

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

SOUTH CALIFORNIA ST., SUITE 200

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Staff: S. Hudson
Staff Report: 9/18/97
Hearing Date: Oct. 7-10, 1997
Commission Action:



STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-97-055

APPLICANT: Seva Corporation, D/B/A Anacapa View Estates

AGENTS: Fred Dean

PROJECT LOCATION: 5865 South Rambla del Orto, City of Malibu; Los Angeles County

PROJECT DESCRIPTION: The applicant is requesting approval for two "after the fact" minor lot line adjustments involving seven (7) lots and one redivision of land involving four (4) lots which have occurred on eight (8) contiguous parcels over 27.81 acres.

LOCAL APPROVALS RECEIVED: Certificates of Compliance for Lot Line Adjustment, Los Angeles County.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit 5-90-497 and 4-97-003.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with no special conditions. The applicant is requesting approval for two "after the fact" minor lot line adjustments involving seven (7) lots and one redivision of land involving four (4) lots. The lot line reconfigurations occurred on eight (8) contiguous parcels extending over 27.81 acres, under common ownership, and accomplished at different periods of time with accompanying Certificates of Compliance from Los Angeles County. No grading, changes to the septic system, or change in the number of existing lots has been proposed or carried out. At conclusion, each lot will have road access and will be no less in conformance with the Malibu/Santa Monica Mountains Land Use Plan than the previously existing lots.

III. Special Conditions.

NONE

IV. Findings and Declarations.

The Commission hereby finds and declares:

A. Project Description and Background

The applicant is requesting approval for two "after the fact" minor lot line adjustments involving seven (7) lots and one redivision of land involving four (4) lots. The lot reconfigurations involve eight (8) contiguous parcels over 27.81 acres, all of which are owned by the applicant. The project site is located west of Trancas Canyon, atop a southerly protruding ridge overlooking the Pacific Ocean, at the terminus of Rambla del Orto Drive. Topographically, slopes descend from the top of the ridge at an average gradient of 1.5:1 (H:V). The proposed lot line adjustments and redivision will not result in any change to the number of existing lots as shown in exhibit one. Only one of the subject lots is developed with a single family residence. The other seven lots are undeveloped with the exception of a paved road which provides access to six of the seven lots. Access to the seventh undeveloped lot is from Bailard road to the south of the project site. No identified streams or environmentally sensitive habitat areas cross the site.

The project site has been the subject of past permit action by the Commission. On September 12, 1990, the Commission approved Coastal Development Permit 5-90-497 (Anacapa View Estates) for the demolition of an existing 8000 sq. ft. single family residence and construction of a two-story single family residence with a 750 sq. ft. guesthouse, 11-car garage, cabana, swimming pool, and 737 cu. yds. of grading (327 cu. yds. cut and 410 cu. yds. fill) at the subject site. This permit was subject to five (5) special conditions regarding future improvements, color restrictions, landscaping, geology and assumption of risk. The above mentioned permit was amended eight times, all of which were determined to be immaterial. In addition Coastal Development Permit 4-97-003 was approved on March 13, 1997, for paving an existing access road located on seven of the eight lots.

B. Cumulative Impacts

Section 30250(a) of the Coastal Act provides that new development be located within or near existing developed areas able to accommodate it, with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, whether individually or cumulatively, on coastal resources. In addition,

Staff notes that a lot line adjustment may be described generally as a shift in the boundary lines between two or more existing parcels, where land taken from one parcel is added to an adjacent parcel. The proposed 1991 lot line reconfiguration would be more appropriately characterized as a "redivision" of land than as a lot line adjustment. This 1991 redivision of land is fundamentally different from the two previous lot line adjustments described above in that it involved not only a shift in the boundary lines for three lots but also included the repositioning of one parcel to a new location within the project site. This reconfiguration had two purposes: (1) to provide road access to Lot Seven (7) through a minor lot line adjustment and (2) to "pick up," and move Lot Five (5) to the southern portion of Lot Eight (8) through a redivision of land (exhibit 3c).

However, staff also notes that the new proposed location for Lot Five is less steeply sloping and has a higher LUP density designation than the former Lot Five (5) location. As such, the new proposed location for Lot Five (5) will be more in conformance with the LUP than its former location. In addition, the size of Lot Five (5) will remain consistent with other lot sizes in this area and the new location for the lot is situated just off of Bailard Road and will utilize an existing access road. The new location would also serve to "cluster" a future residence with other residential development located just north of Bailard Road. Furthermore, the Commission has permitted several homes directly adjacent to this lot, all of which have adequate septic percolation rates and geologic stability. Therefore, this relocated lot will most likely have adequate geology and percolation rates. However, site specific geologic reports and percolation testing will be required at the time a residence is proposed through a separate coastal development permit application.

The eight lots included in these minor lot line adjustments and redivision of land are located in an area that is, for the most part, steeply sloping. Therefore, grading will be necessary to develop roads and residential pads on these lots. The proposed minor lot line adjustments and redivision do not result in parcels which would require any more grading, landform alteration, roads or building pads to develop than the previously existing lot configuration. However, the reconfiguration does provide road access to Lots Seven (7) and Eight (8) which were previously "landlocked." In addition, as mentioned above, the redivision relocates Lot Five (5) to a location which would cluster future residential development adjacent to an existing developed area and on a less steeply sloping site which will minimize the grading necessary to develop a residence. Furthermore, the subject parcels are located in a relatively built-out area which has been generally found to be geologically stable and where numerous septic systems are in use. The Commission has approved a number of homes directly adjacent to the subject parcels and one on Lot Three (3) within the subject area. Therefore, due to prior testing in connection with these permits, it appears likely that these subject parcels will have stable geology and adequate septic percolation rates. However, when homes are proposed on these lots, detailed geology and septic percolation testing will be necessary to address site specific geology and percolation rates.

Staff notes that the proposed lot line adjustments and redivision constitute "development" under the Coastal Act and are subject to the permit requirements of the Coastal Act. Section 30106 of the Coastal Act defines development in part as a "change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits"

to prepare a Local Coastal Program which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the project, as proposed, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

SMH-VNT

File: SMH/4-97-055

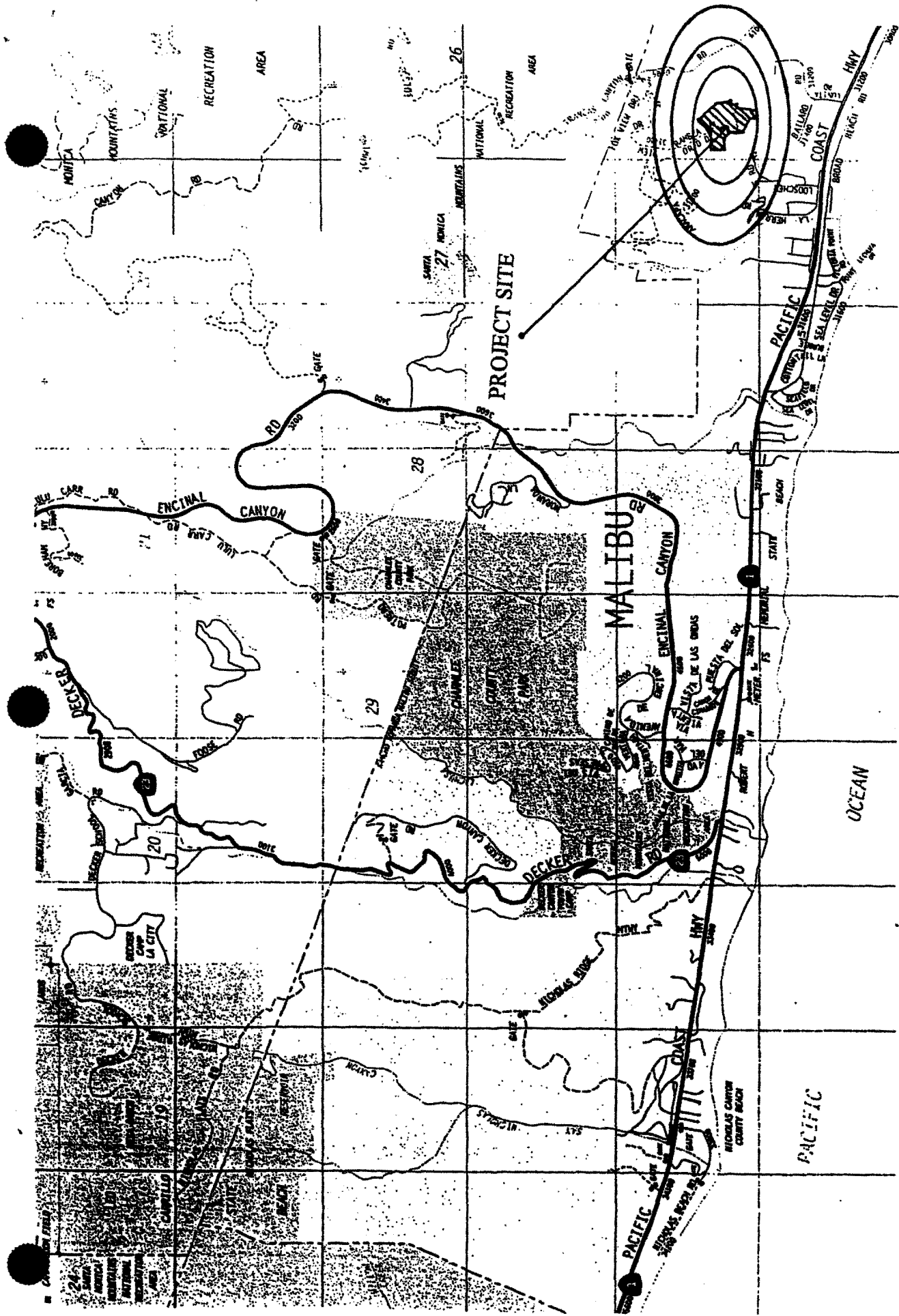
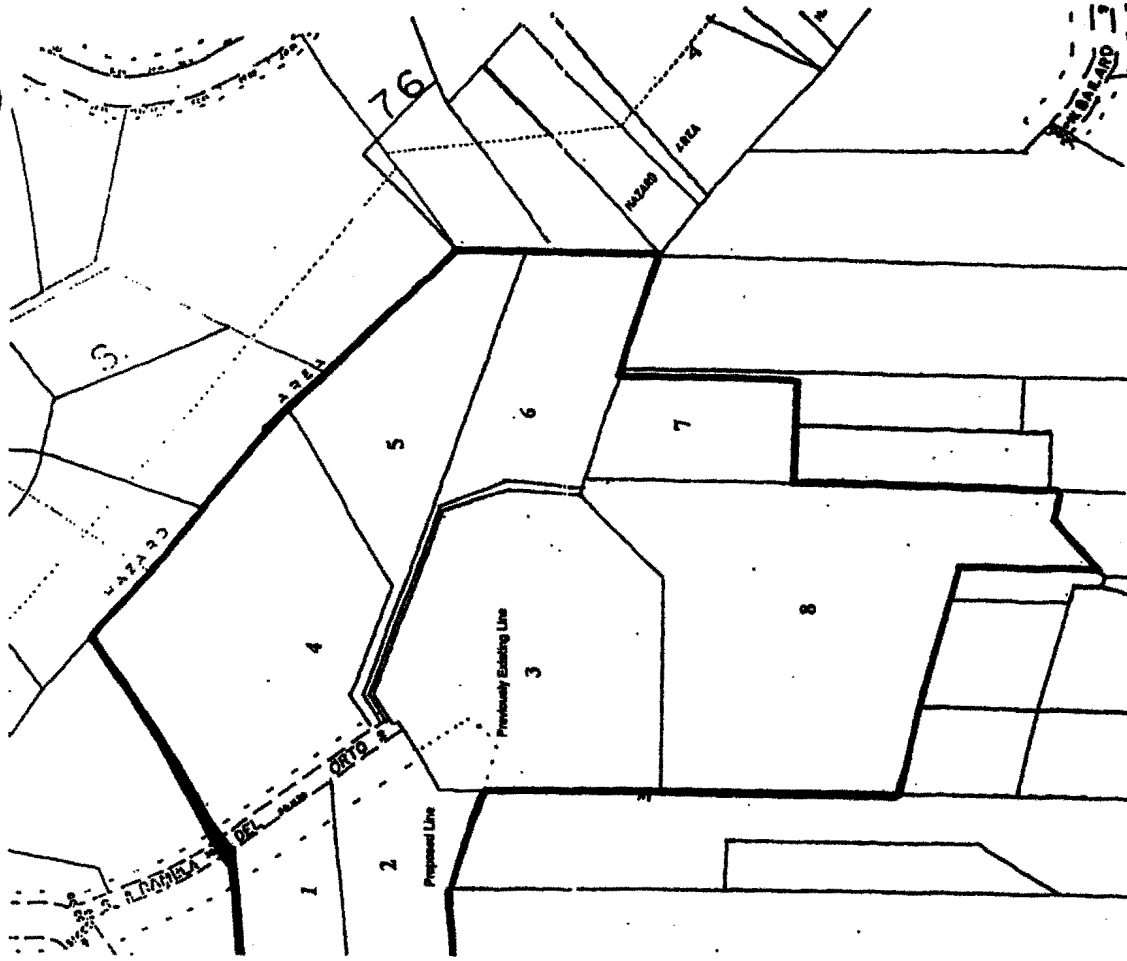


Exhibit No. 2: (4-97-055) Location Map



Lot line Configuration as of 1987 (C.C. No. 100518)



Lot line Configuration as of 1990 (C.C. No. 100878)

Exhibit No. 3b: (4-97-055) Comparison of Lot Line Configuration as of 1987 to 1990 Lot Line Adjustment