's. The MUSE School has also demonstrated a commitment to operating the school in a way that is respectful to the environment and to the neighborhood. The site is maintained in accordance to eco-friendly standards and the curriculum involves environmental sustainability and earth stewardship as a guiding principle.
26. 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 MUSE school has been operating on the project site since 2011 without any notices

of violation or complaints from the public, and the site has operated as a school, campground, or retreat since the 1970's. In addition, the school has an approved emergency preparedness plan to ensure the staff and students are safe in an emergency situation.

27. 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 school campus. The site has also operated as a school, campground, or retreat since the 1970's and is well-integrated into the character of the community.
28. 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 or to increase the intensity of use on the site, which has been operating as a camp, retreat or school since the 1970's. Therefore, as confirmed by Health, Fire, and Public Works, the project site is adequately served by existing utility systems, including water, roads, and the on-site waste system.
29. 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 libraries located in the vicinity of the Malibu community. On March 12, 2015, a total of eight 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 eleven notices to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
30. 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 201400133, subject to the attached conditions.

ACTION DATE: April 21, 2015

MKK:TSS
4/7/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02801-(3)
CONDITIONAL USE PERMIT NO. 201400133**

PROJECT DESCRIPTION

The project is a request for a conditional use permit to authorize the continued year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups and the use of the premises by public and private schools as follows, and subject to the following conditions of approval:

- MUSE School, including Afterschool Care and two events (Lavender Faire and Under the Stars), from September through June;
- Summer School, during the months of June and August; and,
- 20-25 annual seminars

The maximum school enrollment is 200 students, and the maximum number of guests that may stay overnight on the subject property is 210 persons. Any increase to the school enrollment or overnight guests will require a new coastal development permit.

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, and 9 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 April 21, 2035.** 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 Conditional Use Permit or Coastal Development Permit 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 private school 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 inspections (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. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. 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").

15. 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.
16. 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 notification 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.

17. 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 **June 21, 2015**.
18. 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

19. This grant shall authorize the continued year-round use of the existing facilities for adult retreats, seminars, church groups, youth groups, or other similar groups and the use of the premises by public and private schools.
20. The permittee shall provide a minimum of seventy (70) parking spaces for employees and patrons.
21. The permittee shall ensure that adequate transportation facilities for emergency evacuation are maintained and available during the operation of the school.
22. The permittee shall ensure that all areas used by motor vehicles shall be paved, black-topped, or otherwise maintained in a dust free condition.
23. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated February 24, 2015.

24. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated January 14, 2015.
25. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated January 27, 2015.

Attachments:

Fire Department Letter dated January 14, 2015

Public Works Department Letter dated February 24, 2015

Public Health Department Letter dated January 27, 2015