

**CITY PLANNING COMMISSION
REGULAR MEETING**

**THURSDAY, JANUARY 26, 2012, after 8:30 A.M.
VAN NUYS CITY HALL COUNCIL CHAMBER 2ND FLOOR
14410 SYLVAN STREET, VAN NUYS, CALIFORNIA 91401**

William Roschen, FAIA, President
Regina M. Freer, Vice President
Sean O. Burton, Commissioner
Diego Cardoso, Commissioner
George Hovaguimian, Commissioner
Justin Kim, Commissioner
Robert Lessin, Commissioner
Barbara Romero, Commissioner
Michael K. Woo, Commissioner

Michael J. LoGrande, Director
Alan Bell, AICP, Deputy Director
Eva Yuan-McDaniel, Deputy Director

James K. Williams, Commission Executive Assistant II

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s) 5.

Pursuant to the Commission's general operating procedures, the Commission at times must necessarily limit the speaking times of those presenting testimony on either side of an issue that is designated as a public hearing item. In all instances, however, equal time is allowed for presentation of pros and cons of matters to be acted upon. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item. **EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AND SUBMIT IT TO THE COMMISSION STAFF.**

The Commission has adopted rules regarding written submissions to ensure that it has reasonable and appropriate opportunity to review your materials. The mailing and email addresses, deadlines, page limits, and required numbers of copies for your advance submissions may be found at www.planning.lacity.org under "Forms and Instructions". Day of hearing submissions (15 copies must be provided) are limited to 2 pages plus accompanying photographs, posters, and PowerPoint presentations of 5 minutes or less. Non-complying materials will NOT be distributed to the Commission.

The Commission may ADJOURN FOR LUNCH at approximately 12:00 Noon. Any cases not acted upon during the morning session will be considered after lunch. TIME SEGMENTS noted * herein are approximate. Some items may be delayed due to length of discussion of previous items.

The Commission may RECONSIDER and alter its action taken on items listed herein at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case.

In the case of a Commission meeting cancellation, all items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. **If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.**

AGENDAS are posted for public review in the Main Street lobby of City Hall East, 200 No. Main Street, Los Angeles, California, and are accessible through the Internet at www.planning.lacity.org. Click the Meetings and Hearings" link. Commission meetings may be heard on Council Phone by dialing (213) 621-2489 or (818) 904-9450.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report
CE - Categorical Exemption

ND - Negative Declaration
MND - Mitigated Negative Declaration

1. DIRECTOR'S REPORT

- A. Update on City Planning Commission Status Reports and Active Assignments
 - 1. Ongoing Status Reports:
 - 2. City Council/PLUM Calendar and Actions
 - 3. List of Pending Legislation (Ordinance Update)
- B. Legal actions and rulings update
- C. Other items of interest:

2. COMMISSION BUSINESS

- A. Advance Calendar
- B. Commission Requests

3. PUBLIC COMMENT PERIOD

The Commission shall provide an opportunity in open meetings for the public to address it, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission. (This requirement is in addition to any other hearing required or imposed by law.)

PERSONS WISHING TO SPEAK MUST SUBMIT A SPEAKER'S REQUEST FORM. ALL REQUESTS TO ADDRESS THE COMMISSION ON NON-PUBLIC HEARING ITEMS AND ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE JURISDICTION OF THE COMMISSION MUST BE SUBMITTED PRIOR TO THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD.

Individual testimony within the public comment period shall be limited as follows:

- (a) For non-agendized matters, up to five (5) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to three (3) minutes per person and up to ten (10) minutes per subject. PUBLIC COMMENT FOR THESE ITEMS WILL BE DEFERRED UNTIL SUCH TIME AS EACH ITEM IS CALLED FOR CONSIDERATION. The Chair of the Commission may allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

4. [CPC-2011-1880-CU](#)
ENV-2011-1879-MND
Plan Area: Chatsworth-Porter Ranch

Council District: 12 – Englander
Expiration Date: 2-20-12
Appeal Status: Appealable to City Council

PUBLIC HEARING – Completed on November 15, 2011

Location: 21541 W. RINALDI STREET

Proposed Project:

The relocation, construction, use and maintenance of a Private School (Preschool, Pre-K, and Grades K-8), and accessory uses within an approximate 4 acre site adjacent to the current location of the Chatsworth Hills Academy. The total project size is approximately 30,314 square feet.

Requested Actions:

1. Pursuant to Sections 12.24-U,24 and 12.24-W,51 of the Los Angeles Municipal Code, a Conditional Use Permit to allow the relocation, construction, use and maintenance of a Private School (Preschool, Pre-K, and Grades K-8), accessory uses and Summer Youth Camp.
2. Adopt the Mitigated Negative Declaration as provided under case number ENV-2011-1879-MND pursuant to the California Environmental Quality Act.

Applicant: Chatsworth Hills Academy, Inc.
Representative: Rosenheim & Associates

Recommended Actions:

1. Approve the Conditional Use to permit relocation, construction, use and maintenance of a Private School (Grades K-8), accessory uses and summer Youth Camp in the A2-1 Zone.
2. Approve the Conditional Use to permit the relocation, construction, use and maintenance of a Preschool (including Pre-K Program) in the A2-1 Zone.
3. Adopt the Findings.
4. Adopt the Mitigated Negative Declaration as provided under case number ENV-2011-1879-MND pursuant to the California Environmental Quality Act.
5. Advise the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and /or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Staff: Nicholas Hendricks (818) 374-1378

5. **SPECIAL ITEM**
ENV-2011-3306-CE
Plan Area: Citywide

Council Districts: All
Expiration Date: N/A
Appeal Status: N/A

PUBLIC HEARING

Location: CITYWIDE

Proposed Project:

An ordinance proposed by the City Attorney amending Article 5.1 of Chapter IV of the Los Angeles Municipal Code in order to implement recent appellate court decisions concerning regulation of medical marijuana, including the ruling issued in *Pack v. Superior Court*, 199 Cal.App.4th 1070 (2011). **(The Commission may recess into Closed Session pursuant to Government Code Section 54956.9(a) in order to confer with its legal counsel in relation to: pending litigation entitled, *MJ Collectives Litigation; Americans for Safe Access et al. v. City of Los Angeles*, Los Angeles Superior Court (“LASC”), Lead Case No. BC 433942 (and all related actions); *The People of the State of California v. Natural Ways Always, et al./ Natural Ways Always, Inc. v. City, et al.*, LASC Case No. BC 460799; and the effect of recent appellate court decisions concerning regulation of medical marijuana.)**

Requested Actions:

1. Adopt the report prepared by the City Attorney entitled “Report Re: Proposed Ordinance Amending Article 5.1 of Chapter IV of The Los Angeles Municipal Code To Implement Recent Appellate Court Decisions Concerning Regulation of Medical Marijuana, Including *Pack v. Superior Court*, 199 Cal.App.4th 1070 (2011)” (City Attorney Report), as the report of the City Planning Commission on the subject.
2. Recommend that the City Council Determine that the ordinance is exempt under the California Environmental Quality Act, for the reasons set forth in the CEQA Narrative and draft Notice of Exemption attached as Attachments 6 and 7, respectively, to the City Attorney Report.
3. Recommend that the City Council Direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final by the City Council.
4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Attachment 8 to the City Attorney Report.
5. Recommend to the City Council adoption of the draft ordinance attached as Attachment 1 to the City Attorney Report.

Applicant: City of Los Angeles

Recommended Actions:

1. Adopt the City Attorney Report as the report of the City Planning Commission on the subject.
2. Recommend that the City Council Determine that the ordinance is exempt under the California Environmental Quality Act, for the reasons set forth in the CEQA Narrative and draft Notice of Exemption attached as Attachments 6 and 7, respectively, to the City Attorney Report.
3. Recommend that the City Council Direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final by the City Council.
4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Attachment 8 to the City Attorney Report.
5. Recommend to the City Council adoption of the draft ordinance attached as Attachment 1 to the City Attorney Report.

Staff: Terry Kaufmann-Macias (213) 978-8120

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, February 9, 2012**
City Hall
200 N. Spring Street
Public Works Board Room 350
Los Angeles, CA 90012

An Equal Employment Opportunity/Affirmative Action Employer

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Translation services, sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services must be requested **72 hours prior to the meeting** by calling the Planning Commission Secretariat at (213) 978-1300 or by email at CPC@lacity.org.