



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center & Gardens
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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: October 1, 2008

SUBJECT: **Agenda Item VI: Consideration of resolution authorizing (a) acceptance of the following parcels (APNs 4442-029-001; 4442-029-002; 4442-029-006 through 011; 4442-029-019 through 021; 4442-029-024; 4442-029-025; 4442-030-001; 4442-030-002; 4442-030-004; 4442-030-006; 4442-030-009; 4442-030-010; 4442-031-001; 4442-031-008; 4442-031-016; 4442-031-020; 4438-035-005; 4438-035-012; 4438-035-015; 4438-035-022, and 4438-035-023) located along the west side of Topanga State Park both east and west of Topanga Canyon Boulevard as part of the California Coastal Commission's Transfer of Development Credit program, and b) acceptance of funding to cover transfer and monitoring costs, unincorporated Los Angeles County.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing (a) acceptance of the following parcels (Assessor's Parcel Numbers [APNs] 4442-029-001; 4442-029-002; 4442-029-006 through 011; 4442-029-019 through 021; 4442-029-024; 4442-029-025; 4442-030-001; 4442-030-002; 4442-030-004; 4442-030-006; 4442-030-009; 4442-030-010; 4442-031-001; 4442-031-008; 4442-031-016; 4442-031-020; 4438-035-005; 4438-035-012; 4438-035-015; 4438-035-022, and 4438-035-023) located along the west side of Topanga State Park both east and west of Topanga Canyon Boulevard as part of the California Coastal Commission's Transfer of Development Credit program, and b) acceptance of funding to cover transfer and monitoring costs, unincorporated Los Angeles County.

Background: An individual has requested that the Mountains Recreation and Conservation Authority (MRCA) accept title to one or more of 28 parcels (approximately 3.71 acres total) at such time as they are to be used for Transfer of Development Credits (TDCs). The subject action authorizes acceptance of all the parcels. The person who needs the TDCs will have to pay at least \$1,000 to the MRCA for each parcel that is transferred to provide for the administrative costs and/or expense. According to the Coastal Commission, the subject parcels are located within an area considered to be environmentally sensitive habitat and adjacent to public parkland. Each parcel qualifies for one TDC. (Four of the parcels

listed on the Coastal Commission June 21, 2006 letter, attached, are now owned by

A public entity of the State of California exercising joint powers of the Santa Monica Mountains Conservancy, the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District pursuant to Section 6500 et seq. of the Government Code

Mountains Restoration Trust, and are not included in this action.)

Since 1978, the Commission has used the TDC program to mitigate many of the cumulative impacts from new development in the region (according to the Santa Monica Mountains/Malibu Regional Cumulative Assessment Project [ReCAP]). Through this program, the development potential on *existing* parcels in designated areas is retired for each *new* parcel created through an approved subdivision or for multi-family residential projects. This process both reduces overall density in the region and directs new development to those areas most able to accommodate it. In general, the program requires that for each new lot created under an approved subdivision, the applicant must extinguish, or retire, the development potential of existing lot(s). This mechanism not only keeps the ultimate density in the overall region from increasing, but focuses development in the more suitable areas (receiver areas) by retiring lots in those areas less suitable for development (donor areas).

According to the applicant, an offer to dedicate an open space easement is recorded on the TDC parcel and the parcel is transferred to an adjacent property owner and combined with the adjacent parcel and/or the parcel is transferred to a public entity. The subject action would involve the second option, i.e., transfer to MRCA.

According to the applicant, the Coastal Commission has approved a program for permitting the creation of an additional parcel within the coastal zone of the Santa Monica Mountains providing that certain conditions are satisfied. For example, the division will not impact any Environmentally Sensitive Habitat Areas before and after the division and the division of the parcel is in an area where the division is consistent with the Coastal Commission-approved land use map and the County's north area plan. Also, the infrastructure for the additional house is substantially in place currently and the new house that will be built will satisfy all development standards. These required conditions make the acceptance of the lots by MRCA for use as TDCs a reasonable proposal.

There are two clusters of parcels: 23 parcels east of Topanga Canyon Boulevard (approximately 0.71 acre) and five parcels west of Topanga Canyon Boulevard (approximately 3 acres). The parcels east of Topanga Canyon Boulevard are located on hilly, densely vegetated, and rocky terrain and are approximately 750 feet from the nearest house and paved road. The parcels east of Topanga Canyon Boulevard are part of a large acquisition area where MRCA approved the acquisition of approximately 50 acres of Los Angeles County-owned properties north of Topanga State Park (in the Sylvia Park area) with a \$100,000 grant from the Santa Monica Mountains Conservancy. The legal transfer of those parcels is still pending. In addition, MRCA owns several other small parcels in this area.

The five parcels west of Topanga Canyon Road are located in hilly, vegetated terrain and

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are approximately 1,300 feet from the nearest paved road and approximately 1,600 feet from the nearest house. Separate blue line streams pass through each set of parcels.

There are no structures adjacent to, or anywhere near, the subject parcels that would necessitate brush clearance on the subject parcels. It is improbable that properties adjacent to the subject parcels would be developed so as to require brush clearance on the subject parcels in the future. The parcels are bordered on several sides by public parkland.