

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

SANTA MONICA MOUNTAINS NORTH AREA
COMMUNITY STANDARDS DISTRICT AMENDMENT
LOCAL-SERVING BUSINESSES

FREQUENTY ASKED QUESTIONS

Q: Why is this amendment being proposed?

A: It has recently been discovered that the implementation of zone changes associated with the adoption of the Santa Monica Mountains North Area Plan and adoption of Ordinance 2002-0062Z inadvertently caused a lawfully-established local-serving business to become nonconforming. The amendment seeks to allow this business and other similarly affected businesses it to continue so that they can serve the needs of residents during emergencies and at other times.

Q: What does the amendment propose?

A: The amendment will add a provision to the Community-wide Development Standards section of the Santa Monica Mountains North Area Community Standards District. The provision will return local-serving businesses that were lawfully established prior to September 19, 2002, and which became nonconforming as a result of the implementation of zone changes associated with the Santa Monica North Area Plan and adoption of Ordinance 2002-0062Z, to conforming status. It will also regulate the conditions under which these businesses can expand.

Q: Which parcels may be affected?

A: Parcels whose zoning was changed from commercial or manufacturing to non-commercial or non-manufacturing zones with the implementation of zoning changes associated with the adoption of the North Area Plan and adoption of Ordinance 2002-0062Z may be affected.

Q: Where are these parcels located?

A: The parcels potentially affected by the proposed amendment are scattered throughout the area of the Santa Monica Mountains west of the City of Los Angeles and north of the coastal zone boundary. The potentially affected parcels are concentrated along Mulholland Highway at the intersections with Cornell Road, Troutdale Drive, and Cornell School Road; Topanga Canyon Boulevard

between Santa Maria Road and Cheney Drive; the intersection of Las Virgenes Road and Brittany Court; the intersection of Agoura Road and Liberty Canyon Road; and north of the Ventura Freeway (US-101) west of Parkway Calabasas.

Q: How can I find out if my property is affected?

A: To find out if your property is affected, you may contact us at (213) 974-6422 or smmnap@planning.lacounty.gov. To identify your property, we will need to know your address or the Assessor's Identification Number (AIN) of your parcel, which can be found on your tax bill or the County Assessor's Office website (<http://assessor.lacounty.gov>). If you received a notice from us, your AIN is also on the mailing label. If your property is located in the cities of Agoura Hills, Calabasas, Hidden Hills, Los Angeles, Malibu, or Westlake Village, you will not be affected by the amendment. The Santa Monica Mountains North Area Community Standards District only affects properties in the unincorporated area of the Santa Monica Mountains North Area. You will not be affected by the amendment if your property is in the Santa Monica Mountains Coastal Zone.

Q: How will surrounding properties be affected?

A: This amendment applies to those ongoing businesses that were lawfully established and in compliance with all applicable ordinances and laws prior to September 19, 2002. The effect of allowing them to continue will be negligible on surrounding properties. The amendment also states that any expansion of the business requires a conditional use permit. This process is meant to ensure that expanded uses, buildings, or structures are local-serving and compatible with surrounding land uses.

Q: Are all businesses made conforming by the amendment?

A: No. The amendment only affects businesses that were lawfully established and in compliance with all applicable ordinances or laws prior to September 19, 2002, and that were made nonconforming with the implementation of zone changes associated with the adoption of the North Area Plan and the adoption of Ordinance 2002-0062Z. Any expansion of the business will require a conditional use permit. Applicants for these permits will have to prove that the business use or structure was lawfully established prior to September 19, 2002, that the proposed expansion is consistent with the goals and policies of the Santa Monica Mountains North Area Plan, and that it is a local-serving business that is compatible with surrounding land uses.

Q: What is a conditional use permit (CUP)? How does one obtain a CUP?

A: A CUP is the method by which the County controls the location and operation of certain types of land uses. In addition, it sets forth the limitations and

conditions under which they may operate. The steps for obtaining a CUP are as follows:

1. The applicant submits a completed application and documentation package which must include the processing fees and required Burden of Proof information. A planner reviews the materials to ensure completeness.
2. The hearing officer conducts a public hearing on the CUP request. Public hearings are held in downtown Los Angeles. Owners of adjacent property and interested persons are notified and may testify if they wish.
3. The hearing officer renders a decision. Additional public hearings may be required depending on the nature of the case.
4. Appeals of an action by the hearing officer will be heard by the RPC and, under certain circumstances, presented to the Board of Supervisors.

Q: Will all projects require a CUP?

A: No. A CUP is only required for any expansion of the business. As long as the use does not change and there is no expansion of the business, businesses that were lawfully established and in compliance with all applicable ordinances and laws before September 19, 2002 that are now nonconforming may continue with no further action required.

Q: How long does it take to obtain a CUP?

A: The amount of time it takes to obtain a CUP varies, depending on project characteristics, level of controversy, and other factors. DRP staff strives to process all land development applications as efficiently as possible. However, typical processing times may vary from a few months to a year.

Q: Has an environmental impact report (EIR) been prepared for the amendment?

A: Pursuant to the California Environmental Quality Act Section 15162, no subsequent EIR or Negative Declaration shall be prepared for a project unless the following occurs: substantial new significant environmental effects or substantial increases in the severity of previously identified effects will occur as a result of the amendment; substantial changes have occurred with respect to the circumstances under which the uses are undertaken; and new information of substantial importance is available which was not previously discussed in the Negative Declaration. None of these conditions has occurred regarding the proposed amendment. A Negative Declaration was prepared for the Santa Monica Mountains North Area Community Standards District. This Negative Declaration, certified by the Board of Supervisors on October 23, 2001, contemplated both the CSD and businesses in the North Area. The businesses to be allowed under the proposed amendment are existing businesses which were already considered in the original Negative Declaration and none of the

conditions found in Section 15162 have been met. Therefore, no subsequent EIR or Negative Declaration has been prepared. Per CEQA Section 15164 the staff has completed an Initial Study and prepared an addendum to the adopted Negative Declaration that describes the amendment and its effects.

NOTIFICATION PROCEDURES AND PUBLIC COMMENT

Q: Who was contacted or notified regarding the proposed ordinance? How was it done?

A: DRP sent out notices to owners of parcels designated commercial or manufacturing both before and after the North Area Plan was adopted, and owners of parcels located within 500 feet of such properties. Owner information for each parcel was obtained from the County Assessor's office, which updates its records every month. As required by Title 22 (Zoning Code), notice was published in newspapers (The Malibu Times, La Opinion, and Topanga Messenger) to ensure that the public would have a 30-day period to review the proposed ordinance and related documents. In addition, staff notified homeowners' associations and other interested groups in the area on the Department's mailing list.

Staff also contacted the National American Heritage Commission (NAHC) and California Historic Resources Information System to determine if any cultural places are located within the area affected by the proposed action. A NAHC Sacred Lands File request was made in writing on January 31, 2007. Five tribes were contacted to determine whether they had traditional lands or cultural places located within the area to be affected by the amendment. As of February 20, 2007, staff has received no responses.

Q: Will the staff report to the RPC be made available to the public?

A: The staff report is available for public review on DRP's website (<http://planning.lacounty.gov/spSmmnap.htm>) and the locations listed below.

Q: Where can I review a copy of the draft amendment?

A: Copies of the draft amendment and related documents are available for review at the following locations:

- Los Angeles County Department of Regional Planning: 320 W. Temple Street, Room 1356, Los Angeles, CA 90012
- Los Angeles County One Stop Center: 26600 Agoura Road, Suite 110, Calabasas, CA 91302
- Calabasas Library: 23975 Park Sorrento, Calabasas, CA 91302
- Agoura Hills Library: 29901 Ladyface Court, Agoura Hills, CA 91301

- Westlake Village Library: 31220 Oak Crest Drive, Westlake Village, CA 91361
- Resource Conservation District: 30000 Mulholland Highway, Agoura Hills, CA 91301

The draft documents are also available for viewing and download on our website at <http://planning.lacounty.gov/spSmmnap.htm>.

Q: How can I give my input on the draft amendment?

A: We welcome your input on the draft Santa Monica Mountains North Area Community Standards District Amendment. Comments should be submitted to:

Community Studies II Section
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1356
Los Angeles, CA 90012
E-mail: smmnap@planning.lacounty.gov
Phone: (213) 974-6422
Fax: (213) 626-0434

Interested parties will also be able to attend and testify at hearings of the Regional Planning Commission and Board of Supervisors, and to submit comments throughout the process.