

Hearing Officer Transmittal Checklist

Hearing Date
11/17/15
Agenda Item No.
6

Project Number: R2015-00071-(3)
Case(s): Minor Coastal Development Permit No. 201500006
Lot Line Adjustment No. 201500006
Planner: Gary Fountain

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions + Other department letters of recommended conditions
- Previous CUP Conditions of Approval
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- ERB Minutes
- _____
- _____

Reviewed By: 



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

PROJECT NUMBER
 R-2015-00071(3)

HEARING DATE
 11/17/2015

REQUESTED ENTITLEMENTS

Minor Coastal Development Permit No. 201500006
 Lot Line Adjustment No. 201500006

PROJECT SUMMARY

OWNER / APPLICANT

John MacNeil

MAP/EXHIBIT DATE

Sept. 18, 2012

Project overview proposed lot line adjustment to start with three lots and end with two lots, and yard modification, for property located in the Topanga Community of the Santa Monica Mountains Coastal Zone. The subject property is zoned RC-10,000 (Rural Community - 10,000 square feet minimum lot size) and the Local Coastal Plan designates the property R-V (Rural Village). Entire property is in Sensitive Environmental Resource Area (SERA). The project is proposed to rectify existence of two residences on one lot and related encroachments onto another lot. Related yard modifications are required to facilitate the proposed lot line adjustment.

LOCATION

622 and 624 Topanga Canyon Boulevard, Topanga

ACCESS

Topanga Canyon Boulevard

ASSESSORS PARCEL NUMBER(S)

4444-020-006,007,008

SITE AREA

10,569 square feet

GENERAL PLAN / LOCAL PLAN

Santa Monica Mountains Local Coastal Plan

ZONED DISTRICT

The Malibu

LAND USE DESIGNATION

RV (Rural Village)

ZONE

R-C-10,000 (Rural Coastal – 10,000 sq.ft. minimum lot size requirement)

PROPOSED UNITS

None

MAX DENSITY/UNITS

None

COMMUNITY STANDARDS DISTRICT

Topanga Canyon

ENVIRONMENTAL DETERMINATION (CEQA)

Class 5 Categorical Exemption – Minor Alterations in Land Use Limitations

KEY ISSUES

- Consistency with the Los Angeles County General Plan and Santa Monica Mountains Local Coastal Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.44.680 (Lot Line Adjustments) and 22.44.1380 (Yard Modifications Authorized)
 - 22.56.1756 (Lot Line Adjustments) of Title 22

CASE PLANNER:

Mr. Gary D. Fountain

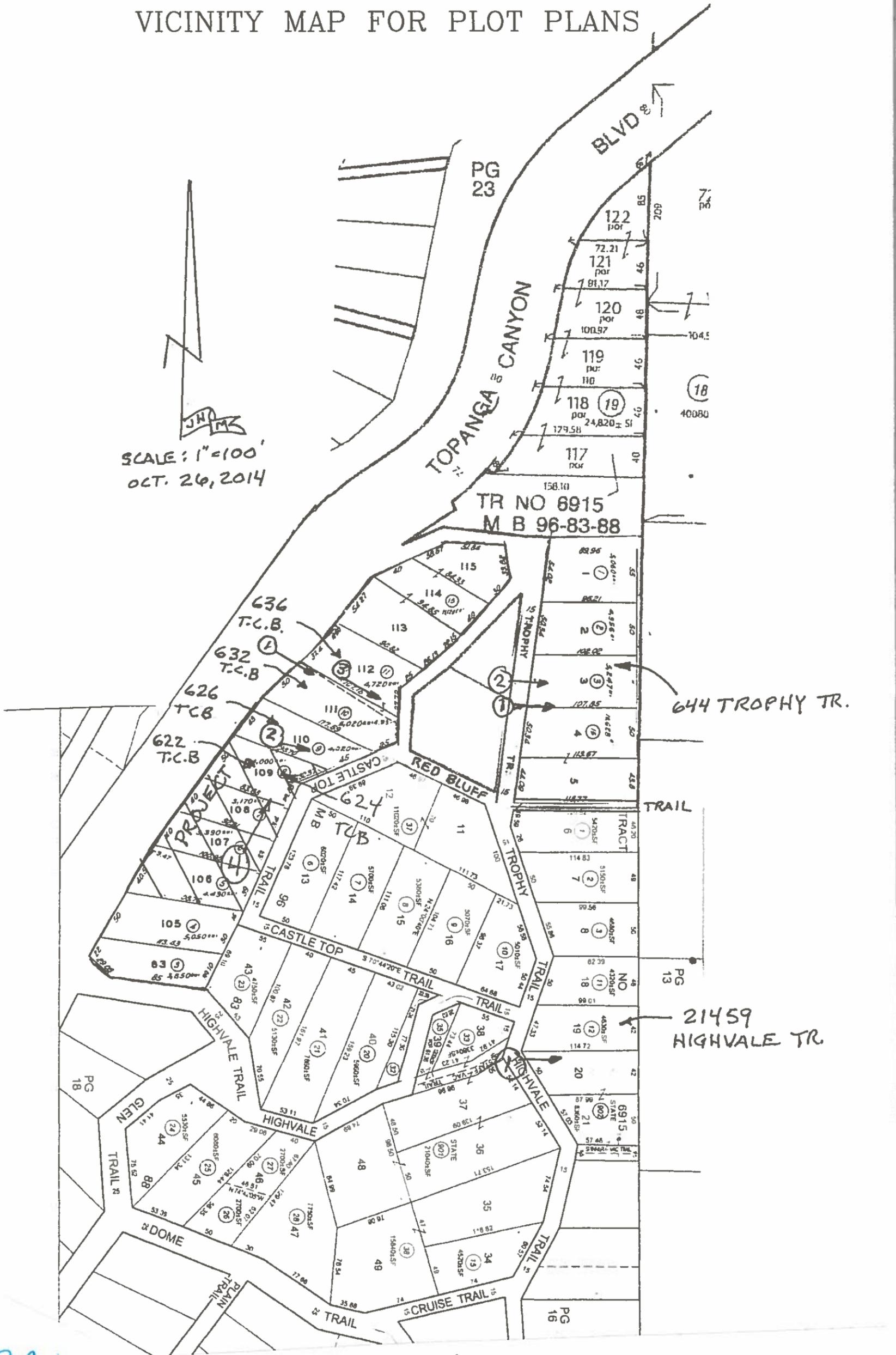
PHONE NUMBER:

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VICINITY MAP FOR PLOT PLANS



JHM
 SCALE: 1" = 100'
 OCT. 26, 2014



JOHN H. MAC NEIL
 2330 N. TOPANGA CANYON BLVD.
 TOPANGA, CA 90290
 FILE # 310-455-2013

ENTITLEMENTS REQUESTED

- Minor Coastal Development Permit pursuant to Sections 22.44.680 (Lot Line Adjustments) and 22.44.1380 (Yard Modifications Authorized) of Part 10 (Santa Monica Mountains Local Implementation Program General Provisions) of Chapter 22.44 (Supplemental Districts) of the Los Angeles County Zoning Ordinance (Title 22 of the County Code), in the R-C-10,000 Zone (Rural Community, 10,000 sq. ft. required minimum lot size).

PROJECT DESCRIPTION

Proposed lot line adjustment to start with three lots and end with two lots, and Yard Modification, for property located in the Topanga community of the Santa Monica Mountains Coastal Zone, Malibu Zoned District, Supervisorial District 3. Subject property is zoned R-C-10,000 (Rural Community, 10,000 square feet required minimum lot size), and the Local Coastal Plan designates the property R-V (Rural Village). The project is proposed to rectify existence of two residences on one lot and related encroachments onto another lot. Related yard modifications are required to facilitate the proposed lot line adjustment. Although the proposed property line that will separate the homes runs halfway between the homes per a court agreement, the setbacks to the homes are substandard. As for 622 after the lot line adjustment the lot depth will be less than 75 feet, therefore per building code 22.48.110 the rear set back is ten feet. The applicants propose a setback that goes from 5.5 feet to 4.2 feet. With 624 the proposed property line is a side line where the set back is 5 feet. We propose the same set back as 622. There is no future development proposed. The lots are already developed.

EXISTING ZONING

The subject property is zoned R-C-10,000 (Rural Coastal – 10,000 sq. ft. minimum lot size requirement).

Surrounding properties are zoned as follows:

North: R-C-10,000
South: R-C-10,000
East: R-C-10,000
West: R-C-10,000

EXISTING LAND USES

The subject property is developed with two single-family residences.

Surrounding properties are developed as follows:

North: Single-family residences
South: Single-family residences
East: Single-family residences
West: Single-family residences

PREVIOUS CASES/ZONING HISTORY

The two existing single-family residences were authorized with building permits (1948 & 1953), before a CDP was required.

M-3 Zone (Unclassified) was adopted by Ordinance 7076 on December 26, 1956.

R-1-10,000 Zone was adopted by Ordinance 8281 on October 2, 1962.

R-C-10,000 Zone was adopted by The Board of Supervisors on August 26, 2014.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 5 Exemption) Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA), the proposed lot line adjustment's new proposed common lot line exhibits an average slope of less than 20 percent. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the RV-Rural Village land use category of the 2014 Santa Monica Mountains Land Use Plan. The principal permitted use within the Rural Village designation is low-density single-family detached homes.

Land divisions, except for merger and lot line adjustments, are not permitted in Rural Villages. Parcels in all Rural Villages are subject to various policies and standards in order to limit the potential effects of continued urban scale development to discourage build out.

The following goals and policies of the 2014 Santa Monica Mountains Land Use Plan are applicable to the subject property and serve as development guidelines.

LU-9 Land divisions shall only be permitted if each new parcel being created contains an identified building area and any necessary access road that could be developed consistent with all policy of the LCP and without building in H1 or H2 "High Scrutiny" habitat areas, H1 habitat buffer, or removing or modifying H1 or H2 "High Scrutiny" habitat for fuel modification. In the case of subdivisions or lot line adjustments that include the creation of parcel(s) that is dedicated or restricted to open space uses (through open space easement, deed restriction, or access road outside of SERA is required for the open spaces parcel(s).

The subject properties are not within the H1 or H2 "High Scrutiny" habitat areas. They are within the H1 Habitat buffer and H1 Habitat Quite Zone. No parcels are being created from the lot line adjustment.

LU-25 "Additions and improvements to such structures, including reconstruction, may be permitted provide that (1) the additions and improvements comply with current LCP policies and standards and do not increase any existing inconsistencies; and (2) any inconsistencies of the existing legal structure with the LCP are rectified when (a) additions increase the square footage of the existing structure by 50 percent or more, or (b) any demolition, removal, replacement and/or reconstruction results in the demolition of more than 50 percent of either the total existing exterior wall area or the existing foundation system, or where the sum of the percentages of each that is demolished exceeds 50 percent. Reconstruction of existing lawfully-established structures following a natural disaster is exempt from this policy and may be permitted."

LU-31 Within Rural Villages, limit the mass, scale, and total square footage of structures to minimize grading, and landform alteration, and protect environmental and scenic resources.

No new structures or grading are proposed in conjunction with the requested lot line adjustment.

LU-32 Restrict the mass scale, and total square footage of structures within Rural Villages to avoid the cumulative impacts of development of small constrained parcels on coastal resources by applying the Slope Intensity Formula shall not apply to the Upper Latigo Rural Village.

No new structures or grading are proposed in conjunction with the requested lot line adjustment.

LU-33 Require that new development be compatible with the rural character of the area and the surrounding natural environment.

The proposed lot line adjustment would not result in a change in the rural character of the neighborhood. The lot line adjustment would acknowledge the present location of the existing dwelling of Parcel 1 and Parcel 2, and reflects the character of the neighborhood.

Neighborhood Impact/Land Use Compatibility

There is one single-family residence on each lot. Each proposed lot has sufficient net area to meet the lot area requirements of square feet and the street frontage requirement of 50 feet.

The project site is currently developed with two single-family residential buildings, which is consistent with the existence of single-family residential buildings in the neighborhood. Since the residential buildings already exist, the lot-split would not alter the neighborhood's character. The subject property is surrounded by single-family residences, The existing single-family residences are consistent with the neighborhood's residential character and are compatible with the existing neighborhood character and the land use in the community.

BURDEN OF PROOF/FINDINGS

Santa Monica Mountains Coastal Development Permit

The Los Angeles County Code Section 22.44.850 states that the applicant shall substantiate the following: 1) That the proposed development is in conformity with the certified coastal program; and 2) That any development located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone, is also in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code. Each of the proposed lots meets the minimum 50 feet street frontage but does not meet the minimum 50 feet lot width average requirement. After the lot reconfiguration, each lot will have an average lot width of approximately 48.81 feet. The applicant has requested a modification to the average lot width requirement via the Title 21 Modification process. Per the applicant, out of 91 parcels located within 500 feet from the subject property, 33 parcels (36%) have less than the required 50 feet minimum lot width average. The applicant's request to reduce the minimum lot width average should not negatively affect the residential character of the neighborhood as there is an existing pattern.

Zoning Ordinance and Development Standards Compliance

The property is zoned R-C-10,000 (Rural-Coastal Zone – 10,000 square feet minimum lot area). The existing three legal lots of 3,397, 3,176, 3,996 square feet in area, respectively, totaling 10,569 square feet in area, and the applicant proposes to adjust the common lot line to result in two legal lots of 5,889, and 4,680 square feet, respectively. (Proposed Parcels 1 and 2) have 5,889 sq. ft. and 4,680 sq. ft., respectively. The structures on Parcel 1 intrude onto parcel 2. The proposed line adjustment would move the joint side yard so the structures on parcel 1

would have a five foot side yard setback and conform to Section 22.44.1750.E of the Zoning Code. The yard modification request is to authorize 5.5 feet to 4.2 feet for 624, and we propose the same setback for 622. The other yard setbacks are sufficient for the existing buildings on the subject property, since they were established prior to the M-3 (unclassified) zone. The M-3 zone did not establish required yard setback for structures.

Pursuant to Section 22.44.680 a Minor CDP is required for Lot Line Adjustments. Each parcel of a lot line adjustment must be a legal lot except as provided in the Code. The subject parcels were legally created by Tract No.6915 in 1924. A Lot Line Adjustment must also conform to subsections A and B of 22.44.640 (Land Divisions). The proposed lot line adjustment would not affect traffic congestion or have an adverse impact on the safety of bicyclist and pedestrians, the protection of public health, safety and general welfare or have an adverse affect on the neighboring property, and conforms with good zoning practice. The lot design, frontage, and access are consistent with the LIP. The proposed change in the lot line configuration would not have an impact on public services or materially affect the property rights of any adjoining property owners as no development is proposed as a part of this application. The proposed project would not increase the amount of landform alteration from that which would have been necessary for development on the existing parcels. There would not be greater adverse visual impacts from a scenic road, public trail or trail easement, or public beach than what would have occurred from the development of the original parcels, because no development is proposed as a part of this project. The portions of the subject property that are within the H1 habitat buffer and scenic resources would not be adversely impacted because no additional development is proposed on Parcel 1, or Parcel 2.

Section 22.44.640 Land Divisions subsections A and B require that the existing parcels are legally created (legally created by Tract No.6915 in 1924). The land reconfiguration is consistent with all applicable LCP policies (see the Los Angeles County General Plan Consistency analysis above). The density proposed does not exceed the maximum density allowed for the property by the LIP zoning map and complies with the other policies of the LIP. The project's density is consistent with the LIP and Title 22. The land reconfiguration does not create any parcels that are smaller than the average size of the surrounding parcels. The smallest lot of the proposed lot line adjustment is 4,680 sq. ft.; the average size of the surrounding lots in the tract is 4,525 sq. ft.. Topanga Canyon Blvd., and Castle Top Trail are improved with an all weather pavement surface as required by the LIP. Presently, only a portion of Parcel 1 and 2 has the H1 habitat buffer designation. The lot line adjustment would not create a lot that is entirely within H1 habitat buffer designation. No road or driveways would require construction within H1 habitat area, H1 habitat buffer, in H1 Quite Zone on a coastal bluff or on a beach. The proposed line adjustment results in parcels that are designed to avoid or minimizing impacts to visual resources; no new construction or grading is proposed at this time. Parcel 1 is developed with a single family dwelling, and Parcel 2 is also developed with a single family residence. Thus, both lots contain an approved building site.

Parcel 1 is developed with a single family dwelling which has a two car attached garage. Parcel two has two off-street parking spaces. Topanga Canyon Blvd., and Castle Top Trail are both paved streets. These improvements comply with the parking and access requirements of Section 22.44.2140 Rural Villages. Section 22.44.1750.E R-C Rural-Coastal Zone, Development standards

Pursuant to Section 22.44.139 of the County Code, establishments in the Topanga Canyon Community Standards District (CSD) are subject to the development standards of the CSD.

The project was reviewed by the Environmental Review Board (ERB), on May 18, 2015. No new impacts were identified with the implementation of the lot line adjustment. The Committee found

the project is consistent with the Local Coastal Program and Local Implementation Program. ERB recommends approval of the project.

The Los Angeles County Code Section 22.44.850 states that the applicant shall substantiate the following: 1) That the proposed development is in conformity with the certified coastal program; and 2) That any development located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone, is also in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

Each of the proposed lots meets the minimum 50 feet street frontage but does not meet the minimum 50 feet lot width average requirement. After the lot reconfiguration, each lot will have an average lot width of approximately 48.81 feet. The applicant has requested a modification to the average lot width requirement via the Title 21 Modification process. Per the applicant, out of 91 parcels located within 500 feet from the subject property, 33 parcels (36%) have less than the required 50 feet minimum lot width average. The applicant's request to reduce the minimum lot width average should not negatively affect the residential character of the neighborhood as there is an existing pattern.

Site Visit

A site visit was made on August 7, 2015.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Fire Department letter, dated July 14, 2015 has no objections..

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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, property posting, library posting, and DRP website posting.

PUBLIC COMMENTS

No public comments received at this time.

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project No. 2015-00071-(3) Minor Coastal Development Permit No: MCDP201500006.

SUGGESTED APPROVAL MOTION:

I, CLOSE THE PUBLIC HEARING AND ADOPT THE CATAGORICAL EXEMPTION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE MINOR COASTAL DEVELOPMENT PERMIT NO: MCDP201500006 SUBJECT TO THE ATTACHED FINDINGS .

**PROJECT NO. R2015-00071-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO.
201500006**

**STAFF ANALYSIS
PAGE 6 OF 6**

Reviewed by Gary D. Fountain, Supervising Regional Planner, Land Division Research & Enforcement Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

GDF:GDF
10/28/2015

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00071 -(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500006**

1. The subject project is a lot line adjustment that starts with three legal lots of 3,397, 3,176 and 3,996 square feet in area, respectively, totaling 10,569 square feet in area; and the applicant proposes to adjust the common lot line to result in two legal lots of 5,889 and 4,680 square feet, respectively.
2. The applicant has also submitted a concurrent filing for a Yard Modification that will modify the rear yard of the westerly residence on the subject property, and the side yard of the easterly residence on the subject property.
3. The subject lots exhibit two historical single family residences that were legally approved and constructed over existing lot lines established by an even older historical approved and recorded Tract.
4. The applicant has stated that the reason for the lot line adjustment is to eliminate the cited residence encroachments over lot lines and to create two larger lots in the process, reducing the number of lots from three that have east to west lot lines, to two that have a common north to south boundary.
5. The Minor Coastal Development Permit is required pursuant to Sections 22.44.680 (Lot Line Adjustments) and 22.44.1380 (Yard Modifications Authorized) of PART 10 (SANTA MONICA MOUNTAINS LOCAL IMPLEMENTATION PROGRAM GENERAL PROVISIONS) of Chapter 22.44 (Supplemental Districts) of the Los Angeles County Zoning Ordinance (Title 22 of the County Code), which mandates a Minor Coastal Development Permit for concurrently filed Lot Line Adjustment and Yard Modification cases.
6. Pursuant to the land use policy map of the Santa Monica Mountains Local Coastal Plan, the project is located in the H3 Habitat (Least sensitive, developed) category, but is located within 200 feet of the Topanga Creek H1 Habitat (Rare) category and in the H1 Habitat Buffer and H1 Habitat Quiet Zone Overlay; however in this instance, existing fuel area is already modified and structures are already existing.
7. The subject Minor Coastal Development Permit for lot line adjustment and yard modification proposal was heard by the Environmental Review Board on August 17, 2015. Comments were duly noted by staff, including a general concurrence with the proposal as having no impacts on biota of the area.
8. The subject Minor Coastal Development Permit for lot line adjustment and yard modification were heard by the Los Angeles County Hearing Officer on November 17, 2015. Comments were duly noted by staff, including the Hearing Officer's determination of approval of the subject project.
9. The requirements of Section 22.56.1756 (Lot Line Adjustments) of the County Zoning Ordinance are also being applied to this lot line adjustment proposal in the absence of pre-empting provisions in the Santa Monica Mountains Local Implementation Program.

10. The requirements of Sections 22.48.180 (Modifications authorized) and 22.56.1755 (Single-family residence development standards—Findings for modification) of the County Zoning Ordinance are also being applied to this yard modification in the absence of pre-empting provisions in the Santa Monica Mountains Local Implementation Program.
11. The hillside management provisions of the County Zoning Ordinance (Title 22 of the County Code) do not apply because the property is relatively flat, and the proposed lot line adjustment will end in only two lots.
12. There is precedent for the proposed new lot configurations in the neighborhood.
13. The subject property is located between Topanga Canyon Boulevard and Castle Top Trail approximately 120 feet north of Highvale Trail in the community of Topanga and the Malibu Zoned District. The addresses of the subject property are 622 and 624 Topanga Canyon Boulevard.
14. The subject property is located within the Santa Monica Mountains Local Coastal Plan, which designates the entire subject property “RV” (Rural Village). The subject properties are also located within the Topanga Canyon Community Standards District. The proposed lot line adjustment is consistent with the density, use and development standards, and all other provisions of the LCP and the CSD.
15. The subject property is zoned R-C-10,000 (Rural Community, 10,000 sq. ft. minimum lot size). Pursuant to Santa Monica Mountains LIP Section 22.44.680 (Lot Line Adjustments), and 22.56.1756 (Lot line adjustments) of the Zoning Ordinance, the lot line adjustment is permitted in this zone. The project meets all applicable development standards of the zone, including minimum lot size, average lot width, floor area ratio, and legal access requirements.
16. The underlying parcels are legal lots, pursuant to being lots 107, 108 and 109 of previously approved and recorded Tract 6915.
17. Pursuant to Section 22.44.680 (Lot Line Adjustments) of the Santa Monica Mountains Local Implementation Program, and Sections 22.56.1756 (Lot Line Adjustments), and 22.52.190 (Undersized lots or parcels—Resubdivision conditions) of the Zoning Ordinance, the applicant has demonstrated that the project meets the required principles, standards, and burden of proof for a Minor Coastal Development Permit for a Lot Line Adjustment, including adequate legal access and compliance with the applicable codified and County Counsel opinion requirements for lot size, frontage, width, and legal access.
18. Pursuant to Section 22.44.1380 (Yard modifications authorized) of the Local Implementation Program, and Sections 22.48.180 (Yard Modifications Authorized) and 22.56.1755 (Single-family residence development standards) of the County Zoning Ordinance, the applicant has demonstrated that the project meets the required findings and complies with the requirements for a yard modification. The yard modification request is to authorize 5.5 feet to 4.2 feet for 624, and we propose the same setback for 622. The other yard setbacks are sufficient for the existing buildings on the subject

property, since they were established prior to the M-3 (unclassified) zone. The M-3 zone did not establish required yard setback for structures.

19. The proposed lot line adjustment's new proposed common lot line exhibits an average slope of less than 20 percent. Therefore, pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA), this project was determined to be Categorical Exempt (Class 5) from the requirements of CEQA.
20. The County Fire Department expressed support for this Minor Coastal Development Permit.
21. The County Department of Public Works Building and Safety Division expressed support for this Minor Coastal Development Permit and stamped the related lot line adjustment map "Approved for Lot Line Adjustment Purposes Only".

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. That the use, development of land and/or application of development standards is in compliance with all applicable provisions of Title 22;
- B. That the use, development of land and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice;
- C. That the use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design;
- D. That the lot design, frontage, access and similar standards are consistent with applicable provisions of contained in the County Subdivision Ordinance (Title 21 of the County Code);
- E. That any changes in access, lot configuration, or orientation of structures, easements or utilities to lot lines, will not, in the opinion of the Hearing Officer, result in any burden on public services or materially affect the property rights of any adjacent owners;
- F. That the parcels to be adjusted are already legal lots under the provisions of the Subdivision Map Act and the County Subdivision Ordinance.
- G. That the adjusted parcel configurations will be in accord with established neighborhood lot design patterns, and will not violate any statute, ordinance, regulation or good planning practice;
- H. That if any of the parcels to be adjusted are improved with a structure requiring a building permit, the applicant has provided an inspection report from the Building and Safety Division of the Los Angeles County Department of Public Works certifying that changes in lot lines will not violate any ordinances or regulations administered by that Department;

- I. That the Hearing Officer has considered the locations of existing structures, access roads and driveways related to this minor coastal development permit, and has determined that their location and the location of newly proposed lot lines are in accord with all requirements of the Santa Monica Mountains Local Coastal Land Implementation Plan.
- J. That the lot design, frontage, and access shall be consistent with all applicable provisions contained in the Santa Monica Mountains LIP.
- K. That the proposed lot configuration is arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to insure the protection of public health, safety and general welfare, to prevent adverse effects on neighboring property, and is in conformity with good zoning practice.
- L. That the proposed reconfigured parcels will accommodate existing development in a manner that more closely conforms with the Local Coastal Plan policies and standards than the current configuration of the subject parcels.
- M. That the proposed lot line adjustment will not adversely affect H1 habitat, H1 habitat buffer, H2 habitat; landforms; scenic resources, including visual impacts from a scenic road, public trail or trail easement, or public beach; because related fuel areas have already been modified and all potential structures are already existing.
- N. That at the end of the appeal period, if this Minor Coastal Development Permit approval is not appealed, the Director will record a certificate of compliance containing the descriptions of the parcels as they will exist after adjustment.
- O. That conditions create an unnecessary hardship, and an unreasonable and obviously impractical regulation to require compliance with the yard requirements contained in the Zoning Ordinance related to this lot line adjustment.
- P. That other lots in the neighborhood of the subject lots, already exhibit structures that are not consistent with the current yard requirements as expressed in the Zoning Ordinance.
- Q. That the proposed modification of the yard requirements contained in Title 22 would not be materially detrimental to the use, enjoyment or value of property of other persons which is located in the vicinity of the residential site.
- R. That the site of the proposed yard modification is sufficiently screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA guidelines (Class 5 Minor Alteration in Land Use Limitations categorical exemption); and

2. Approves Minor Coastal Development Permit 201500006, subject to the attached conditions.

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00071-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500006**

PROJECT DESCRIPTION

The project is a Minor Coastal Development Permit for a Lot Line Adjustment starting with three lots and ending with two lots, for property located on the east side of Topanga Canyon Boulevard in the community of Topanga, and a related Yard Modification request, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

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

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Minor Coastal Development Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount

charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **3 copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **January 17, 2016**.

18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **3 copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
19. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
20. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings and drawings. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings or drawings, 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.
21. In the event that an amendment to the approved CDP is required, the applicant shall comply with the amendment requirements of the LIP. Modifications to these conditions shall also require an amendment to the approved CDP.
22. This grant shall authorize a lot line adjustment and yard modifications.



Los Angeles County
 Department of Regional Planning
Planning for the Challenges Ahead



COASTAL DEVELOPMENT PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.2320, the applicant shall substantiate the following:

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

A. That the proposed development is in conformity with the certified local coastal program.
This is a Lot Line Adjustment (LLA) whereby 2 legal houses on 3 legal lots will become 2 Parcels that best fit the 2 houses and how the property has been used for about the last 40 years. each house will have its own separate access. together with this lla is a yard modification to legalize the one sideline and one rear yard setback. this lla has been reviewed and approved by the erb and building and safety and found to be in compliance with the certified local coastal program. other neighboring houses are enjoying substandard set backs. there is no development connected to this lla. this lla has also received a prelliminary approval from regional planning.
B. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.
Not Applicable.

APPLICANT'S AFFIDAVIT

I (We) being duly sworn, depose and say that the foregoing answers and statements herein contained and the information submitted are in all respects true and correct.

Executed this 28th day of SEPT. 2015 at TOPANGA CA.

Signed John H. [Signature]



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: RCDP 201500006
R2015-00071

**THE FIRE DEPARTMENT, LAND DEVELOPMENT UNIT, HAS NO OBJECTIONS
TO THE COASTAL DEVELOPMENT PERMIT FOR THE PROPOSED LOT LINE
ADJUSTMENT AND YARD MODIFICATION AS PRESENTLY SUBMITTED.**

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243
or Juan.Padilla@fire.lacounty.gov.

Reviewed by: Juan Padilla

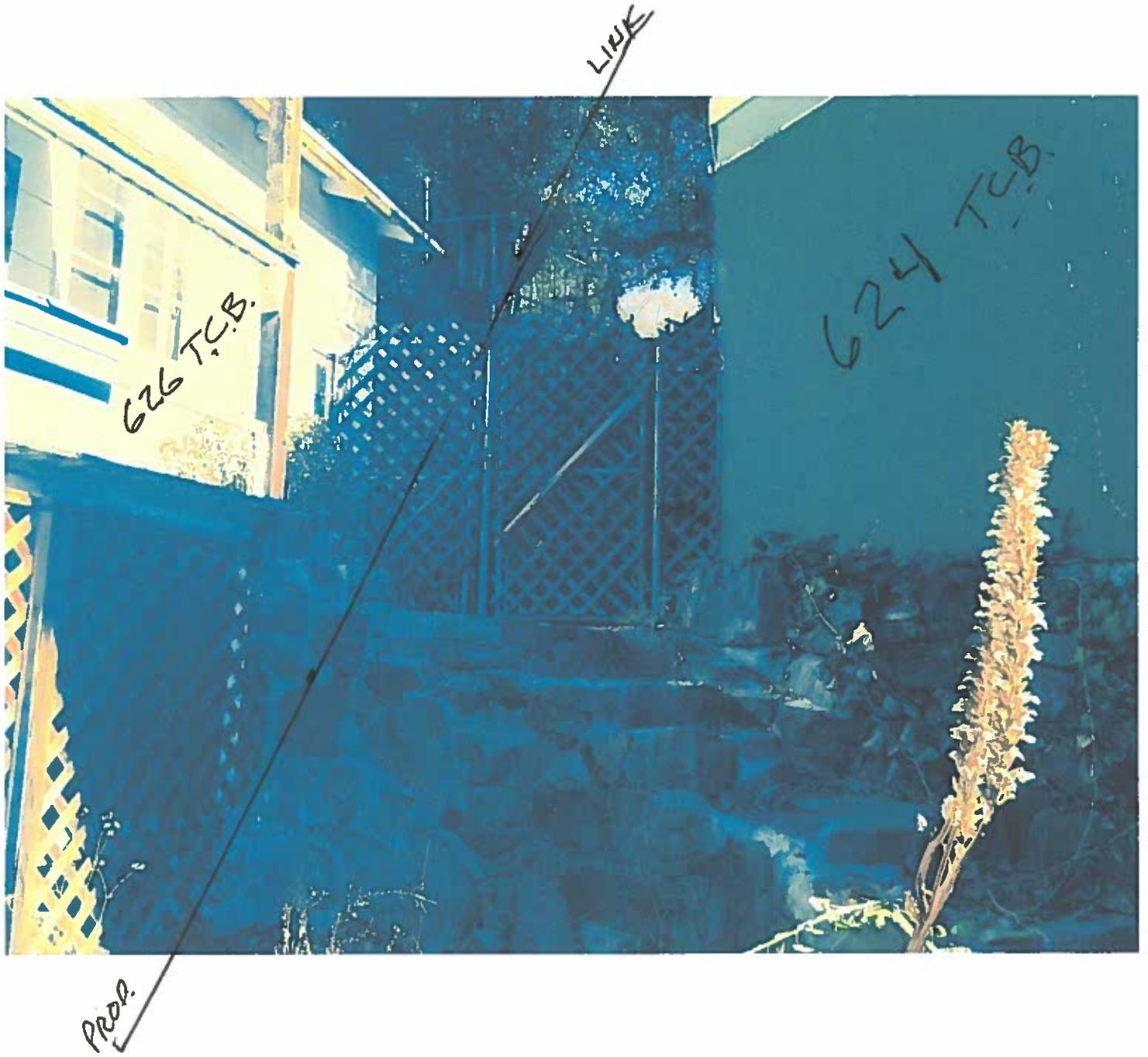
Date: July 14, 2015

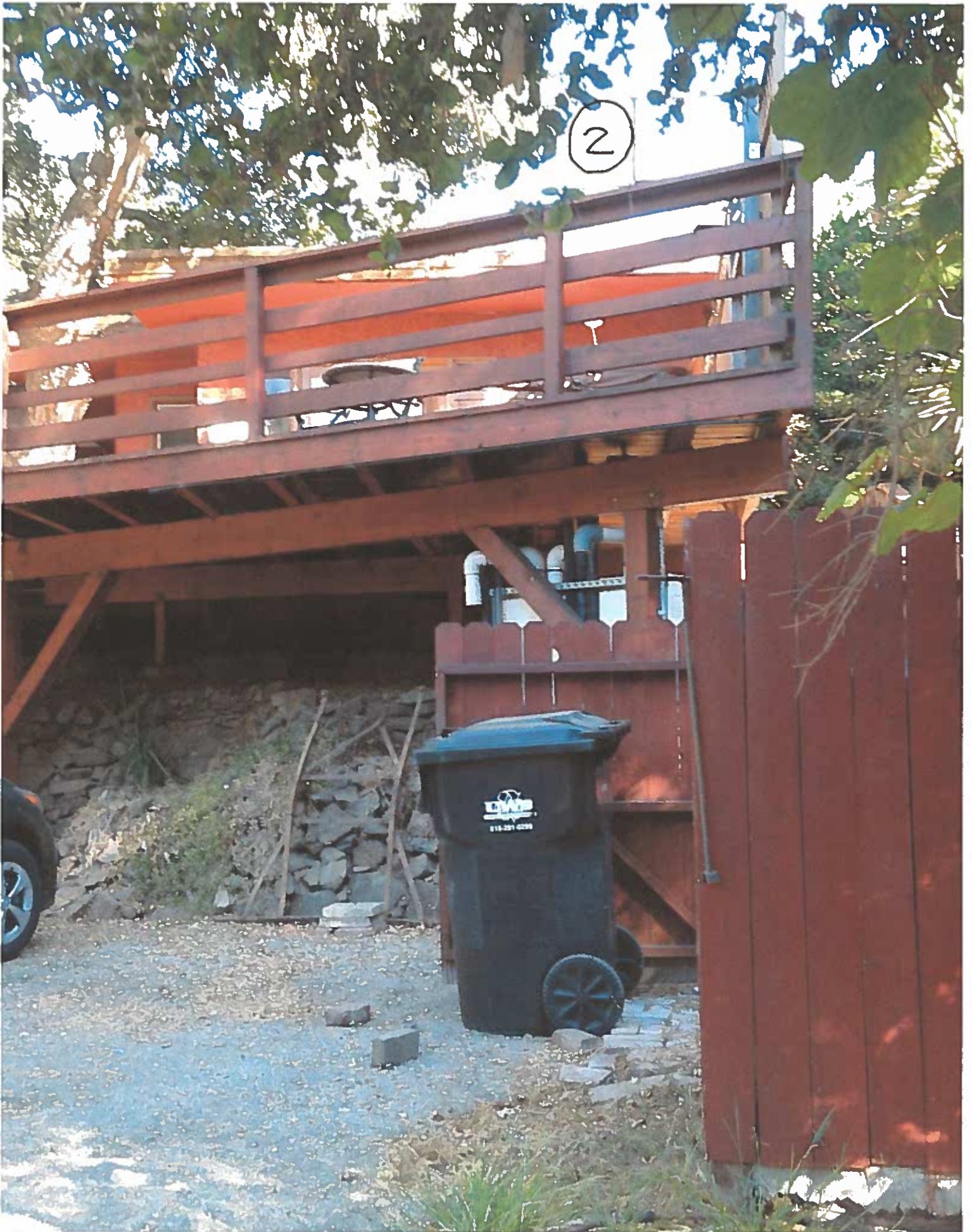


644 TROPHY TR.

P.L.

②



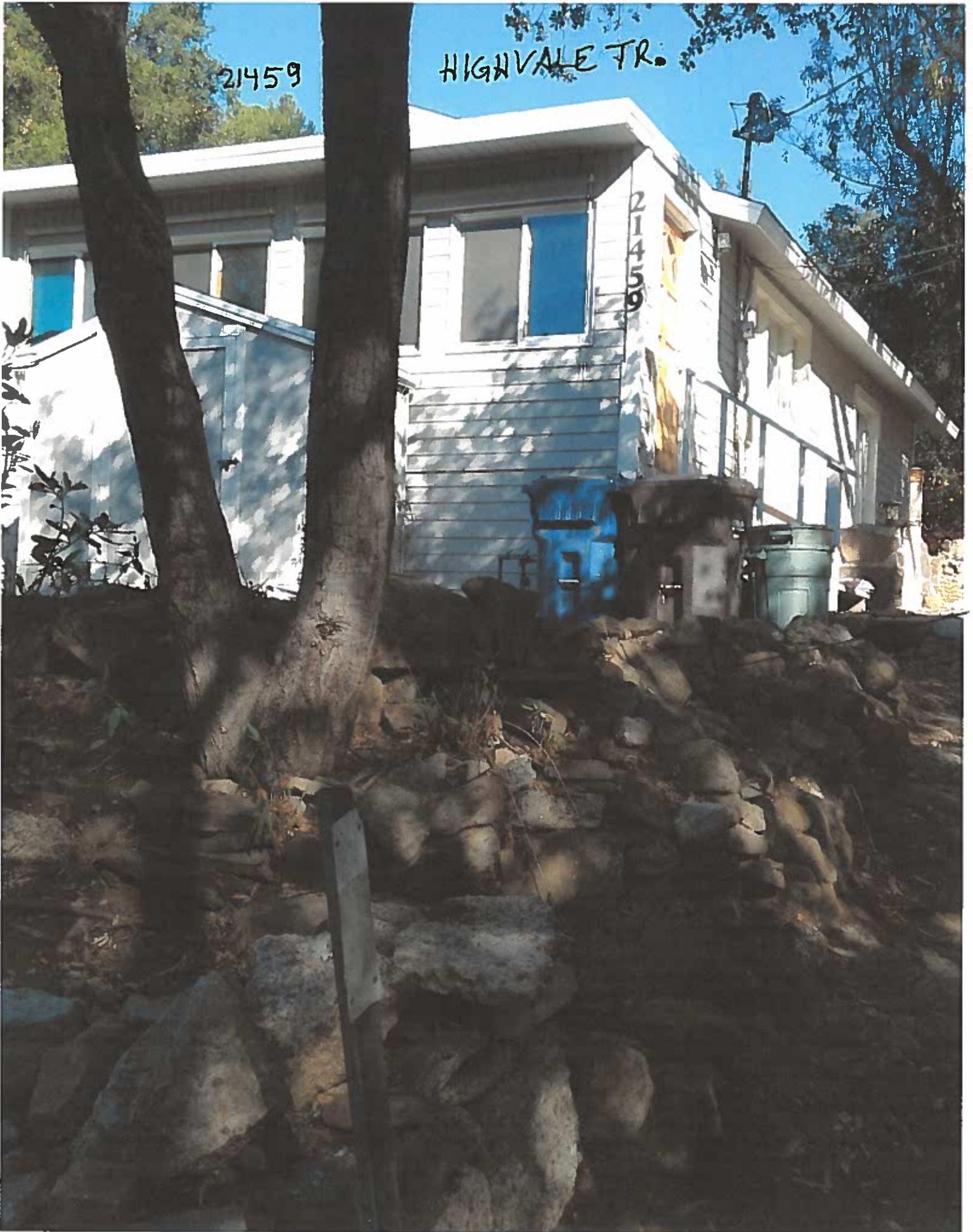


644 TROPHY TR.

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21459



(3)

636 T.C. BL.

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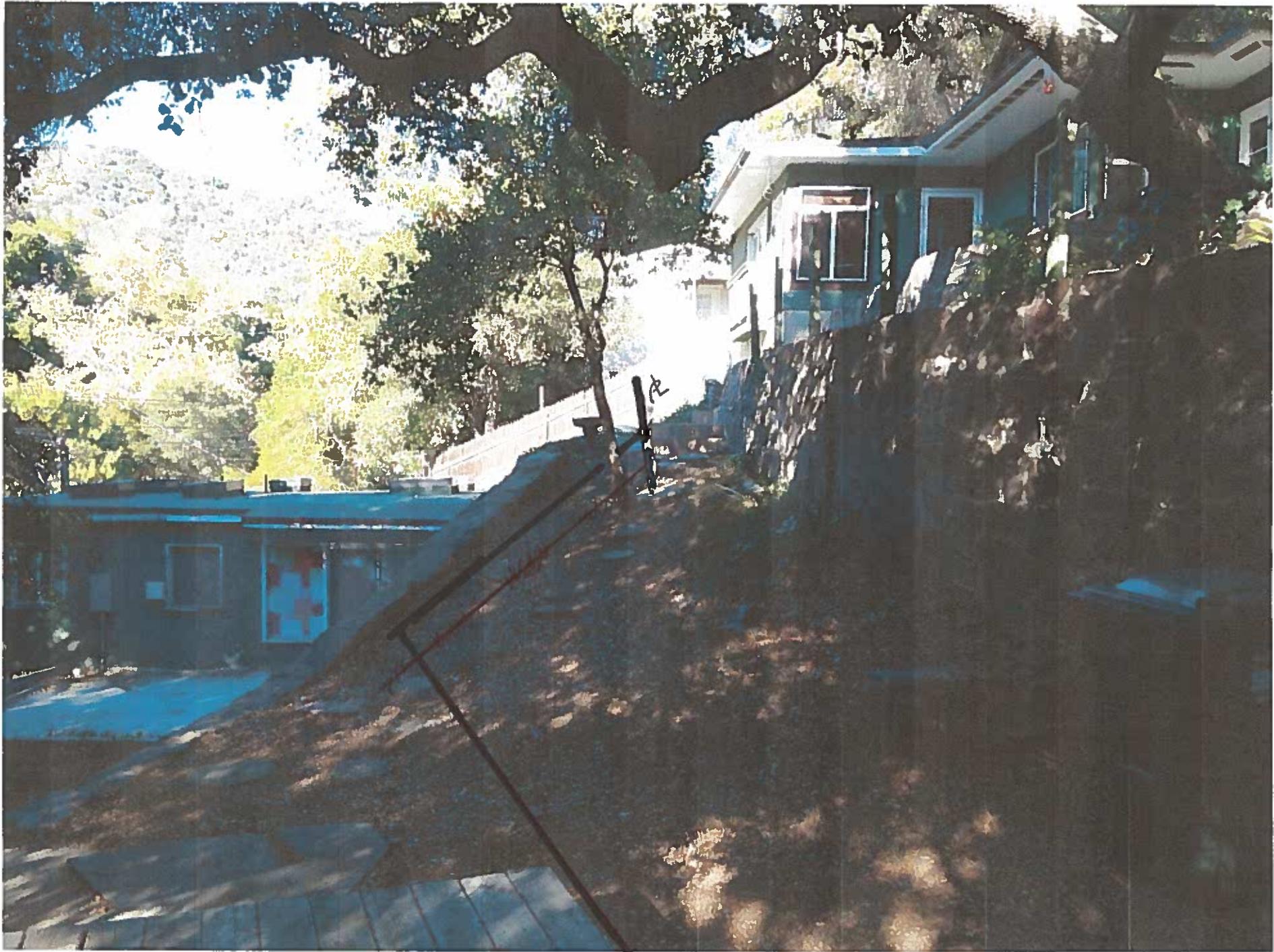


4



PROPOSED PROP. LINE

①



P

P

(2)



3



(4)





+TO: Environmental Review Board (ERB) Members
FROM: Marie Pavlovic, ERB Coordinator
SUBJECT: MEETING NOTICE/AGENDA

The next meeting of ERB is scheduled for:

Day/Date: Monday, 17 August 2015
Time: 1:00 P.M.
Place: DEPARTMENT OF REGIONAL PLANNING
Hall of Records, Room 1385
320 West Temple Street
Los Angeles, CA 90012

ERB Members: Please park in Lot 17 located at 131 S. Olive, entering from Olive; or Lot 26 located at 120 S. Olive, entering from 1st Street; both are operated by Classic Parking, Inc. Please call (213) 974-6433 to confirm attendance at scheduled meeting for reserved parking validation.

AGENDA

Materials are available at the webpage under the appropriate meeting dates: <http://planning.lacounty.gov/agenda/erb/>

OLD BUSINESS

A. 1 p.m. Approval of minutes for 18 May 2015

NEW BUSINESS

B. CONSENT ITEM

1:15 P.M.

Lot Line Adjustment, Topanga Woods Rural Village
Project No. R2015-00071
Permit Nos. RCDP 201500006
APNs: 4444-0120-007, -008, -009
Location: 622, 624 North Topanga Canyon Boulevard
Planner: Leonard Erlanger
Applicant: John MacNeil
Biologist: none
USGS Quad: Topanga

Proposal: Adjust three lot lines running east west to two lots by changing interior lines to a north-south line dividing two existing houses to separate lots. The Minor Coastal Development Permit for an LLA and yard modification, starts with three lots and ends with two lots, and includes a request for a yard modification of the required rear yard related to the westerly residence, and a very small modification of a side yard related to the easterly residence. (These are the only new undersized yards due to the proposed LLA.)

Biological Resources: The project is chiefly located in the H3 habitat category, but is within 200-ft. of the Topanga Creek H1 habitat. Houses already exist and fuel modification is already according to

If you require reasonable accommodations or auxiliary aids and services such as material in an alternate format or a sign language interpreter, please contact the ADA (American with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least five business days notice.

County Fire prescription. Houses are in the H1 Quiet Zone. Sensitive resources listed for the area are *Onchorhynchus mykiss irideus*, *Socalchemmis gertschi*, *Astragalus brauntonii*, and *Monardella hypoleucas* ssp. *hypoleucus*. Only the spider would be possible on the project site, and the yard landscaping will not be changing with this project, so no new impacts are anticipated. Conserved space of SMMC is directly across the road along Topanga Creek. The project reduces habitable units in the Santa Monica Mountains, which is a goal of the Santa Monica Mountain Local Coastal Program. The lot line adjustment (LLA) is not coupled to a request for development concessions in return.

DISCUSSION ITEMS:

- C. 1:30 p.m. Certified list of ERB biological consultants (Procedural Manual under "Biological Assessment Requirements")
http://planning.lacounty.gov/assets/upl/agenda/erb_procedural-manual.pdf

Santa Monica Mountains Local Coastal Program LIP:
http://planning.lacounty.gov/assets/upl/project/coastal_adopted-LIP.pdf

- D. 2 p.m. Biological reports: Inventory and Biological Assessment; certification by ERB; timing of survey
Inventory §22.44.840.P, pp. 90-91;
Biological Assessment §22.44.1820-1870, pp.482-501)
- E. 2:30 p.m. Local Coastal Program Development Credit to reduce habitable units and convert acreage to conservation units:
Transfer of Development Credit (TDC), Incentive Credit, Gross Structural Area Credit (GSA)
TDC §22.44.1230, pp.167-176;
Incentive §22.44.1420, pp.328-331;
GSA §22.44.2140.A, pp. 571-577

OTHER MATTERS

- F. Public comment pursuant to Section 54954.3 of the Government Code.

If you require reasonable accommodations or auxiliary aids and services such as material in an alternate format or a sign language interpreter, please contact the ADA (American with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least five business days notice.

CONC. WALKWAY IS AN EASEMENT FOR PEDESTIAN INGRESS AND EGRESS PER DDC# 20081176965 AND DDC# 20081176966

TENTATIVE LOT LINE ADJUSTMENT MAP

LOTS 107, 108 AND 109 OF TRACT NO. 6915, MB 96 83/88



START WITH 3 LOTS
END WITH 2 LOTS
THAT ARE ALREADY
FULLY DEVELOPED

SCALE: 1"=20'
SEPT. 18, 2012

- COASTAL PLAN IS 6d
1 ACRE PER DWELLING
 - CO. ZONING IS R-1-10,000
 - ENTIRE PROPERTY IS IN SERA
 - LOTS CREATED JUNE 4, 1924
- GRADE ALONG PROPOSED LINE
 $\frac{8.0}{123.06} = 6.5\%$

AREAS

APNS:	BEFORE	AFTER
4444-026-008	LOT 107 3397 SF	NEW PARCEL 1 5889 SF
4444-026-007	LOT 108 3176 SF	NEW PARCEL 2 4680 SF
4444-026-006	LOT 109 3996 SF	

John H. Mac Neil
LOU 8

"FOR LOT LINE ADJUSTMENT CERTIFICATION
BY DEPT OF PUBLIC WORKS"

EASEMENT 15' WIDE
FOR INGRESS, EGRESS,
DRIVEWAY AND UTILITIES



VICINITY MAP
TG PG 590-B-5

NOTE:

THIS MAP SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN THIS LOT LINE ADJUSTMENT WITHOUT WRITTEN PERMISSION FROM JOHN MAC NEIL.

● = SIGNIFICANT OAK TREE



JOHN H. MAC NEIL

2330 N. TOPANGA CANYON BLVD.
TOPANGA, CA 90290

FILE #7523LLA1 310-455-2013