Date Nov. 18, 2008

Mr. Don Ashton
Deputy Executive Officer
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Mr. Ashton:

Subject: Project No. R2007-01282-(3) CUP Case No. 2007-00104-(3)

Use: To authorize the expansion from a "by right" group home for 6 children, to a group home for 14 children

Address 900 Latigo Canyon Road

Malibu Zoned District

Related zoning matters:

Tract or Parcel Map No. _____

Change of Zone Case No. _____

Other _____

This is a notice of appeal from the decision of the Regional Planning Commission on: (Check One)

_____ The Denial of this request

✓ The Approval of this request

_____ The following conditions of the approval:

_____, _____, _____, _____, _____, _____, _____.

Briefly, the reason for this appeal is as follows:

Un-addressed Fire danger issues. Failure of Applicant To meet its burden of Proof. Access / Traffic issues.

Enclosed is a check (or money order) in the total amount of $ 775.00.
The amount of $1,548.00 for applicants or $775.00 for non-applicants is to cover the Regional Planning Department's processing fee.

Wyant M. Lauterman
(Signed) Appellant

WYANT M. LAUTERMAN
Print Name

31220 LA BAYA DRIVE, #110
Address

WESTLAKE Village, CA 91362

818 292-2848
Day Time Telephone Number

ATTERNATES JAMES E. Bollinger - 805-495-4601
NANCY GOLDSTEIN 818 707-4573

S:\2008 AOZ Section Forms\Appeal Land Use Permits.doc
Effective 07/04/08

FILED
2008 NOV 19 AM 2:37
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon, FAICP
Director of Planning

November 6, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Visions Treatment Center, LLC
900 Latigo Canyon Road
Malibu, CA 90265

RE: PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT CASE NO. 200700104-(3)
TO AUTHORIZE THE EXPANSION OF A GROUP HOME TO A MAXIMUM OF 14 CHILDREN IN THE A-1-10 ZONE.

Dear Visions Treatment Center:

The Regional Planning Commission, by its action of November 5, 2008, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grant becomes effective.

The applicant or other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on November 19, 2008.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission's action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Mi Kim in the Zoning Permits Section I at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Mark Child
Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions
Affidavit of Acceptance (Permittee's Completion)

C: Board of Supervisors; Department of Public Works (Building and Safety); Zoning Enforcement

MC:MKK
11/6/08

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

PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT NO. 200700104-(3)

HEARING DATE: NOVEMBER 5, 2008

SYNOPSIS:
The applicant, the Visions Treatment Center LLC, requests a conditional use permit to expand an existing by right group home for 6 children to a group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone.

The group home is a post-treatment transitional living facility for children under the age of 18 with past substance and alcohol abuse problems. The proposed project site is developed with an existing group home for 6 children, which is allowed by-right in the A-1 zone. The request is to expand the group home to a maximum of 14 children. A conditional use permit is required for a group home for 7 or more children.

The project proposes to expand the existing facility in two phases. Phase One would increase the number of children to 12. New construction is not proposed for this phase as the applicant would accommodate the additional children in existing facilities. Phase Two would increase the number of children to 14. Demolition and replacement of the existing Ancillary Structure II is proposed during this phase. This ancillary structure would expand from 170 square feet to 950 square feet substantially within existing development footprint.

PUBLIC HEARING PROCEEDINGS

<u>September 2, 2008, Hearing Officer Public Hearing</u> A duly noticed public hearing was held on September 2, 2008 before the Hearing Officer, Mr. Mitch Glaser. Three persons, including the applicant and the applicant's agent testified in favor of the project. In addition, one letter of neutrality, and one indirect comment in support of the proposed project were received. One person testified in opposition to the proposed project and delivered 15 letters of opposition from neighbors and two letters from real estate agents who were unable to attend the public hearing.

The opponents raised the following issues:

- Un-permitted structures on the subject property.
- Capacity of the existing onsite wastewater treatment system to accommodate the requested expansion.
- Traffic increase.
- Narrow and winding access roads, including Latigo Canyon Road and Castro Peak Motorway.

- Devaluation of surrounding properties due to the presence of a group home.

The Hearing Officer instructed staff to add the following conditions of approval to address these concerns:

- The grant is limited to the group home as licensed and operated in compliance with Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the state code.
- Wthin 60 days of approval of this grant, the applicant is required to contact Building and Safety, and within one year of approval obtain building permits for any unpermitted structures, including compliance with handicap accessibility.
- Prior to the use or vesting of the grant, the applicant is required to obtain proper approvals for adequate water and sewage facilities from the Los Angeles County Department of Health Services.
- Within 30 days of approval, the applicant is required to contact the Fire Department, comply with any additional fire prevention measures, submit fuel modification plan, and provide an emergency evacuation plan.
- Smoking by the residents is prohibited both on and off site regardless of age.

There being no further testimony, the Hearing Officer closed the public hearing, and approved the conditional use permit.

Mr. Lauterman filed an appeal of the Hearing Officer's approval on September 4, 2008.

<u>November 5, 2008, Regional Planning Commission Appeal Public Hearing</u>
A duly noticed appeal public hearing was held on November 5, 2008 before the Regional Planning Commission. Commissioners Helsley, Bellamy, Valadez, and Rew were present.

Mr. Lauterman, the appellant, testified against the proposed project and against the Hearing Officer's approval of the project. The appellant requested a continuance of the appeal public hearing to a later date because he needed more time to hire counsel and confer with his neighbors. The appellant stated that he and his neighbors wanted to be better prepared for the public hearing and schedule ahead to attend the hearing.

The project applicant presented by Mr. Moss refuted the appellant's request for the continuance as he felt that the appellant had sufficient time (two months) to prepare for the appeal public hearing.

One other person spoke in favor of the proposed project; no other person spoke in opposition. Four new letters in support were received; no new letters in opposition were received.

There being no further testimony, the Commission closed the public hearing and upheld the Hearing Officer's approval, denied the appeal, and approved the conditional use permit. The Commission stated that the appellant had previously submitted a comprehensive, 150-page powerpoint argument against the proposed project. This

material was considered by the Hearing Officer and was forwarded to the Commission for consideration at the appeal hearing.

Commissioners Helsley, Bellamy, Valadez, and Rew voted to deny the appeal and uphold the Hearing Officer's approval of the conditional use permit.

Findings

1. The applicant requests authorization to expand the existing by-right group home to accommodate a maximum of 14 children for post-treatment transitional living for children under 18 years old with substance and alcohol abuse history.

2. The said project is located at 900 Latigo Canyon Road (APN 4464-026-012). within the Malibu Zoned District.

3. The subject property is zoned A-1-10 (Light Agriculture – 10-acre Minimum Required Area) and surrounding zoning is A-1-10 to the east, south and west, and A-1-5 to the north.

4. The existing land use on the subject property is a by-right group home for post-treatment transitional living for up to 6 children with a history of substance and alcohol abuse and addiction.

5. The subject property is developed with a 5-bedroom, primary residential building consisting of a one floor below grade and two floors above grade; two unpermitted ancillary structures, stable, tool shed, water tank, and 20 parking spaces. Ancillary Structure I is a 2-bedroom, one-story structure with no kitchen, Ancillary Structure II is a one-story office. The stable is open on four sides.

6. The project site is surrounded by undeveloped land to the north, east, south, and west.

7. The subject property is located in the Santa Monica Mountains North Area Plan Community Standards District and complies with the development standards for uses in the agricultural zones.

8. The project's land use policy designation in the Santa Monica Mountains North Area Plan is N10-Mountain Lands 10 (1du/10ac max). This land use designation allows land uses such as retreats, monasteries, or schools. The proposed project is a group home comparable to uses allowed by the land use policy.

9. The subject property was subdivided in the 1960's before the adoption of the Santa Monica Mountains North Area Plan in 2000.

10. Plot Plan 38555 approved the construction of a 3,500 square-foot single family residence with a 550 square-foot garage.

11. The Department of Regional Planning has determined that the project qualifies for a Class I Categorical Exemption (Existing Facility) pursuant to CEQA reporting guidelines.

12. The Coastal Zone Boundary Determination Letter from the California Coastal Commission dated November 14, 2003 determined that the subject property is not within the coastal zone.

13. The Public Health letter dated March 24, 2008, requires approval of the onsite wastewater treatment system and potable water by the said department in compliance with local and state regulations.

14. The Fire Department letter dated August 7, 2008 noted that existing on-site fire protection systems and access is adequate, but reserves the right to request additional fire protection during the building plan check process for new structures.

15. Residents of the group home are prohibited from smoking onsite or offsite at all times.

16. Access and visitation to the subject property is limited and restricted to parental visit once a week and medical and other support personnel visit once a week.

17. The subject property is required to maintain brush clearance and comply with a fuel modification plan.

18. The group home's emergency evacuation plan is reviewed and approved by the California Community Care Licensing Division of the California Department of Health Services for compliance with licensing requirements.

19. The group home is licensed and operated in conformance with Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the State Code.

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

21. 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

22. The following fees will apply: cost recovery deposit of $750 to cover the costs of five recommended zoning enforcement inspections (additional funds would be required if violations are found on the property).

23. On September 4, 2008, Mr. Lauterman filed an appeal of the Hearing Officer's approval of the requested permit.

24. A duly noticed appeal public hearing was held on November 5, 2008. The appellant, Mr. Lauterman, attended the hearing and requested a continuance of the appeal hearing in order to better prepare his case. The project applicant requested that the appeal hearing proceed without a continuance as the appellant had sufficient time to prepare.

25. One person testified in favor; no one testified in opposition. In addition, four new letters of support were received; no new letters in opposition were received.

26. The Commission considered the 150-page powerpoint argument against the proposed project, which was presented to the Hearing Officer at the September 2, 2008 public hearing, and found it to be a comprehensive presentation of the appellants position.

27. The Commission considered the additional conditions required by the Hearing Officer at the previous public hearing in response to concerns raised by the opponents regarding building permit, water and sewage, fire hazard, narrow access roads, and smoking, and moved to strengthen just one condition regarding smoking.

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the requested use at the proposed location 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;

B. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

D. That 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;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.040 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

In view of the findings of fact presented above, the Regional Planning Commission denied the appeal and upheld the Hearing Officer's approval of Conditional Use Permit No. 200700104-(3) with findings and conditions.

VOTE

Concurring: **Helsley, Bellamy, Valadez, Rew**

Dissenting: **None**

Abstaining: **None**

Absent: **Modugno**

Action Date: **November 5, 2008**

c: Each Commissioner, Zoning Enforcement, Building and Safety

MC:MKK
11/6/08

This grant authorizes the expansion of the existing group home for 6 children to a group home for 14 children in conformance with all licensing and operating procedures of Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the state code.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the 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. 7, and until all required monies have been paid pursuant to Condition No. 9.

3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably 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.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the 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 according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

6. 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.

7. 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 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.

8. **This grant will terminate on September 2, 2023**. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least three (3) months prior to the expiration of this permit, whether or not any modification of the use is requested at that time unless an extension is granted pursuant to conditions 8a or 8b.

   a. Upon written application of the permittee made no less than six (6) months prior to the termination date above, the term of this grant may be **extended** by the Director for a period not to exceed **five (5) years**, as provided herein. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, (2) that the use is not or has not been in compliance with all applicable laws and regulations, or (3) that the Director has received more than three complaints in any twelve month period from the community during the grant period. If any of the foregoing findings are made by the Director, the extension shall be denied and the grant shall terminate and a new Conditional Use Permit will be required.

   b. If the term of the grant is extended pursuant to condition 8(a), upon termination of the extension period, the Director may grant a second five-year extension subject to the requirements of condition 8(a). If a second extension is granted pursuant to this condition, the grant shall terminate at the end of the second extension period and no additional administrative extensions may be granted. If the permittee intends to continue operations after this date, a

new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of the extension period, whether or not any modification of the use is requested at that time.

9. 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 **$750**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **five** 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 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 approved site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

10. 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.

11. Within 30 days of approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department 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.

12. Within 30 days of the approval of this grant, the permittee shall submit a preliminary fuel modification plan to the Fire Department and within 90 days of the date of approval, the permittee shall provide a copy of the approved Fuel Modification Plan to Zoning Enforcement.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

14. Prior to the use or vesting of this grant, 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. Wthin 60 days of approval of this grant, the permittee shall contact the Division of Building and Safety of the Department of Public Works to receive proper permits from the said Department for the existing structures. Within one year of the approval of this grant, the existing structures shall conform to the requirements of Building and Safety, including handicap accessibility as codified in Title 24 – Uniform Building Code. The permittee shall provide a copy of the building permit for the structures on the property to Zoning Enforcement.

16. The permittee shall ensure that no resident, guest, visitor, or staff is permitted to smoke on the subject property's premises regardless of age. In addition, the permittee shall post no smoking signs in conspicuous locations, including, at minimum, the main entrance, parking area, and outdoor patio.

17. Within 30 days, the permittee shall provide a copy of the state reviewed and approved emergency evacuation plan for the Fire Department's review and comment. Documentation that the emergency evacuation plan was submitted to the Fire Department for review and comment shall be provided to Zoning Enforcement within 60 days of the date of approval.

18. 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

19. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of 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.

20. 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.

21. This grant allows for the operation and maintenance of the group home for a maximum of 14 children to be developed in accordance with the approved Exhibit "A," and subject to the following conditions:

    a. The permittee will provide care and supervision to the residents consistent with the definition of "group home, children" in Section 22.08.070 of the Zoning Ordinance;

    b. The group home for children is permitted to have a maximum of 14 children under the age of 18;

    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 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. The permittee shall comply with all conditions of the Los Angeles County Department of Public Works letter dated March 17, 2008, or as otherwise required by the said Department;

    f. The permittee shall comply with all conditions of the Los Angeles County Department of Public Health letter dated March 24, 2008, or as required by the said Department;

    g. The permittee shall comply with all conditions of the Los Angeles County Fire Department letter dated August 7, 2008, or as required by the said Department;

    h. There are more than one detached structures on the subject property; the permittee shall file a Covenant in Lieu of Parcel Map to hold the property as one parcel so that no portion shall be sold separately unless it is subsequently subdivided according to Title 21 of the Los Angeles County Code and in compliance with Title 22 of the same;

    i. The permittee shall restrict visitation as follows: non-parental visitation is not allowed except for visitation by medical and support staff, and parental visitation is allowed only once a week;

j. The permittee shall not install signage, lighting, or outdoor noise generators;

k. The permittee shall provide emergency contact phone numbers, gate controller, or similar device to expedite entry by emergency service providers; and

l. The permittee shall maintain a brush clearance or fuel modification area as recommended by the Fire Department.

ATTACHMENTS:
Department of Public Works, letter dated March 17, 2008
Department of Public Health, letter dated March 24, 2008
Fire Department, letter dated August 7, 2008

MC: MKK
11/6/08

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DEAN D. EFSTATHIOU, Acting Director

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 17, 2008

IN REPLY PLEASE REFER TO FILE: LD-1

RECEIVED
MAR 20 2008

TO: Mark Child
Zoning Permit Section I
Department of Regional Planning

Attention Mi Kim

FROM: for Steve Burger MLS
Land Development Division

CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENTS
PROJECT NO. R2007-01282
CUP NO. RCUP T200700104
900 LATIGO CANYON ROAD, MALIBU

☒ Public Works recommends approval for this CUP.

☐ Public Works does **NOT** recommend approval for this CUP.

We reviewed the site plan for the subject CUP. The permit application is to increase group home capacity in two phases, from 6 to 12 to 14 children and the minor construction of ancillary building No. 2 to free up the use of two existing bedrooms.

There are no additional right-of-way acquisitions or road improvements to be imposed under the provisions of the Zoning Ordinance. Please note that prior to any work within public right of way, the applicants will be required to obtain a permit from Public Works' Construction Division, Permit Section. This permit will allow the Permit Section to perform a site visit and review the specific locations of above-ground facilities within public right of way. If you have any other questions or require additional information, please call Toan Duong at (626) 458-4945 or Simin Agahi at (626) 458-4921.

SA:la
LD-1/P:\ldpub\SUBMGT\CUP\R 2007-01282 RCUP T200700104 900 Latigo Canyon Rd.doc

COUNTY OF LOS ANGELES
Public Health

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

JONATHAN FREEDMAN
Acting Chief Deputy

Environmental Health
ANGELO BELLOMO, REHS
Director of Environmental Health

Bureau of Environmental Protection
Land Use Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

Gloria Molina
First District

Yvonne B. Burke
Second District

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Fourth District

Michael D. Antonovich
Fifth District

March 24, 2008

RFS No. 08-0007661

Mi Kim
Los Angeles County
Department of Regional Planning
Zoning Permits I Section
320 West Temple Street
Los Angeles, CA 90012

RECEIVED
MAR 27 2008

RE: Project No. R2007-01282/CUP 200700104
Location: 900 Latigo Canyon Road, Malibu

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

1. The structures shown on the submitted maps do not correspond with Department records. Submit a complete plot plan to scale, showing all structures on the property, and the onsite waste water treatment systems serving them, including leach lines and/or seepage pits. Provide documentation of approval for each onsite waste water treatment system by this Department.

2. The proposed increase in sewage load requires evaluation of the current onsite waste water treatment systems. All onsite waste water treatment systems shall be exposed and inspected by the Health Officer for compliance with the plumbing code and conditions of approval. All components of the onsite waste water treatment systems including dispersal fields shall be inspected by a qualified professional and certified as operational and in good repair. The applicant must also provide documentation of an approved 100% expansion area for each residence in compliance with the Los Angeles County Plumbing Code. The professional consultant shall submit a report to this Department confirming the functionality of each onsite waste water treatment system. Systems that cannot be certified shall be abandoned and complete feasibility reports shall be submitted to this Department for each new onsite waste water treatment system.

Project No. **R2007-01282/CUP 200700104**

3. Specify the projected number of people in each of the buildings during a 24 hour day. Include clients, counselors, food preparers, medical personnel, teachers, caretakers, etc

4. Indicate the potable water source for the residences. 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, please contact me at (626) 430-5380

Respectfully,

Becky Valenti

Becky Valenti, E.H.S. IV
Land Use Program

Mi Kim

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: August 7, 2008

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2007-01282

LOCATION: 900 Latigo Canyon Road, Malibu

☐ The Fire Department Land Development Unit 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 psi residual pressure. __ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ Verify __ 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.

☒ This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone (VHFHSZ). A Preliminary Fuel Modification Plan shall be submitted and approved prior to the Public Hearing. For details contact the Fuel Modification Unit, Fire Station 32, 605 North Angeleno Avenue, Azusa, CA 91702-2904. They may be reached at (626) 969-5205.

☒ **Comments:** THIS PROJECT IS CLEAR FOR PUBLIC HEARING.

☒ **Location:** Existing on-site fire protection systems are adequate. Additional fire protection maybe required during the building plan check process of the new structures prior to building permit issuance.

☒ **Access:** Access is adequate as shown on the site plan.

☐ **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 at (323) 890-4243.

Inspector: ***SCOTT JAEGGI*** SJ

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

County CUP 01/08

Attachment B

Public Hearing Package

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

October 22, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Mi Kim
Principal Regional Planning Assistant
Zoning Permits I Section

SUBJECT: NOVEMBER 5, 2008 AGENDA ITEM NO.
PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT NO. 200700104-(3)
ENVIRONMENTAL ASSESSMENT CASE NO. 200700087-(3)
(APPEAL OF THE HEARING OFFICER'S APPROVAL OF 9/02/08)

PROJECT DESCRIPTION

A conditional use permit is requested by the applicant, Visions Treatment Center LLC, to expand an existing group home for 6 children to group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone.

The group home provides structured living environment for children under 18 years old who have a history of substance abuse to learn to live without the substances. The program consists of daily living routine, including schooling, meals, chores, free time, and counseling.

The proposed project site is developed with an existing group home for 6 children, which is allowed by-right in the A-1 zone. A group home for 7 or more children requires a conditional use permit. The applicant proposes to expand the existing facility in two phases. Phase One would increase the number of children to 12; new construction is not proposed for this phase as the applicant would accommodate the additional children in existing facilities. Phase Two would increase the number of children to 14; minor construction and expansion of one of the existing structures is proposed to accommodate this expansion.

BACKGROUND

A public hearing was held on September 2, 2008 before the Hearing Officer. Three persons, including the applicant and the applicant's agent, testified in favor of the project. In addition, one letter in support and one letter taking a neutral position were received. Mr.

Lauterman testified in opposition to the proposed project and delivered 15 letters of opposition from neighbors and two letters from real estate agents who were unable to attend the public hearing.

The opponents raised the following issues:

- Un-permitted structures on the subject property.
- Capacity of the existing onsite wastewater treatment system to accommodate the requested expansion.
- Traffic increase.
- Narrow and winding access roads, including Latigo Canyon Road and Castro Peak Motorway.
- Devaluation of surrounding properties due to the presence of a group home.
- Smoking and fire hazard.

The applicant provided the following rebuttal:

- The building permit for the main house was issued in 1986; there is a building permit for the guest house (Ancillary Structure I); the freestanding structure (Ancillary Structure II) is 170 square feet and does not need a building permit.
- The existing septic system is a 1,500 gallon septic tank able to support a house with 5 or 6 bedrooms (the existing main house has 5 bedrooms).
- The previous owner of Visions granted access easements to adjacent property owners.

Pursuant to these comments, the Hearing Officer instructed staff to add the following conditions of approval:

- The grant is limited to the group home as licensed and operated in compliance with Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the state code.
- Within 60 days of approval, the applicant is required to contact Building and Safety. Within one year of approval, the applicant is required to obtain building permits for any unpermitted structures and comply with handicap accessibility requirements.
- Prior to the use or vesting of the grant, the applicant is required to obtain proper approvals for water and sewage facilities from the Los Angeles County Department of Health Services.
- Within 30 days of approval, the applicant is required to contact the Fire Department to comply with any additional fire prevention measures, submit a fuel modification plan, and provide an emergency evacuation plan.
- Smoking by the residents is prohibited both on and off site regardless of age.

The Hearing Officer closed the public hearing, and approved the conditional use permit. Mr. Lauterman filed an appeal on September 4, 2008.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

The appeal hearing notice was mailed to the applicant, 35 neighbors within a 500-foot radius of the project site, and 38 other interested parties on September 25, 2008. Required

case materials were mailed to the Agoura Hills Library on September 27, 2008. Newspaper advertisements were published in LA Opinion and the Malibu Times on October 2, 2008.

PUBLIC COMMENTS

The appellant, Mr. Lauterman, is requesting a continuance because he and his neighbors need more time; he has prior work commitment on the hearing date; they need to hire counsel. (Appellant's request attached.)

The applicant is opposed to the granting of the continuance because he feels the appellant had sufficient time to prepare for the hearing. (Opposition request attached.)

New comments received since the previous public hearing include a letter from the Malibu/Lost Hills Sheriff's Station. The station reports that there were a total of 9 calls for service at the subject site during more than three year period from January 1, 2005 to October 1, 2008. One letter in support of the project was also received. (Both are attached.)

STAFF EVALUATION

To mitigate the issues raised at the public hearing by the opponents, the Hearing Officer instructed staff to add five additional conditions. The additional conditions require the applicant to comply with Building and Safety requirements, obtain approval of the septic system from the Department of Public Health prior to the vesting of the grant, obtain approval of fuel modification plan and emergency evacuation plan from the Fire Department, and ban smoking on premises. These additional requirements strengthen the conditions already imposed by the Department of Public Works and the Department of Public Health in the letters recommending approval.

The outstanding issues are concerns over traffic and access from Latigo Canyon and Castro Peak Motorway. In the project description, the applicant describes the operating procedures of the group home that limit access to the site. The children are not allowed to have their own cars on-site and may not leave the site without proper supervision. Visitation is limited to once a week and only by parents. Medical personnel visits are also limited. Staff recommends adding these operating procedures as a condition of approval to mitigate any potential impacts on traffic.

The other outstanding issue is concerns over devaluation of property. Addressing this issue would require a finding that any potential devaluation of a property can be directly attributed to the entitlement of a group home. The Hearing Officer could not make this finding as it would imply that depreciation of any property near any group home can only be attributed to the group home and not to any other factors.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission uphold the Hearing Officer's decision to approve Conditional Use Permit No. 200700104-(3).

SUGGESTED APPROVAL MOTION

"I MOVE THAT THE REGIONAL PLANNING COMMISSION DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 200700104-(3).

If you need further information, please call Mi Kim at (213) 974-6443 or mkim@planning.lacounty.gov. Department office hours are Monday through Thursday from 7a.m. to 6p.m. The Department is closed on Fridays.

Attachments
A. Appellant Request for Continuance
B. Applicant Opposition to the Request
C. Public comments (New)
D. Hearing Officer Determination Letter
E. Hearing Officer Package
F. Public comments (9/2/08 Public Hearing)

MC:MKK
10/22/08

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon, FAICP
Director of Planning

REGIONAL PLANNING COMMISSION
APPEAL FORM

DATE: Sept. 4, 2008

TO: Ms. Rosie Ruiz
Regional Planning Commission Secretary
Department of Regional Planning
County of Los Angeles
320 W. Temple Avenue, Room 1350
Los Angeles, California 90012

FROM: Wyant M. Lauterman
Name

SUBJECT:
Project Number(s): R2007-1282-(3)
Case Number(s): 200700104-(3)
Case Planner: Mi Kim
Address: 900 Latigo Canyon, Malibu
Assessors Parcel Number: 4464-026-012
Zoned District: The Malibu

Entitlement Requested:

A Conditional use permit for a group home for a maximum of 14 children

Related Zoning Matters:

Tentative Tract/Parcel Map No.	
CUP, VAR or Oak Tree No.	CUP No. 200700104-(3)
Change of Zone Case No.	
Other	

(Reverse)

ITEMS PRESENTED TO L.A. COUNTY REGIONAL PLANNING REPRESENTATIVE, MI KIM AT 0900 TUESDAY MORNING TO SUPPORT OPPOSITION TO CUP IN CASE NO. 200700104-(3):

1. 1 - LARGE 3-RING BINDER WITH COVER TITLE "OBJECTIONS TO CONDITIONAL USE PERMIT" WITH 168 PAGE POWER-POINT PRESENTATION IN OPPOSITION TO CUP.

2. 15 LETTERS OF STRONG OBJECTION TO CUP FROM NEIGHBORS IN VICINITY OF PROPOSED CUP

3. TWO LETTERS FROM MALIBU REAL ESTATE AGENTS/EXPERT.

4. 1- LETTER FROM LAS VIRGENES MUNICIPAL WATER DISTRICT.

SUBMITTED BY:

WYANT M. LAUTERMAN

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2007-01282-(3)

CASE NO. RCUP 200700104-(3)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE **November 5, 2008**	

APPLICANT	**OWNER**	**REPRESENTATIVE**
Visions Treatment Center, LLC	VTC Malibu Properties, LLC	Moss and Associates

ENTITLEMENT REQUEST
A conditional use permit for a group home for a maximum of 14 children.

LOCATION/ADDRESS
900 Latigo Canyon Road, Malibu

ACCESS	**ZONED DISTRICT**
Kanan Dume	The Malibu
ASSESSORS PARCEL NUMBER	**COMMUNITY**
4464-026-012	Santa Monica Mountains North Area
SIZE	**COMMUNITY STANDARDS DISTRICT**
7.96 acres	Santa Monica Mountains North Area CSD

	EXISTING LAND USE	**EXISTING ZONING**
Project Site	Group home for six children	A-1-10 (Light Agriculture – 10-acre minimum required area)
North	Vacant land	A-1-5 (Light Agriculture – 5-acre minimum required area)
East	Vacant land	A-1-10
South	Vacant Land, Single Family Residence	A-1-10
West	Vacant Land	A-1-10

GENERAL PLAN	**DESIGNATION**	**MAXIMUM DENSITY**	**CONSISTENCY**
Santa Monica Mountains North Area Plan	N10 -- Mountains Lands 10	1 du/10 acre maximum	See Staff Analysis

ENVIRONMENTAL DETERMINATION
Categorical Exemption

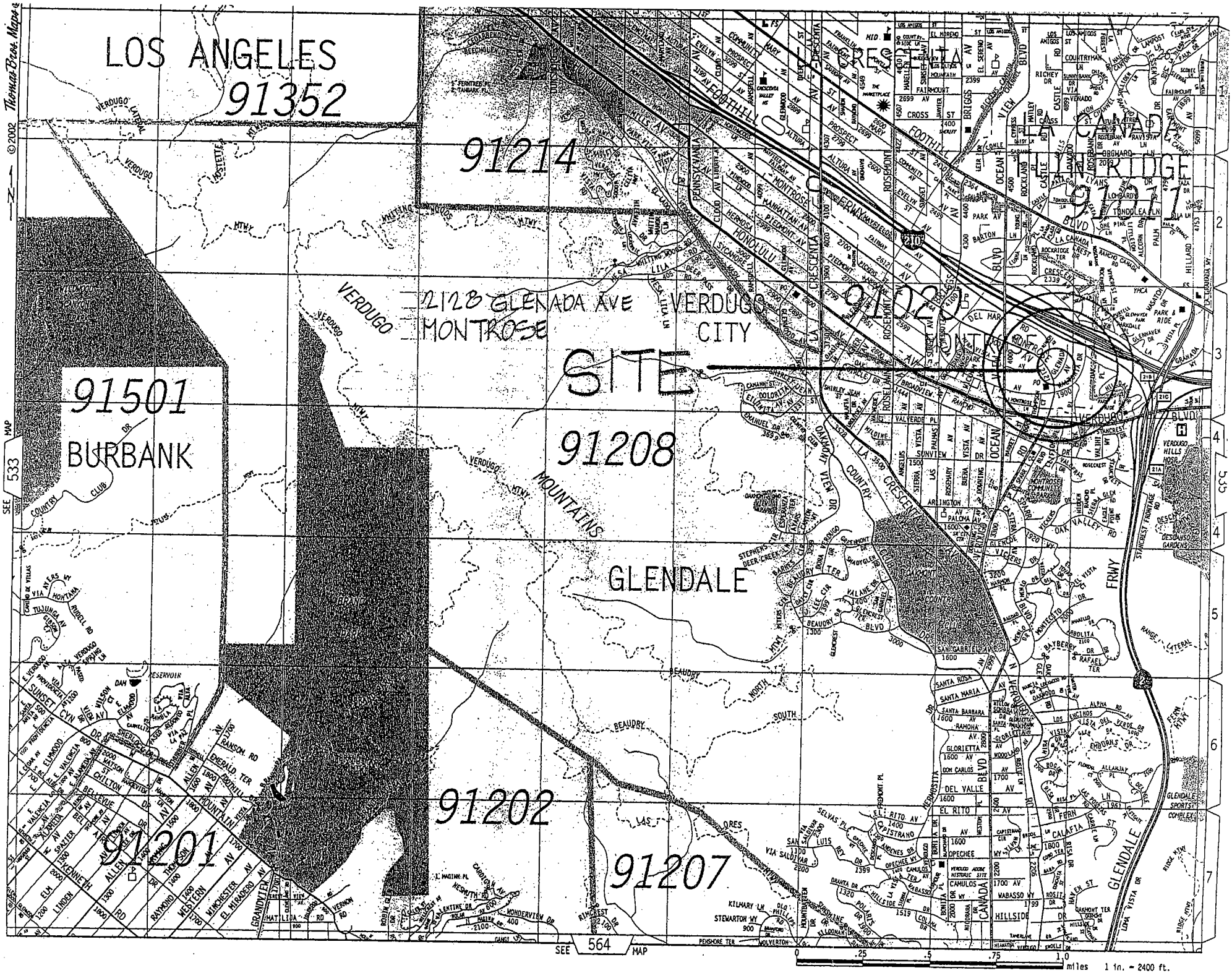
PROJECT DESCRIPTION
The project proposal is for a group home to be phased in for a maximum of 14 children on a 7.96-acre site. A six-child group home is currently located on the site, which is developed with a main house, a guest house and other ancillary buildings. Phase I of the project proposal is to expand the group home to 12 children without new construction. Phase II of the project proposal is to expand the group home to 14 children with minor construction to existing structures.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code, conditional use permit burden of proof requirements.
- Satisfaction of Section 22.44.133 of Title 22 of the Los Angeles County Code, Santa Monica Mountains North Area CSD requirements.
- Satisfaction of Section 22.24.110 of Title 22 of the Los Angeles County Code, Development Standards, A-1 (Light Agriculture) zone.
- Consistency with the Santa Monica Mountains North Area Plan.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor



© 2002 Thomas Bros. Maps

Attachment C

Public Comments

Planning Commission
Project Overview

Agenda Item No. 8
November 5, 2008

Visions Group Home
900 Latigo Canyon

Project No. R2007-01282-(3)
CUP No. 200700104-(3)
Env. Assessment Case No. 200700087-(3)

Project Applicant
Visions Treatment Center, LLC

RECEIVED
NOV - 5 2008

Prepared by:

Moss & Associates, Inc.
613 Wilshire Blvd., Suite 105
Santa Monica, CA 90401
Tel (310) 395-3481

Project Overview

- The only reason this project is before the Commission is due to an appeal by one Appellant of the decision of the Hearing Officer.
- This Overview *parallels the Staff Report* and is *consistent with the hearing packages*.
- Visions Treatment Center is an existing private six-bed Group Home operating "by-right *for several years* under State Law" in a quiet residential setting, zoned A-1, on an 8-acre parcel.
- The Group Home is state licensed and provides the environment and counseling needed by 13-17 year old children to transition back to their own homes – *children had a history* of drug and/or alcohol substance abuse/dependency that predates their stay in the Group Home.
- Participants are supervised 24-hours per day; there is a ratio at all times of one professional staff member to three participants in addition to other onsite / visiting professionals. Participants are not allowed to wander unsupervised.
- There is 24-hour supervision and no unscheduled visitors are allowed.
- The children in residence are not permitted to drive.
- Visions proposes to expand from 6 to 12 children using the existing five-bedroom "Main House" and using one of the two bedrooms in an existing two-bedroom guesthouse ("Ancillary Building I"). No construction is proposed to expand the existing use from 6 to 12 children.
- A future phase of two additional children involves construction of a freestanding, two-story guesthouse ("Ancillary Building II") in a compact building footprint in an already disturbed/graded area.
- The CUP conditions enable the Commission to hold the project accountable for specific development standards shown on the plans and the operational discussions.
- Site Plan (Attachment I): The existing five-bedroom "Main House" and existing two-bedroom guesthouse ("Ancillary Building I") can accommodate the expansion from 6 to 12 children with *no construction proposed*. A future phase of two additional children involves construction of a freestanding, two-story guesthouse ("Ancillary Building II").
- *Community Outreach* (Attachment II): A Project Fact Sheet was mailed to all radius owners of record to insure adequate time to analyze the use, and comment.
- Radius Map (Attachment III): Summarizes the location of neighbors in support and in opposition. *Eleven of the 14 opposition neighbors take access from Kanan Dune and have no contact or relationship to the Group Home*.

CUP / CEQA Approval and Conditions

- Staff *recommends that the Planning Commission uphold the Hearing Officer's CUP approval*
- Staff determined that a Categorical Exemption, Class 1 (existing facilities), is the appropriate CEQA Determination.
- Visions agrees with all conditions of approval – and appreciates the conditions that Staff and the Hearing Officer added to mitigate neighbor concerns stated in the opposition letters.

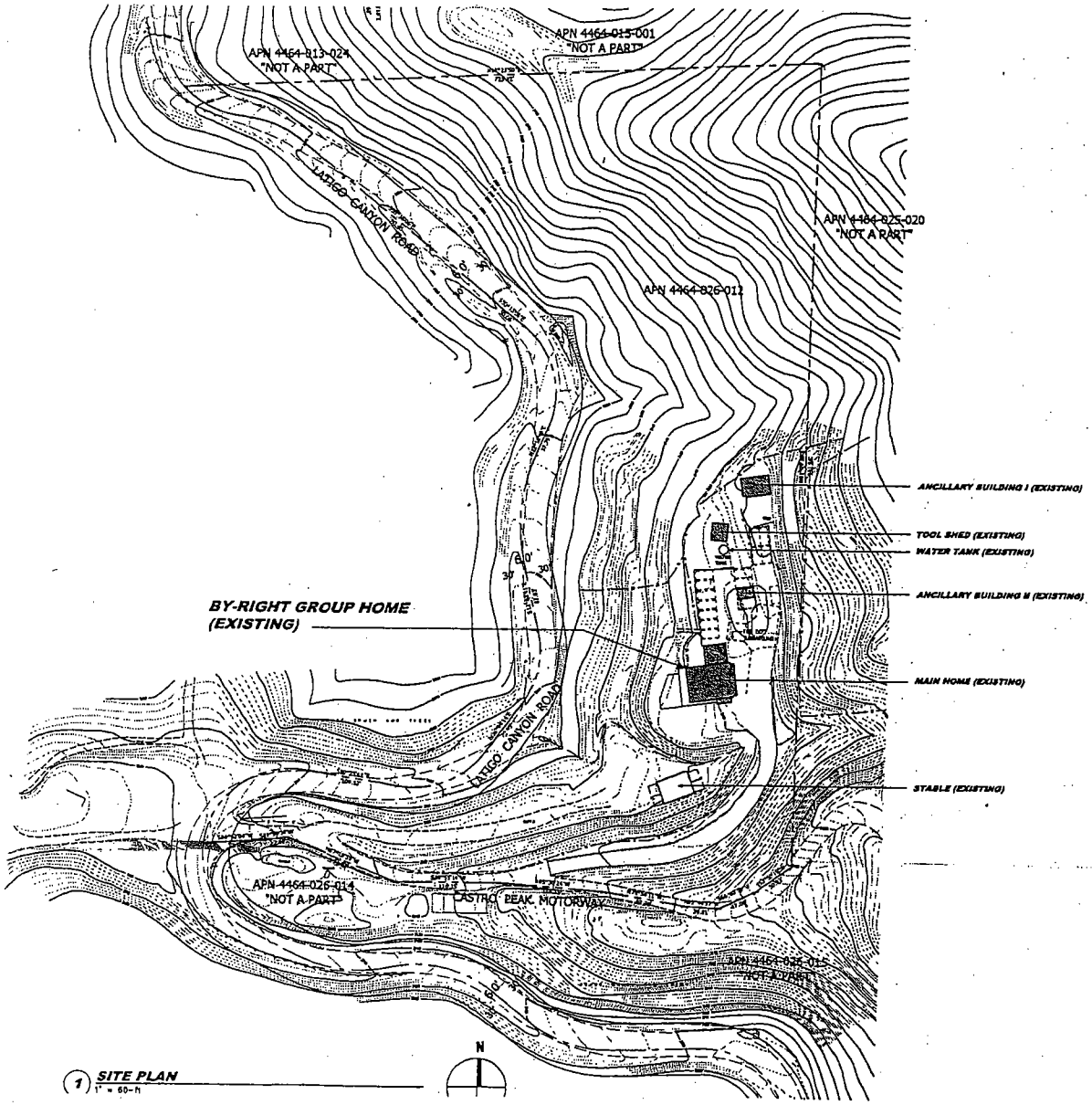
Letters of Support

- Since the approval of the CUP by the Hearing Officer on Sept. 2nd, Staff has *received five additional letters of support* and one realtor letter refuting the Appellant's claims of his property devaluation as a direct result of proximity to the expansion of the existing Group Home

Attachment I

Site Plan

- Existing five-bedroom Main House
- The Main House has five bedrooms and an attached 500 sq ft garage. A 1983 building permit was *finaled* by DPW-BS in 1986. There are no building permit records which state the number of bedrooms. DRP Plot Plan No. 38555 approved a maximum house size of 3,500 sq ft and a 550 sq ft garage (see DRP CUP Staff Report); the County Assessor lists the house as 3,244 sq ft without the garage, and 2007 as-built plans show the house as 3,280 sq ft and a 500 sq ft garage. *All records appear consistently to show the house size is compliant with the approved DRP Plot Plan*.
- Existing two-bedroom "modular" guesthouse (Ancillary Building I) has a building permit on file at the County.
- Proposed construction of freestanding, 1,900 sq ft two-story guesthouse (Ancillary Building II)



1 SITE PLAN
1" = 60-ft

Project Description:

PROPOSED PROJECT/CUP ENTITLEMENT REQUESTED: WISDOM'S ADOLESCENT TREATMENT PROGRAM ("WISDOM'S") REQUESTS A CUP (LACC 22.24.070) TO ENTITLE AND OPERATE A GROUP HOME TO BE PHASED FOR A MAXIMUM OF 14 CHILDREN ON AN 8.0-AC SITE PRESENTLY OWNED AND MANAGED BY WISDOM'S FOR A SIX-CHILD GROUP HOME PERMITTED BY-RIGHT IN THE A-1-10 ZONE UNDER STATE LAW (TITLE 22, DIV. 6, CHAPTER 5 – GROUP HOMES; STATE LICENSE).

A. EXPANSION TO 12 CHILDREN: NO CONSTRUCTION IS PROPOSED TO EXPAND THE EXISTING USE FROM SIX TO 12 CHILDREN. THE CHILDREN WILL OCCUPY THE EXISTING FIVE-BEDROOM SINGLE-FAMILY RESIDENCE ("MAIN HOUSE") IN WHICH THE EXISTING SIX CHILDREN RESIDE, AND ONE OF THE TWO EXISTING BEDROOMS IN ANCILLARY BUILDING NO. I, WHICH IS AN EXISTING TWO-BEDROOM, ONE-BATH GUEST HOUSE. WISDOM'S WILL CONTINUE TO USE A PORTION OF ANCILLARY BUILDING NO. I FOR A CLASSROOM AND RECREATION ROOM, AND WILL CONTINUE TO UTILIZE ALL OF ANCILLARY BUILDING NO. II AS AN ADMINISTRATIVE OFFICE.

B. EXPANSION TO 14 CHILDREN: MINOR CONSTRUCTION IS PROPOSED TO EXPAND THE USE TO 14 CHILDREN. THE CONSTRUCTION IS LIMITED TO: EXPANSION OF ANCILLARY BUILDING NO. II TO INCLUDE A LARGER OFFICE AND RELOCATED RECREATION ROOM. THE CONSTRUCTION WILL FREE UP THE USE OF BOTH EXISTING BEDROOMS IN THE EXISTING ANCILLARY BUILDING NO. I. THIS CONSTRUCTION WILL BE DELAYED UNTIL SOME POINT IN THE FUTURE AFTER THE EXPANSION OF THE GROUP HOME TO 12 CHILDREN, WHICH WILL VEST THE REQUESTED CUP.

C. APPROXIMATELY 2.4 ACRES (30%) IS DEVELOPED WITH STRUCTURES, LANDSCAPE, PAVING (INCLUDING LATIGO CANYON) AND PARKING. THE REMAINING 5.6 ACRES (70%) IS LANDSCAPE/OPEN SPACE AND THERE WILL BE MINOR CONSTRUCTION TO EXPAND THE ANCILLARY BUILDING NO. II FROM A 170 SQ FT- TO A 475 SQ FT- FOOTPRINT (FOR A 950 SQ FT TWO-STORY BUILDING).

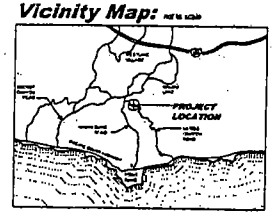
D. THE 8.0-AC SITE IS ZONED A-1-10 AND IS LOCATED IN THE SANTA MONICA MOUNTAINS IN THE UNINCORPORATED AREA OF MALIBU, AND IS NOT IN THE CALIFORNIA COASTAL ZONE.

Legal Description:

APN: 4464-026-012

LOT COM AT N 1/4 COR OF SEC 16 T 1S R 18W TH S 631.2 FT TH S 53°50'18" W 50.93 FT TH S 66°04'59" W 47 FT TH N 85°44'57" W 38.01 FT TH N 79°58'11" W ... SEE MAP BOOK FOR MISSING PORTION ... SEC 16 T 1S R 18W

Vicinity Map:



Garai-Terramorse Associates

Architecture
Space Planning
Interiors

2656 29th Street Suite 204
Santa Monica, CA 90405
tel: 310-664-6488 fax: 310-664-6491

All ideas, arrangements, designs, details and plans contained in this document, as the property of the architects, shall remain the property of the architects. No copies shall be made or used without the written consent of the architects. Copyright © 2007 Garai-Terramorse Associates.

Applicant:
Wisdom Treatment Center, LLC
33325 West Mulholland Highway
Malibu, CA 90265

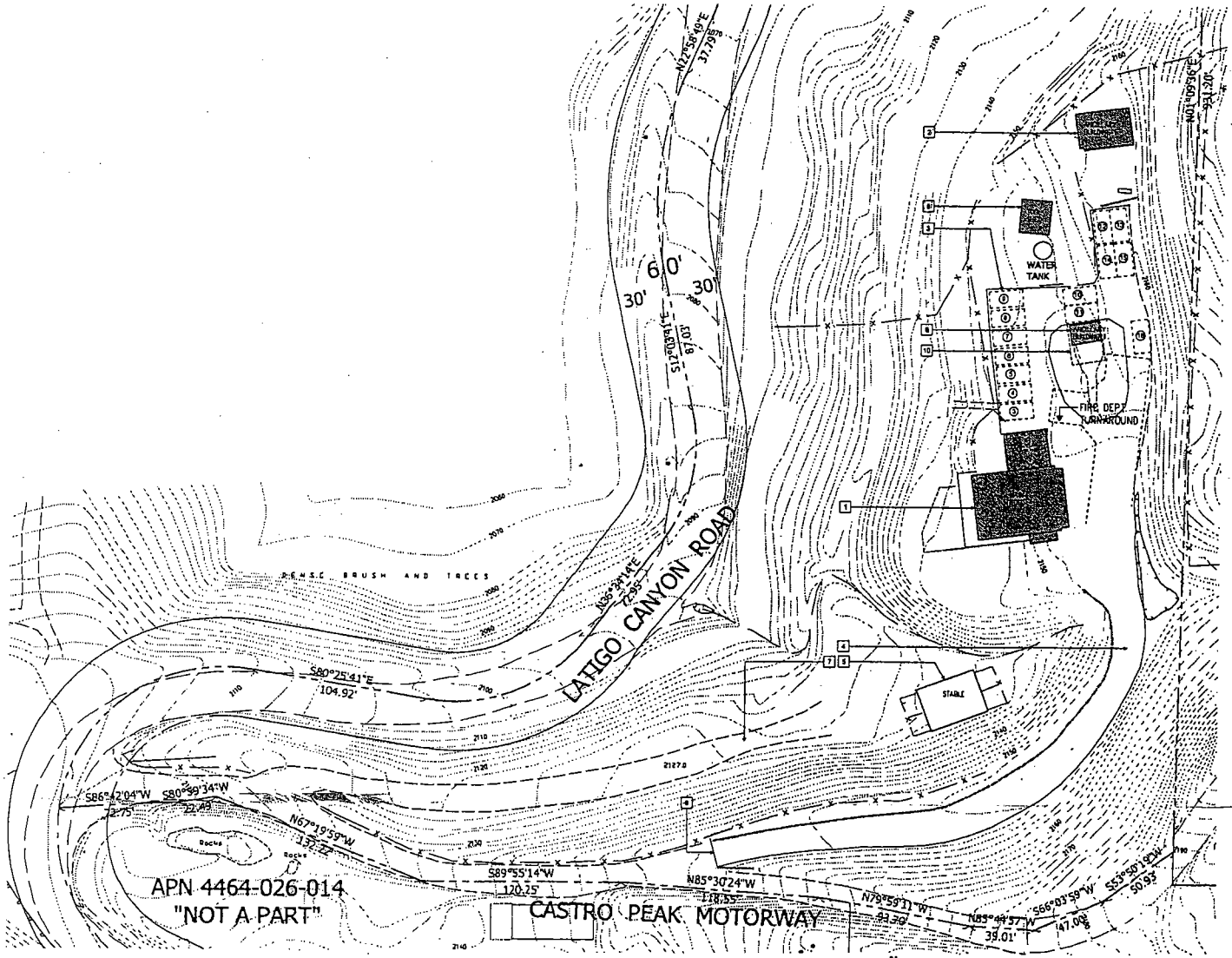
Entitlement Consultant:
Blaes & Associates, Inc.
613 Wilshire Blvd., Suite 108
Santa Monica, CA 90401
tel: 310-395-3481
fax: 310-395-8181

Issuances & Revisions:
1st ISSUE 5-1-2007

CUP:
900 Latigo Canyon Malibu, CA 90265

A.P.N: 4464-026-012

Area Plan
Project Description



1 **SITE PLAN**
1" = 30-ft

Keynotes:

1. EXISTING GROUP HOME MAIN HOUSE: 3-STORY WOOD FRAME CONSTRUCTION
2. EXISTING GROUP HOME ANCILLARY BUILDING #: 1-STORY WOOD FRAME CONSTRUCTION
   -FUTURE/PROPOSED 4 CHILD GROUP HOME, PROPOSED PHASED USE FROM INITIAL 2 CHILDREN TO 4 CHILDREN
3. ON-SITE PARKING: 9'X18' STALL SIZE AS SHOWN
   18 SPACES TOTAL, INCLUDING 2 IN GARAGE OF MAIN BUILDING
4. EXISTING GRAVEL DRIVEWAY
5. EXISTING STABLE (OPEN ON 4 SIDES, NO ENCLOSING WALLS)
6. EXISTING ANCILLARY BUILDING #: 1-STORY WOOD FRAME CONSTRUCTION
   -OFFICE/ RECREATION ROOM USE
7. EXISTING DIRT ROAD ACCESS TO STABLE
8. EXISTING MOTORIZED ACCESS GATE
9. EXISTING STORAGE SHED
10. APPROX. LOCATION OF PROPOSED/FUTURE 950sf 2-STORY OFFICE / ANCILLARY BUILDING # W/ POSSIBLE GARAGE COMPONENT; EXISTING ANCILLARY BUILDING # TO BE DEVELOPED. EXACT LOCATION & FOOTPRINT TO BE DETERMINED BASED ON ADDITIONAL IN-SITE INFORMATION FOR GEOLOGY/SOILS & VEGETATION

Garal-Terramorse Associates

Architecture
Space Planning
Interiors

2656 29th Street Suite 204
Santa Monica, CA 90405
tel: 310-584-8488 fax: 310-584-8491

© These drawings and specifications are and shall remain the property of the architect, and no portion of them may be used or disclosed without the written consent of the architect. The drawings and specifications are instruments of service for use solely with respect to this project. The architect shall retain all common law, statutory and other reserved rights, including the copyright thereto, and shall be deemed the author of the drawings and specifications for purposes of copyright protection.

Applicant:
Visions Treatment Center, LLC
33335 West Mulholland Highway
Malibu, CA 90265

Entitlement Consultant:
Moss & Associates, Inc.
913 Wilshire Blvd, Suite 105
Santa Monica, CA 90401
tel: 310-395-3481
fax: 310-395-9181

Issuance & Revisions:
1st ISSUE 5-1-2007

CUP:
900 Latigo Canyon Malibu, CA 90265

A.P.N: 4464-026-012

Site Plan
1" = 30-ft.

A-102

Attachment II

Community Outreach Fact Sheet

- A Project Fact Sheet was mailed to all radius owners of record to insure adequate knowledge to analyze the use, and provide comments to County Staff or to the Applicant.

VISIONS ADOLESCENT TREATMENT CENTER
900 LATIGO CANYON, MALIBU, CA 90265

PROJECT FACT SHEET - COUNTY CUP HEARING – SEPTEMBER 2, 2008

This FACT SHEET addresses questions of interest to area homeowners and County Staff

Who is Visions and what is the proposed project?

- Visions has been operating a private six-bed Group Home "by-right under State law" in a quiet residential setting on an 8-acre parcel *for several years*.
- The Group Home is state licensed and provides the environment and counseling needed by 13-17 year old children to transition back to their own homes – *children had a history* of drug and/or alcohol substance abuse/dependency that predates their stay in the Group Home.
- Visions proposes to expand from 6 to 12 children using the existing five-bedroom "Main House" and using one of the two bedrooms in an existing two-bedroom guesthouse ("Ancillary Building I"). No construction is proposed to expand the existing use from 6 to 12 children.
- A future phase of two additional children involves construction of a freestanding, two-story guesthouse ("Ancillary Building II") in a compact building footprint in an already disturbed/graded area.

Tell us About the County CUP Request

- The existing six-child Group Home is exempt from County Planning approval.
- The expansion to a maximum of 14 Children requires a County Conditional Use Permit ("CUP"). If approved, the CUP will include conditions that are not in place today with the "by-right" operation for six children.

Tell us about the Visions Staff and Program?

- The children tend to come from local areas - Malibu, Pacific Palisades, Brentwood, Bel Air, Santa Monica, and Beverly Hills.
- Professional staff includes a psychiatrist, internist, therapist, chemical dependency counselors, social workers, recreation therapists, nurses, and ancillary staff - trained and certified as specialists in post-detox counseling.
- The post-detox program is highly structured to foster living without substance abuse – failure to abide by program rules results in immediate removal from the program.
- Participants are supervised 24-hours per day; there is a ratio at all times of one professional staff member to three participants in addition to other onsite / visiting professionals. Participants are not allowed to wander unsupervised.
- There is 24-hour supervision and no unscheduled visitors are allowed.
- The children in residence are not allowed to drive.

Are there any impacts in increasing to 14 participants?

- The Main House and Ancillary Building No. I can accommodate 12 children *and* comply with State licensing, fire department regulations, and building codes.
- The gated/fenced and landscaped 8- acre site is buffered from adjacent properties by topography and sizable parcel sizes.
- Visions has operated for several years on this parcel - there have never been problems with running away, loitering, or disturbance to neighbors. The children can only go offsite under the *direct supervision and transport* of Visions staff.
- The driveway is gated and there are abundant on-site parking spaces - *sufficient to accommodate staff and visiting family without parking offsite*.
- There is extensive landscaping and fencing that will remain in place.

Who do I call for more information or help?

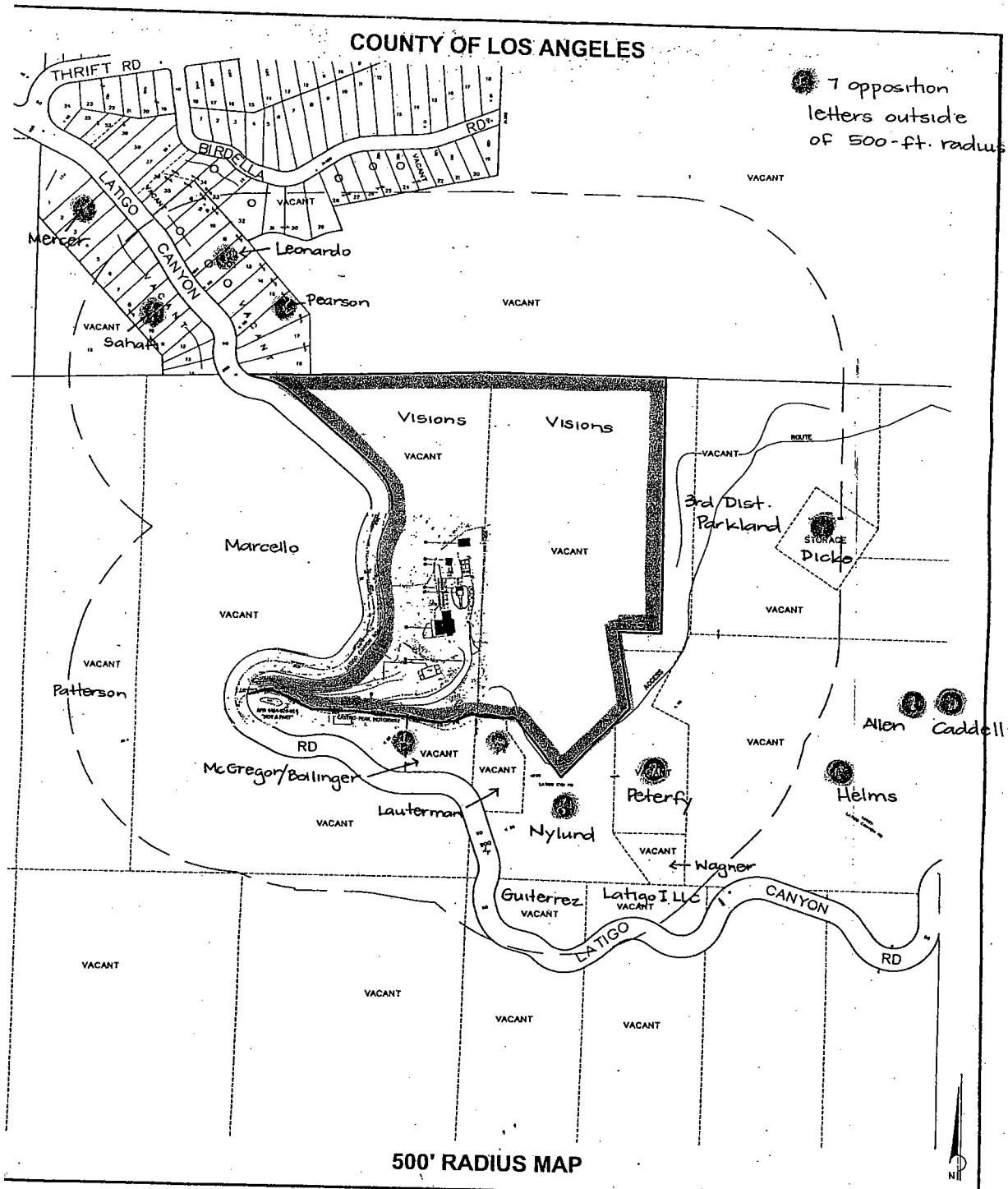
- Please call John Lieberman, Executive Director of Visions - (818) 889-3665 or David E. Moss, Environmental / Permitting Consultant – (310) 395-3481.

Visions is committed to helping local youth and being a good neighbor in Malibu. Thank for allowing us to work closely with you. A public meeting or site tour can be held at your request.

Attachment III

Radius Map – Record of Support/Opposition

- County staff has received five neighbor letters of support from neighbors inside 1,000 ft radius.
- County Staff has received a letter from a licensed realtor refuting allegations by the Appellant of devaluation of the Appellant's adjacent undeveloped parcel.
- There are 14 neighboring owners that opposed the project *prior to the Hearing Officer hearing – no additional letters have bee provided to Staff.* Staff and the Officer placed conditions that mitigate all concerns stated in those letters.
- Most of the eleven neighbors in opposition are either as much as a mile from the Visions property and all of them take access to their property from Kanan Dune Rd. – and have no direct or indirect contact with the Visions Group Home.



GC MAPPING SERVICE
711 MISSION STREET, SUITE D
SOUTH PASADENA, CA. 91030
(626) 441-1080

LEGEND
O SINGLE FAMILY RESIDENCE
⊙ NUMBER OF UNITS
ALL OTHER USES AS SHOWN

CASE NO.
DATE: 05-01-2007
SCALE: 1" = 100'
LAND USE MAP

● Support
● Oppose

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

October 1, 2008

Mi Kim
Planner,
Department of Regional Planning
320 W. Temple St., 13th Floor
Los Angeles, CA 90012

Mi Kim:

Pursuant to Chris Shumow's request, I detailed a member of my staff to conduct a diligent and thorough review of all station response records for the "Visions Treatment Center", located at 900 Latigo Canyon, Malibu, California, for the period of, January 1, 2005, through October 1, 2008. This review revealed, that for the above-stated time period, Malibu/Lost Hills Sheriff's Station has had nine (9) calls for service to this address.

If we can be of any further assistance, please do not hesitate to call Operations Sergeant Jeff Price at: (818) 878-5504.

Sincerely,

LEROY D. BACA, SHERIFF

Thomas G. Martin

Thomas G. Martin, Captain
Malibu/Lost Hills Station

OCT - 6 2008

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

November 4, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Mi Kim
Principal Regional Planning Assistant
Zoning Permits I Section

SUBJECT: NOVEMBER 5, 2008 AGENDA ITEM NO. 8
PROJECT NUMBER R2007-01282-(3)
CONDITIONAL USE PERMIT NO. RCUP 200700104-(3)

Attached are one letter of support and additional information submitted by the applicant.

If you need further information, please call Ms. Mi Kim at (213) 974-6443, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Attachments

SENT VIA EMAIL

RECEIVED
NOV - 3 2008

8/27/08

Attn: Chris Shumow

Dear Chris,

I am sending this email to you in follow-up to our conversation last night per your request. Some of the highlights of our conversation are summarized below.

The purpose of our call was to continue discussions on how we might resolve our differences with respect to your CUP application and create a "win/win" scenario for everyone. The thrust of our discussion was my advocation for you to step back for a moment and look at the entire picture over a slightly longer timeline than the immediate moment. Perhaps a one to two year window should suffice for the purpose of illustrating a possible solution.

I understand that you wear two hats. One as a partner in VTC Malibu Properties and one as the owner of Visionteens. The net benefits to you of the solution we are proposing looks to you as a total entity, though if you are wearing only the VTC Malibu Properties hat, it may not look as appealing as it does to Visionteens alone. So, again, I urge you to look at it from the perspective of your total interests.

We also discussed the necessity of postponing the CUP Hearing date so that we can have time to work things out. We expressed our opinion that the current Hearing date is not in your best interest at this point.

Among other things, we spoke about how you could bring water to your two properties as well as Wyant's property and mine at nominal expense when contrasted the increase in property value to each property as a result of having a source of public water to each property. My estimation is that it would probably increase the property valuation by $75,000 to $100,000 for each parcel and it would contribute to the fire safety of the area by assuring a more predictable water source for the firefighters, not to mention the benefits your facility would enjoy by having access to public water.

We discussed widening the existing road in lieu of a "hammerhead" turn that you will need to have so that fire trucks can turn around in the area. Again, the

increase in property valuation will more than offset any additional cost. The cost differential between a hammerhead turn and widening the road will probably be just a few thousand dollars ... and the increase in property valuations would apply to *each* of the four lots.

In a previous conversation, I had expressed my view that it appeared impossible for us both to flourish as neighbors given our diametrically opposed interests. From my perspective, I just want to be in the same position I am now, owning a similar view lot in Malibu - just not next door to a drug/alcohol rehab center with 14 residents and attending staff and the concomitant problems. It is just not my view of a dream retirement property. To that end I have many, concerns, objections, etc. regarding the proposed expansion which I need to express at the Hearing if need be.

So, from my perspective, I just want to make a lateral move to another similar view lot in Malibu. For me to do that, I would need to sell the land, pay a 10% commission, probably pay capital gains tax on the sale (as I indicated I haven't spoken with my accountant yet regarding this), and purchase another property in Malibu, inflated by a 10% land commission built into the price. There are undoubtedly other fees and costs I have not accounted for here. But, for our purposes today, I just want to effect a lateral transfer. I would imagine we can improve that scenario somewhat by not involving a realtor in at least one of the transactions and reduce or eliminate commission costs.

The reasons it appears to me that it would make sense from your perspective are:

- Purchasing the land is, in actuality, just a temporary holding - if you want it to be. It is really just a conversion of assets rather than a true cost to you. It is a transfer of liquid assets to real assets which can then be changed back to liquid assets at a time of your choosing. You are not paying for something and not receiving approximately equal value in return. Essentially cash would be changed into real estate at approximately fair market value which could then be changed back it to cash, probably at a profit, after the CUP process is completed.

- You would increase the value of the property immediately by about $75,000 to $100,000 by bringing public water to the property road and an additional amount occasioned by the widening of the existing road...and that is to *each* parcel that you own.

- It is a unique piece of property. It is flat, buildable and with magnificent 270% views of the ocean, mountains and Conejo Valley.

- It is not within the jurisdiction of the Coastal Commission.

- If you chose not to develop it, it would preserve your views in that direction from your current facility that you had expressed concern for at our initial meeting.

- You would have a property that previously has "perked" for a 10 bedroom home should you need its septic drainage capabilities.

- The property would not have interests adverse to yours at the time of the Hearing if you owned it.

- You may use the land for a park, lookout, etc. for Visionteens or the community.

This total approach as outlined would seem to offer the best chances for the smoothest path for your business to take as it would remove the maximum number of risks and uncertainties and provide the earliest increase in your income flow. I think if you do the math, using your particular set of numbers, and a two year timeline, you will see that this proposed scenario makes the most sense of the choices before us.

Wyant and I look forward to speaking with you later today and anticipate forward progress in our discussions.

Sincerely,

Jim

Ms. Mi Kim
Los Angeles County Regional Planning
320 W. Temple Street
Los Angeles, Ca. 90012

October 29, 2008

RE: R2007-01282-(3) / Conditional Use Permit No. 200700104

Dear Ms. Kim:

I am writing to weigh in on the proposed C.U.P. for Visions Treatment Center,LLC located at 900 Latigo Canyon Road, Malibu, CA. I'm in the process of developing a residence for my family at 1050 Latigo Canyon Road in close proximity to Visions. I have owned this property for approximately eight years and will be constructing a single family residence on our 6+ acre parcel.

I have spoken to my neighbors who currently reside in the area and the feedback has been only positive with respect to the degree of sensitivity Visions has shown to its neighbors in all respects. I have also spoken to Chris Shumow at length and feel confident that we can coexist with a group home such as Visions and maintain a healthy environment.

Additionally let me state that I have two children, ages 9& 10, and have only respect for the generous work Mr. Shumow does and the significant contribution group homes make.

Sincerely,

Judson Allen
6424 Sycamore Meadows Dr.
Malibu, CA 90265

RECEIVED
NOV - 3 2008

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

October 29, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Mi Kim
Principal Regional Planning Assistant
Zoning Permits I Section

SUBJECT: NOVEMBER 5, 2008 AGENDA ITEM NO. 8
PROJECT NUMBER R2007-01282-(3)
CONDITIONAL USE PERMIT NO. RCUP 200700104-(3)

Attached are two letters submitted by the applicant and three additional letters of support.

If you need further information, please call Ms. Mi Kim at (213) 974-6443, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Attachments

MOSS & ASSOCIATES, Inc.

Permitting / Environmental Compliance / Development Consultation
613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via US Mail / Email

October 27, 2008

Members of the Planning Commission
C/o Ms. Mi Kim, Assoc. Planner
Los Angeles County Regional Planning
320 W. Temple Street 13th Fl.
Los Angeles, CA 90012

Re: Appeal of CUP Case No. 2007-01282-(3) – 900 Latigo Canyon – Adolescent Group Home
Request for Denial of 11/5/08 Hearing Continuance Requested by Non Applicant Appellant

Dear Mi:

Moss & Associates, Inc. ("DMA") represents Visions Treatment Center, LLC – the applicant for the proposed expansion of the *existing* six-person by-right Group Home for adolescents. Visions has requested that DMA formally reiterate strong opposition to the email request of the Appellant - Mr. Wyant Lauterman - for a continuance of the hearing. We believe that the Appellant's reasons for requesting a continuance lack merit and are solely for the purpose of further delaying County due process as follows:

- The Appellant immediately submitted its appeal two days after the Hearing Officer hearing on September 2, 2008 and has had two months to prepare – including the hiring of counsel.
- Additionally, the Appellant has not presented any new material in his appeal since September 4, 2008. Instead, the Appellant's entire body of argument refers to the list of deliverables previously introduced at the Hearing Officer hearing.
- DMA further offers the following to assist the Commission in making its determination:

Comment by the Appellant: *"I was advised by the Planning Commission Secretary, Rosie Ruiz that based on the current schedule, this hearing would happen no earlier than mid-December.....Based on this information, I planned accordingly".*

Response: "Ms. Ruiz would not have committed staff or the Commission to a particular hearing schedule nor would she have advised an appellant that a continuance would be granted if a hearing date was found to be unacceptable to the appellant. The Appellant's alleged understanding with Ms. Ruiz is non-binding".

Comment by the Appellant: *"The neighbors that have previously submitted letters, as well as others, need to have more time to plan to be at the hearing. Also, my flight schedule for November will conflict with the 11/5/08 hearing".*

Response: Arguably two months is sufficient time for neighbors who have previously written letters, to either again write letters *or* attend the Commission hearing – particularly as there are no changes to the applicant's project and additional conditions were imparted by the Hearing Officer that mitigate the neighbor's concerns.

Response: All of the neighbors who wrote letters were provided with copies of the Determination - inclusive of the new conditions of approval. To date, none have sent additional letters.

Comment by the Appellant: *"Due to circumstances beyond our control, the attorney **we** (emphasis added) had originally thought would be able to handle **our** (emphasis added) appeal may not be able to take the case".*

Response: The Appellant has had more than two months to retain appropriate representation, especially considering he is responsible for filing the appeal and knew for months that a hearing would be scheduled and heard within a reasonable time frame. Two months to prepare and engage counsel is more than enough time.

Response: Mr. Lauterman is acting alone as the Appellant in this matter. He continues to allege that he speaks for other persons without presenting any proof of such relationship.

Visions requests that the Commission deny the request for a continuance and that the hearing be held as scheduled.

Sincerely,

Teresa Aldave, Planner

David E. Moss, President

COLDWELL BANKER PREVIEWS International

1

October 20, 2008

Ms. Mi Kim, Planner

Los Angeles County Regional Planning

320 W. Temple St, 13th Fl.

Los Angeles, CA 90012

Re: 900 Latigo Canyon Rd - CUP Case No. RCUP 200700104-(3)

Response to Comments (no date) or Coldwell Banker Brokers

Dear Ms. Kim:

I am Scotty Brown, a licensed real estate broker who has specialized in property transactions exclusively in the City of Malibu and unincorporated County areas of Malibu for five years and in the greater County area since 1980. I have reviewed the letters submitted by Bill Moss and Rene Carion of Coldwell Banker (collectively, "Lauterman Brokers") and have been asked by Visions to respond directly to County staff – I am pleased to do so.

Comments of Lauterman Brokers and Responses
The Lauterman Brokers make comments they allege have relationship to the Visions Group Home (incorrectly called a "rehabilitation center"). These qualitative statements are neither factual nor supported with site- or area-specific data. Further, the statements allegedly pertain to other "rehabilitation centers" in the Malibu area and I know of no specific evidence that supports their allegations.

The Lauterman Brokers state one unsubstantiated general conclusion in regards to Group Homes that is then applied to the property owned by the appellant adjacent to Visions (Comment No. 1 below).

Comment No. 1: "As you requested, I have determined the devaluation of your property due to the rehabilitation center operating next door" "I would estimate the devaluation of any homes that are adjacent to these rehabilitation homes approximately 20% or $200,000 to $400,000 in most Malibu neighborhoods and higher if there is more than one of these facilities.

Response: Both the Bollinger and Lauterman lots ("Opponent's Lots") are

23676 Malibu Road - Malibu, CA 90265
310 456 3638 - Fax 310 456 5872

Coldwell Banker Residential Brokerage. Owned and Operated by NRT Incorporated.

undeveloped substandard lots in terms of size, access and topography – they are many acres smaller than and inferior to the two parcels owned by Visions and other surrounding owners. Any development they propose is speculative as to value in that neither has designed a home, proven the geology, soils, or access, or obtained any permits.

Response: A devaluation of any property in close proximity to a Group Home is baseless in Malibu. The devaluation of $200 to $400K would place the value of the Opponent's Lots at one to two million dollars. The Lauterman lot was purchased in 2006 and is now assessed at $32,252 (Office of the County Assessor).

Response: Homes near the Promises Treatment Center have seen >100% increases in value over the past five years and the following are two examples out of many in public records (Table 1).

Table 1 – Home Sales Near Promises Treatment Centers
ADDRESS SALES HISTORY % CHANGE
20851 Big Rock Dr. 2/11/03 5/7/07 +109%
(4.25 yr.)

Price $1,795,000 $3,750,000
20773 Big Rock Dr. 5/23/02 11/14/07 +118%
(4.25 yr.)

Price $1,100,000 $2,395,000

Response: Homes located near the two existing Visions Groups Homes (Visions/Mulholland and Visions/Latigo Canyon) have continued to realize a significant increase in property values (Table 2).

Table 2 – Home Sales Near Visions Treatment Centers
ADDRESS SALES HISTORY % CHANGE
33204 Mulholland Hwy. 10/12/06 4/11/95 +107%
(11 yr.)

$1,880,000 $910,000
33235 Mulholland Hwy. 9/1/04 4/22/04 +30%
(4 mos.)

$2,200,000 $1,698,500
33239 Mulholland Hwy. 7/10/07 4/2/04 +82%
(3 yr.)

$2,000,000 $1,100,000
31341 Birdella Rd. 6/2/06 4/23/98 +348%
(8 yr.)

$1,412,000 $406,000
31425 Birdella Rd 5/16/08 4/27/01 +104%
(7 yr.)

$1,040,000 $510,000

Comment No. 2: There are numerous daily delivery trucks and frequent visitors.

Response: Many properties in Malibu contain large homes; have numerous daily delivery trucks and frequent visitors. Adjacent owners are accustomed to frequent and large parties and daily living that is far more intense than what has occurred and will occur at Visions Latigo – which has very strict visitation rules, and where the non-staff occupants are not allowed to drive or leave the property unescorted.

Comment No. 3: There is unwillingness of buyers to purchase land next to a Group Home and decreased property value of properties adjacent to Group Homes in the Trancas and Big Rock areas.

Response: My experiences are that (i) facilities like Visions are often more conscientious to the neighborhood and community than large single family residential complexes found throughout Malibu; and (ii) most neighbors are unaware they live next to a Group Home that operates as a single-family residence in the ways that Visions does.

Consideration of Written Testimony in Lieu of Presentation to the Planning Commission.

Due to health issues, I am unable to attend a Planning Commission hearing. My responses stated above are based on actual experience in the Malibu area, and considerable direct knowledge and research of the real estate market in proximity to State-licensed facilities such as Visions. In summary, I conclude that

The opinions presented by the Opponent's Brokers are speculative and false. Adding more beds/children to the existing Visions facility would have no impact on the sales of land or homes in the Latigo Canyon area.
Please contact me if I can provide any additional information.

Sincerely,

Scotty Brown

950 Latigo Canyon Road
Malibu, CA 90265
October 24, 2008

Ms. Mi Kim
Los Angeles County Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

RE: Visions, LLC
R2007-01282-(3) / CONDITIONAL USE PERMIT NO. 200700104

Dear Ms. Kim,

After staying neutral in my last letter, I have since reconsidered my position on this matter.

Since the subject property is already used as a rehabilitation group home, having Visions operate under a Conditional Use Permit could only help, by giving the few neighbors in the area a measure of control over how the operation is run, should any problems ever arise.

I therefore recommend approval.

Very truly yours,

Jim C. Nylund

1210 Latigo Canyon Road
Malibu, CA 90265
October 20, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: R2007-01282-(3)
Conditional Use Permit No. 200700104

Dear Ms. Kim,

My family and I live at 1210 Latigo Canyon Road, which is approximately ¾ of a mile up Castro Peak Motorway past the Visions group home. During the time that Visions has operated its facility, I do not believe that there has been any negative impact upon the neighborhood.

This letter supports Visions' application for a conditional use permit for expansion of its facility.

Sincerely,

Kevin Caddell

GARY HELMS
1200 Latigo Canyon Road
Malibu, Ca. 90265
818-292 4486 Phone
805-494-0090 Fax
GandDHelms@gmail.com

October 26, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles Ca. 90012
Fax 213-626-0434

Re: R2007-02182-(3)
Conditional Use Permit No. 200700104
Applicant: Visions LLC

Ms. Mi Kim,

I would like to offer my recommendation to approve the conditional use permit application submitted by Visions LLC.

I have lived in the area for many years and pass directly by the Visions property daily. It has been my experience since Visions began operations at this address some years ago there have been no problems of any kind. The management has always made an effort not to impact the neighbors negatively. In my opinion Visions has been a better neighbor than the previous occupants of that property.

I believe that Visions provides a valuable service by helping young people become better citizens. I welcome them here in our community.

Sincerely,

Gary L. Helms

Kim, Mi

From: Wyant Lauterman [jetpilot379@hotmail.com]
Sent: Friday, October 17, 2008 2:27 PM
To: Kim, Mi
Cc: Ruiz, Rosie; Jim Bollinger
Subject: Request for Continuance of CUP Appeal Hearing

Dear Ms. Kim:

This letter is regarding the appeal hearing for CUP Case No. 200700104-(3), Project No. R2007-01282-(3) currently scheduled for November 5, 2008.

As per my phone conversation with you yesterday, October 16, at 2:45 PM, I would respectfully request that we/I be granted a continuance on this appeal hearing until after the first of the year.

When I first submitted the appeal in person on September 4th, I was advised by the Planning Commission Secretary, Rosie Ruiz, that based on the current schedule, this hearing would happen no earlier than mid December, but more than likely after the New Year. Based on this information, I planned accordingly.

The neighbors that have previously submitted letters, as well as others, need to have more time to plan to be at the hearing. Also..., my flight schedule for November will conflict with the 5th. Lastly; in order to represent our interests in the best possible way, we feel we will need the advice and/or representation of counsel. Due to circumstances beyond our control, the attorney we had originally thought would be able to handle our appeal may not be able to take the case, pending the outcome of other commitments which should be resolved in the near future. In the meantime, we need to start our search anew. We anticipate that this will take some time, along with more time to be allowed for review of our appeal by counsel, and ensuing discussions and appeal preparations. Given the upcoming holidays, we feel an appeal date in January, or later, should allow us sufficient time to prepare our appeal.

Yesterday, I spoke to Ms. Ruiz at 1:45 PM, regarding the procedures for requesting a continuance of the appeal. She told me that she or someone from Planning would get back to me shortly. Subsequently, you called me at 2:45 PM and advised me that you, and/or Ms. Ruiz had spoken to Planning Commission personnel and that you/they didn't see any problems with the granting of a continuance, and that I could simply make my request by e-mail to you, and not have to appear in person on the 5th of November. You also advised me that the Commission currently has openings on January 7, 14, and 21, 2009 for a hearing date. I would appreciate it if we could schedule the hearing for one of the two later dates; 14th or the 21st if possible.

You indicated that we should not send in any documentation or supporting evidence at this time, and that when we got closer to the rescheduled hearing date, you would contact me at that time to forward any supporting documentation to you for dissemination to the Commissioners.

If I am in error in my understanding of any of the above, please let me know as soon as possible; otherwise I'll wait to hear from you on what the rescheduled hearing date is.

Thank you very much for your assistance.

Sincerely,

Wyant Lauterman

-----Original Message-----
From: David E. Moss [mailto:mosstel@earthlink.net]
Sent: Monday, October 20, 2008 10:48 AM
To: Kim, Mi
Cc: Child, Mark; Sanabria, Jon
Subject: Re: Visions Group Home

Requests are, but granting for no reason is anything but routine. An appellant who has months to prepare is not usually the one to ask for continuance unless they are the applicant. My experience has been that a Commission rarely grants a continuance to a non-applicant appellant - unless there is something quite earth-shaking - a death, serious injury/sickness or significant new information. In this case there is none of that. Merely the attempt of an appellant who has had three months to prepare, was prepared to the point of filing the appeal within one day of the Determination issuance, and has not evidenced any new information aside from his personal schedule which is not relevant. I have always put my trust in the Commission and will continue to do so.

Kim, Mi wrote:
> As you also know, requests for continuances are routine.
>
>
> Thanks,
> Mi Kim
> Zoning Permits I
> Comline 263
> Room 1348
>
>
>
> -----Original Message-----
> From: David E. Moss [mailto:mosstel@earthlink.net]
> Sent: Monday, October 20, 2008 10:31 AM
> To: Kim, Mi
> Cc: Child, Mark; Sanabria, Jon
> Subject: Re: Visions Group Home
>
> Thank you for this clear clarification - as that has always been our
> experience as well. The applicant and its team intend to be present
> at the 11/5 to present the response to the appeal. Mr. Lauterman has
> thoroughly presented his concerns in writing this will be available to
> the PC in advance of the hearing. Any neighbors that intend to testify
> in opposition or support will do so regardless of Mr. Lauterman's
> allegation that he was misled by DRP staff as to a likely hearing date.
>
> Thank you again for timely and clear communication.
>
> Kim, Mi wrote:
>
>> David,
>> Let me make it clear that it is the Commission who will decide whether
>> or not to grant the request for continuance.
>>
>> Staff will forward the appellant's request for continuance and the

>> appellant's preferred dates (January 14 or 21) on November 5th to the
>> Commission.
>>
>> The only affirmative answer staff gave to Mr. Lauterman regarding the
>> request for continuance was that he can make the request in writing
>> instead of in person to the Commission.
>>
>> As you rightly note, it is not within staff's authority to grant the
>> request and this request has yet to be decided by the Commission.
>>
>>
>> Thanks,
>> Mi Kim
>> Zoning Permits I
>> Los Angeles County Department of Regional Planning
>> 320 West Temple Street
>> Los Angeles, CA 90012
>> Tel: (213) 974-6443
>> Fax: (213) 626-0434
>> email: mkim@planning.lacounty.gov
>>
>> -----Original Message-----
>> From: David E. Moss [mailto:mosstel@earthlink.net]
>> Sent: Monday, October 20, 2008 9:30 AM
>> To: Sanabria, Jon
>> Cc: Kim, Mi; Child, Mark
>> Subject: Visions Group Home
>>
>>
>> I am concerned with the implication that the DRP is considering a
>> continuance for an appellant that says three months is not enough time to
prepare for a PC hearing for a matter he appealed. The following is the
interchange I just had with Mi Kim by email. I believe a meeting is
warranted prior to any action by staff to continue this matter.
>>
David Moss Wrote: What right does he have to ask for a continuance. His
reasoning is flawed and duplicitous. There are many attorneys capable of
taking his case. We respectfully request that the hearing not be delayed. I
know of no grounds for an appellant to ask for a continuance - it shouldn't
matter what he alleges someone at DRP told him - Ms.Ruiz would not know nor
bind the DRP to any hearing schedule. I believe there is a serious breach of
due process here and we do not recognize any reason or authority for a
continuance. A meeting with county counsel is requested immediately prior to
any action by DRP to continue.
>>
Kim, Mi wrote: Teresa, David, Mr. Lauterman is requesting a continuance.
The likely hearing date is Jan 14 or Jan 21. Thanks, Mi Kim
>>
> ----------
>
>> *From:* Wyant Lauterman [mailto:jetpilot379@hotmail.com]
>> *Sent:* Friday, October 17, 2008 2:27 PM
>> *To:* Kim, Mi
>> *Cc:* Ruiz, Rosie; Jim Bollinger
>> *Subject:* Request for Continuance of CUP Appeal Hearing
>>
>> Dear Ms. Kim:
>>

>> This letter is regarding the appeal hearing for CUP Case No.
>> 200700104-(3), Project No. R2007-01282-(3) currently scheduled for
>> November 5, 2008.
>>
As per my phone conversation with you yesterday, October 16, at 2:45 PM, I would respectfully request that we/I be granted a continuance on this appeal hearing until after the first of the year.

When I first submitted the appeal in person on September 4th , I was advised by the Planning Commission Secretary, Rosie Ruiz, that based on the current schedule, this hearing would happen no earlier than mid December, but more than likely after the New Year. Based on this information, I planned accordingly.

The neighbors that have previously submitted letters, as well as others, need to have more time to plan to be at the hearing. Also..., my flight schedule for November will conflict with the 5th . Lastly; in order to represent our interests in the best possible way, we feel we will need the advice and/or representation of counsel. Due to circumstances beyond our control, the attorney we had originally thought would be able to handle our appeal may not be able to take the case, pending the outcome of other commitments which should be resolved in the near future. In the meantime, we need to start our search anew. We anticipate that this will take some time, along with more time to be allowed for review of our appeal by counsel, and ensuing discussions and appeal preparations. Given the upcoming holidays, we feel an appeal date in January, or later, should allow us sufficient time to prepare our appeal.

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You indicated that we should not send in any documentation or supporting evidence at this time, and that when we got closer to the rescheduled hearing date, you would contact me at that time to forward any supporting documentation to you for dissemination to the Commissioners.

If I am in error in my understanding of any of the above, please let me know as soon as possible; otherwise I'll wait to hear from you on what the rescheduled hearing date is.

Thank you very much for your assistance.
>>
>> Sincerely,
>>
>> Wyant Lauterman
>>
>>

MOSS & ASSOCIATES, Inc.

Permitting / Environmental Compliance / Development Consultation

613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via Fax/Email

October 22, 2008

Ms. Mi Kim
Los Angeles County Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: CUP No. 2007-01282-(3) – 900 Latigo Canyon – Adolescent Group Home

Dear Mi:

On behalf of Visions Treatment Center, LLC ("Visions"), we've been asked to provide County Staff with the building permit history for the main house and two ancillary buildings on the property. We will also include pertinent information regarding the property's septic system, as previously provided to Mr. Ben Saltsman / 3rd District Staff.

1. **Project Applicant / Site Owner**: Visions owns a 7.96 ac. parcel improved with three habitable structures (Main House, Ancillary Building I and II), and a contiguous undeveloped 11-ac parcel – both zoned A-1-10.

2. **Site History / Existing Buildout**:

   a) **Structures**: The existing Main House has five bedrooms and an attached 500 sq ft garage. The main house has a 1983 building permit that was *finaled* by DPW-BS in 1988 (Attachment A). There are no building permit records that state the number of bedrooms. DRP Plot Plan No. 38555 approved a maximum house size of 3,500 sq ft and a 550 sq ft garage (Attachment B); the County Assessor lists the house as 3,244 sq ft without the garage, and our 2007 as-built plans show the house as 3,280 sq ft and a 500 sq ft garage. *All records appear consistently to show the house size is compliant with the approved DRP Plot Plan.*

      i) Ancillary Building I is a 2 bdrm / 1 ba modular guest house with a valid foundation permit and Geology Review sheet for a "permanent mobile home" (Attachment C). Additionally, the final approval from County Fire Department validates both the single-family house and mobile home (Attachment D).

      ii) Ancillary Building II is a 170 sq ft (approx.) freestanding structure that Building & Safety (Calabasas District Office) determined did not need a permit at the time it was constructed due to deminimus size.

   b) **Septic**: The septic system for the Main House was permitted and listed as a 2-bedroom house. In March 2008, the applicant's sanitarian analyzed the existing system and confirmed that there is a 1,500 gal septic tank and related leach line that are adequate to support a house up to 5 or 6 bedrooms at the time the home was built. It is unclear why the septic records do not reflect this tank size or house size (we have seen this happen very often with County records). We have agreed with DPH to insure that the septic system is code compliant as a condition of CUP approval. Again, it is unclear why neither DMA nor County Staff has been able to find a plumbing permit that matches what is constructed today. Visions has not updated the septic system since purchasing the two parcels.

3. **Agreement with CUP Conditions of Approval**: At the Hearing Officer hearing on September 2, 2008, the Applicant agreed with Condition No. 15 suggested by Staff and the Hearing Officer as follows:

   a) Condition No. 15: Within 60 days of approval of this grant, the permittee shall contact the Division of Building and Safety of the Department of Public Works to receive proper permits from the said Department for the existing structures. Within one year of the approval of this grant, the existing structures shall conform to the requirements of Building and Safety, including handicap accessibility as codified in Title 24 – Uniform Building Code. The permittee shall provide a copy of the building permit for the structures on the property to Zoning Enforcement.

The Applicant purchased the property in 2005 and, during its due diligence, reviewed all available County building permit records. The Applicant continues to maintain that all records consistently show the house size is compliant with approved DRP Plot No. 38555.

On behalf of Visions, we appreciate the ability to provide accurate information to Staff based on all records made available from the County.

Sincerely,

Teresa Aldave, Planner

David E. Moss, President

Cc: Visions

Attachment A
Main House

- **Building Permit**

1983 Building Permit finaled in 1988 for a
2-story single-family with attached 500 sf garage

APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES — BUILDING AND SAFETY

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, a certificate of Workers' Compensation Insurance, or certified copy thereof (Sec. 3800) Lab. C.)

Company

Certified copy is hereby furnished.

Certified copy is filed with the county building inspection department.

Applicant

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars ($100) or less.)

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws.

Applicant

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Number _____ Lic. Class _____

Contractor _____ Date _____

☐ I am exempt under Sec. _____

B.&P.C. for this reason _____

Date: _____

Signature _____

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Section 7031.5, Business and Professions Code):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale (Section 7044, Business and Professions Code).

☒ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Section 7044, Business and Professions Code).

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name _____

Lender's Address _____

I certify that I have read this application and state that the above information is correct. I agree to comply with all County ordinances and State laws relating to building construction, and hereby authorize representatives of this County to enter upon the above-mentioned property for inspection purposes.

[signature] 11.2.83

Signature of Applicant or Agent — Date

FOR APPLICANT TO FILL IN

BUILDING ADDRESS: 900 LATIGO CYN.
CITY: MALIBU — ZIP: 90265
SIZE OF LOT: 8 AC. — NO. OF BLDGS. NOW ON LOT:
TRACT: CC3503 — BLOCK: 81-354 — LOT NO.:
OWNER: DEE COOPER — TEL NO.: 889-0781
ADDRESS: 900 LATIGO CYN.
CITY: MALIBU — ZIP: 90265
ARCHITECT OR ENGINEER: — TEL NO.:
ADDRESS:
CONTRACTOR: Owner-builder — TEL NO.:
ADDRESS: — LIC. NO.:
CITY: — LIC. CLASS:
SQ. FT. SIZE: 2.6 — NO. OF STORIES: 2 — NO. OF FAMILIES: 1 — CHECK ONE: NEW ☐ ADD ☐ ALTER ☐ REPAIR ☐ DEMOL ☐
DESCRIPTION OF WORK: 2 STORY SINGLE FAMILY w/ attached garage 500 #
USE OF EXISTING BLDG:
APPLICANT (PRINT): DEE COOPER — TEL NO.: 889-0781
ADDRESS: 900 LATIGO CYN. MALIBU
PRESENT BUILDING ADDRESS:
LOCALITY:
MOVING CONTRACTOR: — TEL NO.:
ADDRESS:

REQUIRED SET BACK	YARD	HWY	TOTAL SETBACK FROM PROP. LINE	EXIST. WIDTH
FRONT P.L.				
SIDE P.L.				

P.C. Fee $ 452.63 — Permit Fee 667.50
#4728 A — Issuance Fee 10.50
Investigation Fee 11-2-83 — Total Fee 678.00

BUILDING ADDRESS: 900 Latigo Cyn.
LOCALITY: Malibu
NEAREST CROSS ST.: Kanan Dume
ASSESSOR MAP BOOK: — PAGE: — PARCEL:
USE ZONE: A-1 — MAP NO.: 144-041
SPECIAL CONDITIONS: CC 3503
DISTRICT: 9-1 — GROUP: R-3 — TYPE CONST.: II — FIRE ZONE: MALIBU — PROCESSED BY: BP
STATISTICAL CLASSIFICATION: CLASS NO.: 01 — DWELL. UNITS: 1 — APT. — CONDO.
SEWER MAP: Private

VALUATION: $ ~~100,000~~ $145,000

FINAL DATE: 11.7.88
FINAL By: [signature]
APN 4464-026-012
▶ Not in Coastal

LDMA - $109.00
Paid - Val # 4729A

Add'l PC Fee
▶ 114.75

LDMA - $55.00
Pd - Val # 0447A

VALUATION
$0973
[illegible]
1.6526
[illegible]
1302-83
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

SEE REVERSE FOR EXPLANATORY LANGUAGE

Attachment B
Main House

- **Findings No. 10**

Plot Plan 38555 approved the construction of a 3,500 sf single-family residence with a 550 sf garage.

20 parking spaces. Ancillary Structure I is a 2-bedroom, one-story structure with no kitchen, Ancillary Structure II is a one-story office. The stable is open on four sides.

6. The project site is surrounded by undeveloped land to the north, east, south, and west.

7. The subject property is located in the Santa Monica Mountains North Area Plan Community Standards District and complies with the development standards for uses in the agricultural zones.

8. The project's land use policy designation in the Santa Monica Mountains North Area Plan is N10-Mountain Lands 10 (1du/10ac max). The proposed project is a group home. This land use designation allows comparable land uses such as a retreat, a monastery, or a school.

9. The subject property was subdivided in the 1960's before the adoption of the Santa Monica Mountains North Area Plan.

10. Plot Plan 38555 approved the construction of a 3,500 square-foot single family residence with a 550 square-foot garage.

11. The Department of Regional Planning has determined that the project qualifies for a Class I Categorical Exemption (Existing Facility) pursuant to CEQA reporting guidelines.

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

13. 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

14. The following fees will apply: cost recovery deposit of $750 to cover the costs of the five recommended annual zoning enforcement inspections, (additional funds would be required if violations are found on the property).

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE HEARING OFFICER CONCLUDES:

A. That the requested use at the proposed location 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

Attachment C
Ancillary Building I

- **Foundation Permit**
  Building permit for the "foundation for permanent mobile home"

- **Geology Review Sheet**
  Documentation of Geology & Soils review for mobile home foundation

APPLICATION FOR BUILDING PERMIT

COUNTY OF LOS ANGELES — BUILDING AND SAFETY

COMPENSATION DECLARATION

I have a certificate of consent to self-insure, a certificate of Workers' Compensation Insurance, or certificate of exemption (Sec. 3400, Lab. C.) is attached.

Company

Receipt is hereby furnished for the above building inspection fee.

Applicant

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

This permit shall not be completed if the permit is for one or more dwellings with less than five units, or if the total valuation is $33,000 or less, unless the performance of the work for which this permit is issued shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

I hereby affirm under penalty of perjury that in making this Certificate of Exemption I do not and shall not become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be revoked.

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Lic. Class

Date

I hereby affirm that I am exempt from the licensing requirements as I am a person exempt from the licensing requirements as I am a registered professional engineer, licensed architect or a registered professional capacity (Section 7031, Business and Professions Code).

Date

OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Section 7031.5, Business and Professions Code):

☒ I, owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale (Section 7044, Business and Professions Code).

☒ I, owner of the property, am exclusively contracting with licensed contractors to construct the project (Section 7044, Business and Professions Code).

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name

Lender's Address

I certify that I have read this application and state that the above information is correct. I agree to comply with all County ordinances and State laws relating to building construction, and hereby authorize representatives of this County to enter the above-mentioned property for inspection purposes.

Owner or Authorized Agent — Date 7-27-82

FOR APPLICANT TO FILL IN

BUILDING ADDRESS: 900 LATIGO CANYON
CITY: MALIBU CAL ZIP 90265
SIZE OF LOT: 8 ac — NO. OF BLDGS NOW ON LOT
TRACT — BLOCK — LOT NO.
OWNER: DEE COOPER — TEL. NO. 889-0781
ADDRESS: 900 LATIGO CANYON
CITY: MALIBU CAL ZIP 90265
ARCHITECT OR ENGINEER — TEL. NO.
ADDRESS
CONTRACTOR — TEL. NO. — LIC. NO.
ADDRESS — LIC. CLASS
CITY
SQ. FT. SIZE: 1050 — NO. OF STORIES: 1 — NO. OF FAMILIES: 1
DESCRIPTION OF WORK: Foundation for Permanent Mobilehome
USE OF EXISTING BLDG.
APPLICANT (PRINT): DEE COOPER — TEL. NO. 889-0781
ADDRESS: 900 LATIGO CA. MALIBU

CHECK ONE: NEW ☒ ADD ☐ ALTER ☐ REPAIR ☐ DEMOL ☐

PROJECT BUILDING ADDRESS
LOCALITY
MOVING CONTRACTOR — TEL. NO.
ADDRESS

PROJECT SETBACK	FRONT	SIDE	TOTAL SETBACK FROM PROPERTY LINE	EAST WEST
FRONT				
SIDE				

Fees: 103.70
4881
Inspection Fee: 7-27-82

BUILDING ADDRESS: 900 LATIGO CYN
LOCALITY: MALIBU
NEAREST CROSS ST.: KANAN DUME
ASSESSOR MAP BOOK — PAGE — PARCEL
USE ZONE: A-1 — MAP NO. 4144-041
SPECIAL CONDITIONS: CC 3503
DISTRICT: 9-1 — GROUP: R3 — TYPE CLASS — FIRE: 70 — PROCESSED BY: CC
STATISTICAL CLASSIFICATION — CLASS NO. 01 — DWELL. UNITS: +1 — APT. — CONDO.
SEWER MAP — BK. — PG. Put.
VALUATION
VALUATION: Modular 20,000 — Foundation 4,000
$
FINAL DATE
FINAL By

INSPECTOR COPY

$117.94 × 607 = 70.76
+ 32.94
103.70

SA881A
#....21
1-10570
--103708
7-27-82

Expired in
Plan Check
11-2-83
Plans plu by owner
8-12-82

SEE REVERSE FOR EXPLANATORY LANGUAGE

ENGINEERING GEOLOGY SECTION
(213) 748-2181

DIR. OFF. ____
F ____ NR ____
SHEET ____ OF ____

GEOLOGIC REVIEW SHEET

COUNTY OF LOS ANGELES
DEPARTMENT OF ENGINEER-FACILITIES
550 SO. VERMONT AVE., LOS ANGELES, CA 90020

Tract/PM ____
Site Address 900 S. Latigo Canyon
Location Malibu
Geologist The earth group Inc. Developer/owner Dee Cooper
Soils Engineer The earth group Inc. Engineer ____

DISTRIBUTION
2 Dist. Engineer
1 Geologist
1 Soils Engineer
1 Geol. Sect. File
Grading Section

PLAN CHECK NO. OR DATE OF REPORT(S)

Review of:

- ☐ Grading P.C. No. ____
- ☒ Building P.C. No. 4881 (Mobile home foundation)
- ☐ Geologic Site Inspection Only P.C. No. ____
- ☐ Geologic Report Dated ____
- ☐ Soils Report Dated ____
- ☒ Geology & Soils Report Dated 5/26/83 (P-83001)

Action:

- ☐ Plan is geologically approved
- ☒ Plan approved geologically subject to conditions below
- ☐ Sec. 309 Code requirements met (not met)
- ☐ Sec. 308(b) 3c & e code requirements met (not met)
- ☐ Plan is not approved for reasons below
- ☐ Submit plans for recheck

Remarks:

1. ☐ A consulting ☐ engineering geology, ☐ soils engineering, ☐ report(s) is required
2. ☒ All recommendations of the consulting ☒ geologist, ☒ soils engineer must be incorporated in the design or shown as notes on the plans.
3. ☒ The plan must be specifically approved by the ☒ consultant geologist, ☒ consultant soils engineer by ☐ letter-report and/or ☒ manual signature(s) with date(s) ~~[illegible]~~
4. ☐ In-grading inspections must be made by the consulting ☐ geologist, ☐ soils engineer. ☐ Inspection reports must be submitted to the Geology Section for review monthly.
5. ☐ Rough grading must be approved by a ☐ final geology report, ☐ final soils engineering report prior to approval by the Geology Section. ☐ An As-Built Geologic Map must be included in the final geology report.
6. ☒ Foundation and/or wall excavations must be inspected and approved by the consulting ☐ geologist, ☐ soils engineer, prior to the placing of steel or concrete.
7. ☐ The County Engineer Soils Engineering Section's ☐ approval is required ☐ requirements attached ☐ conditions of approval are attached ☐ approval attached (dated ____)
8. ☐ Show all proposed tentative corrective devices (e.g. buttress, stability fills, subdrains, etc) on the plan.
9. Add items 6 and 10, above, as notes to the plan.
10. Consutent soils engineer and geologist to approve location of the private sewage-disposal system.
11. Owner to sign a Form A wavier prior to the issuance of the building permit.

Prepared by ____ Reviewed by ____ Date 6/9/83

76G30 – PS 3-82

Attachment D
Main House and Ancillary Building I

- **Final Approval from Fire Dept.**

Fire Dept. approval for both the main house and mobile home

2000-6110
6/90

COUNTY OF LOS ANGELES

ACCESS CERTIFICATE FOR BUILDING PERMIT
SINGLE AND MULTIPLE FAMILY DWELLINGS (R-3)
PRIVATE ALL-WEATHER ACCESS ROAD ONLY

PART I - INFORMATION SHEET

BUILDING ADDRESS 900 Latigo Canyon Road CITY OR AREA Malibu

NEAREST CROSS STREET Latigo Canyon Road DISTANCE TO NEAREST CROSS STREET 140

PROPERTY OWNER D. Cooper MAIL ADDRESS 900 Latigo Canyon Road TEL # 889-0781

DESCRIPTION OF BUILDING Mobile Home Future Single Family House

PERMIT NUMBER

SIGNATURE OF APPLICANT 4-20-84 DATE

* *

PART II - ACCESS STANDARDS CERTIFICATION: Complies with Section 13.208 of the Fire Code.

I hereby certify that the access on the above property will support fire apparatus and is consistent with the standards as set forth in County of Los Angeles Fire Code Section No. 13.208.

Name: Ray E. Widner
PEAK SURVEYS INC.
Civil Engineer License No. 11758

REGISTERED PROFESSIONAL ENGINEER RAY E. WIDNER No. 11758 CIVIL STATE OF CALIFORNIA

Date: 4-20-84

* *

PART III - MODIFICATION APPROVAL

Modifications to the access standards have been approved by the Fire Chief.

Name:

Rank:

Date:

APPROVAL STAMP

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PROTECTION ENGINEERING
APPROVED
By Tom Vaz Date 7-5-84
FIRE PREVENTION ENGINEER
☐ Subject to corrections on plans
☐ Subject to compliance with correction
Access requirements

This approval valid for six (6) months. Renewable upon submitting current data.

Annette Peterfy
Attorney at Law

32111 Mulholland Highway
Malibu, CA 90265
Telephone: (818) 889-0008
Fax: (818) 889-5349

October 17, 2008

Ms. Mi Kim
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

OCT 20 2008

Re: R2007-01282-(3)
Conditional Use Permit No. 200700104
Applicant: Visions, LLC

Dear Ms. Kim,

This letter is a follow-up to my earlier letter supporting the application of Visions, LLC for the above-referenced Conditional Use Permit, and supplements the testimony given by me before the hearing officer on September 2, 2008. Additionally, I wish to respond to some of the issues raised by Wyant Lauterman at that hearing.

As I have noted before, I own property to the east of 900 Latigo Canyon Road – eleven acres to be exact. I have lived at 950 Latigo Canyon Road, just beyond the Visions property since 1997, although I actually moved to the area in 1987 – I owned the house located at 780 Latigo Canyon Road, which is the first house west of the Visions property.

Prior to Visions acquiring the property, it belonged to a family consisting of two parents and four children, as well as a nanny and a cleaning lady. The prior owners also rented out one of the buildings on the property. There was a lot of traffic all the time and a decent amount of noise generated by the prior residents. In contrast, the traffic in and out of Visions tends to be just at certain times of the day – I presume as staff members come to and leave work. Since the children do not leave the property, and, as I understand it, family visits are by appointment and are very regulated, there is a lot less coming and going. Also, it is much, much quieter now than it used to be. At times, one would truly not even think that the place is occupied – that's how unintrusive Visions is.

When Mr. Lauterman spoke at the September 2, 2008 hearing, he stated that he represented fourteen homeowners on Castro Peak Motorway, the private road that leads to the entrance of 900 Latigo Canyon Road and a number of properties beyond that which have Latigo Canyon addresses but are not actually accessed from Latigo Canyon Road. This was a misrepresentation. Of the letters he had from "outraged" homeowners, only six were from people who own property on Castro Peak Motorway – Mr. Lauterman himself, Dr. Bollinger and Dr. McGregor (who are actually married and jointly own one small parcel), Mr. Dicke, Mr. Erlandson and Mr. McCarty. I do know that Mr. Dicke wants to obtain an electrical easement from Bollinger, McGregor and Lauterman, and that Mr. Erlandson and Mr. McCarty needed ingress/egress easements from these parties. From what has been said to me by Mr. McCarty, there may have been a relationship between the writing of an opposition letter and the obtaining of the easement. The balance of the letters submitted by Mr. Lauterman are from people who do not live particularly close to Visions, and who were probably completely unaware that Visions even existed before Mr. Lauterman, with the zeal of a newborn missionary, canvassed the neighborhood. I do not know what he said to other people, but he harangued me for literally one hour on a Sunday afternoon. The main gist of his sermon was: the children are all going to take up smoking as a substitute for alcohol and/or drugs and will burn down the neighborhood; they will all be driving on and off the property, and as they are kids who will have just obtained their licenses, they will be horrible drivers and constitute a tremendous danger; the septic system is not sufficient; and lastly, property values will decline 30-40% by virtue of Visions' operation.

Of course, his argument ignores the fact that it is illegal for children under 18 to smoke, and it is illegal for adults to provide minors with tobacco products. His argument ignores the fact that the children, even if they are licensed to drive, do not have cars while they are at Visions and are not permitted to come and go as they please. His argument also ignores the fact that there are three adult rehab facilities within an approximate one mile radius of his property, so if values were going to plummet, they most likely would have done so already. Now it is true that property values have diminished lately, but unless Visions is responsible for the complete downturn of the U.S. economy, I would submit that any decline in the values of property in the area is most likely unrelated to the fact that there is a group home located at 900 Latigo Canyon Road.

In summary, I believe that Mr. Lauterman, who is the driving force behind the opposition to the Conditional Use Permit, is suffering from a severe case of NIMBY. This is ironic, since he does not live in the area. Neither do Dr. Bollinger or Dr. McGregor. They simply own smallish parcels of vacant land. As the closest neighbor (who actually lives there), I can simply reiterate that Visions is a considerate neighbor,

has not created any problems at all in the area, and, frankly, as much as I liked the former owners of the property, it's more pleasant to live there now.

Very truly yours,

Annette Peterfy

HEARING OFFICER DOCUMENTS:
(9/2/08 Public Hearing)

Attachment D

Determination Letter

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon, FAICP
Director of Planning

September 2, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Visions Treatment Center, LLC
900 Latigo Canyon Road
Malibu, CA 90265

RE: PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT CASE NO. 200700104-(3)
TO AUTHORIZE THE EXPANSION OF A GROUP HOME TO A MAXIMUM OF 14 CHILDREN IN THE A-1-10 ZONE.

Dear Visions Treatment Center:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to APPROVAL of the above referenced case. CAREFULLY REVIEW EACH CONDITION.

Hearing Officer Mr. Mitch Glaser, by his action of September 2, 2008, **APPROVED** the above described conditional use permit. The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. **Condition No. 2** requires that the permittee file an affidavit accepting the conditions before the grant becomes effective.

The applicant or any other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on September 16, 2008.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Mi Kim in the Zoning Permits Section I at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Mark Child
Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions
Affidavit of Acceptance (Permittee's Completion).

C: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement

MC:MKK
9/2/08

FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES

PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT NO. 200700104-(3)

HEARING DATE: September 2, 2008

SYNOPSIS:
The applicant, the Visions Treatment Center LLC, requests a conditional use permit to expand an existing by right group home for 6 children to a group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone.

The group home is a post-treatment transitional living facility for children under the age of 18 with past substance and alcohol abuse problems. The proposed project site is developed with an existing group home for 6 children, which is allowed by-right in the A-1 zone. The request is to expand the group home to a maximum of 14 children. A conditional use permit is required for a group home for 7 or more children.

The project proposes to expand the existing facility in two phases. Phase One would increase the number of children to 12. New construction is not proposed for this phase as the applicant would accommodate the additional children in existing facilities. Phase Two would increase the number of children to 14. Demolition and replacement of the existing Ancillary Structure II is proposed during this phase. This ancillary structure would expand from 170 square feet to 950 square feet substantially within existing development footprint.

PROCEEDINGS BEFORE THE HEARING OFFICER:
A duly noticed public hearing was held on September 2, 2008 before the Hearing Officer, Mr. Mitch Glaser. Three persons, including the applicant and the applicant's agent testified in favor of the project. In addition, one letter of neutrality, and one indirect comment in support of the proposed were received. One person testified in opposition to the proposed project and delivered 15 letters of opposition from neighbors and two letters from real estate agents who were unable to attend the public hearing.

The opponents raised the following issues:

- Un-permitted structures on the subject property.
- Capacity of the existing onsite wastewater treatment system to accommodate the requested expansion.
- Traffic increase.
- Narrow and winding access roads, including Latigo Canyon Road and Castro Peak Motorway.
- Devaluation of surrounding properties due to the presence of a group home.

The Hearing Officer instructed staff to add the following conditions of approval to address these concerns:

- The grant is limited to the group home as licensed and operated in compliance with Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the state code.
- Wthin 60 days of approval of this grant, the applicant is required to contact Building and Safety, and within one year of approval obtain building permits for any unpermitted structures, including compliance with handicap accessibility.
- Prior to the use or vesting of the grant, the applicant is required to obtain proper approvals for adequate water and sewage facilities from the Los Angeles County Department of Health Services.
- Within 30 days of approval, the applicant is required to contact the Fire Department, comply with any additional fire prevention measures, submit fuel modification plan, and provide an emergency evacuation plan.
- Smoking by the residents is prohibited both on and off site regardless of age.

There being no further testimony, the Hearing Officer closed the public hearing, and approved the conditional use permit.

Findings

1. The applicant requests authorization to expand the existing by-right group home to accommodate a maximum of 14 children for post-treatment transitional living for children under 18 years old with substance and alcohol abuse history.

2. The said project is located at 900 Latigo Canyon Road (APN 4464-026-012). within the Malibu Zoned District.

3. The subject property is zoned A-1-10 (Light Agriculture – 10-acre Minimum Required Area) and surrounding zoning is A-1-10 to the east, south and west, and A-1-5 to the north.

4. The existing land use on the subject property is a by-right group home for post-treatment transitional living for up to 6 children with a history of substance and alcohol abuse and addiction.

5. The subject property is developed with a 5-bedroom, primary residential building consisting of a one floor below grade and two floors above grade; two unpermitted ancillary structures, stable, tool shed, water tank, and 20 parking spaces. Ancillary Structure I is a 2-bedroom, one-story structure with no kitchen, Ancillary Structure II is a one-story office. The stable is open on four sides.

6. The project site is surrounded by undeveloped land to the north, east, south, and west.

7. The subject property is located in the Santa Monica Mountains North Area Plan Community Standards District and complies with the development standards for uses in the agricultural zones.

8. The project's land use policy designation in the Santa Monica Mountains North Area Plan is N10-Mountain Lands 10 (1du/10ac max). This land use designation allows land uses such as retreats, monasteries, or schools. The proposed project is a group home comparable to uses allowed by the land use policy.

9. The subject property was subdivided in the 1960's before the adoption of the Santa Monica Mountains North Area Plan in 2000.

10. Plot Plan 38555 approved the construction of a 3,500 square-foot single family residence with a 550 square-foot garage.

11. The Department of Regional Planning has determined that the project qualifies for a Class I Categorical Exemption (Existing Facility) pursuant to CEQA reporting guidelines.

12. The Coastal Zone Boundary Determination Letter from the California Coastal Commission dated November 14, 2003 determined that the subject property is not within the coastal zone.

13. The Public Health letter dated March 24, 2008, requires approval of the onsite wastewater treatment system and potable water by the said department in compliance with local and state regulations.

14. The Fire Department letter dated August 7, 2008 noted that existing on-site fire protection systems and access is adequate, but reserves the right to request additional fire protection during the building plan check process for new structures.

15. Residents of the group home are prohibited from smoking onsite or offsite at all times.

16. Access and visitation to the subject property is limited and restricted to parental visit once a week and medical and other support personnel visit once a week.

17. The subject property is required to maintain brush clearance and comply with a fuel modification plan.

18. The group home's emergency evacuation plan is reviewed and approved by the California Community Care Licensing Division of the California Department of Health Services for compliance with licensing requirements.

19. The group home is licensed and operated in conformance with Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the State Code.

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

21. 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

22. The following fees will apply: cost recovery deposit of $750 to cover the costs of five recommended zoning enforcement inspections (additional funds would be required if violations are found on the property).

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE HEARING OFFICER CONCLUDES:

A. That the requested use at the proposed location 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;

B. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

D. That 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;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.040 of the Los Angeles County Code.

HEARING OFFICER ACTION:

In view of the findings of fact presented above, Conditional Use Permit No. 200700104-(3) with findings and conditions is **APPROVED.**

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety

MC:MKK
9/2/08

This grant authorizes the expansion of the existing group home for 6 children to a group home for 14 children in conformance with all licensing and operating procedures of Title 22, Division 6, Chapter 5 (General Licensing Requirements, Group Homes) of the state code.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the 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. 7, and until all required monies have been paid pursuant to Condition No. 9.

3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably 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.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the 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 according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

6. 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.

7. 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 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.

8. **This grant will terminate on September 2, 2023.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least three (3) months prior to the expiration of this permit, whether or not any modification of the use is requested at that time unless an extension is granted pursuant to conditions 8a or 8b.

   a. Upon written application of the permittee made no less than six (6) months prior to the termination date above, the term of this grant may be **extended** by the Director for a period not to exceed **five (5) years**, as provided herein. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, (2) that the use is not or has not been in compliance with all applicable laws and regulations, or (3) that the Director has received more than three complaints in any twelve month period from the community during the grant period. If any of the foregoing findings are made by the Director, the extension shall be denied and the grant shall terminate and a new Conditional Use Permit will be required.

   b. If the term of the grant is extended pursuant to condition 8(a), upon termination of the extension period, the Director may grant a second five-year extension subject to the requirements of condition 8(a). If a second extension is granted pursuant to this condition, the grant shall terminate at the end of the second extension period and no additional administrative extensions may be granted. If the permittee intends to continue operations after this date, a

new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of the extension period, whether or not any modification of the use is requested at that time.

9. 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 **$750**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **five** 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 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 approved site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

10. 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.

11. Within 30 days of approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department 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.

12. Within 30 days of the approval of this grant, the permittee shall submit a preliminary fuel modification plan to the Fire Department and within 90 days of the date of approval, the permittee shall provide a copy of the approved Fuel Modification Plan to Zoning Enforcement.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

14. Prior to the use or vesting of this grant, 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. Wthin 60 days of approval of this grant, the permittee shall contact the Division of Building and Safety of the Department of Public Works to receive proper permits from the said Department for the existing structures. Within one year of the approval of this grant, the existing structures shall conform to the requirements of Building and Safety, including handicap accessibility as codified in Title 24 – Uniform Building Code. The permittee shall provide a copy of the building permit for the structures on the property to Zoning Enforcement.

16. The permittee shall ensure that no resident of the subject property is permitted to smoke on or off the property regardless of age.

17. Within 30 days, the permittee shall provide a copy of the state reviewed and approved emergency evacuation plan for the Fire Department's review and comment. Documentation that the emergency evacuation plan was submitted to the Fire Department for review and comment shall be provided to Zoning Enforcement within 60 days of the date of approval.

18. 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

19. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of 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.

20. 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.

21. This grant allows for the operation and maintenance of the group home for a maximum of 14 children to be developed in accordance with the approved Exhibit "A," and subject to the following conditions:

    a. The permittee will provide care and supervision to the residents consistent with the definition of "group home, children" in Section 22.08.070 of the Zoning Ordinance;

    b. The group home for children is permitted to have a maximum of 14 children under the age of 18;

    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 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. The permittee shall comply with all conditions of the Los Angeles County Department of Public Works letter dated March 17, 2008, or as otherwise required by the said Department;

    f. The permittee shall comply with all conditions of the Los Angeles County Department of Public Health letter dated March 24, 2008, or as required by the said Department;

    g. The permittee shall comply with all conditions of the Los Angeles County Fire Department letter dated August 7, 2008, or as required by the said Department;

    h. There are more than one detached structures on the subject property; the permittee shall file a Covenant in Lieu of Parcel Map to hold the property as one parcel so that no portion shall be sold separately unless it is subsequently subdivided according to Title 21 of the Los Angeles County Code and in compliance with Title 22 of the same;

    i. The permittee shall restrict visitation as follows: non-parental visitation is not allowed except for visitation by medical and support staff, and parental visitation is allowed only once a week;

    j. The permittee shall not install signage, lighting, or outdoor noise generators;

k. The permittee shall provide emergency contact phone numbers, gate controller, or similar device to expedite entry by emergency service providers; and

l. The permittee shall maintain a brush clearance or fuel modification area as recommended by the Fire Department.

ATTACHMENTS:
Department of Public Works, letter dated March 17, 2008
Department of Public Health, letter dated March 24, 2008
Fire Department, letter dated August 7, 2008

MC: MKK
9/2/08

Attachment E

Public Hearing Package

Hearing Officer Transmittal Checklist	Hearing Date September 2, 2008
	Agenda Item Number 7

Project Number: R2007-01282
Case(s): Conditional Use Permit No. 200700104
Contact Person: Mi Kim mkim@planning.lacounty.gov, x46443

Included	NA/None	Document
☒	☐	Factual
☒	☐	Property Location Map
☒	☐	Staff Report
☒	☐	Draft Findings
☒	☐	Draft Conditions
☒	☐	DPW Letter
☒	☐	FD Letter
☒	☐	Other Department's Letter(s)
☒	☐	Burden Of Proof Statement(s)
☒	☐	Environmental Documentation (IS, MMP, EIR)
☒	☐	Opponent And Proponent Letters
☒	☐	Photographs
☐	☒	Resolution (ZC Or PA)
☐	☒	Ordinance with 8.5 X 11 Map (ZC Or PA)
☒	☐	Land Use Radius Map
☒	☐	Site Plan And Elevations
☒	☐	Letter from the California Coastal Commission

Reviewed By: Mark Child

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2007-01282-(3)

CASE NO. RCUP 200700104-(3)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE **September 2, 2008**	

APPLICANT	**OWNER**	**REPRESENTATIVE**
Visions Treatment Center, LLC	VTC Malibu Properties, LLC	Moss and Associates

ENTITLEMENT REQUEST
A conditional use permit for a group home for a maximum of 14 children.

LOCATION/ADDRESS
900 Latigo Canyon Road, Malibu

ACCESS Kanan Dume	**ZONED DISTRICT** The Malibu
ASSESSORS PARCEL NUMBER 4464-026-012	**COMMUNITY** Santa Monica Mountains North Area
SIZE 7.96 acres	**COMMUNITY STANDARDS DISTRICT** Santa Monica Mountains North Area CSD

	EXISTING LAND USE	**EXISTING ZONING**
Project Site	Group home for six children	A-1-10 (Light Agriculture – 10-acre minimum required area)
North	Vacant land	A-1-5 (Light Agriculture – 5-acre minimum required area)
East	Vacant land	A-1-10
South	Vacant Land, Single Family Residence	A-1-10
West	Vacant Land	A-1-10

GENERAL PLAN	**DESIGNATION**	**MAXIMUM DENSITY**	**CONSISTENCY**
Santa Monica Mountains North Area Plan	N10 -- Mountains Lands 10	1 du/10 acre maximum	See Staff Analysis

ENVIRONMENTAL DETERMINATION
Categorical Exemption

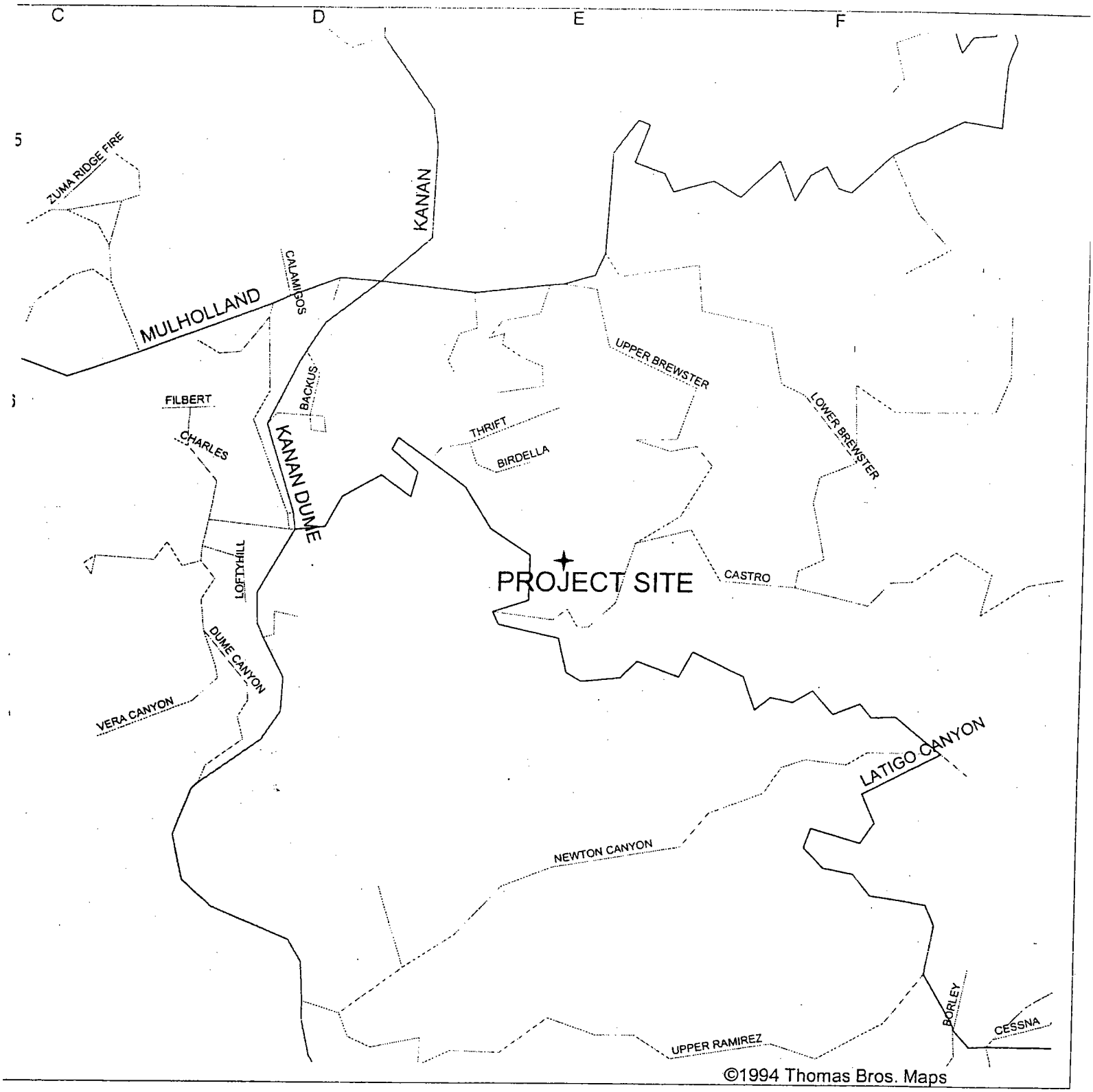
PROJECT DESCRIPTION
The project proposal is for a group home to be phased in for a maximum of 14 children on a 7.96-acre site. A six-child group home is currently located on the site, which is developed with a main house, a guest house and other ancillary buildings. Phase I of the project proposal is to expand the group home to 12 children without new construction. Phase II of the project proposal is to expand the group home to 14 children with minor construction to existing structures.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code, conditional use permit burden of proof requirements.
- Satisfaction of Section 22.44.133 of Title 22 of the Los Angeles County Code, Santa Monica Mountains North Area CSD requirements.
- Satisfaction of Section 22.24.110 of Title 22 of the Los Angeles County Code, Development Standards, A-1 (Light Agriculture) zone.
- Consistency with the Santa Monica Mountains North Area Plan.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor



VICINITY MAP

SITE : 900 LATIGO CANYON RD.

STAFF ANALYSIS
PROJECT NUMBER R2007-01282-(3)
CONDITIONAL USE PERMIT NO. 200700104-(3)

ENTITLEMENT REQUEST

The applicant, the Visions Treatment Center LLC, requests a conditional use permit for a group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone.

PROJECT DESCRIPTION

The proposed use is the expansion of a group home for the treatment of children under the age of 18 with substance abuse problems. The proposed project site is developed with an existing group home for six children, which is allowed by-right in the A-1 zone. The zoning code requires a conditional use permit for a group home for 7 or more children. The project proposes to expand the existing facility in two phases. Phase One would increase the number of children to 12. New construction is not proposed for this phase as the applicant would accommodate the additional children in existing facilities. Phase Two would increase the number of children to 14. Minor construction and expansion of the existing ancillary structure no 2 is proposed to accommodate the additional children up to a maximum of 14 children.

DESCRIPTION OF SUBJECT PROPERTY

Location: The proposed project is located at 900 Latigo Canyon Road in the unincorporated community of Las Virgenies Malibu, within the Malibu Zoned District,

Physical Features (topography, vegetation): The subject property is approximately 8 acres, is irregular in shape, with a hilly terrain. Approximately 30% of the property is developed. The development is located on the eastern portion of the property. The remaining 70% of the property is either landscaped or open space.

Access: Access to the site is via Latigo Canyon Road.

Services: The project is served by an on-site septic system. Water service is provided by the Las Virgenes Municipal Water District.

EXISTING ZONING

Subject Property: A-1-10 (Light Agriculture – 10-acre Minimum Required Area).

Surrounding Properties:
North: A-1-5 (Light Agricultural – 5-acre Minimum Required Area)
East: A-1-10 (Light Agricultural – 10-acre Minimum Required Area)
South: A-1-10
West: A-1-10

EXISTING LAND USES

Subject Property: The site plan shows that the subject property is developed with one primary residential structure, two ancillary structures, a stable, a tool shed, and a water tank.

Surrounding Properties:
North: Vacant, Single family residences
East: Vacant
South: Vacant, Single family residence
West: Vacant

PREVIOUS CASES/ZONING HISTORY

Plot Plan 3855 was approved on August 14, 1989 for a single family residence.

SANTA MONICA MOUNTAINS NORTH AREA PLAN (SMMNAP) CONSISTENCY

Land Use Policy Map

The project site is designated as N10 (Mountain Lands 10 (1 du/10 acres) in the Santa Monica Mountains North Area Plan. The subject property is approximately 8 acres and predates the land use policy and zoning designations. The proposed land use is consistent with the following stated purpose of the "Mountain Lands" land use category.

> "Permitted uses include low density single family housing, agriculture, equestrian uses, retreats, monasteries, private campgounds, bed-and-breakfast lodging, low intensity conference centers, public and private schools, water tanks, telecommunications facilities, and other local serving commercial and public facilities. CI" (SMMNAP, VI-57)

The proposed land use is a group home. The intensity of the land use is comparable to a retreat, or a monastery, or a school. In addition, the subject property is already developed with a single-family residential structure and other accessory structures. The maximum build-out of the proposed project would result in a minor expansion of an existing building.

SITE PLAN DESCRIPTION

The subject property is approximately 8 acres. The site plan depicts one primary residential structure, two ancillary structures, stable, tool shed, water tank, and 20 parking spaces. Approximately 30% of the property is developed, the remaining 70% is either landscaped or is open space.

The primary residence is depicted on the site plan as a three-story structure (two stories above grade, one story below grade) with 5 bedrooms, 4 bathrooms, a kitchen and a dining room. Ancillary Structure I is depicted as a one-story structure with two bedrooms, one bathroom, and a porch. Ancillary Structure II is depicted as a one-story office.

COMPLIANCE WITH APPLICABLE ZONING STANDARDS

Santa Monica Mountains North Area Community Standards District Development Standards

The CSD does not provide specific development standards for uses in the A-1 zone. Instead, Section 22.44.133 E of Santa Monica Mountains North Area CSD defers to the development standards for the base zone, A-1.

A-1-10 Zone Development Standards

The primary residential structure and the ancillary structures meet the following development standards provided in Section 22.24.110.

- 20 feet minimum lot width
- 20 feet front yard set back
- 5 feet side yard setback
- 15 feet rear yard setback

The subject lot was subdivided in the 1960's and predates current zoning requirement for a minimum lot size of 10 acres—the subject property is approximately 8 acres. Otherwise, the proposed project complies with the development standards for an A-1 zone.

The ancillary structures are accessory structures and do not have a kitchen. The stable is open on four sides.

BURDEN OF PROOF/FINDINGS

Conditional Use Permit Burden of Proof

The applicant is required to substantiate to the satisfaction of the Hearing Officer the facts as provided in Section 22.56.040 of the Los Angeles County Code. The applicant's response to the Burden of Proof is attached. It is Staff's opinion that the applicant has met the Burden of Proof.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 (existing facilities), is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

COUNTY AGENCY COMMENTS AND RECOMMENDATIONS

Department of Public Works

In a letter dated March 17, 2008, the Department of Pubic Works recommends the approval of the proposed project without conditions except to note that any work within the public right of way will require a permit from Public Works.

Department of Public Health
In a letter dated March 24, 2008, the Land Use Program of the Department of Public Health indicated its approval of the proposed project subject to conditions stated in the letter. Compliance with the said letter is a condition of approval. The letter is attached to this report.

Fire Department
In a letter dated August 7, 2008, the Fire Department indicated that the Land Development Unit reviewed the proposed project and cleared it for a public hearing. The letter indicated that the fire access and the existing fire protection system is adequate, but reserves the right to require additional fire protection measures prior to the issuance of the building permit.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS
No comments received.

LEGAL NOTIFICATION/COMMUNITY OUTREACH
Hearing notices were mailed to the applicant, 35 neighbors within a 500-foot radius of the project site, and 38 other interested parties on July 22, 2008. Required case materials were mailed to the Agoura Hills Library on July 23, 2008. Newspaper advertisements were published in LA Opinion and the Malibu Times on July 31, 2008.

PUBLIC COMMENTS
No comments have been received to date.

STAFF EVALUATION
The project proposes to expand the existing by-right group home for 6 children to a group home for 14 children. It is staff's opinion that the proposed use complies with the Santa Monica Mountains North Area Plan land use policy, the Santa Monica Mountains CSD, and the zoning and development requirements for the proposed use in the A-1 zone.

The two ancillary structures depicted on the site plan do not have building permits and may have been constructed without proper permits. The permitting of these two structures are part of the proposed project. As a condition of approval, all structures on the project site will be required to receive proper clearance from Building and Safety.

The subject property has less than the minimum lot area required by the A-1-10 zoning. However, the existing development and the proposed expansion will be limited to approximately 30% of the subject property. The remainder (70%) of the property either is landscaped or is open space--this ensures that the property is compatible with the environmental setting.

The subject property is adjacent to the Malibu Coastal Zone. The California Coastal Commission issued a Coastal Zone Boundary Determination letter on November 14, 2003. The letter states that the subject property is not within the coastal zone.

FEES/DEPOSITS

If approved as recommended by staff, the following fee will apply:

Department of Regional Planning, Zoning Enforcement:
Cost recovery deposit of $750 to cover the cost of five recommended zoning enforcement inspections. Additional funds would be required if violations are found on the subject property.

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.

If the Hearing Officer finds the request satisfies the conditional use permit burden of proof requirements, then staff recommends **APPROVAL** of Conditional Use Permit No. 200700104-(3) subject to the attached conditions.

SUGGESTED APPROVAL MOTION

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE HEARING OFFICER APPROVES CONDITIONAL USE PERMIT NO. 200700104-(3) WITH FINDINGS AND CONDITIONS."

Prepared by Mi Kim, Principal Regional Planning Assistant
Reviewed by Mark Child, AICP, Supervising Regional Planner

Attachments:
Factual
Vicinity Map
Draft Findings
Draft Conditions of Approval and Other Department Conditions and Comments
California Coastal Commission letter
Conditional Use Permit Burden of Proof
Site Plan, Floor Plan and Elevations
Land Use Map
GIS Map
Site Photos

MC:MKK 9/2/08

FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES

PROJECT NO. R2007-01282-(3)
CONDITIONAL USE PERMIT NO. 200700104-(3)

HEARING DATE: September 2, 2008

SYNOPSIS:
The applicant, the Visions Treatment Center LLC, requests a conditional use permit for a group home for 14 children in an A-1-10 (Light Agriculture – 10 Acres Minimum Required Area) zone.

The proposed project is the expansion of a group home for the treatment of children under the age of 18 with substance abuse problems. The proposed project site is developed with an existing group home for six children, which is allowed by-right in the A-1 zone. The zoning code requires a conditional use permit for a group home for 7 or more children. The project proposes to expand the existing facility in two phases. Phase One would increase the number of children to 12. New construction is not proposed for this phase as the applicant would accommodate the additional children in existing facilities. Phase Two would increase the number of children to 14. Minor construction and expansion of the existing ancillary structure no 2 is proposed to accommodate the additional children up to a maximum of 14 children.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The applicant requests authorization to expand the existing by-right group home for the treatment of substance abuse and addiction from 6 children to 14 children.

2. The said project is located at 900 Latigo Canyon Road (APN 4464-026-012). within the Malibu Zoned District.

3. The subject property is zoned A-1-10 (Light Agriculture – 10-acre Minimum Required Area) and surrounding zoning is A-1-10 to the east, south and west, and A-1-5 to the north.

4. The existing land use on the subject property is a by-right group home for the treatment of substance abuse and addiction for 6 children.

5. The subject property is developed with a 5-bedroom, 3-story primary residential building and two unpermitted ancillary structures, stable, tool shed, water tank, and

DRAFT

20 parking spaces. Ancillary Structure I is a 2-bedroom, one-story structure with no kitchen, Ancillary Structure II is a one-story office. The stable is open on four sides.

6. The project site is surrounded by undeveloped land to the north, east, south, and west.

7. The subject property is located in the Santa Monica Mountains North Area Plan Community Standards District and complies with the development standards for uses in the agricultural zones.

8. The project's land use policy designation in the Santa Monica Mountains North Area Plan is N10-Mountain Lands 10 (1du/10ac max). The proposed project is a group home. This land use designation allows comparable land uses such as a retreat, a monastery, or a school.

9. The subject property was subdivided in the 1960's before the adoption of the Santa Monica Mountains North Area Plan.

10. Plot Plan 38555 approved the construction of a 3,500 square-foot single family residence with a 550 square-foot garage.

11. The Department of Regional Planning has determined that the project qualifies for a Class I Categorical Exemption (Existing Facility) pursuant to CEQA reporting guidelines.

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

13. 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

14. The following fees will apply: cost recovery deposit of $750 to cover the costs of the five recommended annual zoning enforcement inspections, (additional funds would be required if violations are found on the property).

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE HEARING OFFICER CONCLUDES:

A. That the requested use at the proposed location 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

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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;

B. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

D. That 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;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.040 of the Los Angeles County Code.

HEARING OFFICER ACTION:

In view of the findings of fact presented above, Conditional Use Permit No. 200700104-(3) with findings and conditions is **APPROVED.**

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety

MC:MKK
9/2/08

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This grant authorizes the expansion of the existing group home for 6 children to a group home for 14 children.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the 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. 7, and until all required monies have been paid pursuant to Condition No. 9.

3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably 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.

4. In the event that any claim, action or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the 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 according to Los Angeles County Code Section 2.170.010.

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5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

6. 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.

7. 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 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.

8. **This grant will terminate on September 2, 2023**. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least three (3) months prior to the expiration of this permit, whether or not any modification of the use is requested at that time unless an extension is granted pursuant to conditions 8a or 8b.

   a. Upon written application of the permittee made no less than six (6) months prior to the termination date above, the term of this grant may be **extended** by the Director for a period not to exceed **five (5) years**, as provided herein. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, (2) that the use is not or has not been in compliance with all applicable laws and regulations, or (3) that the Director has received more than three complaints in any twelve month period from the community during the grant period. If any of the foregoing findings are made by the Director, the extension shall be denied and the grant shall terminate and a new Conditional Use Permit will be required.

   b. If the term of the grant is extended pursuant to condition 8(a), upon termination of the extension period, the Director may grant a second five-year extension subject to the requirements of condition 8(a). If a second extension is granted pursuant to this condition, the grant shall terminate at the end of the second extension period and no additional administrative extensions may be granted. If the permittee intends to continue operations after this date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of the extension period, whether or not any modification of the use is requested at that time.

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9. 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 **$750**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **five** annual 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 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 approved site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

10. 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.

11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department 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.

12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

13. 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.

14. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works and receive proper permits from the said Department.

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15. 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

16. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was approved by the Department of 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.

17. 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.

18. This grant allows for the operation and maintenance of the group home for children to be developed in accordance with the approved Exhibit "A," and subject to the following conditions:

    a. The permittee will provide care and supervision to the residents consistent with the definition of "group home, children" in Section 22.08.070 of the Zoning Ordinance;

    b. The group home for children is permitted to have a maximum of 14 children under the age of 18;

    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 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. The permittee shall comply with all conditions of the Los Angeles County Department of Public Works stated in their letter dated March 17, 2008, or as otherwise required by the said Department;

    f. The permittee shall comply with all conditions of the Los Angeles County Department of Public Health stated in their letter dated March 24, 2008, or as required by the said Department;

DRAFT

g. The permittee shall comply with all conditions of the Los Angeles County Fire Department stated in their letter dated August 7, 2008, or as required by the said Department.

ATTACHMENTS:
Department of Public Works, letter dated March 17, 2008
Department of Public Health, letter dated March 24, 2008
Fire Department, letter dated August 7, 2008

MC: MKK
9/2/08

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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DEAN D. EFSTATHIOU, Acting Director

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 17, 2008

IN REPLY PLEASE REFER TO FILE: LD-1

RECEIVED
MAR 20 2008

TO: Mark Child
Zoning Permit Section I
Department of Regional Planning

Attention Mi Kim

FROM: for Steve Burger MLS
Land Development Division

CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENTS
PROJECT NO. R2007-01282
CUP NO. RCUP T200700104
900 LATIGO CANYON ROAD, MALIBU

☒ Public Works recommends approval for this CUP.

☐ Public Works does **NOT** recommend approval for this CUP.

We reviewed the site plan for the subject CUP. The permit application is to increase group home capacity in two phases, from 6 to 12 to 14 children and the minor construction of ancillary building No. 2 to free up the use of two existing bedrooms.

There are no additional right-of-way acquisitions or road improvements to be imposed under the provisions of the Zoning Ordinance. Please note that prior to any work within public right of way, the applicants will be required to obtain a permit from Public Works' Construction Division, Permit Section. This permit will allow the Permit Section to perform a site visit and review the specific locations of above-ground facilities within public right of way. If you have any other questions or require additional information, please call Toan Duong at (626) 458-4945 or Simin Agahi at (626) 458-4921.

SA:la
LD-1/P:\ldpub\SUBMGT\CUP\R 2007-01282 RCUP T200700104 900 Latigo Canyon Rd.doc

COUNTY OF LOS ANGELES
Public Health

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

JONATHAN FREEDMAN
Acting Chief Deputy

Environmental Health
ANGELO BELLOMO, REHS
Director of Environmental Health

Bureau of Environmental Protection
Land Use Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

Gloria Molina
First District

Yvonne B. Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

March 24, 2008

RFS No. 08-0007661

Mi Kim
Los Angeles County
Department of Regional Planning
Zoning Permits I Section
320 West Temple Street
Los Angeles, CA 90012

RECEIVED
MAR 27 2008

RE: Project No. R2007-01282/CUP 200700104
Location: 900 Latigo Canyon Road, Malibu

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

1. The structures shown on the submitted maps do not correspond with Department records. Submit a complete plot plan to scale, showing all structures on the property, and the onsite waste water treatment systems serving them, including leach lines and/or seepage pits. Provide documentation of approval for each onsite waste water treatment system by this Department.

2. The proposed increase in sewage load requires evaluation of the current onsite waste water treatment systems. All onsite waste water treatment systems shall be exposed and inspected by the Health Officer for compliance with the plumbing code and conditions of approval. All components of the onsite waste water treatment systems including dispersal fields shall be inspected by a qualified professional and certified as operational and in good repair. The applicant must also provide documentation of an approved 100% expansion area for each residence in compliance with the Los Angeles County Plumbing Code. The professional consultant shall submit a report to this Department confirming the functionality of each onsite waste water treatment system. Systems that cannot be certified shall be abandoned and complete feasibility reports shall be submitted to this Department for each new onsite waste water treatment system.

Project No. **R2007-01282/CUP 200700104**

3. Specify the projected number of people in each of the buildings during a 24 hour day. Include clients, counselors, food preparers, medical personnel, teachers, caretakers, etc

4. Indicate the potable water source for the residences. 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, please contact me at (626) 430-5380

Respectfully,

Becky Valenti, E.H.S. IV
Land Use Program

Mi Kim

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: August 7, 2008

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2007-01282

LOCATION: 900 Latigo Canyon Road, Malibu

☐ The Fire Department Land Development Unit 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 psi residual pressure. __ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ Verify __ 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.

☒ This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone (VHFHSZ). A Preliminary Fuel Modification Plan shall be submitted and approved prior to the Public Hearing. For details contact the Fuel Modification Unit, Fire Station 32, 605 North Angeleno Avenue, Azusa, CA 91702-2904. They may be reached at (626) 969-5205.

☒ **Comments:** THIS PROJECT IS CLEAR FOR PUBLIC HEARING.

☒ **Location:** Existing on-site fire protection systems are adequate. Additional fire protection maybe required during the building plan check process of the new structures prior to building permit issuance.

☒ **Access:** Access is adequate as shown on the site plan.

☐ **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 at (323) 890-4243.

Inspector: ***SCOTT JAEGGI*** SJ

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

County CUP 01/08

STATE OF CALIFORNIA—THE RESOURCES AGENCY

GRAY DAVIS, GOVERNOR

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2 219
VOICE AND TDD (415) 904-5 200
FAX (4 15) 904-5 400

Memorandum

November 14, 2003

To: Gary Timm, CCC-South Central

From: Darryl Rance, GIS/Mapping Program

Cc: Jonathan French, 900 Latigo Canyon Road, Malibu, CA 90265

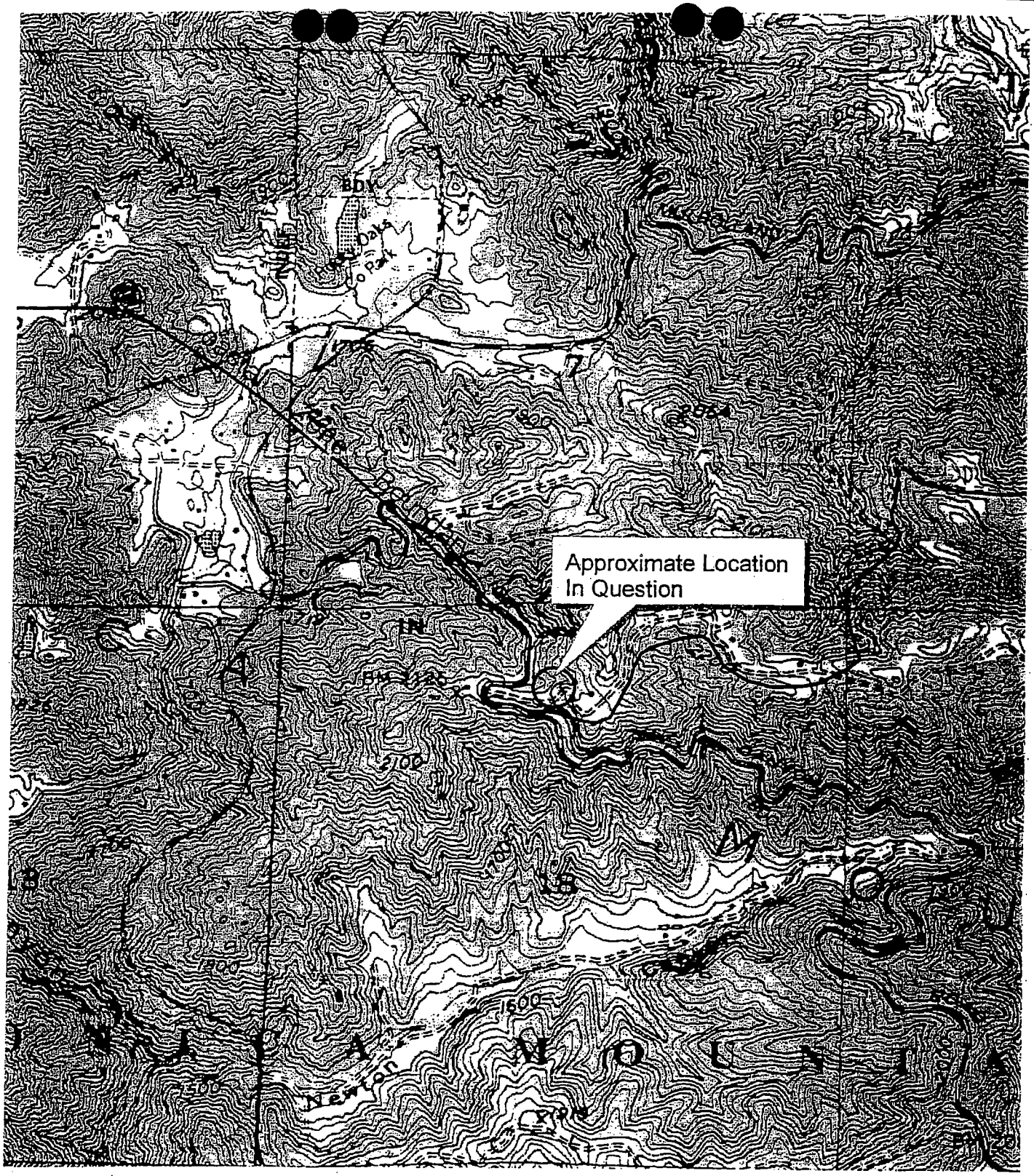
Subject: Coastal Zone Boundary Determination No. 47-2003, APN 4464-026-12, Los Angeles County.

You have requested that we provide you with a coastal zone boundary determination for Los Angeles County Assessor Parcel Number (APN) 4464-026-12. Enclosed is a copy of a portion of Coastal Zone Boundary Map No. 135 (Point Dume Quadrangle) with the approximate location of the subject property indicated. See Exhibit 1. Also included is an Assessor Parcel Map exhibit that depicts the subject property. See Exhibit 2.

Based on the information provided and available in our office, Los Angeles County APN 4464-026-12 is located outside of the coastal zone and is not subject to the permit requirements of the Coastal Act of 1976.

Please contact me at (415) 904-5335 if you have any questions regarding this determination.

Attachments



BD No. 47-2003
APN 4464-026-12
Los Angeles County

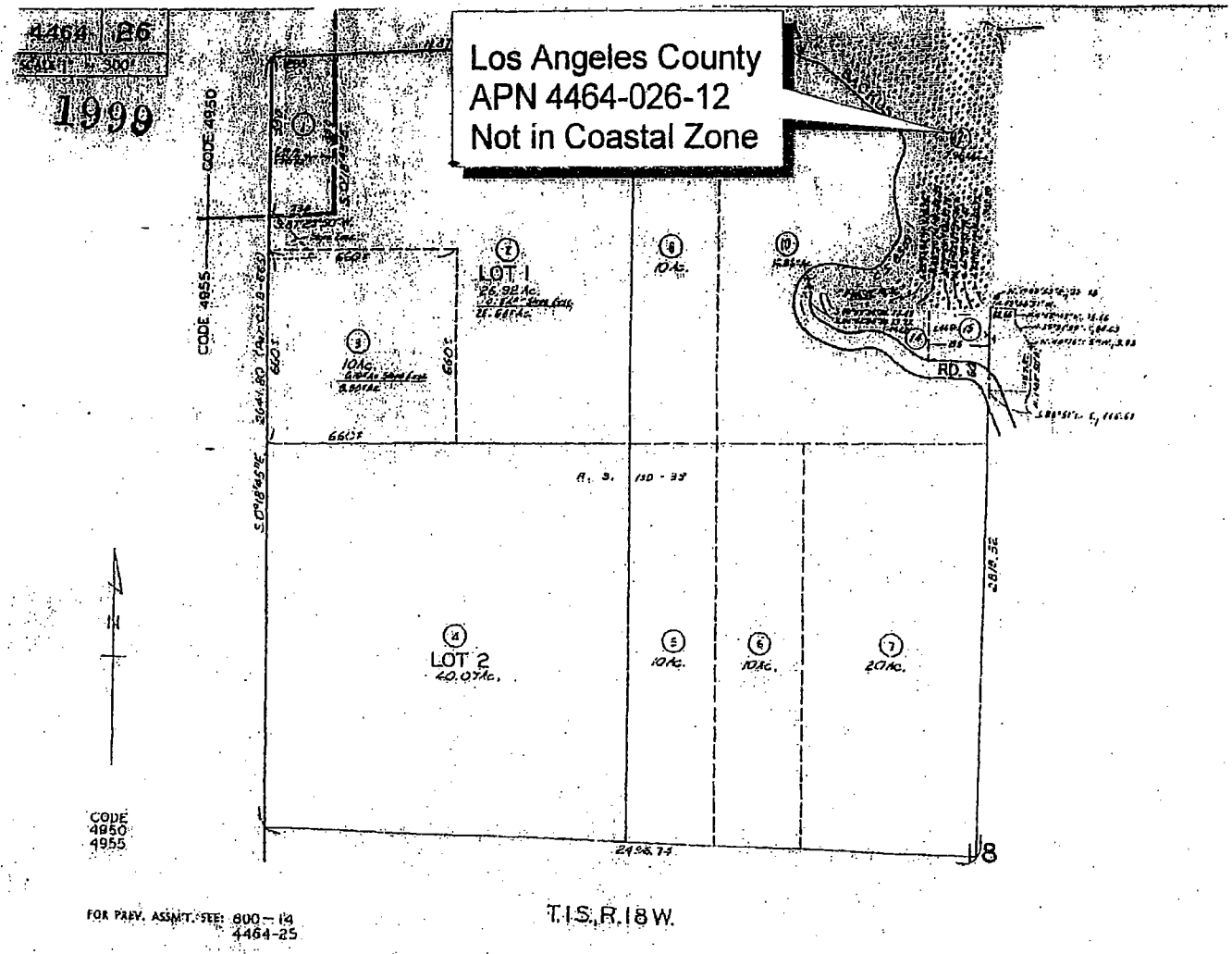
Portion of Coastal Zone
Boundary Map No. 135
(Point Dume Quadrangle)

CALIFORNIA
COASTAL
COMMISSION
Technical Services Division

N

Exhibit 1

DAR, 11/2003



BD No. 47-2003
APN 4464-026-12
Los Angeles County

Not in Coastal Zone

CALIFORNIA COASTAL COMMISSION
Technical Services Division

N

Exhibit 2

DAR 11/2003

In addition to the information required in the application, the Applicant shall substantiate to the satisfaction of the Zoning Board and/or the Commission, the following facts:

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

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

   Response: The Applicant proposes phased expansion of an existing Group Home to increase services from six to 14 children, ages 12-17. The use will continue to be fully contained in three on-site structures – a single-family Main House and two detached Ancillary Buildings (I & II) consistent with improvements on residentially-zoned properties in the entire region.

   Response: The Group Home is local-and regional-serving to the general public. The program thrives in a rural environment. The by-right use as a six-child Group Home has gone un-noticed since inception in June 2006. Operation of a 12 or 14-child Group Home is identical in every way to the existing six-child Group Home. There will be an insignificant increase of 8 to 10 staff members to service the First Phase expansion to 12 children, and possibly an addition of two staffer members to expand from 12 to 14 children. There will be deminimus expansion of Ancillary Building II to accommodate all four additional children in Ancillary Building I although no construction is needed to expand to 12 children.

   Response: Improvements and Group Home use are buffered from off-site uses by existing landscaping and substantial setbacks. There will be no additional noise, light, glare, outside activities or other intensification of activities that will create unmitigated off-site impacts.

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

   Response: The increase from 6 to 14 children does not create any unmitigated impacts from traffic, circulation, noise, or air quality. The 8.0-acre site has adequate carrying capacity to accommodate the increase.

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

   Response: All children in residence have already undergone offsite medically-assisted detoxification prior to coming to Visions. Failure to obey all rules, exhibit proper behavior, or require discipline are grounds for immediate removal from the program.

   Response: No non-parental visitation is allowed – period. Parents are allowed to visit only one day a week for restricted hours.

   Response: Children are supervised at all times – 24 hours/day – 7 days/week whether inside or outside on the grounds. There are no parties or celebrations of any kind conducted on site. Outdoor activities are restricted to fully supervised counseling, therapy or passive recreation.

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.

   Response: The existing single-family residence has five bedrooms and comfortably accommodates 10 children – two per room, consistent with applicable licensing and occupancy codes. The remainder of the house has adequate living and dining areas, which accommodate study, living and dining uses. Ancillary Building I currently has two bedrooms and one bathroom, and can adequately accommodate four children.

   Response: There are 5.6 acres (70%) open space, and 2.39 acres (30%) improved areas – which adequately serve the daily needs of a successful Group Home for 14 children.

   Response: The site is extensively landscaped, has perimeter fencing, and gated/intercom access. There are adequate areas for circulation, pedestrians, parking for 20 cars, and emergency vehicle access.

C. That the proposed use 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

   Response: Proposed traffic trips will not create unmitigated impact in comparison to the trips created by the existing by-right Group Home. Latigo Canyon is of adequate width and grade to accommodate existing and proposed traffic – which such traffic volume is not substantially different from that generated by a single-family use associated with a reasonably large family.

   Response: Visitation is strictly controlled – no non-parental visitation is allowed and parental visitation is restricted to once a week – Saturday afternoon. Service providers of sewer, trash disposal and third-party specialists (nurse, doctor, art therapy) each occur only once a week – consistent with similar visitation to single family uses.

2. By other public or private service facilities as are required.

   Response: The existing by-right use and the proposed use by CUP will continue to be adequately serviced by private and public services – water, septic pump-out, electrical, gas, are in place and do not need upgrade.

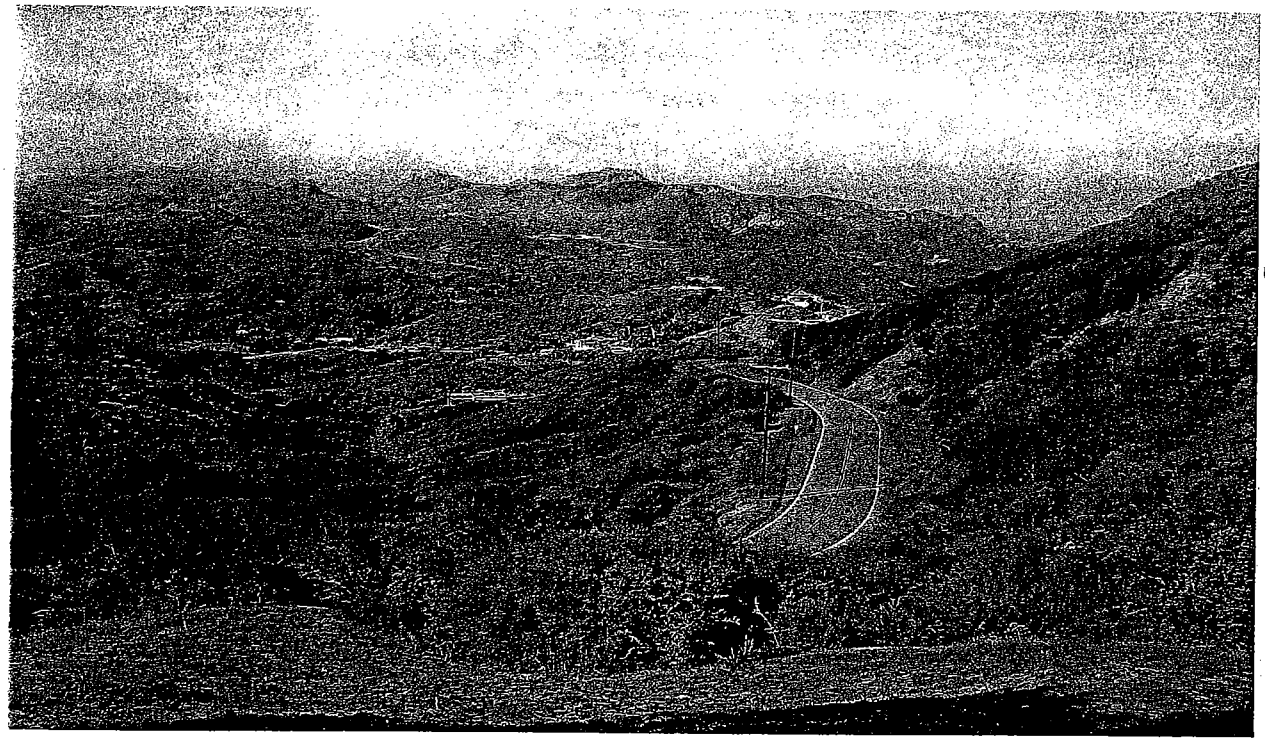
   Response: County Fire Department has reviewed and approved the by-right use in relation to fire/life safety and occupancy. The expanded use will be subject to on-going review and approval – consistent with routine inspection procedures.

View A

- View looking south towards Main House from existing parking area (50-ft.).
- Five-bedroom Main House is licensed as a by-right Group Home for six children.
- A maximum of 10 children will occupy the Main House with a CUP entitlement.

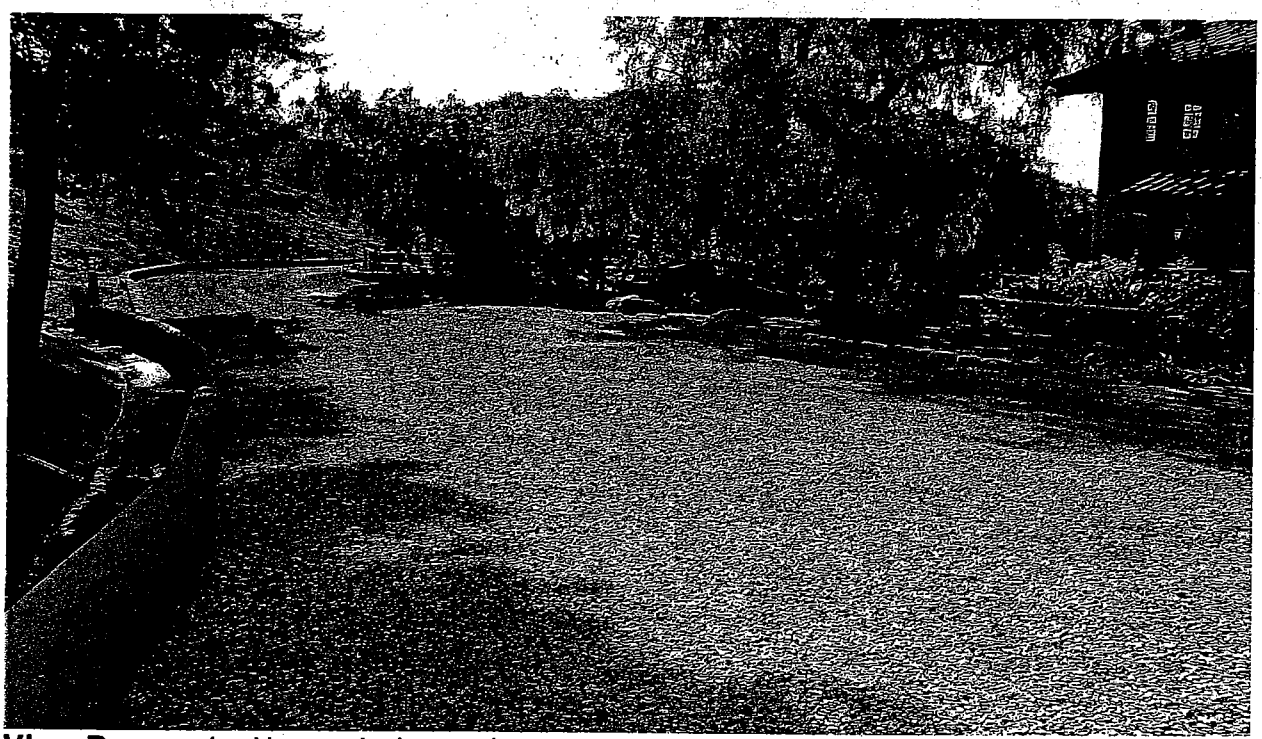
View B

- View looking north towards existing Ancillary Building II (25 ft.).
- Existing and proposed use is a small office.
- Future proposed expansion of Ancillary Building II to 950 sq ft will free up both existing bedrooms in Ancillary Building I for a maximum of four children with minimal change in the building footprint.



View C

- Looking northeast towards Latigo Canyon Road.
- Project site is not within the California Coastal Zone.
- Continued and expanded use of Group Home is consistent with low-density residential uses in close and regional areas offsite.
- Large lot size buffers expanded use from offsite areas.



View D

- Looking south along main entrance driveway.
- Previous improvements have established ample parking and County-approved drainage and grading to facilitate natural flow of drainage waters from on- and off-site.
- Attractive entryway and expansive grounds provide tranquil setting for focused/intensive/individual therapy.

But this day is different...
...and today we have spoken.

Please... remember our voices.

Thank you for your attention!

Please remember...

The State of California has mandated that neither the neighboring property owners nor any local authority shall have a voice as long as the facility houses less than 6 patients.

A *much* shorter time period would seem to be a much more reasonable request by Visions given that there is no long term investment by Visions:

- No additional investment in leasehold improvements.
- No improvements in infrastructure.
- No contributions to the overall community.
- It effects the community adversely in a number of ways.

Visions has not met the burden of proof required in *any* of the areas mandated, much less *all* of them, for approval of their CUP application.

Because of the extreme high fire hazard of the area and the high concentration of troubled, under aged children, we ask for the safety of the community that this facility be designated a non-smoking facility immediately.

If granted, the 15 year term is much too long considering a similar CUP in Hayward, California "granted approval for two years, with up to three annual renews by staff (five years total) if no complaints were received."

We *absolutely*, and in the strongest terms, dispute the conclusions A-D in the staff findings as we have previously discussed.

We believe there is no need, no benefit and only detriment to the community arising from granting this CUP.

Conditions

In addition to ADA and FEHA and OSHA issues, the CUP will require compliance with California Health And Safety Code Section 13131.5 (3) which states:

- "The entire building shall be of at least Type V one-hour fire resistive construction…."
- How are they going to do this without "construction" as they have stated in their "Fact Sheet" to the community?

11. "The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption (Existing Facility) pursuant to CEQA reporting guidelines."

- We don't understand this and request further clarification.

10. "Plot plan 38555 approved the construction of a 3500 square-foot single family residence with a 550 square-foot garage."

- Currently, there is only one *building permit* on record at the LA County Calabasas district office for this property. This is dated 11/7/88 and it is for a two bedroom home.

The Fire Department's approval for the CUP is routine and based on the assumption that Visions will correct any fire deficiencies prior to CUP approval.

What the Fire Department didn't know is that Visions has no intention of performing any construction to correct deficiencies as stated in their "Fact Sheet".

6. "The project site is surrounded by undeveloped land to the north, east, south, and west.'

- We would like to note that the two parcels immediately adjacent to the Visions property to the South are in the initial stages of development into single family residences.

8. "This land use designation allows comparable land uses such as a retreat, a monastery, or a school."

- While the staff may be speaking strictly of density or zoning, we find the comparison of a drug and alcohol rehabilitation to a retreat, monastery or a school to be utterly misleading.

Objections and comments to Staff reports

Findings

Like everyone else, they have been hit with declining property values and the additional depreciation of 20%, or more, caused by the operation of a drug rehabilitation center in their midst.

Nothing requires the County of Los Angeles to further worsen the damage to the community. The County is under no obligation to provide for gratuitous profits for a single business at the expense of so many.

The property is in the Santa Monica Mountain range. It is several miles from the coast. It is not land one would traditionally think of as "Malibu"

Most of the neighboring property owners are not rich and a significant portion of their life's savings is in their home and property.

Many people are affected to their detriment by the CUP.

Notices were sent to 35 neighbors within a 500 ft. radius of the project site, each affected in adverse ways by the CUP.

This is about money, not community service nor meeting the needs of the community.

Visions *already* has the greatest resident capacity in the Malibu area and now wants even more.

L.A. County is *not compelled* to enrich one at the expense of the many.

And the community gets none of it. Not one penny!

- No local taxes
- No sales taxes
- No infrastructure improvements
- No parks
- No contributions to community projects or services

To the contrary, there are *no* benefits to the community. None. ... only detriment.

- The community gets:
  - A commercial business of at least 18 people in the midst of a residential area. None of its services will likely be used by community members.
  - A decrease in property and home equity values of at least 20% in addition to the general market decline.
  - Increased traffic and risks of accidents.
  - Additional risk of fire danger.
  - Additional risk of local crime.

The average is about $30,000 *per child, per month*. That would mean approximately $240,000 *per month* in *extra* revenue to Visions as a result of the CUP.

But the CUP is an even better deal for Visions.

- There is no investment in infrastructure or other improvements in their facility or the community.
- There is no requirement that they maintain the current staffing ratios.
- Incredible increase in profitability as fixed costs and a profit have already been met and the increase of 8 patients is essentially all profit....probably at least $240,000 *additional* profit *per month.*

Additionally, we believe that Visions has other treatment centers, possibly in Westlake and Brentwood, at least, that can handle the additional patients, if necessary.

The profits are eye opening. Fees to those patients staying in these centers can range from $20,000 to $90,000 *per month* - *for each patient!!*

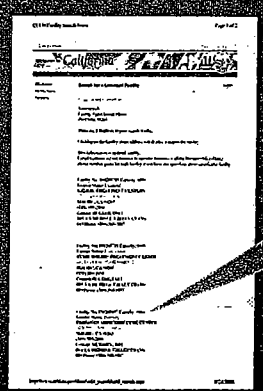
Nor does Visions need the extra capacity. As we said, Visions has another treatment facility approved for 10 patients less than 4 miles away. And if they fill up... some of the other 34+ nearby facilities can take the overflow.

Visions can always create any capacity it needs "by right" by simply purchasing another home.

Searching another database for licensed and/or certified facilities in the State of California Department of Alcohol and Drug Programs database produced the same result...

No licensed or certified facilities in Malibu exceeded *six* residents.

"Passages", another Malibu treatment facility, is licensed for just 6 patients in a 15,500 sq. ft. main house

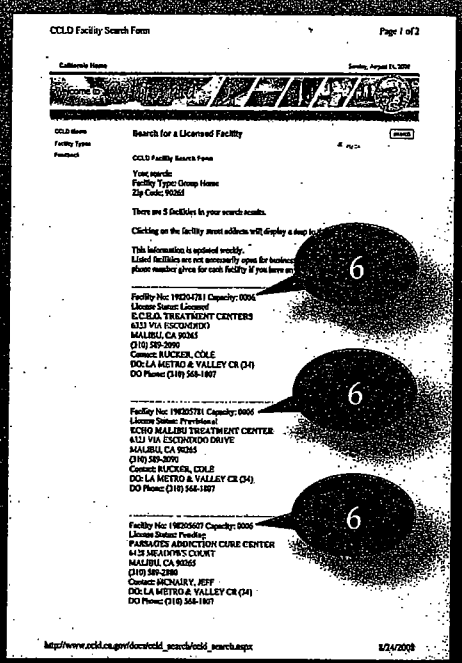


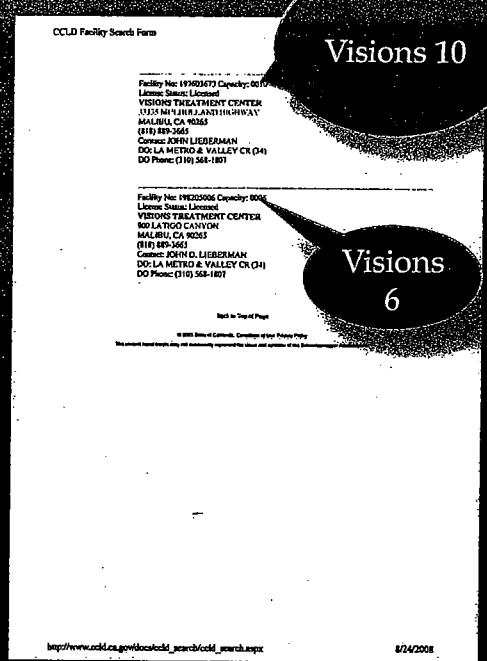
"Facility No. 1982056078
Capacity: 0006"

State of California, Community Care Licensing Division, August 24, 2008

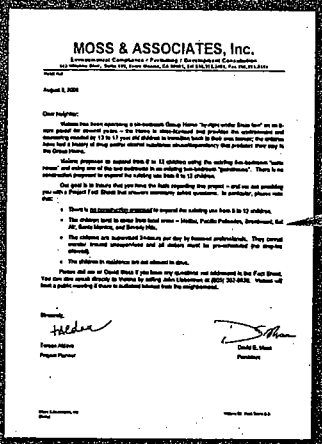
In fact, all of the facilities pulled up in a search of the California Community Licensing Division website were licensed for only 6 patients…except the other nearby Visions facility – licensed for 10.

And here they are as they currently exist…



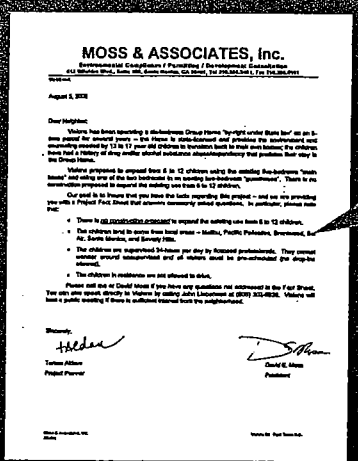


Make no mistake, Visions is *not* a government sponsored facility to help poor people in need.

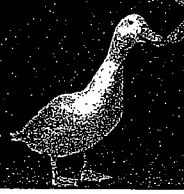

MOSS & ASSOCIATES, Inc.

"The children tend to come from local areas – Malibu, Pacific Palisades, Brentwood, Bel-Air, Santa Monica and Beverly Hills."

It does not even fill a local need in Malibu. It draws children from a much larger area of rich suburbs, not just Malibu.


MOSS & ASSOCIATES, Inc.

"The children tend to come from local areas – Malibu, Pacific Palisades, Brentwood, Bel-Air, Santa Monica and Beverly Hills."



That's not local.

And of all of the 34 group homes in the Malibu ZIP code, none have greater than 6 residents, except Vision's other facility - which has 10.

So, you can see there is *no* community need for this facility at all – much less its expansion to 14 children.

...and still more...

- ASAP Family Medical
  - Malibu, 90264
- Grasshopper House
  - 6428 Meadows Court, Malibu, 90265
- Malibu Coast Treatment
  - 6725 Portshead Rd., Malibu, 90265
- Malibu Health Club
  - 22917 Pacific Coast Highway, Malibu, 90265
  - Malibu Horizon
  - 265 Westlake Blvd., Malibu, 90265

...the end...at least for today.

- Label Me Sane
  - Malibu, 90265

...and more yet...

- Sunset Malibu,
  - Malibu, 90265
- Milestones Ranch Malibu
  - Malibu, 90263
- Club Soba
  - 22669 Pacific Coast Highway, Malibu, 90265
- Creative Care, Inc.
  - 5927 Trancas Canyon Rd., Malibu, 90265
- Humble House
  - 517 W. 57th St., Malibu, 90037

...and even more...

- Its Perfect Malibu
  - 6140 Cavalleri Road, Malibu, 90265
- Malibu Beach Sober Living
  - Malibu, 90263
- Oceanside Malibu
  - Malibu, 90263
- Stone Eagle Retreat
  - 1665 Encinal Canyon Rd. Malibu, 90265
- Twin Towers Treatment
  - 5927 Trancas Canyon Rd., Malibu, 90265

...more...

- Summit Malibu
  - 31544 Anacapa View Drive, *Malibu, 90265*
- Renaissance Malibu
  - 30765 Pacific Coast Highway, *Malibu, 90265*
- Promises
  - 20786 Cool Oak Dr., *Malibu, 90265*
- Malibu Ranch Treatment Center
  - 7263 Birdview Ave., *Malibu, 90265*
- The Canyon at Peace Park
  - 2900 S. Kanan Dume Rd., *Malibu, 90265*
- Creative Care Inc.
  - 5927 Trancas Canyon Rd., *Malibu, 90265*

...and more...

- Westside Sober Living Centers, Inc.
  - 20723 Rockcroft Drive, *Malibu, 90265*
- Harmony Place
  - 6415 Busch Drive, *Malibu, 90265*
- Cliffside Malibu
  - 30060 Andromeda Lane, *Malibu, 90265*
- Sweetwater Sober Living
  - 3380 Mesa Rd., *Malibu, 90265*
- Riviera Sober Living
  - 23865 Pacific Coast Highway, *Malibu, 90265*

...Visions' other drug and alcohol rehab center...less than 4 miles away.

Malibu's exiting treatment centers are:

- Visions Adolescent Treatment Center,
  - 33335 Mulholland Hwy, *Malibu, 90265 (10 patients)*
- Visions Adolescent Treatment Center
  - 900 S. Latigo Canyon, *Malibu, 90265*
- E.C.H.O. Treatment Centers
  - 6323 Via Escondido, *Malibu, 90265*
- E.C.H.O. Malibu Treatment Center
  - 6323 Via Escondido Drive, *Malibu, 90265*
- Marshak Clinic
  - 23852 Pacific Coast Highway, Malibu, 90265 (2 locations)
- Passages Addition Cure Center
  - 6428 Meadows Court, *Malibu, 90265*

The communities are aware of it. The following papers have reported numerous times.

- Malibu Times
- Los Angeles Times
- Malibu Surfside Times

As previously stated, Malibu already has over *34* drug and alcohol treatment facilities, and out of all these 34 facilities, Visions is the *only one* with over 6 residents...

There is absolutely no community need for this CUP

There is no community need for this facility, much less its expansion.

- There are already *over 34* treatment centers in Malibu as it is.
- Supervisor Zev Yaroslovsky's office is acutely aware of the rapid proliferation of the treatment centers in Malibu.
- Assemblyman Bob Huff and co-sponsors are attempting to address this problem at a statewide level with AB 1875

These should include, at a minimum:

- Because of the high fire hazard, rigorous compliance with all terms of the ADA and FEHA
- Two vehicles on site 24/7 that are handicapped accessible and available for emergency evacuation and appropriate staffing.
- An emergency evacuation plan including provisions to rapidly and safely transport the handicapped in the event of emergency.
- Installation of ramps and other accommodations to allow the handicapped children to safely reach the evacuation vehicle, or if not present or inoperable, to reach Castro Peak Motorway where others can assist them. We believe the current gravel driveway as the only means of egress is a dangerous barrier to this – particularly a risk for wheelchairs becoming stuck in the gravel driveway.

Therefore, granting the CUP, knowing that there is no intention on the part of Visions to comply with applicable laws protecting the handicapped would not seem to be in the best interest of the children or the County.

Visions states in their "Fact Sheet"

- "The children in residence are not allowed to drive."
- "The facility is in a rural setting making it inaccessible to public transportation thus discouraging runaways."

Visions Website, First page

There should be provisions, planning, and structural availability for the safe evacuation of handicapped children in the event of an emergency.

Evacuation of Handicapped Children

Nor has Visions made adequate provisions for the evacuation of handicapped children from the premises in times of fire or earthquake emergencies.

Clearly, the facility will need to comply with the terms of the ADA and FEHA, yet compliance cannot occur without violating the CUP.

Additional issues we wish to address:

- This facility needs to be a serious medical facility. The children are fighting serious additions. In addition to the counseling and group activities, Visions is monitoring children prone to relapse or suicide. They are administering drugs and are responsible for the children's lives and emergency treatment in the event of violence, overdose or suicide. Those moments are life and death. The EMTs are *not* close by. Sadly, these things happen. One only has to go to last week's news to find a story of 3 deaths and a rape in a similar facility occurring within a few months time span.

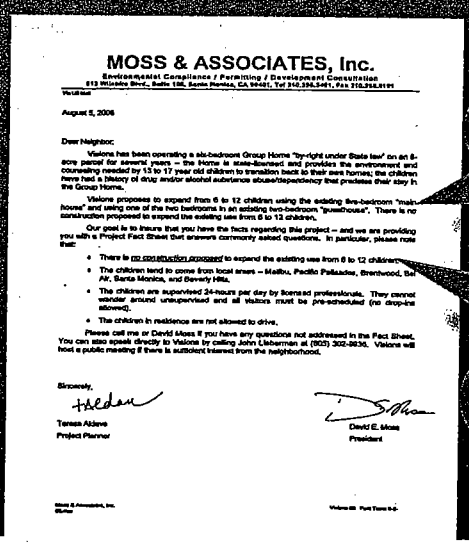
This would appear to be in clear violation of the ADA and FEHA laws

The ADA clearly states:

- Sec. 36.207 *Places of public accommodation located in private residences.*
- A) "...that portion used exclusively in the operation of the place of public accommodation or that portion used both for the place of public accommodation and for residential purposes is covered by this part."

Yet Visions makes no mention of plans to comply with the terms of the ADA or FEHA *and cannot* by stating "No construction is proposed to expand…" as they told both the community and Department

In fact, compliance with these laws requires extensive structural improvements, but there is no intention of doing them.



MOSS & ASSOCIATES, Inc.

Environmental Compliance / Permitting / Development Consultation

[illegible]

August 5, 2006

Dear Neighbor:

Visions has been operating a six-bedroom Group Home "by-right under State law" on an 8-acre parcel for several years – the Home is state-licensed and provides the environment and counseling needed by 13 to 17 year old children to transition back to their own homes; the children have had a history of drug and/or alcohol substance abuse/dependency that predates their stay in the Group Home.

Visions proposes to expand from 6 to 12 children using the existing five-bedroom "main-house" and using one of the two bedrooms in an existing two-bedroom "guesthouse". There is no construction proposed to expand the existing use from 6 to 12 children.

Our goal is to insure that you have the facts regarding this project – and we are providing you with a Project Fact Sheet that answers commonly asked questions. In particular, please note that:

- There is no construction proposed to expand the existing use from 6 to 12 children.
- The children tend to come from local areas – Malibu, Pacific Palisades, Brentwood, Bel Air, Santa Monica, and Beverly Hills.
- The children are supervised 24-hours per day by licensed professionals. They cannot wander around unsupervised and all visitors must be pre-scheduled (no drop-ins allowed).
- The children in residence are not allowed to drive.

Please call me or David Moss if you have any questions not addressed in the Fact Sheet. You can also speak directly to Visions by calling John Lieberman at (805) 302-9936. Visions will host a public meeting if there is sufficient interest from the neighborhood.

Sincerely,

Teresa Aldave
Project Planner

David E. Moss
President

"There is no construction proposed to expand the existing use from 6 to 12 children."

"There is *no construction proposed* to expand the existing use from 6 to 12 children."

Visions' CUP has the effect of converting the current facility from a small group home to a medium sized medical care facility treating handicapped patients. Numerous new regulations will come into play on both the State and Federal level.

We doubt they will be able to continue to discriminate against handicapped children in their expanded facility.

- Admissions Criteria
  - "No physical or psychiatric disabilities which preclude participation in the program structure, and/or activities"

Visions' Website – Admission Criteria

Therefore, all 14 patients residing at the Visions' facility are considered disabled under the terms of the ADA and FEHA.

Federal and State laws (ADA and FEHA) protect these children and assure that they cannot be discriminated against in their access to care.

Since roughly 1 child in 12 is disabled, and Visions proposes expansion to 14 children, it would seem a statistical certainty that Visions will be treating disabled children – certainly over the course of time.

Additionally, recovering drug users and alcoholics are considered disabled under the ADA and FEHA.

American With Disabilities Act (ADA)

California Fair Employment and Housing Act (FEHA)

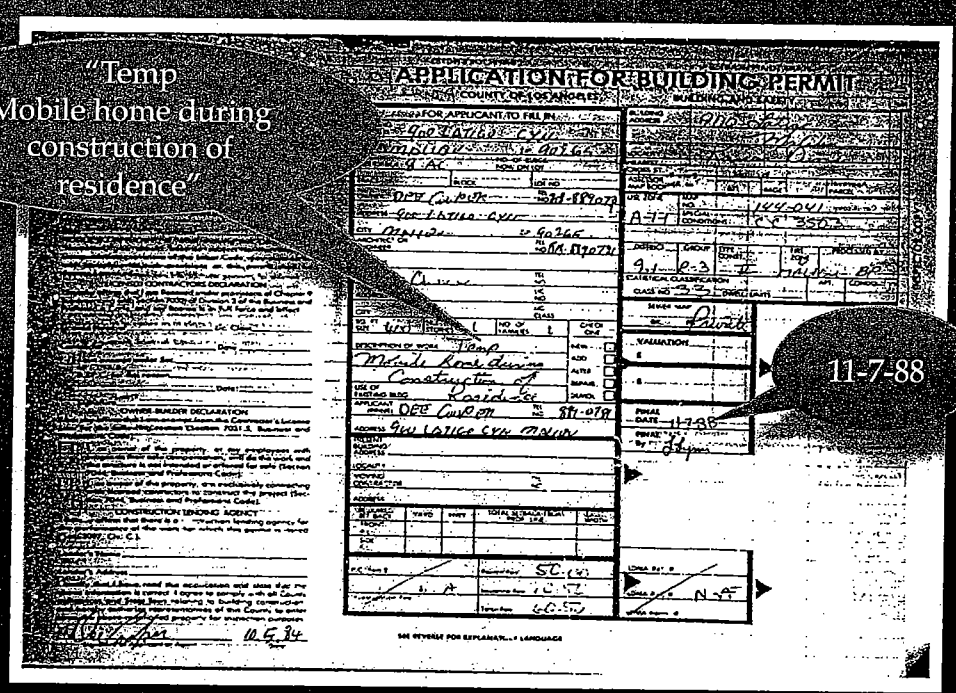
1 in 12 children ages 5 to 20 is disabled.

U.S. Census 2000

...there are other unpermitted structures as well

- Four of the bedrooms are unpermitted.
- There is a least one other unpermitted structure (guest house)
- There is an unpermitted temporary trailer from the days of the original construction in 1984.

Application for Temporary Mobile Home



"Temp Mobile home during construction of residence"

This has already resulted in current, existing, and unremedied problems

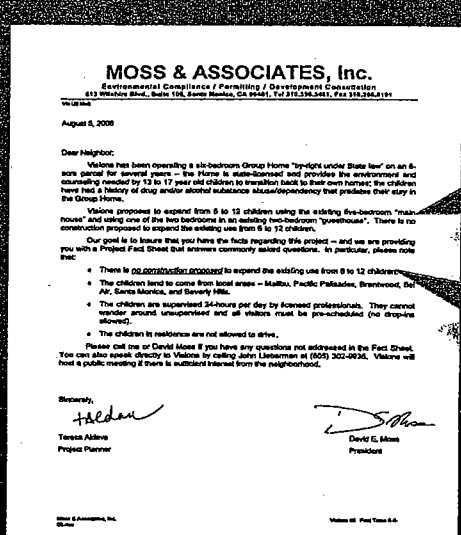
There currently exists a strong odor from septic system effluent overflow on entering the house and elsewhere and along the gravel driveway and...

There are no current permits for testing, repairing, and/or upgrading the current septic system on record with Los Angeles County Health Department, Calabasas

When the current septic system failed, they did not contact the County and design a new permitted system.

They have been operating this way with impunity for "several years" with no concern for Los Angeles County ordinances.

Even now, there is no intention to correct the septic system which is currently failing.



MOSS & ASSOCIATES, Inc.

Environmental Compliance / Permitting / Development Consultation

613 Wilshire Blvd., Suite 106, Santa Monica, CA 90401, Tel 310.396.3461, Fax 310.396.8191

August 5, 2008

Dear Neighbor:

Visions has been operating a six-bedroom Group Home "by-right under State law" on an 8-acre parcel for several years – the Home is state-licensed and provides the environment and counseling needed by 13 to 17 year old children to transition back to their own homes; the children have had a history of drug and/or alcohol substance abuse/dependency that predates their stay in the Group Home.

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Sincerely,

Teresa Aldave
Project Planner

David E. Moss
President

"There is no construction proposed to expand the existing use from 6 to 12 children."

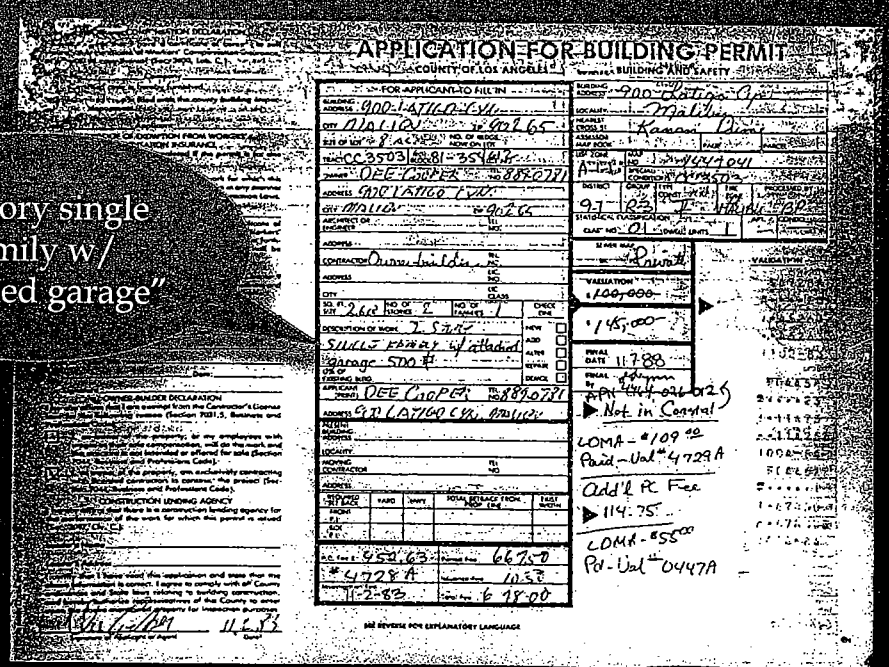
"There is ***no construction proposed*** to expand the existing use from 6 to 12 children."

Visions is currently operating a *six* bedroom group home on a septic system designed and approved for only two bedrooms... and it is failing as it is - much less without handling the additional waste needs of 18 people.

The septic system has *already* failed with just 6 children at the facility.

Additionally, the structure itself was only permitted and approved for a two bedroom single family residence

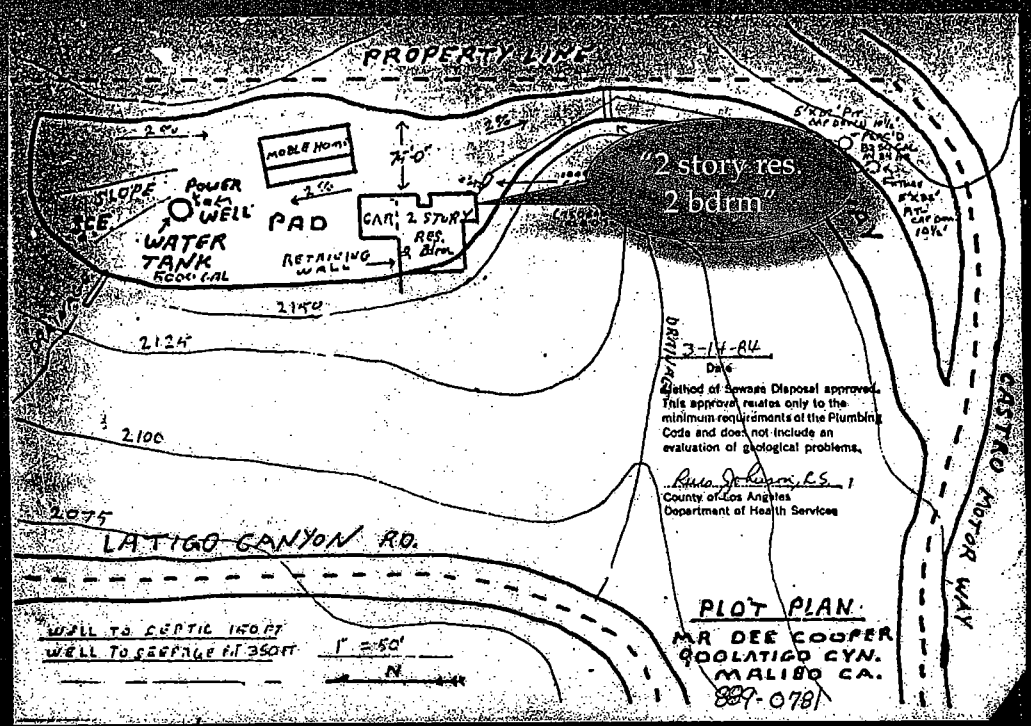
Application for Building Permit



"2 story single family w/ attached garage"

The septic permit was approved for, and allows only, a two bedroom home.

Again, here is the proof:



Additionally, there are currently unresolved complaints against the property regarding fire, safety, and public health hazards.

The house is only permitted for a 2 bedroom single family residence. Therefore, the septic system was only designed and permitted to handle the waste needs of a small family – *not* a *commercial* business with approximately 18 people living there full-time.

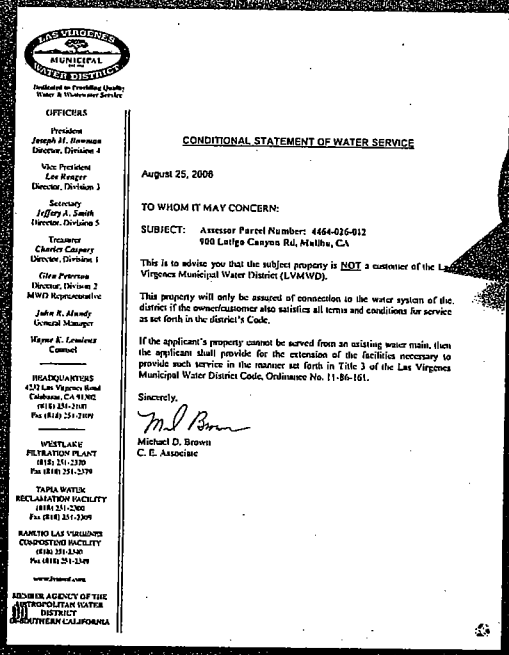
The Visions' facility is not permitted for its *current* operations – much less expansion.

The Visions facility as it currently exists with only 6 patients is *already* in violation of Los Angeles County Building and Safety and Health Department Codes

Their application implies they have an adequate existing sewage disposal system capable of handling the waste disposal needs for 18 people.

They don't.

Here is the proof.



LAS VIRGENES MUNICIPAL WATER DISTRICT

Dedicated to Providing Quality Water & Wastewater Service

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Lee Renger
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John R. Mundy
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Wayne K. Lemieux
Counsel

HEADQUARTERS
4232 Las Virgenes Road
Calabasas, CA 91302
(818) 251-2100
Fax (818) 251-2109

WESTLAKE FILTRATION PLANT
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(818) 251-2300
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RANCHO LAS VIRGENES COMPOSTING FACILITY
(818) 251-2340
Fax (818) 251-2349

www.lvmwd.com

MEMBER AGENCY OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

CONDITIONAL STATEMENT OF WATER SERVICE

August 25, 2008

TO WHOM IT MAY CONCERN:

SUBJECT: Assessor Parcel Number: 4464-026-012
900 Latigo Canyon Rd, Malibu, CA

This is to advise you that the subject property is NOT a customer of the Las Virgenes Municipal Water District (LVMWD).

This property will only be assured of connection to the water system of the district if the owner/customer also satisfies all terms and conditions for service as set forth in the district's Code.

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in Title 3 of the Las Virgenes Municipal Water District Code, Ordinance No. 11-86-161.

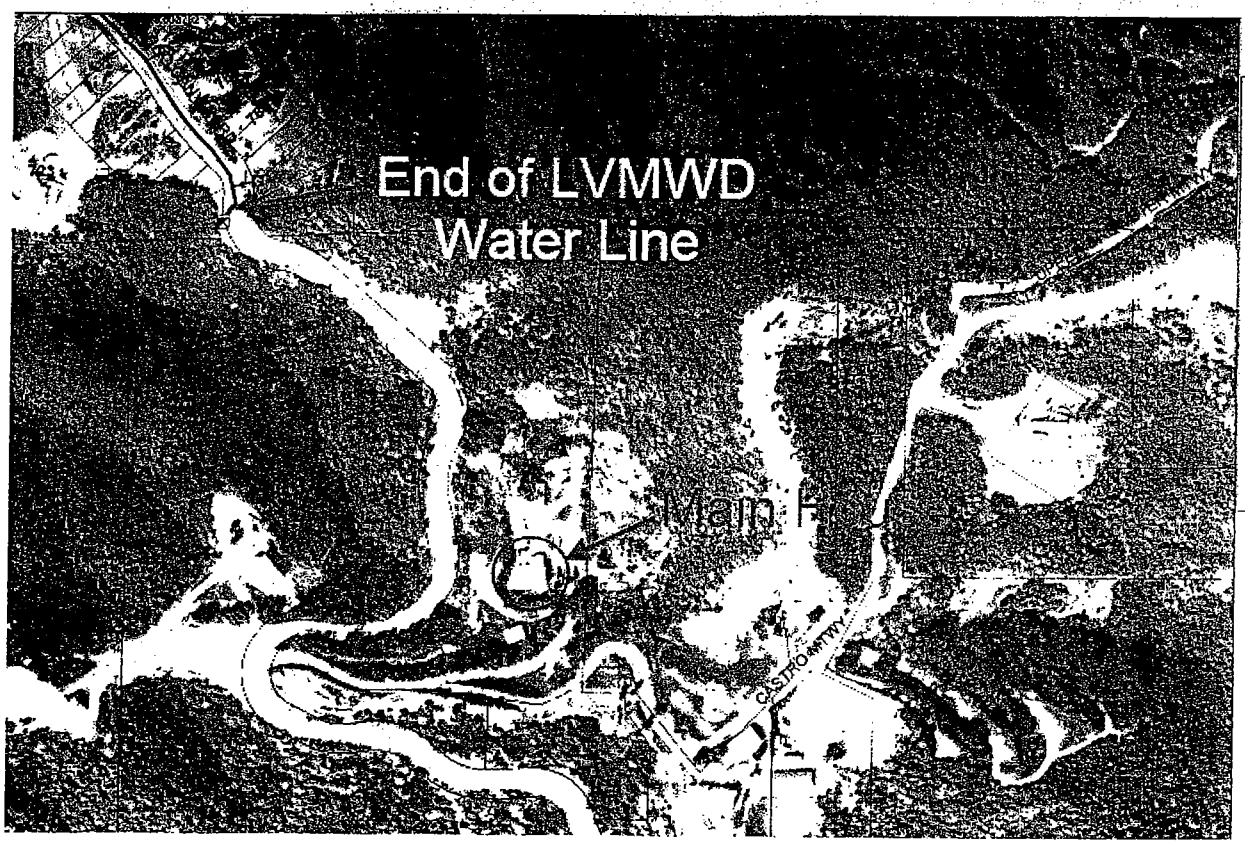
Sincerely,

Michael D. Brown
C. E. Associate

"This is to advise you that the subject property is **NOT** a customer of the Las Virgenes Municipal Water District."

Michael D. Brown
8/25/08

LVMWD's Own Plans



Las Virgenes Municipal Water District is not responsible for the accuracy of this presentation. This presentation is for illustrative purposes only. Verify the physical location of all property lines, water lines and ancillary information prior to use.

The Truth: There is *no* connection to Las Virgenes Municipal Water District. The water comes from a well on the site.

This well will need to provide for the water needs of approximately18 people living there full-time and draws from a community aquifer.

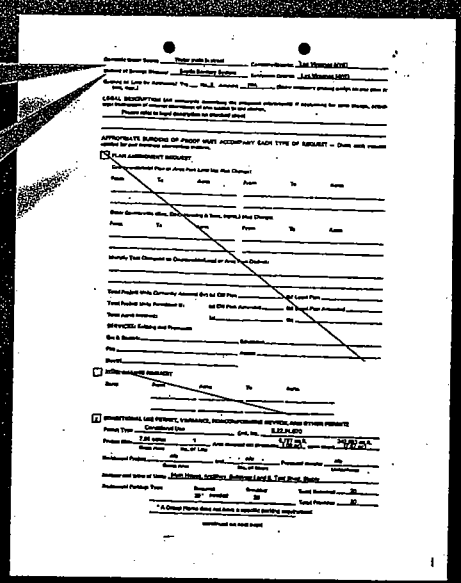
The first requirement in a Conditional Use Permit application is a truthful and transparent application...

...theirs is neither.

It begins with their initial application.

Domestic Water Source:
"Water Main In Street"

Source of Sewage Disposal:
"Sanitary Septic System"



In addition to failing to meet its burden of proof, we believe there is considerable additional pertinent information that has a direct bearing on their CUP application.

- Visions' application contains untrue information.
- Visions current operation of its current facility is out of compliance with L.A. County Building and Safety codes.
- Visions' application completely fails to address the steps necessary to be in compliance with the terms of the ADA and FEHA.
- No other drug and alcohol rehabilitation center has over 6 residents in the Malibu area.
- Visions' expansion will convert it from a group home to a commercial medical drug and alcohol rehabilitation facility.

Additional Pertinent Information

The County's "Notice of Public Hearing" states:

"If the final decision is challenged in Court, testimony may be limited to issues raised at the public hearing..."

We will try to be brief, but need to protect our rights.

In summary,

We believe Visions has clearly not met its burden of proof in *any* of the Sections as required by Title 22.

Therefore, we believe the application should be denied on this basis alone.

After all, why would VTC Malibu Properties buy the land, hold it in a declining market, and not offer it for sale for over 2 ½ years. Likely because their only business is developing property for drug rehab centers.

Here are their 2 properties

The surrounding area is *exclusively* residential. There is nothing consistent about integrating a large commercial drug rehabilitation center in single family home residential area with increased dangers to the community and devaluation of area properties.

We also believe that granting the CUP to this property will set a precedent for the establishment of *another* drug and alcohol rehabilitation center on the 10.85 acre property they own directly adjacent to this one.

Integration of use with the uses of the surrounding areas.

We further believe they have not met their burden of proof under the terms of Section B.

- 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*;

Logic would seem to confirm this. Ask yourself "If two properties were identical, how much discount would you require to buy the one next to the drug and alcohol rehab center?"

We, therefore, believe that Visions has further failed to meet its burden of proof under Section A-2 as well.

Here is the second.

COLDWELL BANKER

RESIDENTIAL BROKERAGE

August 30, 2008

Dr. James Bollinger
Dr. Adriana McGregor
Wynat M. Lauterman
31220 La Baya Dr.
Westlake Village, CA 91362

Reference: August 29th, 2008 Request for info regarding your Malibu Propert

Dear Dr. Bollinger, Dr. McGregor, and Mr. Lauterman,

I have reviewed your e-mail and public hearing notice that you sent to me. As you w
I was very honored to have found the two properties and represented you in the purch
of them. You may remember that around 18 months before we opened up escrow on
your two properties, we were in escrow on the property just down the street on Latigo
Canyon Rd. near Thrift Rd. Fortunately during the escrow, we made a very dynamic
discovery of an issue that was not normal for properties in the Malibu-Santa Monica
Mountains, and the issue devalued the property about 32% off the price you were paying
for the property. Jim, you may remember that after you lost the Public Hearing reversal
motion on the issue, you immediately cancelled the Escrow.

I see some similarities with your current issue that you have brought to my attenti
regarding your properties. The situation involving CUP case number 20070010
think is of exponentially greater concern. I believe your first concern is the
group home becomes in number of patients, the bigger the negative impac
home will have on your property value and your peace of mind living u
You have to understand that your properties are in a higher-end aff
Monica-Malibu Mountains, and your properties are right next door to the
question. Many people in your price bracket would never buy their real estate at any
given price in an area that is close to a group home or halfway house. I don't think all of
you ever would have bought your properties if the group home was already in existence;
moreover, would you have bought your properties at a 35% discount or a 70% discount
off normal market value with a Realtor jumping up and down telling all of you that, "this
is a great value play, don't miss it," all of you would have said, "no thanks, show us
something else." Now if you placed the same group home scenario you are up against in
a middle of the road neighborhood in Oxnard, the devaluation percentage factor of
surrounding homes close to the group home would not be as great as it is in Malibu.

There was a group-rehabilitation home for kids for many years in Calabasas that was
approved by Los Angeles County before Calabasas incorporated as a city. As I recall

Owned And Operated By NRT LLC.

1

"Many people in your price bracket would never buy their real estate at any given price in an area that is close to a group home..."

...ers until a couple of kids from the group home were
...ounder happened at the Las Virgenes

...a considerable
...ility."
...area for many
...ate in the
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...ts out a
...of their
...." When the
...properties, we will of
...Teen Drug and
...will find out about the group home.
...Seller) to disclose in writing that your
homes are so close to a group home. I have attached California Association of Realtors
"Seller Property Questionnaire Form" that you will be required to fill out and give to
your potential Buyers. I have outlined paragraph 3, page 1, and paragraphs 5, items 24,
and 26, page 3, and paragraph 5, item 44, page 4, that will pertain to your disclosure of
the group home to your potential Buyers. The Drug and Alcohol Rehabilitation Teen
Group Home as proposed will cause very sharp declines of your normal fair market value
of your properties in a medium or slow real estate market.

Best Regards,

René Carión
Licensed California Real Estate Broker
818 519-5121
310 455-9438

2

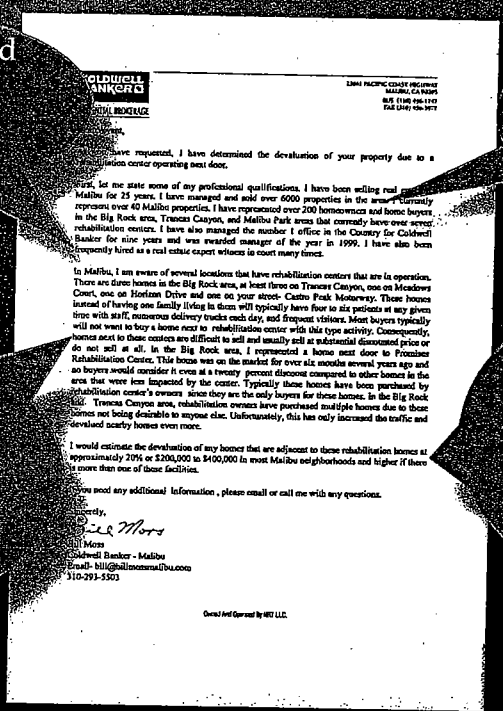
Both letters place the devaluation effect at least 20% *or more* depending on the circumstances.

We have 2 letters from real estate experts in the local area testifying to the devaluation effect group homes have on area properties.

Here is one.

"frequently hired as a real estate expert in court many times"

"managed and sold over 6000 properties in the area"



OLDWELL BANKER

[illegible] PACIFIC COAST HIGHWAY
MALIBU, CA 90265
BUS (310) 456-1747
FAX (310) 456-3977

[illegible]

[illegible] have requested, I have determined the devaluation of your property due to a [illegible]tation center operating next door.

First, let me state some of my professional qualifications. I have been selling real [illegible] Malibu for 25 years. I have managed and sold over 6000 properties in the area. I currently represent over 40 Malibu properties. I have represented over 200 homeowners and home buyers in the Big Rock area, Trancas Canyon, and Malibu Park areas that currently have over seven rehabilitation centers. I have also managed the number 1 office in the Country for Coldwell Banker for nine years and was awarded manager of the year in 1999. I have also been frequently hired as a real estate expert witness in court many times.

In Malibu, I am aware of several locations that have rehabilitation centers that are in operation. There are three homes in the Big Rock area, at least three on Trancas Canyon, one on Meadows Court, one on Horizon Drive and one on your street- Castro Peak Motorway. These homes instead of having one family living in them will typically have four to six patients at any given time with staff, numerous delivery trucks each day, and frequent visitors. Most buyers typically will not want to buy a home next to rehabilitation center with this type activity. Consequently, homes next to these centers are difficult to sell and usually sell at substantial discounted price or do not sell at all. In the Big Rock area, I represented a home next door to Promises Rehabilitation Center. This home was on the market for over six months several years ago and no buyers would consider it even at a twenty percent discount compared to other homes in the area that were less impacted by the center. Typically these homes have been purchased by rehabilitation center's owners since they are the only buyers for these homes. In the Big Rock and Trancas Canyon area, rehabilitation owners have purchased multiple homes due to these homes not being desirable to anyone else. Unfortunately, this has only increased the traffic and devalued nearby homes even more.

I would estimate the devaluation of any homes that are adjacent to these rehabilitation homes at approximately 20% or $200,000 to $400,000 in most Malibu neighborhoods and higher if there is more than one of these facilities.

[illegible] need any additional information, please email or call me with any questions.

[illegible]erely,

Bill Moss

Bill Moss
Coldwell Banker - Malibu
Email- bill@billmossmalibu.com
310-293-5503

Owned And Operated By NRT LLC.

"homes next to these centers are difficult to sell and usually sell at a substantially discounted price or do not sell at all"

"I would estimate the devaluation of any homes adjacent... at 20% or $200,000 to $400,000 in most Malibu neighborhoods"

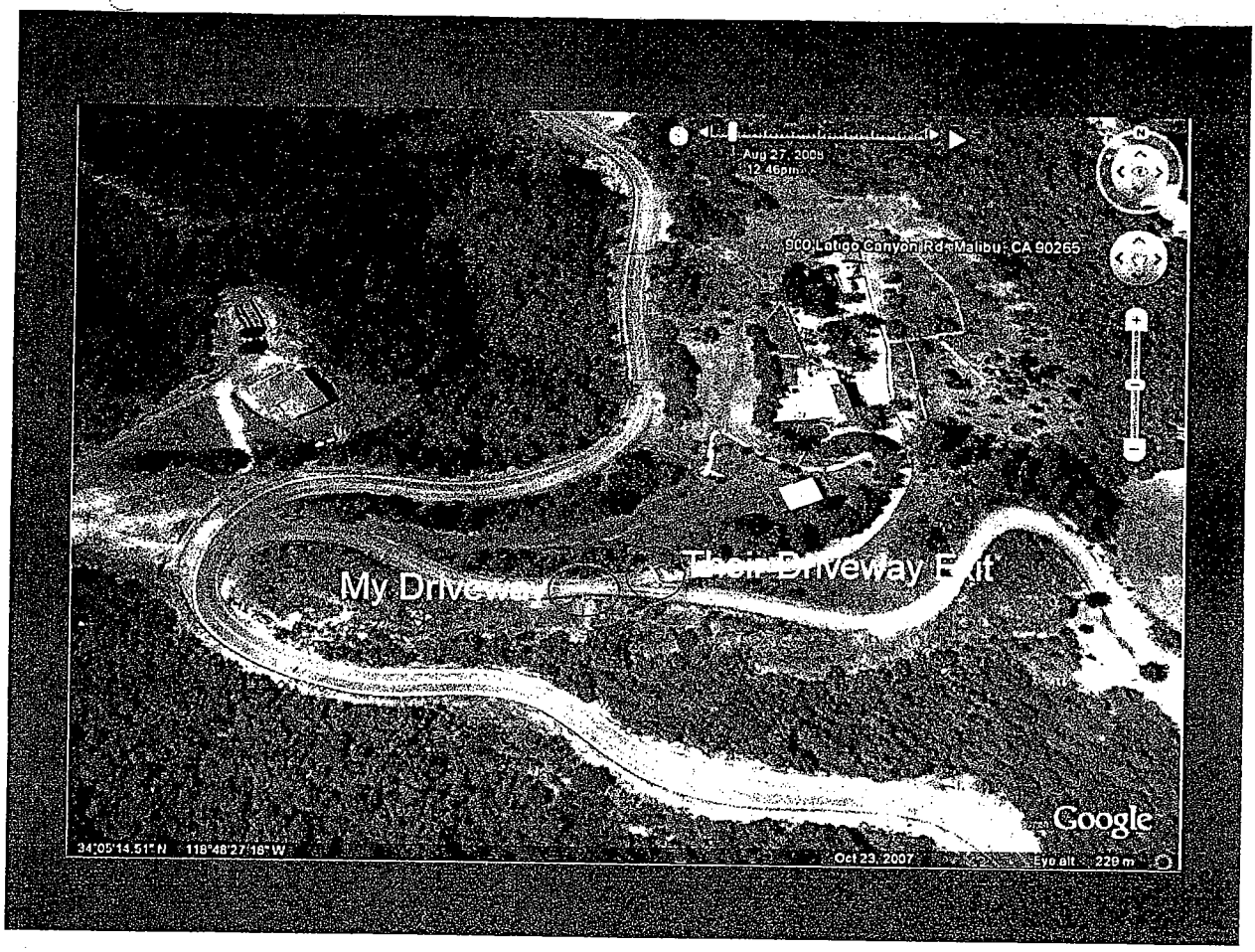
We believe Visions has failed to prove this point as well. To the contrary, there is a *substantial devaluation* to nearby properties further worsened by Visions' proposed expansion.

Currently, the Visions' property is on the official records only as a single family residence. If the CUP is granted it will show up on the official records as a commercial group home – devaluing area properties further.

Devaluation of Property

Burden of Proof, A-2 requires:

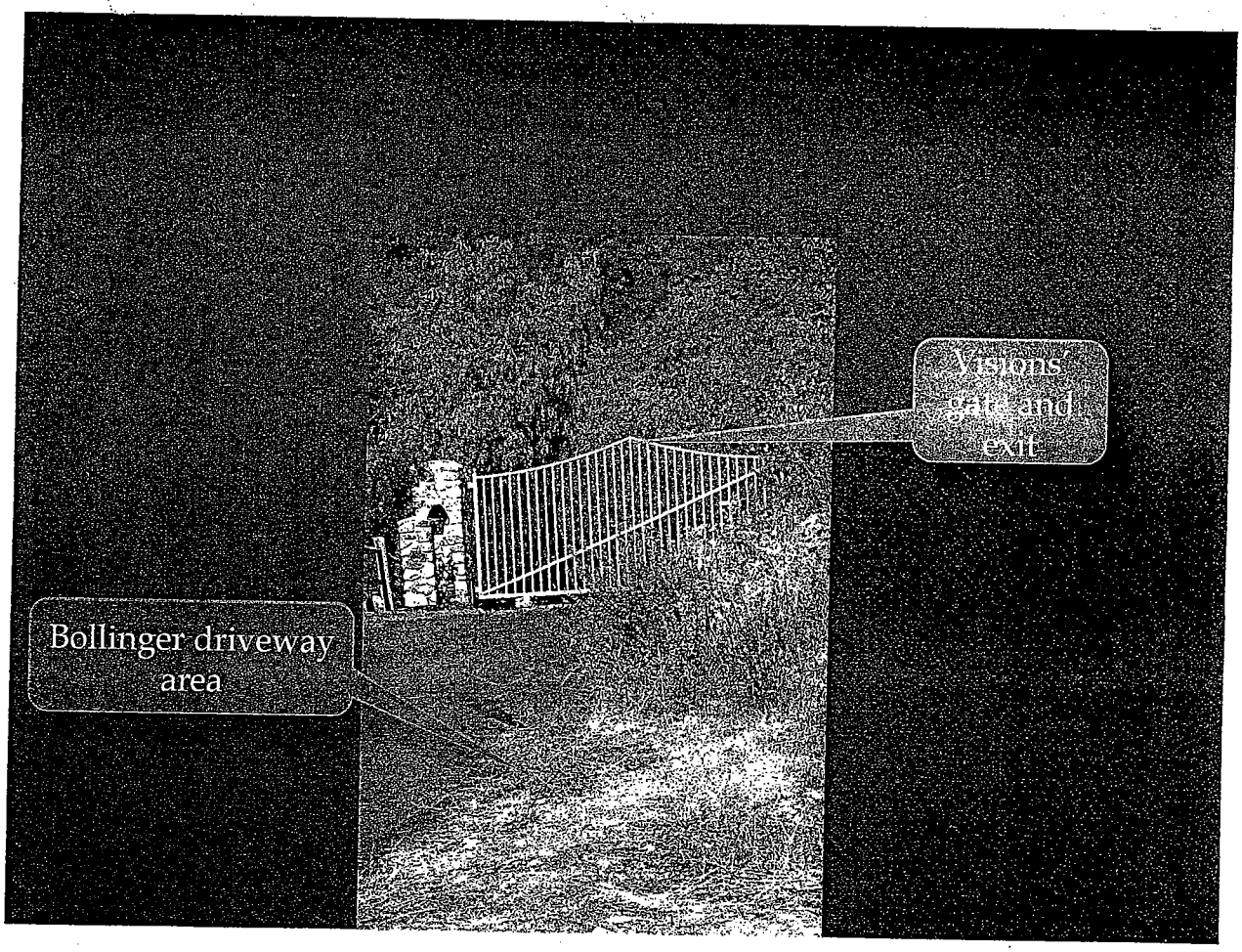
"That the requested use at the proposed location will ...*not* be materially detrimental to the use, enjoyment, or *valuation* of property of other persons located in the vicinity of the site ..."



In addition to Sections A1-3, we believe the additional traffic problems created prevent meeting the burden of proof for C1 and C2 as well:

- 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…
  - 2. by other public or private service facilities as are required.

Additionally, the exit from the Visions' facility is extremely close to where the Bollinger driveway will be. The existing road is already narrow and does not meet current fire codes (i.e. too narrow, no hammerhead turns).



To make matters worse, because of its narrow, twisty, winding nature and challenging curves, Latigo Canyon Road is a favorite route for motorcycles, sports cars, car/motorcycle clubs and racers traveling at high rates of speeds.

All of these factors lead to significantly increased danger at the intersection of Castro Peak Motorway and Latigo Canyon Rd.

View from across the street looking to the left

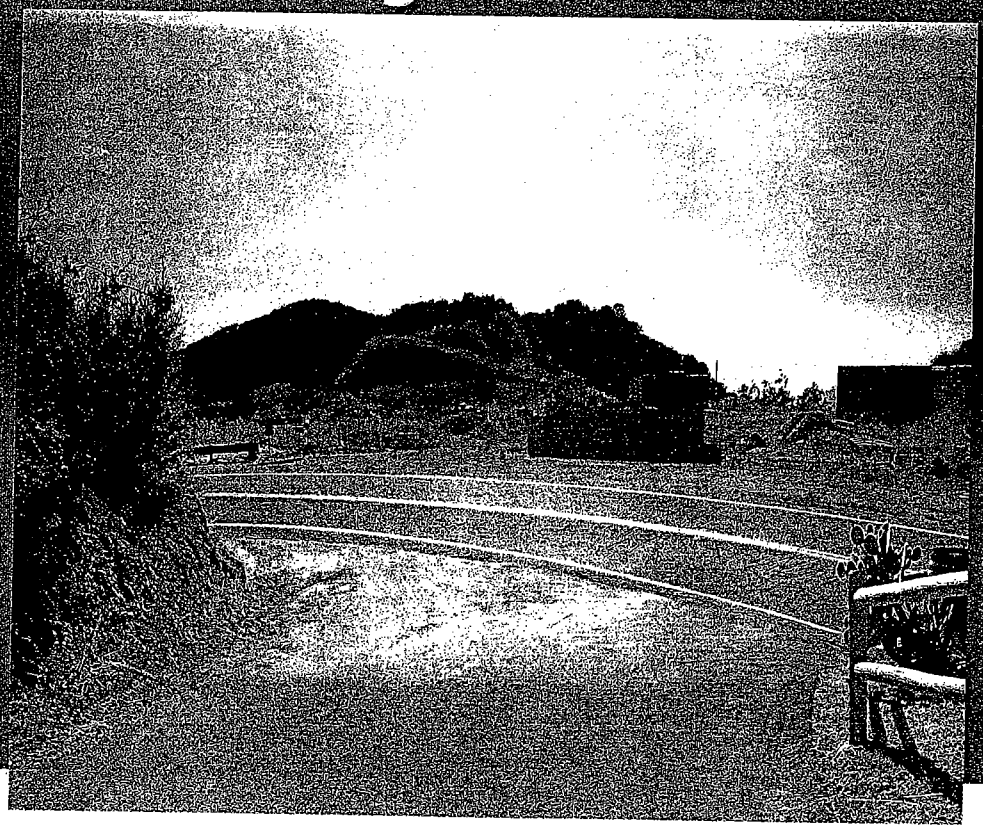
Driver's View Looking Left

Oncoming Car From Right

Driver's View

Reality

Straight Ahead



Looking Right

And there is no way for an exiting driver to maneuver to avoid an accident. They have no time, are too slow, and must negotiate an extremely tight turn of approximately 110 degrees (right turns)

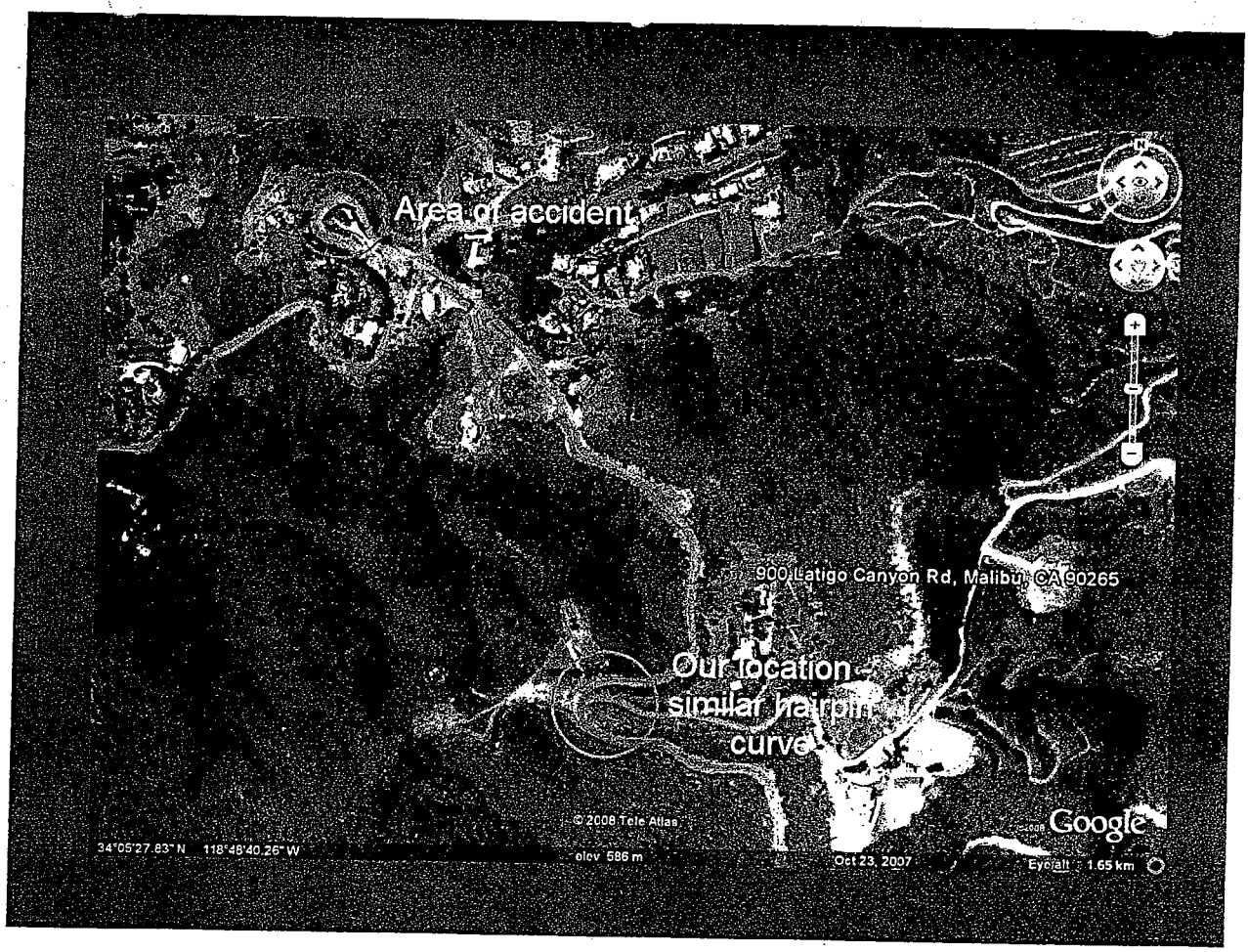
Here are the actual views as a driver would see it.

An exiting vehicle simply cannot see an oncoming vehicle until it is only about 50 feet away – from either direction.

That gives both drivers approximately ½ second to react in the best of circumstances…ignoring the distractions posed by a car full of children.

This is our curve

One of the neighbors there reported *six* accidents at their location over a period of about 3 years. Our curve is substantially similar.



The outlet from Castro Peak to Latigo Canyon is an *extreme* traffic danger as it is located on a "blind curve" with *extremely* limited visibility of oncoming traffic *in both directions*.

There was a head-on collision at a similar curve less than 3/4 mile away on/or about August 24, 2008

Additional traffic creates additional risks. In this case, risks involving cars full of children and high speed collisions.

The proposed expansion will create unsafe traffic conditions for the children, staff, community, and oncoming traffic on Castro Peak Motorway and Latigo Canyon Road

The Social Rehabilitation Facilities Regulations state:

- "Residents are required to be involved in daytime activities outside of the house which are relevant to their personal goals and conducive to their achieving more self-sufficiency."

California DSS Manual CCL

The increased traffic comes from

- School – 3 hours/day - 5 days/week
- Medical/Dental care
- Visiting staff – nurses, therapists, counselors, family therapists, physicians, psychiatrist, peer counselors and activity therapists
- Court
- Community service
- Probation officer appointments
- Visitors
- Therapy- individual, group, family, psychological, activity, art
- Personal maintenance – shopping, haircuts, clothes
- Meetings
- Logistics
- Food and supplies
- Family visits – at least every Saturday.
- Outpatient programs

Additionally, because it will become essentially a medium sized rural medical treatment facility and will not be within a quick response time of the fire department, it will likely ultimately be required to store portable emergency oxygen...a flammable gas... creating an additional fire hazard.

The more than doubling of children and staff at the facility will lead to dramatically increased traffic and risks of serious accidents.

Because the facility is in a high fire hazard area and there is a dense concentration of children, we have the following safety concerns for the children and neighbors.

- Hammerhead turn for firefighting apparatus
- Unpermitted bedrooms and structures electrical wiring may not be up to code with an attendant risk of increased fire danger (arcing, sparks).
- Are fire sprinkler and smoke alarm systems in place and up to code in unpermitted rooms and structures?
- How is the addiction-related smoking increase monitored at the site?
- Does Visions have a plan and means to evacuate the 14 children and staff immediately under emergency conditions as well as their other facility simultaneously? (i.e. enough vehicles at each facility)
- Do the unpermitted bedrooms and structures meet seismic requirements as well?

Visions' CUP application fails to meet the burden of proof requirements in the following ways:

- Increased fire dangers
- Increased traffic and traffic dangers
- Property devaluation
- Strong community objection. 15 letters of community ***residents***, (so far) testify to their health, peace, comfort, welfare and enjoyment being effected adversely by the CUP.

The increased fire danger arises because the property is located in a zone of *extreme* fire hazard and:

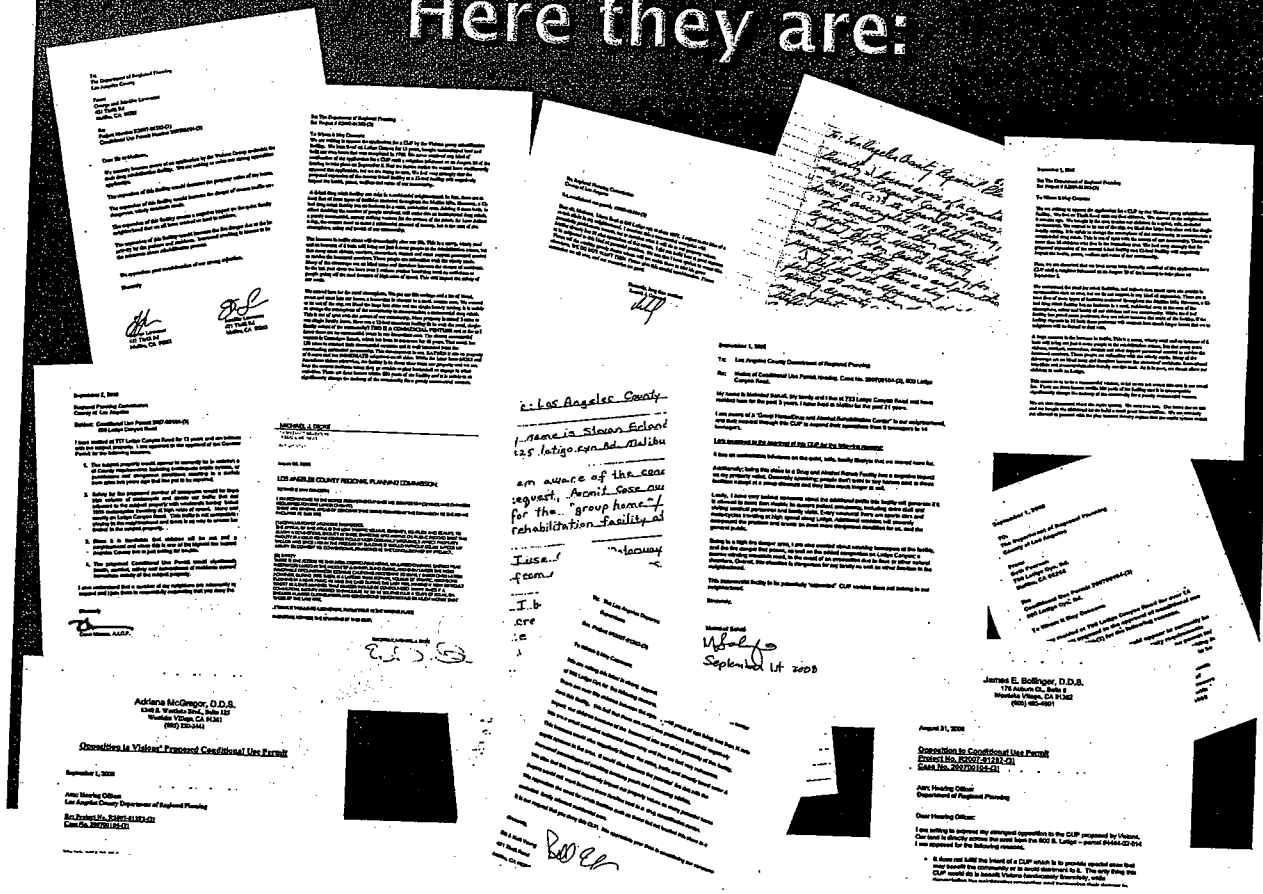
- The dense concentration of troubled, immature children undergoing rehabilitation who are smokers at the site.
- Supervision will *decrease* with the expansion. There will be ***no additional staff*** added to handle the increased supervision needs despite the greater than *doubling* (from 6 to 14) of the children patients there. There will be only *two* adult supervisors for 14 children. They cannot monitor all of them.
- Four bedrooms of the current site are unpermitted and have never undergone inspection for their electrical systems, fire blocking, fire sprinklers as well as one unpermitted guest house and an unpermitted trailer. (Moss & Associates states "Visions has been operating a *6 bedroom* group home…*for several years*.")

The community members, in differing language, all feel that granting the CUP will be detrimental to Sections A1, A2 and A3.

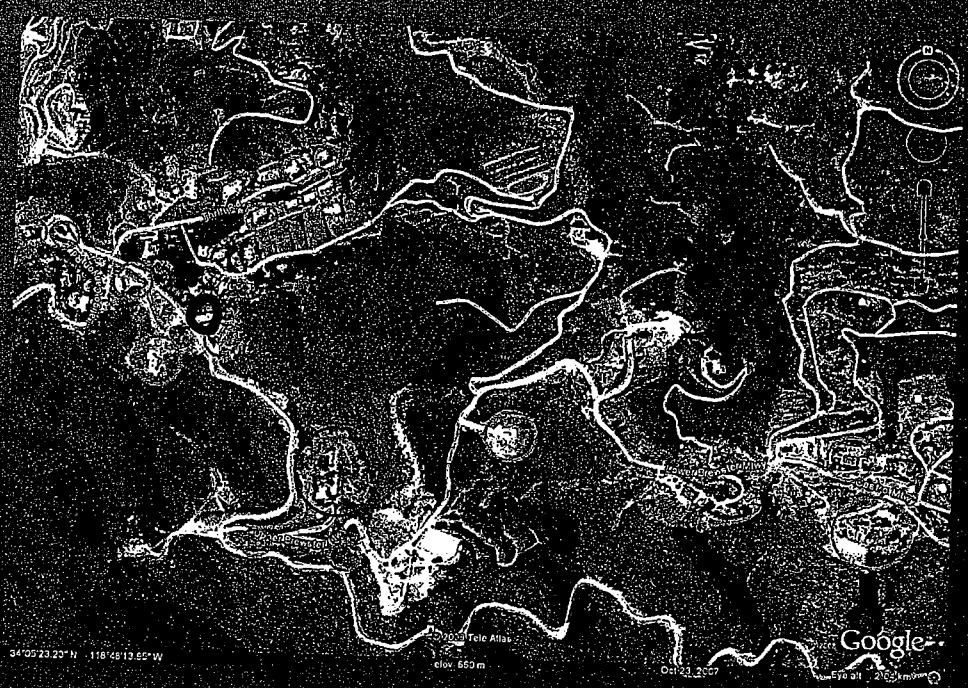
- A. That the requested use at the location *will not*:
  - 1. *Adversely affect* the *health, peace, comfort or welfare* of persons residing or working in the surrounding area…
  - 2. Be materially detrimental to the use, *enjoyment or valuation of property* of other persons located in the vicinity of the site, or
  - 3. *Jeopardize, endanger or otherwise constitute a menace* to the *public health, safety or general welfare*; and…

Visions' Conditional Use Permit application has failed to meet its burden of proof on all levels…

Here they are:



Here is a map of their locations



There is certainly nothing essential or desirable about this CUP from the community's perspective and it strongly perceives it to be to its considerable detriment.

Of the 16 *resident* neighbors (not landowners) we spoke with, 15 were upset enough to write a letter opposing granting the CUP. One wrote a letter of "neutrality". We were not able to contact all the neighbors in the time we had available.

So essentially, a CUP is designed to enhance benefit and control detriment to the community. It is not designed to enrich one individual member of the community at the expense of the many.

Let's begin with the community's overwhelming opposition to the CUP

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

According to the State of California's website, a conditional use permit:

"...allows a city or county to consider *special uses which may be essential or desirable to a particular community*..."

and

"...to enable a municipality *to control certain uses which could have detrimental effects on the community*."

http://ceres.ca.gov/planning/cup/condition.htm

We have organized the presentation to be as efficient as possible, but still including their many voices without duplication.

Section 22.56.040 sets forth the following requirements for the application's burden of proof:

- 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; and…

Wyant Lauterman
James Bollinger

We are representing ourselves and giving voice to the following neighborhood property owners concerns at this Hearing:

- Adriana McGregor
- John Gonzales
- Jennifer Gonzales
- Charles McCarty
- George Lawrence
- David Mercer
- Michael Dickey
- Ronald Ormerod

Steve Erlandson
Beth Pearson
Bill Young
Kelli Young
Jennifer Lawrence
Mehrdad Sahafi
Nicole Fisher
David Teel

MARK J. LEONARDO

OBJECTIONS TO CONDITIONAL USE PERMIT

VTC Malibu Properties, LLC
Visions Treatment Center, LLC
(referred together henceforth as "Visions"

Department of Regional Planning
County of Los Angeles
Public Hearing

September 2, 2008
Project No. R2007-01282-(3)
Case No. 200700104-(3)

MOSS & ASSOCIATES, Inc.

Environmental Compliance / Permitting / Development Consultation

613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via Email and U.S. Mail

August 28, 2008

Mr. Wyant Lauterman
31220 La Baya Dr. #110
Westlake Village, CA 91362

Re: Response to Comments – Case No. RCUP 200700104-(3)

Dear Mr. Lauterman:

Introduction

Moss & Associates, Inc. ("DMA") a full service land use planning and environmental consulting firm represents Visions Treatment Center, LLC ("Visions"). On behalf of Mr. Chris Shumow, Principal, Visions we have been asked to respond to the comments you have made regarding the proposed Conditional Use Permit ("CUP") application pending before County Regional Planning.

Project Fact Sheet

On behalf of Visions, we previously provided you and 32 neighbors within 500 ft of the Visions 7.96-and 11-acre parcels with a copy of the Project Fact Sheet. The Fact Sheet summarizes the historic use of the property for a by-right Group Home for adolescents, and the proposed expansion from six to 14.

CUP Comments and Responses

Visions has asked that DMA respond to comments that pertain to the proposed CUP. To date, we are not aware of any issues that you or any other neighbor has raised that can be considered by the County as part of the public hearing process.

In general, we understand that there may be some concessions of easements, land purchases, or lot line adjustments that you are strongly advising Visions to agree to. Unfortunately, these types of requests do not relate to CUP issues and are not subject to conditioning by the County as part of a CUP to expand the existing use.

CUP Conditions

We understand you have had an opportunity to review the Staff Report prepared by Regional Planning. Visions intends to comply with all the conditions of approval, including requirements by Health Services and County Fire Department. You should again contact Ms. Mi Kim if you want the County to consider conditions of approval for which there is a nexus to the proposed CUP use.

On-Going Discussion with Visions

We understand that you have met and spoken with Mr. Chris Shumow as Visions' representative. Mr. Shumow wants to make sure you are aware that Visions wants to continue to maintain close and clear communication with you and any other neighbor that have expressed interest in the project. We are standing by to discuss CUP-related issues with you and can be reached at the above-referenced telephone number.

Sincerely,

Teresa Aldave, Project Planner

David E. Moss, Principal

cc: Visions Treatment Center, LLC County Regional Planning; 3rd District Staff

MOSS & ASSOCIATES, Inc.

Environmental Compliance / Permitting / Development Consultation

613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via Email and U.S. Mail

August 28, 2008

Dr. James Bollinger
1401 Country Ranch Rd.
Westlake Village, CA 91361-5584

Re: Response to Comments – CUP Case No. RCUP 200700104-(3)

Dear Dr. Bollinger:

Introduction

Moss & Associates, Inc. ("DMA") a full service land use planning and environmental consulting firm represents Visions Treatment Center, LLC ("Visions"). On behalf of Mr. Chris Shumow, Principal / Visions we have been asked to respond to the comments you have made regarding the proposed Conditional Use Permit ("CUP") application pending before County Regional Planning.

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On behalf of Visions, we previously provided you and 32 neighbors within 500 ft of the Visions 7.96-and 11-acre parcels with a copy of the Project Fact Sheet. The Fact Sheet summarizes the historic use of the property for a by-right Group Home for adolescents, and the proposed expansion from six to 14.

CUP Comments and Responses

Visions has asked that DMA respond to comments that pertain to the proposed CUP. To date, we are not aware of any issues that you or any other neighbor has raised that can be considered by the County as part of the public hearing process.

In general, we understand that there may be some concessions regarding easements, land purchases, providing water to your property, and/or road improvements unrelated to access to the Visions parcels, that you are strongly advising Visions to agree to. Unfortunately, these types of requests do not relate to CUP issues and are not subject to conditioning by the County as part of a CUP to expand the existing use.

CUP Conditions

We understand you have had an opportunity to review the Staff Report prepared by Regional Planning. Visions intends to comply with all the conditions of approval, including requirements by Health Services and County Fire Department. You should again contact Ms. Mi Kim if you want the County to consider conditions of approval for which there is a nexus to the proposed CUP use.

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We understand that you have met and spoken with Mr. Chris Shumow as Visions' representative. Mr. Shumow wants to make sure you are aware that Visions wants to continue to maintain close and clear communication with you and any other neighbor that have expressed interest in the project. We are standing by to discuss CUP-related issues with you and can be reached at the above-referenced telephone number.

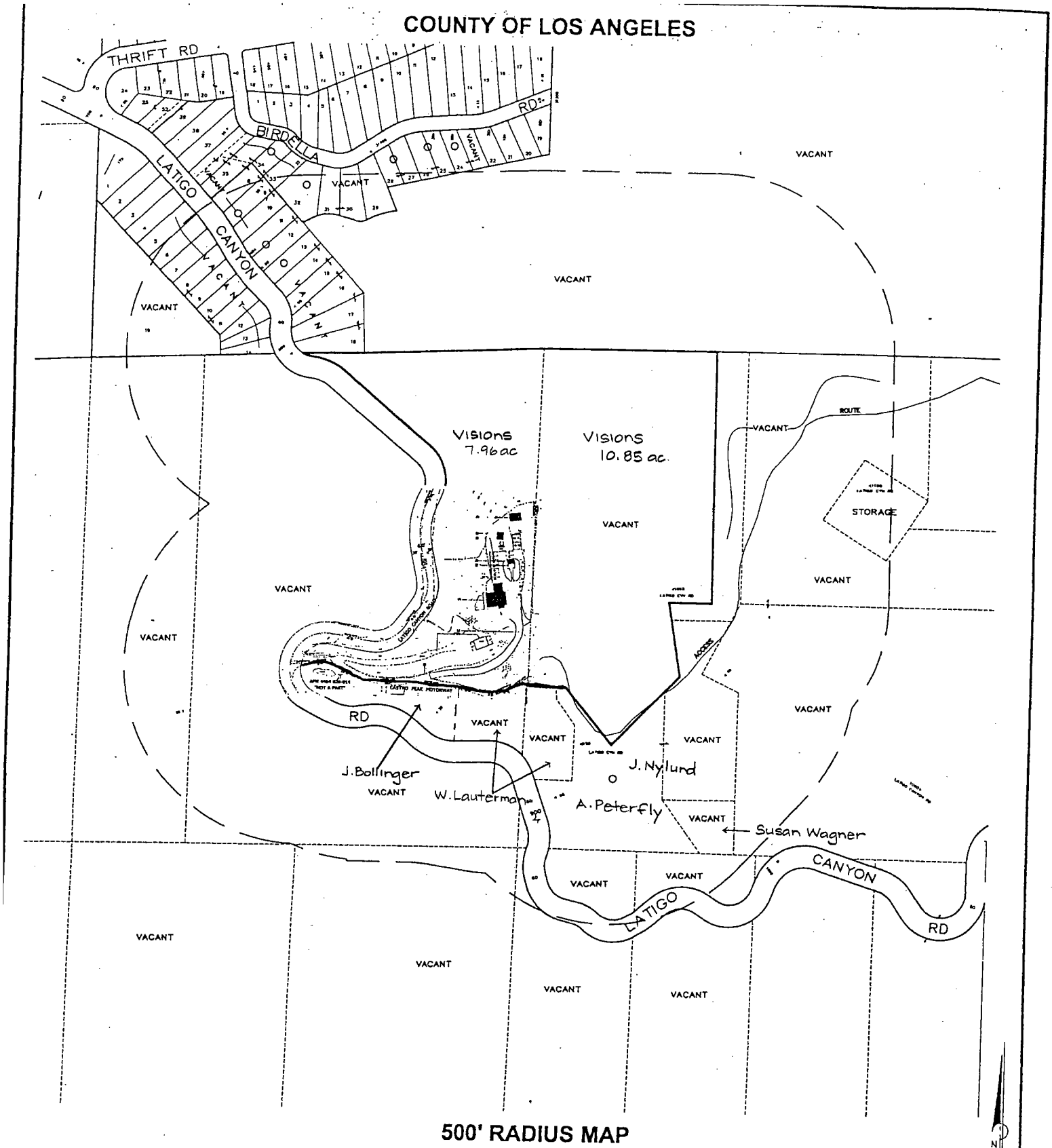
Sincerely,

Teresa Aldave, Project Planner

David E. Moss, Principal

cc: Visions Treatment Center, LLC County Regional Planning; 3rd District Staff

COUNTY OF LOS ANGELES



500' RADIUS MAP

GC MAPPING SERVICE
711 MISSION STREET, SUITE D
SOUTH PASADENA, CA. 91030
(626) 441-1080

LEGEND
O SINGLE FAMILY RESIDENCE
⊙ NUMBER OF UNITS
ALL OTHER USES AS SHOWN

CASE NO.
DATE: 05-01-2007
SCALE: 1" = 100'

LAND USE MAP

Radius Map (reduced)
Existing Visions Group Home

- There are 32 owners of record within 500 lin. ft.
- The 500 ft radius was drawn using both parcels owned by Visions.
- There is only one developed parcel with access from Latigo Cyn and that owner has written a support letter.

MOSS & ASSOCIATES, Inc.

Environmental Compliance / Permitting / Development Consultation

613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via Email and U.S. Mail

August 28, 2008

Ms. Susan K. Wagner
26610 Kalmia Ave.
Moreno Valley, CA 92555

Re: Response to Comments – Case No. RCUP 200700104-(3)

Dear Susan:

Thank you for calling on June 2, 2008 to discuss the above-referenced project. Moss & Associates, Inc. represents Visions Treatment Center, LLC ("Visions"). On behalf of Visions, we enjoyed our discussion which you initiated after receipt and review of the project Fact Sheet we sent to all owners within 500 ft. of the Visions parcels.

During our call, it was interesting to hear that you have owned the vacant parcel to the south for some time and that you do not oppose the existing six-adolescent Group Home *or* the expansion of the Group Home to work with a maximum of 14 adolescents.

We appreciated hearing that you have professional knowledge regarding the operations of a post-detoxification Group Home *and* that you commend those dedicated enough to provide this much needed service – especially to a relatively young population.

Visions appreciates your support of their Group Home. Chris Shumow – a principal at Visions – wants you to contact him directly any time an issue arises or you have questions about operations – he can be reached at (818) 889-3665.

Thank you again for contacting us – good luck with your future development of your land.

Sincerely,

Teresa Aldave, Project Planner

David E. Moss, Principal

cc: Visions Treatment Center, LLC
County Regional Planning
3rd District Staff

950 Latigo Canyon Road
Malibu, CA 90265
August 27, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)

Dear Ms. Kim,

I reside in the first house beyond the Visions facility at 900 Latigo Canyon Road, and I am submitting this letter in connection with the above-referenced conditional use permit application.

In the time that Visions has been operating the facility, they have been a good and considerate neighbor. In fact, they are much quieter than the family that used to own and live on the property.

I have no opposition to the application to increase the capacity of the facility.

Very truly yours,

Annette Peterfy

950 Latigo Canyon Road
Malibu, CA 90265
August 27, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)

Dear Ms. Kim,

I reside in the first house beyond the Visions facility at 900 Latigo Canyon Road, and I am submitting this letter in connection with the above-referenced conditional use permit application.

I have no opposition to the application to increase the capacity of the facility. I stand neutral.

Very truly yours,

Jim C. Nylund

Support Letters
Existing Visions Group Home

- Two neighbors have voluntarily written letters supporting the CUP expansion.
- One neighbor called to praise the use of the property as a Group Home, supports the expansion, and has a thorough professional understanding of the function of a Group Home.

VISIONS ADOLESCENT TREATMENT CENTER
900 LATIGO CANYON, MALIBU, CA 90265

PROJECT FACT SHEET - COUNTY CUP HEARING – SEPTEMBER 2, 2008

This FACT SHEET addresses questions of interest to area homeowners and County Staff

Who is Visions and what is the proposed project?

- Visions has been operating a private six-bed Group Home "by-right under State law" in a quiet residential setting on an 8-acre parcel *for several years*.
- The Group Home is state licensed and provides the environment and counseling needed by 13-17 year old children to transition back to their own homes – *children had a history* of drug and/or alcohol substance abuse/dependency that predates their stay in the Group Home.
- Visions proposes to expand from 6 to 12 children using the existing five-bedroom "Main House" and using one of the two bedrooms in an existing two-bedroom guesthouse ("Ancillary Building I"). No construction is proposed to expand the existing use from 6 to 12 children.
- A future phase of two additional children involves construction of a freestanding, two-story guesthouse ("Ancillary Building II") in a compact building footprint in an already disturbed/graded area.

Tell us About the County CUP Request

- The existing six-child Group Home is exempt from County Planning approval.
- The expansion to a maximum of 14 Children requires a County Conditional Use Permit ("CUP"). If approved, the CUP will include conditions that are not in place today with the "by-right" operation for six children.

Tell us about the Visions Staff and Program?

- The children tend to come from local areas - Malibu, Pacific Palisades, Brentwood, Bel Air, Santa Monica, and Beverly Hills.
- Professional staff includes a psychiatrist, internist, therapist, chemical dependency counselors, social workers, recreation therapists, nurses, and ancillary staff - trained and certified as specialists in post-detox counseling.
- The post-detox program is highly structured to foster living without substance abuse – failure to abide by program rules results in immediate removal from the program.
- Participants are supervised 24-hours per day; there is a ratio at all times of one professional staff member to three participants in addition to other onsite / visiting professionals. Participants are not allowed to wander unsupervised.
- There is 24-hour supervision and no unscheduled visitors are allowed.
- The children in residence are not allowed to drive.

Are there any impacts in increasing to 14 participants?

- The Main House and Ancillary Building No. I can accommodate 12 children *and* comply with State licensing, fire department regulations, and building codes.
- The gated/fenced and landscaped 8- acre site is buffered from adjacent properties by topography and sizable parcel sizes.
- Visions has operated for several years on this parcel - there have never been problems with running away, loitering, or disturbance to neighbors. The children can only go offsite under the *direct supervision and transport* of Visions staff.
- The driveway is gated and there are abundant on-site parking spaces - *sufficient to accommodate staff and visiting family without parking offsite*.
- There is extensive landscaping and fencing that will remain in place.

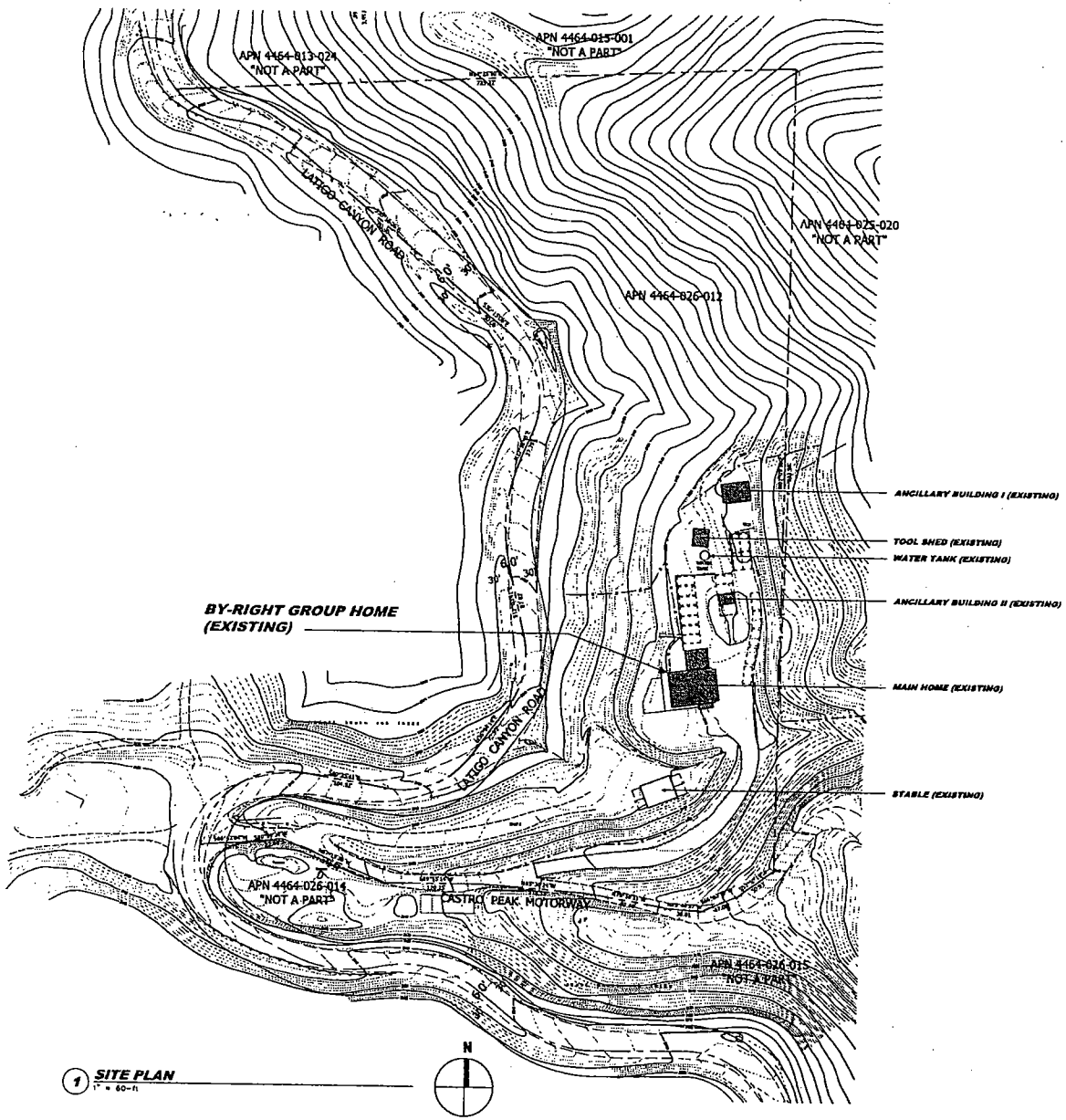
Who do I call for more information or help?

- Please call John Lieberman, Executive Director of Visions - (818) 889-3665 or David E. Moss, Environmental / Permitting Consultant – (310) 395-3481.

Visions is committed to helping local youth and being a good neighbor in Malibu. Thank for allowing us to work closely with you. A public meeting or site tour can be held at your request.

Fact Sheet
Existing Visions Group Home

- Sent to all 32 owners within the 500 ft radius of both Visions' parcels.
- Addresses the most commonly asked questions.
- Visions and DMA staff have discussed the project with all owners who have responded either by telephone or in person.



1 SITE PLAN
1" = 60-ft

Project Description:

PROPOSED PROJECT/CUP ENTITLEMENT REQUESTED: VISIONS ADOLESCENT TREATMENT PROGRAM (VISIONS) REQUESTS A CUP (LACC 5.22.24.070) TO ENTITLE AND OPERATE A GROUP HOME TO BE PHASED FOR A MAXIMUM OF 14 CHILDREN ON AN 8.0-AC SITE PRESENTLY OWNED AND MANAGED BY VISIONS FOR A SIX-CHILD GROUP HOME PERMITTED BY-RIGHT IN THE A-1-10 ZONE UNDER STATE LAW (TITLE 22, DIV. 6, CHAPTER 3 - GROUP HOMES; STATE LICENSE).

A EXPANSION TO 12 CHILDREN: NO CONSTRUCTION IS PROPOSED TO EXPAND THE EXISTING USE FROM SIX TO 12 CHILDREN. THE CHILDREN WILL OCCUPY THE EXISTING FIVE-BEDROOM SINGLE-FAMILY RESIDENCE (MAIN HOUSE) IN WHICH THE EXISTING SIX CHILDREN RESIDE, AND ONE OF THE TWO EXISTING BEDROOMS IN ANCILLARY BUILDING NO. I, WHICH IS AN EXISTING TWO-BEDROOM, ONE-BATH GUEST HOUSE. VISIONS WILL CONTINUE TO USE A PORTION OF ANCILLARY BUILDING NO. I FOR A CLASSROOM AND RECREATION ROOM, AND WILL CONTINUE TO UTILIZE ALL OF ANCILLARY BUILDING NO. II AS AN ADMINISTRATIVE OFFICE.

B EXPANSION TO 14 CHILDREN: MINOR CONSTRUCTION IS PROPOSED TO EXPAND THE USE TO 14 CHILDREN. THE CONSTRUCTION IS LIMITED TO EXPANSION OF ANCILLARY BUILDING NO. II TO INCLUDE A LARGER OFFICE AND RELOCATED RECREATION ROOM. THE CONSTRUCTION WILL FREE UP THE USE OF BOTH EXISTING BEDROOMS IN THE EXISTING ANCILLARY BUILDING NO. I. THIS CONSTRUCTION WILL BE DELAYED UNTIL SOME POINT IN THE FUTURE AFTER THE EXPANSION OF THE GROUP HOME TO 12 CHILDREN, WHICH WILL VEST THE REQUESTED CUP.

C APPROXIMATELY 2.4 ACRES (30%) IS DEVELOPED WITH STRUCTURES, LANDSCAPE, PAVING (INCLUDING LATIGO CANYON) AND PARKING. THE REMAINING 5.6 ACRES (70%) IS LANDSCAPE/OPEN SPACE AND THERE WILL BE MINOR CONSTRUCTION TO EXPAND THE ANCILLARY BUILDING NO. II FROM A 110 SQ FT+- TO A 475 SQ FT+- FOOTPRINT (FOR A 850 SQ. FT TWO-STORY BUILDING).

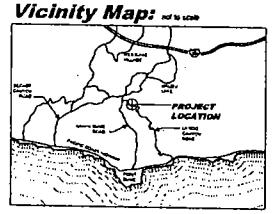
D THE 8.0-AC SITE IS ZONED A-1-10 AND IS LOCATED IN THE SANTA MONICA MOUNTAINS IN THE UNINCORPORATED AREA OF MALIBU, AND IS NOT IN THE CALIFORNIA COASTAL ZONE.

Legal Description:

APN: 4464-026-012

LOT COM AT N 1/4 COR OF SEC 18 T 1S R 18W TH S 631.2 FT TH S 53°50'18" W 50.83 FT TH S 86°04'59" W 47 FT TH N 65°45'57" W 56.01 FT TH N 79°50'11" W - SEE MAP BOOK FOR MISSING PORTION SEC 18 T 1S R 18W

Vicinity Map: not to scale



Garai-Terramorse Associates

Architecture
Space Planning
Interiors

2656 29th Street Suite 204
Santa Monica, CA 90405
tel: 310-664-6488 fax: 310-664-6491

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APPROVAL BY THE CITY OF THESE PLANS IS FOR STRUCTURAL, MECHANICAL AND ELECTRICAL ELEMENTS ONLY. THE ARCHITECTS ARE NOT RESPONSIBLE FOR ANY DEVIATIONS MADE DURING CONSTRUCTION. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE USE OF THESE PLANS IN WHOLE OR IN PART BY ANYONE OTHER THAN THE OWNER FOR WHOM THEY WERE PREPARED. THE ARCHITECTS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND ARE NOT GUARANTEEING THE SITE AND ENGINEERING DESIGNS.

Applicant:
Visions Treatment Center, LLC
33355 West McFarland Highway
Malibu, CA 90265

Entitlement Consultant:
Moss & Associates, Inc.
613 Wilshire Blvd., Suite 105
Santa Monica, CA 90401
tel: 310-395-3481
fax: 310-395-8191

Issuances & Revisions:
1st ISSUE 5-1-2007

CUP:
900 Latigo Canyon Malibu, CA 90265

A.P.N: 4464-026-012

Area Plan
Project Description

A-101

Site Plan – 7.96 ac Parcel
Existing Visions Group Home

- Shows the location of all three structures.
- Cleared by County Fire Department for CUP hearing.
- Shows adequate parking to avoid need for any offsite parking use.

3. **CUP Entitlement Requested**: Visions applied for a CUP to expand the existing state-licensed 6-child by-right Group Home in phases – first to 12 children without any construction of additional buildings, and then to 14 total (an additional two children) by way of construction of a new freestanding 1,900 sq ft building to be located exactly on the location Ancillary Building II. Both parcels are outside the coastal zone.

4. **Unrelated Offsite Violation**: There is an illegal modular home on an adjacent property that is unrelated to either Visions parcel and is not under the ownership of Visions.

5. **Public Outreach**: A Fact Sheet and information letter were sent to all owners of record within 500 ft of both parcels. I have personally spoken with one owner of a vacant parcel who is in support, and have received and transmitted to DRP staff two letters from the adjacent owners of the only other developed parcel with access from Latigo Cyn. who also supports the project - one neighbor stated that the use by Visions is less noisy (intensive) than the prior owner who used the property as a single family residence (see Attachment). Please note that there is only one developed property along Latigo Canyon within the radius – all the others are vacant.

   a) Visions staff have been working closely with two neighbors – Dr. Bollinger and Wyant Lauterman. Both have toured the property and met with Visions Staff. The issues raised both to Visions and to DRP staff has been determined by DRP to have no nexus to the proposed CUP to expand the by-right state-licensed Group Home.

   b) Their issues include requests to have Visions buy an adjacent undeveloped parcel, provide access and/or water easements, and widen an existing access road that doesn't serve the Visions parcels.

6. **Existing Easements**: The predecessor owner to Visions granted and recorded easements to several offsite owners to enable those offsite properties to take access via land now owned by Visions – these easements are currently in place and honored.

We will continue to work closely with DRP staff and are available to discuss this project further with 3rd District staff. On behalf of Visions, we appreciate the ability to provide accurate information to the 3rd District.

Sincerely,

Teresa Aldave, Planner

David E. Moss, President

cc DRP Staff – Ms. Mi Kim
Visions

MOSS & ASSOCIATES, Inc.

Permitting / Environmental Compliance / Development Consultation

613 Wilshire Blvd., Suite 105, Santa Monica, CA 90401, Tel 310.395.3481, Fax 310.395.8191

Via Fax/Email

August 27, 2008

Ben Saltsman, Asst. Chief of Staff
Office of Zev Yaroslavsky, 3rd District
866 Kenneth Hahn Hall of Administration
Los Angeles, CA 90012

Re: CUP No. 2007-01282-(3) – 900 Latigo Canyon – Adolescent Group Home

Dear Ben:

Moss & Associates, Inc. ("DMA") represents Visions Treatment Center, LLC ("Visions"). On behalf of Visions, we want to make sure that 3rd District Staff has adequate information to address issues directed its way either from DRP or District constituents. The highlights are as follows:

1. **Project Applicant / Site Owner**: Visions owns a 7.96 ac. parcel improved with three habitable structures (Main House, Ancillary Building I and II), and a contiguous undeveloped 11-ac parcel – both zoned A-1-10.

2. **Site History / Existing Buildout**:

   a) **Structures**: The existing Main House has five bedrooms and an attached 500 sq ft garage. The main house has a 1983 building permit which was *finaled* by DPW-BS in 1986. There are no building permit records which state the number of bedrooms. DRP Plot Plan No. 38555 approved a maximum house size of 3,500 sq ft and a 550 sq ft garage (see DRP CUP Staff Report); the County Assessor lists the house as 3,244 sq ft without the garage, and our 2007 as-built plans show the house as 3,280 sq ft and a 500 sq ft garage. *All records appear consistently to show the house size is compliant with the approved DRP Plot Plan.*

      i) Ancillary Building I is a 2 bdrm/1 ba modular guest house with a valid building permit.

      ii) Ancillary Building II is a 170 sq ft (approx.) freestanding structure that Building & Safety (Calabasas District Office) determined did not need a permit at the time it was constructed due to deminimus size.

   b) **Septic**: The septic system for the Main House was permitted and listed as a 2-bedroom house. In March 2008, the applicant's sanitarian analyzed the existing system and confirmed that there is a 1,500 gal septic tank and related leach line that are adequate to support a house up to 5 or 6 bedrooms at the time the home was built. It is unclear why the septic records do not reflect this tank size or house size (we have seen this happen very often with County records). We have agreed with DPH to insure that the septic system is code compliant as a condition of CUP approval. Again, it is unclear why neither DMA nor County Staff has been able to find a plumbing permit that matches what is constructed today. Visions has not updated the septic system since purchasing the two parcels.

   c) **Water**: The 8.96 ac parcel is fully improved with a private water system that has routinely been tested for volume, pressure, recharge and water quality. County Fire Department has cleared the project for hearing based on the review of the water system (and access) shown on the site plan. The DPH has conditioned the CUP to demonstrate compliance with water system requirements for the expanded Group Home.

LAS VIRGENES MUNICIPAL WATER DISTRICT
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4232 Las Virgenes Road
Calabasas, CA 91302
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Fax (818) 251-2109

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MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA

CONDITIONAL STATEMENT OF WATER SERVICE

August 25, 2008

TO WHOM IT MAY CONCERN:

SUBJECT: **Assessor Parcel Number: 4464-026-012**
900 Latigo Canyon Rd, Malibu, CA

This is to advise you that the subject property is **NOT** a customer of the Las Virgenes Municipal Water District (LVMWD).

This property will only be assured of connection to the water system of the district if the owner/customer also satisfies all terms and conditions for service as set forth in the district's Code.

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in Title 3 of the Las Virgenes Municipal Water District Code, Ordinance No. 11-86-161.

Sincerely,

Michael D. Brown
C. E. Associate

FORM SPQ

CALIFORNIA ASSOCIATION OF REALTORS ®

SELLER PROPERTY QUESTIONNAIRE

(C.A.R. Form SPQ, Revised 11/07)

This form is not a substitute for the Real Estate Transfer Disclosure Statement (TDS). It is used by the Seller to provide additional information when a TDS is completed or when no TDS is required.

I. Seller makes the following disclosures with regard to the real property or manufactured home described as _____, Assessor's Parcel No. _____, situated in _____, County of _____, California ("Property").

II. **The following are representations made by the Seller. Unless otherwise specified in writing, Broker and any real estate licensee or other person working with or through Broker has not verified information provided by Seller. A real estate broker is qualified to advise on real estate transactions. If Seller or Buyer desire legal advice, they should consult an attorney.**

III. **Note to Seller:** PURPOSE: To tell the Buyer about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.
- Answer based on actual knowledge and recollection at this time.
- Something that you do not consider material or significant may be perceived differently by a Buyer.
- Think about what you would want to know if you were buying the Property today.
- Read the questions carefully and take your time.

IV. **Note to Buyer:** PURPOSE: To give you more information about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.
- Something that may be material or significant to you, may not be perceived the same way by the Seller.
- If something is important to you, be sure to put your concerns and questions in writing (C.A.R. form BMI).
- Sellers can only disclose what they actually know. Seller may not know about all material or significant items.
- Seller's disclosures are not a substitute for your own investigations, personal judgments or common sense.

V. **SELLER AWARENESS: For each statement below, answer the question "Are you (Seller) aware of..." by checking either "Yes" or "No." Provide explanations to answers in the space provided or attach additional comments and check section VI.**

REPAIRS AND ALTERATIONS: **ARE YOU (SELLER) AWARE OF...**

1. Any alterations, modifications, remodeling, replacements or material repairs on the Property (including those resulting from Home Warranty claims) ..... ☐ Yes ☐ No
2. Ongoing or recurring maintenance on the Property (for example, drain or sewer clean-out, tree or pest control service) ..... ☐ Yes ☐ No
3. Any part of the Property being painted within the past 12 months ..... ☐ Yes ☐ No

Explanation: _____

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STRUCTURAL, SYSTEMS AND APPLIANCES: **ARE YOU (SELLER) AWARE OF...**

4. Defects in any of the following, (including past defects that have been repaired) heating, air conditioning, electrical, plumbing (including the presence of polybutelene pipes), water, sewer, waste disposal or septic system, sump pumps, well, roof, gutters, chimney, fireplace, foundation, crawl space, attic, soil, grading, drainage, retaining walls, interior or exterior doors, windows, walls, ceilings, floors or appliances ..... ☐ Yes ☐ No

Explanation: _____

DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT: **ARE YOU (SELLER) AWARE OF...**

5. Financial relief or assistance, insurance or settlement, sought or received from any federal, state, local or private agency, insurer or private party, by past or present owners of the Property, due to any actual or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or defect, whether or not any money received was actually used to make repairs ..... ☐ Yes ☐ No

Explanation: _____

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Buyer's Initials (_____)(_____)
Seller's Initials (_____)(_____)

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SEP - 2 2008

8/26/08

To: Los Angeles County Regional Planning

Recently I became aware of a conditional use permit request (project # R2007 - 01282 - (3)) to expand an existing group home to accomodate 14 children.

This would more than double the capacity of the existing facility

I have lived on Castro Motorway for more than thirty years and pass this property at least twice a day.

I feel that the expansion of this facility to more than doubling its existing capacity will negatively impact my property value, and also increase traffic on Castro Motorway and Satego Cyn. Rd. and will make an already dangerous intersection more so.

Also in the event of fire, it would make it more difficult for the fire dept. to perform its duties due to increased traffic

I feel that the existing facility is working well & that a much better option would be for the company to buy another facility in another neighborhood.

That way, no one neighborhood would be overburdened. For these reasons I am opposed to the granting of a conditional use permit to the applicant

Charles R. McCarty
1230 Latigo Canyon Rd
Malibu, Cal. 90265

RECEIVED
SEP - 2 2008

To: Los Angeles County Regional Planning

My name is Stevan Erlandson, I live at 1225 latigo cyn Rd. Malibu for thirty years.

I am aware of the conditional Use Permit Request, Permit Case number 200700104-(03) for the "group home"/ Alcohol and drug rehabilitation facility at 900 S. Latigo Cyn. Rd

I use Castro Motorway everyday going to and from my home and pass this property.

I believe the expansion of this facility will create a loss in my property values and excess traffic flow on Castro Motorway, which is a narrow road. This also puts a greater burden on the Fire Department during evacuations

I am opposed to the granting of a C.U.P. to the applicant

Stevan Erlandson

August 24, 2008, Stevan Erlandson

there were no real incidents for years until a couple of kids from the group home were involved in the murder of another kid, and the murder happened at the Las Virgenes Creek just down the street from the group home.

I do agree with your comment in your e-mail, "I believe that there is a considerable devaluation in our property due to our close proximity to this Rehab Facility."
I also saw your comment that I have been selling real estate in the Malibu area for many years; as a matter of fact, today is my twentieth anniversary of selling real estate in the Malibu-Santa Monica Mountains. I have been fortunate to have represented many property owners in the immediate area in either selling their real estate or acquiring their real estate. I don't believe that any of my clients would have paid the prices they did to buy their properties or sold them for normal market value, if there was a Drug and Alcohol Rehabilitation Teen Group Home so close by. There definitely would have been a devaluation factor involved, and in some cases, my clients would have flat out declined on buying their real estate in the nearby areas. All of you may remember that I represented the prior owner in the marketing and vesting entitlements of your properties. I even had the prior owner hire Wyant as our entitlement expediter.

Wyant, I know that you have first hand experience in dealing with the many different Malibu-Santa Monica Mountain's governmental agencies obstacles and blockades that a property owner must go through to cultivate their highest value and best use of their property. Do all of you really need another issue added to your properties? When the time comes for all of you to hire me to represent you in selling your properties, we will of course not play up the fact that your properties are so close to a Teen Drug and Rehabilitation Group Home, however the Buyers will find out about the group home. California State Law will require all of you (Sellers) to disclose in writing that your homes are so close to a group home. I have attached California Association of Realtors "Seller Property Questionnaire Form" that you will be required to fill out and give to your potential Buyers. I have outlined paragraph 3, page 1, and paragraphs 5, items 24, and 26, page 3, and paragraph 5, item 44, page 4, that will pertain to your disclosure of the group home to your potential Buyers. The Drug and Alcohol Rehabilitation Teen Group Home as proposed will cause very sharp declines of your normal fair market value of your properties in a medium or slow real estate market.

Best Regards,

René Carión
Licensed California Real Estate Broker
818 519-5121
310 455-9438

COLDWELL BANKER
RESIDENTIAL BROKERAGE

883 S. WESTLAKE BLVD.
WESTLAKE VILLAGE, CA 91361
(805) 495-1048
(818) 991-1333
FAX (805) 495-2218

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August 30, 2008

Dr. James Bollinger
Dr. Adriana McGregor
Wyant M. Lauterman
31220 La Baya Dr.
Westlake Village, CA 91362

Reference: August 29th, 2008 Request for info regarding your Malibu Properties

Dear Dr. Bollinger, Dr. McGregor, and Mr. Lauterman,

I have reviewed your e-mail and public hearing notice that you sent to me. As you know, I was very honored to have found the two properties and represented you in the purchase of them. You may remember that around 18 months before we opened up escrow on your two properties, we were in escrow on the property just down the street on Latigo Canyon Rd. near Thrift Rd. Fortunately during the escrow, we made a very dynamic discovery of an issue that was not normal for properties in the Malibu-Santa Monica Mountains, and the issue devalued the property about 32% off the price you were paying for the property. Jim, you may remember that after you lost the Public Hearing reversal motion on the issue, you immediately cancelled the Escrow.

I see some similarities with your current issue that you have brought to my attention regarding your properties. The situation involving CUP case number 200700104-(3) I think is of exponentially greater concern. I believe your first concern is the larger the group home becomes in number of patients, the bigger the negative impact the group home will have on your property value and your peace of mind living at your properties. You have to understand that your properties are in a higher-end affluent area of the Santa Monica-Malibu Mountains, and your properties are right next door to the group home in question. Many people in your price bracket would never buy their real estate at any given price in an area that is close to a group home or halfway house. I don't think all of you ever would have bought your properties if the group home was already in existence; moreover, would you have bought your properties at a 35% discount or a 70% discount off normal market value with a Realtor jumping up and down telling all of you that, "this is a great value play, don't miss it," all of you would have said, "no thanks, show us something else." Now if you placed the same group home scenario you are up against in a middle of the road neighborhood in Oxnard, the devaluation percentage factor of surrounding homes close to the group home would not be as great as it is in Malibu.

There was a group-rehabilitation home for kids for many years in Calabasas that was approved by Los Angeles County before Calabasas incorporated as a city. As I recall

Owned And Operated By NRT LLC.

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SEP - 2 2008

23661 PACIFIC COAST HIGHWAY
MALIBU, CA 90265
BUS. (310) 456-1747
FAX (310) 456-3977

Dear Wyant,

As you have requested, I have determined the devaluation of your property due to a rehabilitation center operating next door.

First, let me state some of my professional qualifications. I have been selling real estate in Malibu for 25 years. I have managed and sold over 6000 properties in the area. I currently represent over 40 Malibu properties. I have represented over 200 homeowners and home buyers in the Big Rock area, Trancas Canyon, and Malibu Park areas that currently have over seven rehabilitation centers. I have also managed the number 1 office in the Country for Coldwell Banker for nine years and was awarded manager of the year in 1999. I have also been frequently hired as a real estate expert witness in court many times.

In Malibu, I am aware of several locations that have rehabilitation centers that are in operation. There are three homes in the Big Rock area, at least three on Trancas Canyon, one on Meadows Court, one on Horizon Drive and one on your street- Castro Peak Motorway. These homes instead of having one family living in them will typically have four to six patients at any given time with staff, numerous delivery trucks each day, and frequent visitors. Most buyers typically will not want to buy a home next to rehabilitation center with this type activity. Consequently, homes next to these centers are difficult to sell and usually sell at substantial discounted price or do not sell at all. In the Big Rock area, I represented a home next door to Promises Rehabilitation Center. This home was on the market for over six months several years ago and no buyers would consider it even at a twenty percent discount compared to other homes in the area that were less impacted by the center. Typically these homes have been purchased by rehabilitation center's owners since they are the only buyers for these homes. In the Big Rock and Trancas Canyon area, rehabilitation owners have purchased multiple homes due to these homes not being desirable to anyone else. Unfortunately, this has only increased the traffic and devalued nearby homes even more.

I would estimate the devaluation of any homes that are adjacent to these rehabilitation homes at approximately 20% or $200,000 to $400,000 in most Malibu neighborhoods and higher if there is more than one of these facilities.

If you need any additional information , please email or call me with any questions.

Sincerely,

Bill Moss

Bill Moss
Coldwell Banker - Malibu
Email- bill@billmossmalibu.com
310-293-5503

RECEIVED
SEP - 2 2008

MICHAEL J. DICKE

1100 LATIGO CANYON ROAD
MALIBU, CALIF. 90265

818 825-1743

August 28, 2008

LOS ANGELES COUNTY REGIONAL PLANNING COMMISSION,

TO WHO IT MAY CONCERN,

I AM RESPONDING TO THE NOTICE REGARDING CUP CASE NO. 200700104-(3) INVOLVING CHANGES REQUESTED FOR 900 LATIGO CNYN RD.
THERE ARE SEVERAL AREAS OF CONCERN THAT I HAVE REGARDING THE EXPANSION TO THE REHAB FACILITIES AT THIS SITE.

(1) DEVALUATION OF ADJACENT PROPERTIES.
THE APPEAL OF THIS AREA IS THE LOW TRAFFIC VOLUME, SERENITY, SOLITUDE AND BEAUTY. TO ALLOW A COMMERCIAL FACILITY IN THESE ENVIRONS, AND HAVING ON PUBLIC RECORD THAT THIS FACILITY IS A DRUG REHAB CENTER WOULD MOST CERTAINLY NEGATIVELY AFFECT PROPERTY VALUES, AND SINCE I AM IN THE PROCESS OF BUILDING, IT WOULD WITHOUT DOUBT IMPEDE MY ABILITY TO CONVERT TO CONVENTIONAL FINANCING AT THE CONCLUSION OF MY PROJECT.

(2) SAFETY
THERE IS ONE ACCESS TO THIS AREA- CASTRO PEAK MTWY. VIA LATIGO CNYN RD. CASTRO PEAK INTERSECTS LATIGO IN THE MIDDLE OF A SHARP, BLIND CURVE, AND EVEN UNDER THE MOST FAVORABLE CIRCUMSTANCES EXTREME CAUTION IS NECESSARY TO SAFELY ENTER ONTO LATIGO. HOWEVER, DURING FIRE THERE IS A LARGER THAN NORMAL VOLUME OF TRAFFIC, NEIGHBORS FLEENING IN A NEAR PANIC AS WAS THE CASE DURING THE LAST FIRE, MAKING IT VERY DIFFICULT TO EXIT IN A SAFE MANNER. THAT DANGER WOULD BE COMPOUNDED MANY TIMES IF A COMMERCIAL FACILITY NEEDED TO EVACUATE 12 TO 14 YOUTHS PLUS A STAFF OF EQUAL OR GREATER NUMBER DURING SANTA ANA CONDINTIONS WHICH WOULD BE MUCH WORSE THAT THOSE OF THE LAST FIRE,

. I THINK IT WOULD BE A BENEFICIAL FACILITY-BUT IN THE WRONG PLACE.

THEREFORE I OPPOSE THE GRANTING OF THIS C.U.P.

SINCERELY, MICHAEL J. DICKE

RECEIVED
SEP - 2 2008

September 2, 2008

Regional Planning Commission
County of Los Angeles

Subject: Conditional Use Permit 2007-00104-(3)
900 Latigo Canyon Road

I have resided at 717 Latigo Canyon Road for 13 years and am intimately familiar with the subject property. I am opposed to the approval of the Conditional Use Permit for the following reasons.

1. The subject property would appear to currently be in violation of a number of County requirements including inadequate septic system, no permit for guesthouse and dangerous conditions resulting in a surficial landslide from rains two years ago that has yet to be repaired.

2. Safety for the proposed number of occupants would be impacted by the high volume of motorcycle and sports car traffic that occurs directly adjacent to the subject property with weekends having between 500 and 1000 motorcycles traveling at high rates of speed. Many accidents occur weekly on Latigo Canyon Road. This traffic is not compatible with children playing in the neighborhood and there is no way to ensure keeping youths limited to the subject property.

3. Since it is inevitable that children will be out and about in the neighborhood and since this is one of the highest fire hazard areas in Los Angeles County this is just asking for trouble.

4. The proposed Conditional Use Permit would significantly impact the health, comfort, safety and convenience of residents currently living in the immediate vicinity of the subject property.

I also understand that a number of my neighbors are adamantly opposed to this request and I join them in respectfully requesting that you deny the application.

Sincerely

Dave Mercer. A.I.C.P.

RECEIVED
SEP - 2 2008

To; Regional Planning Commission
County of Los Angeles

Re; conditional use permit #2007-00104-(3)

Dear sir, Madame, I have lived at 650 Latigo cyn rd since 1997. I object to the idea of a re-hab clinic in my neighborhood. I consider this a commercial enterprise with potentially problematic tenants, not to mention what it will do to our property values. Malibu already has 30 plus operations of this nature. I did not build here at great expense to be subjected to this kind of potential problem. No one else I have spoken to wants this. Please tell the wealthy greedy doctor whom will not reside there to take his game elsewhere, WE DO NOT WANT THIS! Please give this careful consideration. Please remember we all vote, and our memories are good.

Sincerely, long time resident
Ronald A Ormerod

To: The Los Angeles Department of Regional Planning & Los Angeles County Board of Supervisors

RECEIVED
SEP - 2 2008

Re: Project #R2007-01282-(3)

To Whom It May Cconcern:

We are writing this letter in strong opposition to the proposed rehab/treatment center at 900 Latigo Cyn for the following reasons:

There are over fifty children between the ages of 1-16 years of age living less than ¼ mile from this facility. We feel that there are numerous problems that could negatively impact our children because of the increased size and close proximity of this facility.

We are a small secluded residential communty and thus we feel very vulnerable.

This increase would also negatively impact the noise, traffic and already taxed water & septic systems in the area. It would also increase the potential fire risk with the increased percentages of smoking amoung youth and recovering addicts.

We also feel this would negatively impact our property values as many potential home buyers would not want to move there families next to a drug rehabilitation center.

We appreciate the need for rehab facilities such as these but not located this close to a secluded family oriented residential area.

It is our request that you deny this CUP. We appreciate your time in considering our concerns.

Sincerely,

Bill & Kelli Young
431 Thrift Road
Malibu, CA 90265

RECEIVED
SEP - 2 2008

To:
The Department of Regional Planning
Los Angeles County

From:
George and Jennifer Lawrence
421 Thrift Rd
Malibu, CA 90265

Re:
Project Number R2007-01282-(3)
Conditional Use Permit Number 200700104-(3)

Dear Sir or Madame,

We recently became aware of an application by the Visions Group to double the size of their drug rehabilitation facility. We are writing to voice our strong opposition to this application.

The expansion of this facility would decrease the property value of my home.

The expansion of this facility would increase the danger of excess traffic on already dangerous, windy mountain roads.

The expansion of this facility creates a negative impact on the quiet family lifestyle of the neighborhood that we all have worked so hard to achieve.

The expansion of this facility would increase the fire danger due to the increased smoking activity by the patients and residents. Increased smoking is known to be a side affect of the substance abuse rehabilitation process.

We appreciate your consideration of our strong objection.

Sincerely

George Lawrence
421 Thrift Rd
Malibu, CA 90265

Jennifer Lawrence
421 Thrift Rd
Malibu, CA 90265

RECEIVED
SEP - 2 2008

September 1, 2008

To: Los Angeles County Department of Regional Planning

Re: Notice of Conditional Use Permit Hearing, Case No. 200700104-(3), 900 Latigo Canyon Road.

My name is Mehrdad Sahafi. My family and I live at 723 Latigo Canyon Road and have resided here for the past 2 years. I have lived in Malibu for the past 21 years.

I am aware of a "Group Home/Drug and Alcohol Rehabilitation Center" in our neighborhood, and their request through this CUP to expand their operations from 6 teenagers to 14 teenagers.

I am **opposed** to the approval of this CUP for the following reasons:

It has an undesirable influence on the quiet, safe, family lifestyle that we moved here for.

Additionally; being this close to a Drug and Alcohol Rehab Facility has a negative impact on my property value. Generally speaking; people don't want to buy homes next to these facilities except at a steep discount and they take much longer to sell.

Lastly, I have very serious concerns about the additional traffic this facility will generate if it is allowed to more than double its current patient occupancy, including extra staff and visiting medical personnel and family visits. Every weekend there are sports cars and motorcycles traveling at high speed along Latigo. Additional vehicles will severely compound the problem and create an even more dangerous condition for us, and the general public.

Being in a high fire danger area, I am also worried about smoking teenagers at the facility, and the fire danger that poses, as well as the added congestion on Latigo Canyon; a narrow winding mountain road, in the event of an evacuation due to fires or other natural disasters. Overall, this situation is dangerous for my family as well as other families in the neighborhood.

This commercial facility in its potentially "expanded" CUP version does not belong in our neighborhood.

Sincerely,

Mehrdad Sahafi

M Sahafi
September 1st 2008

LAW OFFICE OF
MARK J. LEONARDO
784 Latigo Canyon Road
Malibu, California 90265

Telephone: (310) 456-7373

Facsimile: (310) 317-7261

RECEIVED
SEP - 2 2008

September 1, 2008

To: Los Angeles County Department of Regional Planning

Re: Notice of Conditional Use Permit Hearing, Case No. 200700104-(3),

900 Latigo Canyon Road, Malibu, CA 90265

My family and I live at 784 Latigo Canyon Road and have resided here for the past 8 years. I am aware of a "Group Home/Drug and Alcohol Rehabilitation Center" in our neighborhood, and their request through this CUP to expand their operations from 6 teenagers to 14 teenagers.

I am **opposed** to the approval of this CUP for the following reasons:

It has an undesirable influence on the quiet, safe, family lifestyle that was the purpose of moving to this location. Additionally; being this close to a Drug and Alcohol Rehab Facility has a negative impact on my property value. Generally speaking, people do not want to buy a home next to these facilities.

Lastly, I have very serious concerns about the additional traffic this facility will generate if it is allowed to more than double its current patient occupancy, including extra staff and visiting medical personnel and family visits. Every weekend there are sports cars and motorcycles traveling at high speed along Latigo Canyon. Additional vehicles will severely compound the problem and create an even more dangerous condition for us, and the general public. For us to exit our driveway, we have to take extreme precautions as we live around a blind curve. We back up part way, count 5 seconds and if we do not see a car coming around the curve in that time, we then continue exiting our driveway. This is a daunting task on weekends because of the additional traffic. If this facility is approved for more people, it naturally means more traffic and a more dangerous place for us to live.

Being in a high fire danger area, I am also worried about smoking teenagers at the facility, and the fire danger that poses, as well as the added congestion on Latigo Canyon, a narrow winding mountain road, in the event of an evacuation due to fires or other natural disasters. Overall, this situation is dangerous for my family as well as other families in the neighborhood.

This commercial facility in its potentially "expanded" CUP version does not belong in our neighborhood.

Sincerely,

Mark J. Leonardo

motorcycles traveling at high rates of speed. Many accidents occur weekly on Latigo Canyon Road. This traffic is not compatible with children playing in the neighborhood and there is now way of keeping youths limited to the property

3. Since it is inevitable that children will be out and about in the neighborhood and since this is one of the highest fire hazard areas in Los Angeles County, this most certainly could be asking for trouble.
4. The proposed Conditional Use Permit would significantly impact the health, comfort, safety and convenience of residents currently living in the immediate vicinity of the subject property.
5. It is conceivable that a CUP such as this could have a great impact of local property values.

I also understand that a number of my neighbors are adamantly opposed to this request and I join them in respectfully requesting that you deny this application.

Sicnerely;

Beth Pearson
Latigo Canyon Road Resident

September 1, 2008

RECEIVED
SEP - 2 2008

TO:
The Department of Regional Planning
County of Los Angeles

From:
Beth Pearson
780 Latigo Cyn. Rd.
Malibu, CA 90265

Re:
Conditional Use Permit 200700104-(3)
900 Latigo Cyn. Rd.

To Whom it May Concern:

I have resided at 780 Latigo Canyon Road for over 14 years. I am opposed to the approval of conditional use permit 200700104-(3) for the following reasons.

1. The Subject property would appear to currently be in violation of a number of County requirements including inadequate septic system, no permit for guesthouse and dangerous conditions resulting in a surface landslide from rains that has yet to be repaired.
2. Safety for the proposed number of occupants would be impacted by the high volume of motorcycle and sports car traffic that occurs directly adjacent to subject property with weekends having between 500 and 1000

Moss, longtime Malibu realtor, cites a 20% decline in home value when a drug rehab is located in close proximity. This is simply unacceptable. Build more 6-person rehabilitation centers, but keep the commercial ventures for more appropriate environments.

We vehemently oppose this project.

Sincerely,

John and Jennifer Gonzalez

645 Latigo Cyn. Rd.

To serve 12 residents and all those employed there severely taxes many systems in a rural community that does not have conventional infrastructure to handle such numbers of people.

1. SEPTIC SYSTEM – At our home, which sits on 5 acres and is 3000 square feet, we are limited to 3 bedrooms with our current septic system. How will this facility handle the effluent of its 12 residents as well as all the support staff needed to service their needs? That is a lot of effluent. Where will it go? We have seen how even "approved" septic systems fail as the system has in the Malibu Highlands. Septic systems in this area are difficult because of the lack of proper percolation. We have had three dry years but what happens when it starts raining again and the water table comes up.

2. WATER – Many people in this area are on a well and how will the dramatic increase in septic pressure effect the rest of us and our ground water? Is it fair to potentially contaminate their water with the effluent from this commercial facility? By allowing the increase to 12 beds will seriously impact the health of our community.

3. As addressed earlier, our roads are narrow and curvy and dangerous enough without adding the increase in traffic that a 12-bed facility would bring.

4. We live in an extremely high fire danger area. The smoking rate of recovering addicts is extremely high. When these patients smoke outside, as well as any employee, the danger of a fire goes up exponentially. Is it fair to put all of our homes, our lives at risk by allowing such a commercial venture where smoking will most definitely occur outside?

While the 6 bed facility has posed some problems, they are minor because the scale of the facility. If the facility expands to 12 beds these problems will escalate into much larger issues that we as neighbors will be forced to deal with, unfairly and unjustly.

As an aside, I have a close personal friend who worked at Visions on Latigo Canyon on the night duty. He worked with one other young adult and was in charge of all 6 residents. He did not go through any extensive training to deal with the patients and yet the letter from Moss and Associates Visions claims that all employees are fully trained. This is simply not true. What will happen when they cram 12 patients into the facility? Who will control them? What kind of assurance do we have that there will be competent people in charge and our community will be safe?

All in all this entire proposal only benefits the owners of the facility. It is a safety hazard, a health hazard, and a spoiler of our special rural atmosphere. In fact, if this goes through, then the facility will be registered as a drug rehab and whenever we try to sell our house all potential buyers must be told of its existence. This is horrible for home values as no one wants to live next to a facility that houses drug addicts, recovering or not. In fact, Bill

RECEIVED
SEP - 2 2008

To: The Department of Regional Planning
Re: Project # R2007-01282-(3)

To Whom it May Concern:
We are writing to oppose the application for a CUP by the Visions group rehabilitation facility. We have lived on Latigo Canyon for 13 years, bought undeveloped land and built our own home that was completed in 1998. We never received any kind of notification of the application for a CUP until a neighbor informed us on August 26 of the hearing to take place on September 2. Had we known earlier we would have vociferously opposed this application, but we are doing so now. We feel very strongly that the proposed expansion of the current 6-bed facility to a 12-bed facility will negatively impact the health, peace, welfare and value of our community.

A 6-bed drug rehab facility can exist in a residential neighborhood. In fact, there are at least five of these types of facilities scattered throughout the Malibu hills. However, a 12-bed drug rehab facility has no business in a rural, residential area. Adding 6 more beds, in effect doubling the number of people serviced, will make this an institutional drug rehab, a purely commercial, money making venture for the owners of the rehab. At 1ooo dollars a day, the owners stand to make a substantial amount of money, but at the cost of the atmosphere, safety and health of our community.

The increase in traffic alone will dramatically alter our life. This is a curvy, windy road and an increase of 6 beds will bring not just 6 more people to the rehabilitation center, but that many more visitors, workers, counselors, doctors and other support personnel needed to service the increased numbers. These people are unfamiliar with the windy roads. Many of the driveways are on blind turns and therefore increase the chance of accidents. In the last year alone we have seen 3 serious crashes involving head on collisions or people going off the road because of high rates of speed. This will impact the safety of our roads.

We moved here for the rural atmosphere. We put our life savings and a lot of blood, sweat and tears into our home, a home that is situated in a rural, remote area. We wanted to be out of the city, we liked the large lots sizes and the single-family zoning. It is unfair to change the atmosphere of the community to accommodate a commercial drug rehab. This is out of sync with the nature of our community. Most property is zoned 5 acres to one single family home. How can a 12-bed treatment facility fit in with the rural, single-family nature of the community? THIS IS A COMMERCIAL VENTURE and as far as I know there are no commercial zones in our immediate area. The closest commercial venture is Calamigos Ranch, which has been in existence for 45 years. That ranch has 120 acres to conduct their commercial ventures and is well insulated from the surrounding residential community. This development is not. RATHER it sits on property of 8 acres and has IMMEDIATE neighbors on all sides. While the letter from MOSS and Associates claims otherwise, the facility is in direct view from our property and we can hear the current residents when they go outside to play basketball or engage in other activities. There are three homes within 100 yards of the facility and it is unfair to so significantly change the makeup of the community for a purely commercial venture.

James E. Bollinger, D.D.S.
176 Auburn Ct., Suite 6
Westlake Village, CA 91362
(805) 495-4601

RECEIVED
SEP - 2 2008

August 31, 2008

Opposition to Conditional Use Permit
Project No. R2007-01282-(3)
Case No. 200700104-(3)

Attn: Hearing Officer
Department of Regional Planning

Dear Hearing Officer:

I am writing to express my strongest opposition to the CUP proposed by Visions. Our land is directly across the road from the 900 S. Latigo – parcel #4464-02-014 I am opposed for the following reasons.

- It does not fulfill the intent of a CUP which is to provide special uses that may benefit the community or to avoid detriment to it. The only thing this CUP would do is benefit Visions handsomely financially, while depreciating the neighboring properties and increasing their danger to traffic, fire and crime. It is the most one-sided exchange I have ever seen. There is simply ***NO*** benefit to the community as a whole. It is all detriment. That is why essentially ***all*** the neighbors are against it. There is no one for it. Not one person spoke up to say "This is good for the community". It increases the community danger in a number of ways, depreciates the neighboring properties and for absolutely no benefit to the property owners as individuals or the community as a whole.

- Increases the traffic danger significantly. The only exit is on a severe hairpin turn that is not even marked with traffic signs to slow down. It is a favorite race way for motorcycles and cars, particularly on the weekends. There are accidents on these twisting mountain roads all the time.

- Fourteen children trying to recover from alcohol or drug addition is ***way*** too many children for one location in a high fire hazard area. I am told that most of recovering drug and alcohol addicts smoke, and do it more so to

ease the withdrawals. I am also told that smoking is not discouraged as that would be too much on their "plate". So that leaves us in an extremely high fire hazard area with 14 children chain smoking and supervised by 2 adults, who may or may not be "alumni" of their rehab program. It just doesn't seem reasonable to expect that 14 children can be "supervised" adequately enough to mitigate the grossly increased fire danger at times of their greatest urging. Two parents can't adequately supervise 14 children 24/7 even under the best of circumstances.

- As a doctor, I don't think Visions takes seriously enough the emergency medical needs that this expansion will require. These children may be medicated with antidepressants, anti anxiety medications, methadone, etc. Violence, overdosing and suicides are everyday risks. The nearest fire station is unacceptably far away. By the time emergency help got to them via the windy roads, you can almost be sure they will be dead.

- Another thing that I find upsetting is that Malibu is already overrun with drug and alcohol rehab centers. 34 in the Malibu zip code alone. All of them, except Visions other facility have 6 or less residents. Vision wants fourteen! I guess if they were paying me $30,000 a month or so I would want 14 as well! It is just about the money. There is no community need, obviously. Visions could just buy or build another rehab center for the additional 6 kids if they wanted to. But that would require an investment – which they obviously don't want to make.

- I am also concerned about the precedent it would set introducing a large commercial rehab center into a single family residential area, particularly when they have a large similar lot located immediately adjacent to this one. No where else in Malibu does any group home have more than 6. Why are they unique. What is the pressing community need to have a facility that houses 14? They are not even kids from the local area. There are 33 other houses they could go to.

- If the CUP is approved, there would be 14 on this site and they could easily, without any approval process being necessary open a 6 person drug and alcohol rehab center on their lot next door. Then we would have at least 20 "residents", all the additional traffic, fire and other risks and there would be nothing anyone can do about it. I believe they have every intention of establishing a second group home there.

- I have been advised of the two most prominent realtors in the area that there has already been a significant decline in my property value because of the existence of the current group home. They both advised that decline will worsen with the expansion under the CUP.

- They are in violation of the codes already with respect to septic system problems, unpermitted structures and an unpermitted "temporary' trailer left there for 20 years. They didn't try to remedy any of that and they have had almost three years to do it. And we are supposed to trust them for compliance to the terms of the CUP?

- The 15 year term of the CUP is ***excessively*** long. I could understand the request if they had to make significant investments in their facility or infrastructure improvements that they needed to amortize over many years. But this is not the case, they are making ***no*** investment in ***anything***! So why do they need 15 years?

In summary, The CUP generally, makes the neighborhood less safe in a number of ways, while only benefiting Visions' financially handsomely. I could go on and on, but these issues would represent the highlights.

Thank you for your time and interest in our situation.

Sincerely,

James E. Bollinger, D.D.S.

currently add even one more bathroom. We also have several other neighbors who have had plans for years to build homes and they still not been approved.

Another concern is fire. We live in an extremely high fire danger area. The smoking rate of recovering addicts is extremely high. When these patients smoke outside, as well as any employee, the danger of a fire goes up exponentially. Is it fair to put all of our homes, our lives at risk by allowing such a commercial venture where smoking will most definitely occur outside?

If this goes through, then the facility will be registered as a drug rehab and whenever we try to sell our house all potential buyers must be told of its existence. This is horrible for home values as no one wants to live next to a facility that houses drug addicts, recovering or not. In fact, Bill Moss, longtime Malibu realtor, cites a 20% decline in home value when a drug rehab is located in close proximity. This is simply unacceptable.

We vehemently oppose this project. It is a safety hazard, a health hazard, and a spoiler of our special rural atmosphere. Please keep the commercial ventures for more appropriate environments.

Thank you for your consideration in this important matter.

Sincerely,

Nicole Fisher & David Teel
520 Thirlstane Rd
Malibu, CA 90265
818-865-0206

RECEIVED
SEP - 2 2008

September 1, 2008

To: The Department of Regional Planning
Re: Project # R2007-01282-(3)

To Whom it May Concern:

We are writing to oppose the application for a CUP by the Visions group rehabilitation facility. We live on Thrift Road with our five children. We moved to the neighborhood 9 months ago. We bought in the area to raise our children in a quiet, safe, secluded environment. We wanted to be out of the city, we liked the large lots sizes and the single-family zoning. It is unfair to change the atmosphere of the community to accommodate a commercial drug rehab. This is out of sync with the nature of our community. There are more than 30 children who live in the immediate area. We feel very strongly that the proposed expansion of the current 6-bed facility to a 12-bed facility will negatively impact the health, peace, welfare and value of our community.

First, we are disturbed that we have never been formally notified of the application for a CUP until a neighbor informed us on August 29 of the hearing to take place on September 2.

We understand the need for rehab facilities, and believe that small ones can coexist in communities such as ours, but we do not support is any kind of expansion. There are at least five of these types of facilities scattered throughout the Malibu hills. However, a 12-bed drug rehab facility has no business in a rural, residential area at the cost of the atmosphere, safety and health of our children and our community. While the 6 bed facility has posed some problems, they are minor because the scale of the facility. If the facility expands to 12 beds these problems will escalate into much larger issues that we as neighbors will be forced to deal with.

A huge concern is the increase in traffic. This is a curvy, windy road and an increase of 6 beds will bring not just 6 more people to the rehabilitation center, but that many more visitors, workers, counselors, doctors and other support personnel needed to service the increased numbers. These people are unfamiliar with the windy roads. Many of the driveways are on blind turns and therefore increase the chance of accidents. Recreational bicyclists and motorcyclists also heavily use this road. As it is now, we do not allow our children to walk on Latigo.

This seems to us to be a commercial venture, as far as we are aware this area is not zoned for. There are three homes within 100 yards of the facility and it is unacceptable significantly change the makeup of the community for a purely commercial venture.

We are also concerned about the septic system. We own two lots. Our home sits on one and we bought the additional lot do build a small guest house/office. We are currently not allowed to proceed with the plan because the city argues that the septic system cannot

make this intersection safe. You can't get around it. Increased traffic means increased risks of accident.

Another thing I am very strongly against is the property devaluation caused by the group home in our midst and that depreciation would worsen if the CUP is granted. Who wants to buy a property next to a commercial drug and rehab center? Who wants their children playing or wandering next to such a facility? Particularly a ***large*** one with 14 kids. Very few people indeed. In fact, often the only person will to buy the property is another drug and rehab center! That is not right. Our savings and retirement are tied up in this land. This is where we dreamed of and were planning to retire to watch the beautiful sunsets. How can we enjoy our land and feel safe next to a large commercial drug and rehab center. It would be the biggest one in all of Malibu. It would be a factory! Malibu is already overrun with these drug rehab centers and no one can say or do anything to stop them if they are under six people. There is no need for one facility that can house 14. How does this work with the peaceful residential nature of our community. It is all single family homes. There are no businesses up here. It is high in the mountains with very windy roads. There are accidents all the time in these hills.

So, you can count me OPPOSED to this CUP ***in the strongest of terms***.

Thank you for hearing our side of the story.

Sincerely,

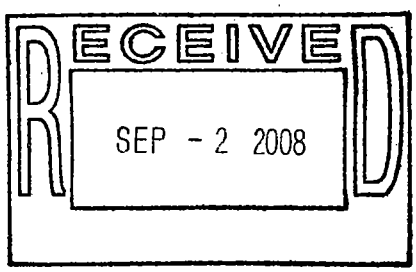
Adriana McGregor, D.D.S.

Adriana McGregor, D.D.S.
1240 S. Westlake Blvd., Suite 125
Westlake Village, CA 91361
(805) 230-2441

Opposition to Visions' Proposed Conditional Use Permit

September 1, 2008

Attn: Hearing Officer
Los Angeles County Department of Regional Planning



Re: Project No. R2007-01282-(3)
Case No. 200700104-(3)

My lot: 4464-02-014

Dear Hearing Officer:

This letter is to express my **strong** opposition to the CUP for the proposed expansion of Visions' capacity from 6 to 14 children at its drug and alcohol rehabilitation facility.

Needless to say these are troubled youth. One of the truths of this country is: "Where there are drugs, there is crime." I have spoken with individuals that have been associated with rehab houses in the past. Recovering addicts, craving drugs, are a magnet for those willing to supply them. Obviously, there is a way to supply them. The "fence" mentioned in the letter is about 2 feet high at best and I doubt it surrounds the property at all. Another thing that these facilities do is hire their "alumni" to watch the others as "supervisors" for little more than minimum wage. "Supervision" under these conditions is dubious at best.

Another thing that concerns me is the increased traffic in what is probably the most dangerous intersection I know. To leave Castro Peak you have to exit into the middle of a hairpin turn. There is no warning to oncoming traffic, there is no signage and no speed limits or other warnings to slow down. From the West, the road is relatively straight and cars and motorcycles can pick up speed there before rounding the corner. Additionally, this road is a favorite for motorcycles and cars to speed on the weekends. For someone leaving Castro Peak Motorway, there is simply no visibility, either right or left. And if you clear one area, you can be hit from the other direction. There is simply no way to

950 Latigo Canyon Road
Malibu, CA 90265
August 27, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)

Dear Ms. Kim,

I reside in the first house beyond the Visions facility at 900 Latigo Canyon Road, and I am submitting this letter in connection with the above-referenced conditional use permit application.

In the time that Visions has been operating the facility, they have been a good and considerate neighbor. In fact, they are much quieter than the family that used to own and live on the property.

I have no opposition to the application to increase the capacity of the facility.

Very truly yours,

Annette Peterfy

RECEIVED
AUG 28 2008

950 Latigo Canyon Road
Malibu, CA 90265
August 27, 2008

Ms. Mi Kim
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Project No. R2007-01282-(3)
Conditional Use Permit Case No. 200700104-(3)

Dear Ms. Kim,

I reside in the first house beyond the Visions facility at 900 Latigo Canyon Road, and I am submitting this letter in connection with the above-referenced conditional use permit application.

I have no opposition to the application to increase the capacity of the facility. I stand neutral.

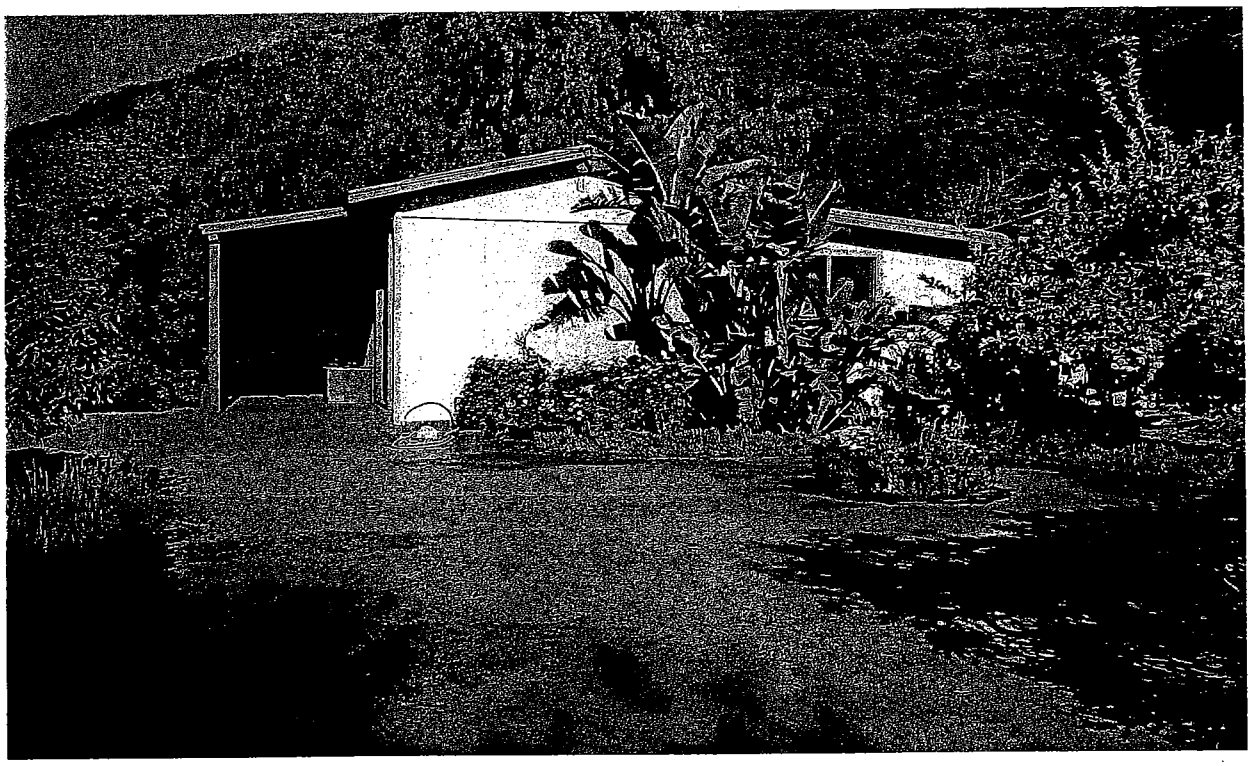
Very truly yours,

Jim C. Nylund

AUG 28 2008

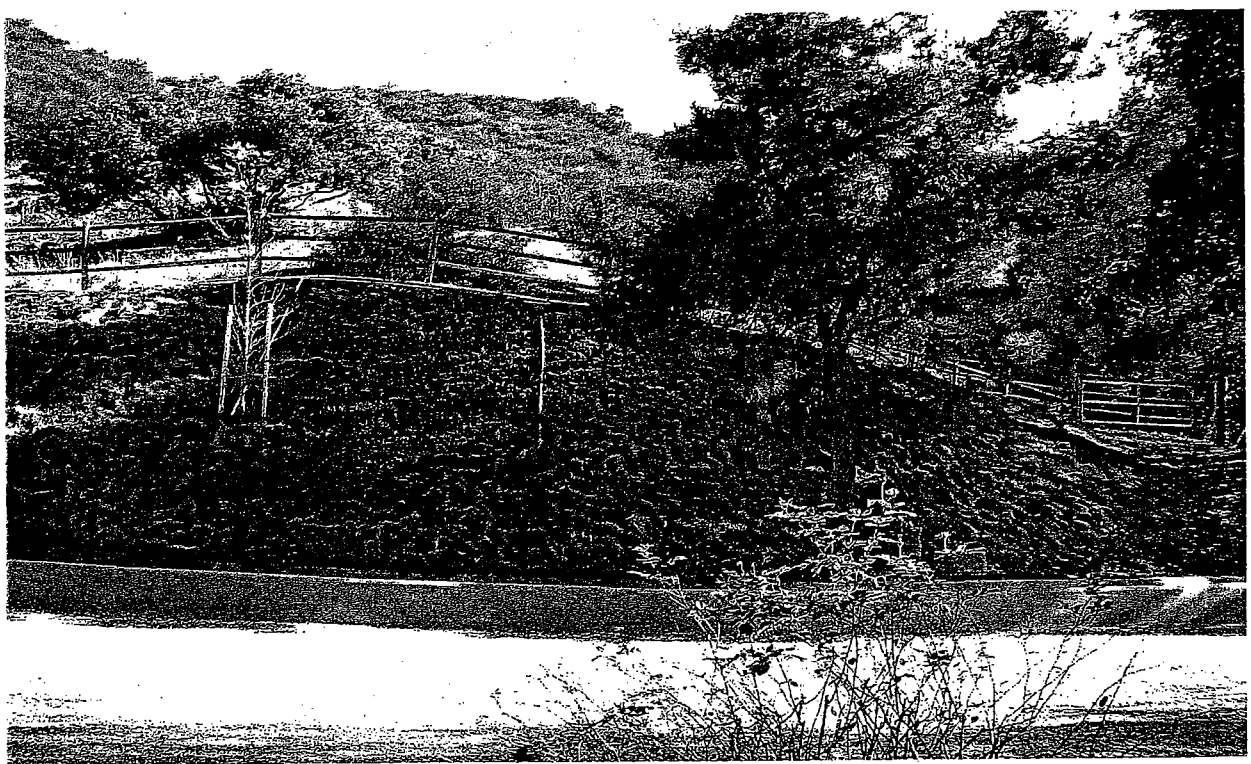
Attachment F

Public Comments



View E

- Looking northwest towards side of existing Ancillary Building I (20 ft).
- Existing two bedroom /two bath guesthouse currently used as office and rec room.
- First phase of Group Home expansion calls for use of one bedroom for two additional children and transition of office use to Ancillary Building II.
- Second Phase of Group Home expansion calls for use of both bedrooms for a total of four children and transition of recreation room to an expanded Ancillary Building II.



View F

- Looking east with Main House behind viewer from this vantage.
- Offsite areas are undeveloped with little to no change to natural vegetation.

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2007-01282-(3)

CASE NO. RCUP 200700104-(3)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE **November 5, 2008**	

APPLICANT	**OWNER**	**REPRESENTATIVE**
Visions Treatment Center, LLC	VTC Malibu Properties, LLC	Moss and Associates

ENTITLEMENT REQUEST
A conditional use permit for a group home for a maximum of 14 children.

LOCATION/ADDRESS
900 Latigo Canyon Road, Malibu

ACCESS Kanan Dume	**ZONED DISTRICT** The Malibu
ASSESSORS PARCEL NUMBER 4464-026-012	**COMMUNITY** Santa Monica Mountains North Area
SIZE 7.96 acres	**COMMUNITY STANDARDS DISTRICT** Santa Monica Mountains North Area CSD

	EXISTING LAND USE	**EXISTING ZONING**
Project Site	Group home for six children	A-1-10 (Light Agriculture – 10-acre minimum required area)
North	Vacant land	A-1-5 (Light Agriculture – 5-acre minimum required area)
East	Vacant land	A-1-10
South	Vacant Land, Single Family Residence	A-1-10
West	Vacant Land	A-1-10

GENERAL PLAN	**DESIGNATION**	**MAXIMUM DENSITY**	**CONSISTENCY**
Santa Monica Mountains North Area Plan	N10 -- Mountains Lands 10	1 du/10 acre maximum	See Staff Analysis

ENVIRONMENTAL DETERMINATION
Categorical Exemption

PROJECT DESCRIPTION
The project proposal is for a group home to be phased in for a maximum of 14 children on a 7.96-acre site. A six-child group home is currently located on the site, which is developed with a main house, a guest house and other ancillary buildings. Phase I of the project proposal is to expand the group home to 12 children without new construction. Phase II of the project proposal is to expand the group home to 14 children with minor construction to existing structures.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code, conditional use permit burden of proof requirements.
- Satisfaction of Section 22.44.133 of Title 22 of the Los Angeles County Code, Santa Monica Mountains North Area CSD requirements.
- Satisfaction of Section 22.24.110 of Title 22 of the Los Angeles County Code, Development Standards, A-1 (Light Agriculture) zone.
- Consistency with the Santa Monica Mountains North Area Plan.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON Mi Kim		
RPC HEARING DATE(S) November 5, 2008	RPC ACTION DATE November 5, 2008	RPC RECOMMENDATION Approve
MEMBERS VOTING AYE Helsley, Bellamy, Valadez, Rew	MEMBERS VOTING NO None	MEMBERS ABSTAINING None
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval		
SPEAKERS* (O) 2 (F) 3	PETITIONS (O) (F)	LETTERS (O) 17 (F) 6

*(O) = Opponents (F) = In Favor