

March 21, 2016 Regular Meeting

1. Agenda - Amended

Documents: [PC160321_AGENDA_AMENDED_LINKS.PDF](#)

2. Item 3B1 - Administrative Coastal Development Permit No. 13-008 / 22545 Carbon Mesa Road

Documents: [PC160321_ITEM3B1.PDF](#)

3. Item 3B2 - Administrative Coastal Development Permit No. 15-036 / 6800 Westward Beach Road

Documents: [PC160321_ITEM3B2.PDF](#)

4. Item 3B3 - Approval Of Minutes

Documents: [PC160321_ITEM3B3.PDF](#)

5. Item 5A - Zoning Text Amendment No. 16-001 / Amendment To Malibu Municipal Code Title 17 Regulating Formula Retail Stores

Documents: [PC160321_ITEM5A.PDF](#), [PC160321_ITEM5A_SUPPLEMENTAL.PDF](#)

6. Item 5B - Coastal Development Permit No. 14-070 / 27545 Pacific Coast Highway

Documents: [PC160321_ITEM5B.PDF](#)

7. Item 5C - Coastal Development Permit No. 15-010 / 6708 Wildlife Road

Documents: [PC160321_ITEM5C.PDF](#)

8. Item 5D - Coastal Development Permit No. 15-038 / 21100 Pacific Coast Highway

Documents: [PC160321_ITEM5D.PDF](#)

9. Item 6A - Follow-Up On Annual Report Of Conditional Use Permit No. 13-004 / 26023 Pacific Coast Highway

Documents: [PC160321_ITEM6A.PDF](#)

Malibu Planning Commission
Amended¹ Regular Meeting Agenda
Monday, March 21, 2016
6:30 p.m.
City Hall – Council Chambers
23825 Stuart Ranch Road

Call to Order – Chair

Roll Call – Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – March 11, 2016; Amended Agenda posted on March 15, 2016

1. Ceremonials / Presentations

None.

2. Written and Oral Communication from the Public

A. Communications from the Public concerning matters which are not on the agenda but for which the Planning Commission has subject jurisdiction. The Planning Commission may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

B. Planning Commission and staff comments and inquiries

3. Consent Calendar

A. Previously Discussed Items

None.

B. New Items

1. [Administrative Coastal Development Permit No. 13-008 and Demolition Permit No. 16-005 – An application to demolish and reconstruct the pool, pool deck, and cabana; and to construct retaining walls, driveway improvements, and additional hardscape areas](#)

Location:	22545 Carbon Mesa Road, not within the appealable coastal zone
APN:	4451-007-004
Zoning:	Rural Residential–Two Acre (RR-2)

¹ See New Recommended Action for Public Hearing Item No. 5.A.

Applicant: Santos Planning and Permitting
 Owner: Philip Erlanger
 Application Filed: February 14, 2013
 Case Planner: Contract Planner Rudolph, 456-2489 ext. 238

Recommended Action: Receive and file the Planning Director’s report on Administrative Coastal Development Permit No. 13-008.

2. [Administrative Coastal Development Permit No. 15-036 – An application to install a new alternative onsite wastewater treatment system to replace the existing onsite wastewater treatment system at a commercial restaurant facility](#)

Location: 6800 Westward Beach Road, within the appealable coastal zone
 APN: 4468-022-001
 Zoning: Commercial Visitor Serving–One (CV-1)
 Applicant: Aloha Expediting
 Tenant: The Sunset Restaurant
 Owner: Francesco Simplicio
 Application Filed: May 21, 2015
 Case Planner: Assistant Planner Colvard, 456-2489 ext. 234

Recommended Action: Receive and file the Planning Director’s report on Administrative Coastal Development Permit No. 15-036.

3. [Approval of Minutes](#)

Recommended Action: Approve the minutes for the February 29, 2016 Special Planning Commission meeting and the March 7, 2016 Regular Planning Commission meeting.

Staff contact: Planning Director Blue, 456-2489 ext. 258

4. **Continued Public Hearings**

None.

5. **New Public Hearings**

A. [Zoning Text Amendment No. 16-001 – An Amendment to Malibu Municipal Code Title 17 Regulating Formula Retail Stores](#)

Recommended Action: Adopt Planning Commission Resolution No. 16-36 recommending the City Council approve Zoning Text Amendment No. 16-001 amending Malibu Municipal Code Title 17 to regulate formula retail establishments in the City.

Staff contact: Planning Director Blue, 456-2489 ext. 258

- B. [Coastal Development Permit No. 14-070, Variance No. 15-045, Site Plan Review No. 14-051, Minor Modification No. 14-015, and Demolition Permit No. 15-011 – An application for the demolition of a stable and guest house, major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and associated development](#)

Location: 27545 Pacific Coast Highway, not within the appealable coastal zone
 APN: 4460-007-003
 Zoning: Rural Residential – Two Acres (RR-2)
 Applicant: Burge & Associates Architects, Inc.
 Owners: James W. Barge and Susan S. Barge, as Trustees of the James W. Barge Revocable Trust
 Application Filed: November 7, 2014
 Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 16-29, determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 14-070 to allow a major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, grading and retaining walls for a new riding ring and circular driveway around the new stables and alternative onsite wastewater treatment system, Variance No. 15-045 for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches, Site Plan Review No. 14-051 for several buildings over 18 feet in height but to not exceed 28 feet for a pitched roof, Minor Modification No. 14-015 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet, Demolition Permit No. 15-011 for the partial demolition of the existing single-family residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house located in the RR-2 zoning district at 27545 Pacific Coast Highway (James W. Barge Revocable Trust).

- C. [Coastal Development Permit No. 15-010, Lot Line Adjustment No. 15-002, and Minor Modification No. 15-006 - An application for a new, single-family residence with basement, guest house, pool and spa, and associated development](#)

Location: 6708 Wildlife Road, within the appealable coastal zone
 APN: 4466-004-039
 Zoning: Rural Residential–One Acre (RR-1)
 Applicant: Standard LLP
 Owner: Wildlife Properties, LLC
 Application Filed: February 23, 2015
 Case Planner: Planning Manager Deleau, 456-2489 ext. 273

Recommended Action: Continue this item to the April 4, 2016 Regular Planning Commission meeting.

D. [Coastal Development Permit No. 15-038, Variance Nos. 15-019 and 15-020, Stringline Modification Review No. 16-001, and Offer to Dedicate No. 16-001 - An application for the construction of a new single-family residence and associated development](#)

Location: 21100 Pacific Coast Highway, within the appealable coastal zone
 APN: 4450-010-022
 Zoning: Multifamily Beachfront (MFBF)
 Applicant: Clive Dawson A.I.A. Architecture and Planning
 Owners: Blue Daisy, LLC
 Application Filed: May 26, 2015
 Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 16-33 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-038 to allow for the construction of a new 2,354 square foot single-family residence, that includes a garage, rooftop deck with spa and barbeque area, beachfront decks, alternative onsite wastewater treatment system, seawall, view corridors, gates, fencing, hardscape and landscaping, including Variance (VAR) No. 15-019 to allow for construction on slopes steeper than 2.5 to 1, VAR No. 15-020 to allow for the reduction in required onsite parking from four spaces to two enclosed parking spaces, Stringline Modification Review No. 16-001 to allow for the use of alternative corner of the residence located to the east of the subject property that is more typical of neighboring development, and Offer to Dedicate No. 16-001 to grant a public lateral access easement at the rear of the property, located in the Multifamily Beachfront zoning district at 21100 Pacific Coast Highway (Blue Daisy, LLC).

6. **Old Business**

A. [Follow-up on Annual Report of Conditional Use Permit No. 13-004 for the Operation of Restaurant Located at 26023 Pacific Coast Highway \(Ranch at Solstice Canyon\)](#)

Recommended Action: Receive and file, and direct staff to provide an annual report in March 2017.

Case Planner: Senior Planner Mollica, 456-2489 ext. 346

7. **New Business**

None.

8. **Planning Commission Items**

None.

Adjournment

Future Planning Commission Meetings

Monday, April 4, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, April 18, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, May 2, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, May 16, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers

Guide to Planning Commission Proceedings

The Oral Communication portion of the agenda is for members of the public to present items which are not listed on the agenda, but are under the subject matter jurisdiction of the Planning Commission. No action may be taken under, except to direct staff, unless the Commission, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Commission and staff will follow up at an appropriate time on those items needing response. Each speaker is limited to three (3) minutes. Time may be surrendered by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Chair (forms are available outside the Council Chambers). Speakers are taken in the order slips are submitted.

Items in Consent Calendar Section A have already been considered by the Commission at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Commission. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Commissioners may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Commission following the action on the Consent Calendar. The Commission first will take up the items for which public speaker requests have been submitted. Public speakers shall follow the rules as set forth under Oral Communication.

For Public Hearings involving zoning matters, the appellant and applicant will be given 15 minutes each to present their position to the Planning Commission, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication.

Old Business items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

Items in New Business are items which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

Planning Commission Items are items which individual members of the Planning Commission may bring up for action, to propose future agenda items, or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the Commission.

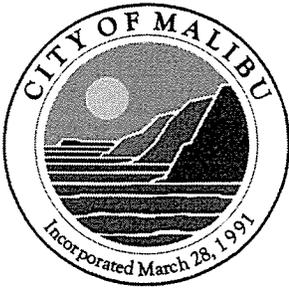
Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and on the City's website at www.malibucity.org.

Copies of the staff reports or other written documentation relating to each item of business described above are on file in the Planning Department, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours which are 7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Planning Department at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5(b)(2)). Copies of staff reports and written materials may be purchased for \$0.10 per page. Pursuant to state law, this agenda was posted at least 72 hours prior to the meeting.

The City Hall telephone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Victor Peterson at (310) 456-2489, ext. 251. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II]. Requests for use of audio or video equipment during a Commission meeting should be directed to Alex Montano at (310) 456-2489 ext. 227 or amontano@malibucity.org before 12:00 p.m. on the day of the meeting.

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 15th day of March, 2016.


 Kathleen Stecko, Senior Office Assistant



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Lilly Rudolph, Contract Planner

Approved by: Bonnie Blue, Planning Director *BB*

Date prepared: March 10, 2016

Meeting date: March 21, 2016

Subject: Administrative Coastal Development Permit No. 13-008 and Demolition Permit No. 16-005 – An application to demolish and reconstruct the pool, pool deck, and cabana; and to construct retaining walls, driveway improvements, and additional hardscape areas

Location: 22545 Carbon Mesa Road, not within the appealable coastal zone
APN: 4451-007-004
Zoning: Rural Residential–Two Acre (RR-2)
Applicant: Santos Planning and Permitting
Owner: Philip Erlanger
Application Filed: February 14, 2013

RECOMMENDED ACTION: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-008.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13, the Planning Director shall report in writing to the Planning Commission any administrative coastal development permits that have been issued by the City of Malibu. If the majority of the appointed membership of the Planning Commission so request, the issuance of an administrative coastal development permit shall not become effective, but shall, if the applicant wishes to pursue the application, be treated as a regular coastal development permit application under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

Local Implementation Plan Sections 13.13 and 13.29 (Administrative Permits Applicability)

The Planning Director may process administrative permits if: 1) the proposed project is not appealable as defined in LIP Chapter 2; 2) the proposed project is not within the CCC's continuing jurisdiction as defined in Chapter 2 of the LIP; 3) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; 4) water wells; or 5) onsite wastewater treatment systems (OWTS).

Permit Issuance and Local Appeal Period

On March 15, 2016, the Planning Director will issue the administrative coastal development permit thus beginning the appeal period. The appeal period will begin on March 16, 2016 and end on March 25, 2016. In addition, since this project is not located within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post- LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu, the project is not appealable to the California Coastal Commission.

The project is more specifically described in the Planning Director's decision attached hereto.

PUBLIC NOTICE: A Notice of Application and Notice of Decision were mailed to property owners and occupants within a 500-foot radius of the subject property.

ATTACHMENT: Administrative Coastal Development Permit No. 13-008



City of Malibu

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PLANNING DEPARTMENT

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 13-008

Demolition Permit No. 16-005

Categorical Exemption No. 16-008

22545 Carbon Mesa Road

APN 4451-007-004

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Santos Planning and Permitting on behalf of the property owner, Philip Erlanger, for an administrative coastal development permit (ACDP) to demolish and reconstruct the pool, pool deck, and cabana; and construct retaining walls, driveway improvements, and additional hardscape areas located at 22545 Carbon Mesa Rd. The subject parcel is zoned Rural Residential-Two Acre (RR-2) and is not located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Project Description

This approval will permit the following work, as shown in Attachment 1 – Project Plans:

1. Demolition Permit (DP) No. 16-005 to allow the demolition of:
 - a. 435 square foot pool cabana;
 - b. Retaining walls;
 - c. Automobile gate and portions of an existing driveway; and
 - d. Pool
2. Construction of:
 - a. New pool and spa;
 - b. 1,335 square foot concrete patio
 - c. 848 square foot pool cabana;
 - d. 1,035 square feet of cabana hardscape;
 - e. Four new retaining walls ranging from 4 feet to 6 feet in height;
 - f. 1,100 square feet of hardscape;
 - g. Water features;
 - h. 5,994 square foot paved driveway; and
 - i. New walls, fencing, and two automobile entry gates not to exceed six feet in height.
3. Non-exempt grading involving 250 cubic yards of cut; and
4. Installation of landscaping.

Proposed impermeable surface area is as follows:

Existing:	13,994 square feet
Demolition:	435 square feet
New construction:	808 square feet
Net Total:	14,367 square feet

Administrative Permits Applicability (LIP Sections 13.13 and 13.29)

The Planning Director may process ACDPs if: 1) the proposed project is not appealable as defined in Local Implementation Plan (LIP) Chapter 2; 2) the proposed project is not within the CCC continuing jurisdiction as defined in LIP Chapter 2; 3) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; 4) water wells; and 5) Onsite Wastewater Treatment System (OWTS).

The project consists of replacing an existing pool, pool deck, and cabana with a new larger pool, pool deck, and cabana and the construction of retaining walls, driveway improvements, and additional hardscape areas. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively.

Project Background

Previous Approval

- Approval of California Coastal Commission Permit Number 5-86-953 to add on to, and convert, a cabana to a maid's quarters: May 4, 1987

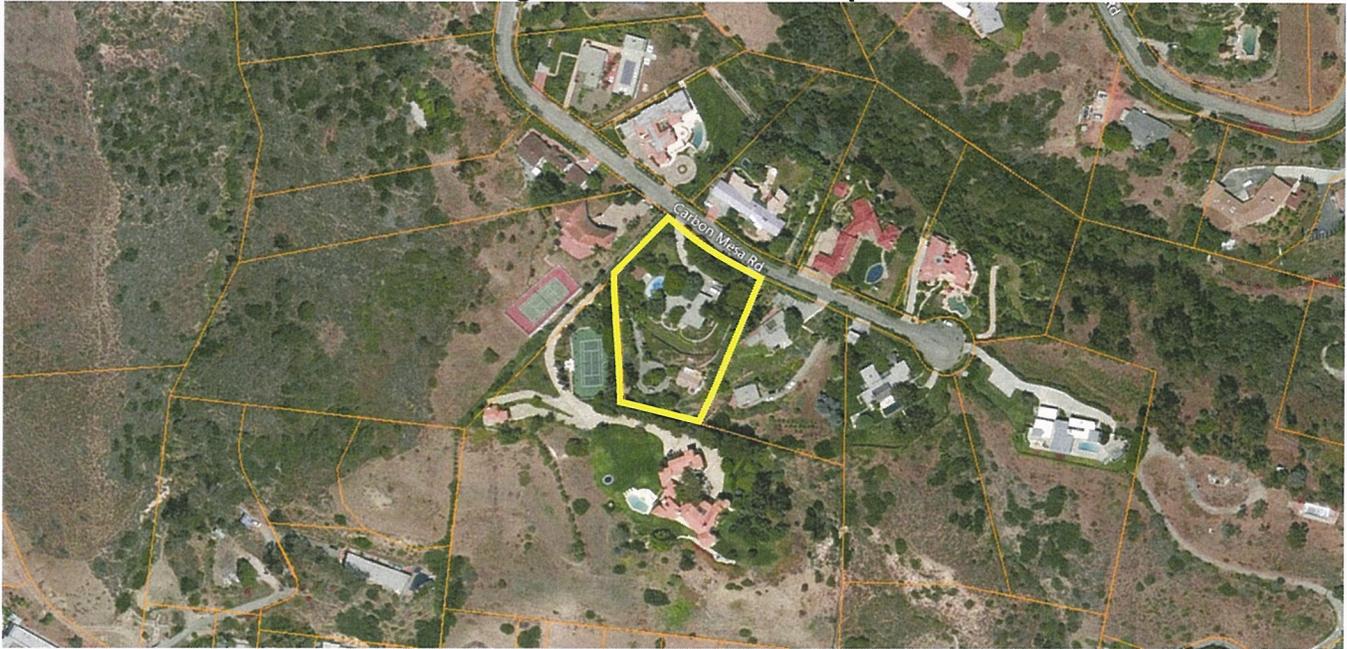
Administrative Coastal Development Permit Application

- Application Date: February 14, 2013
- Posting of Property: January 29, 2016
- Completeness Determination: February 8, 2016
- Notice of Application Mailer (Attachment 2): February 25, 2016
- Notice of Decision Mailer (Attachment 2): March 10, 2016
- Issuance of ACDP: March 15, 2016
- Planning Commission Reporting: March 21, 2016
- Appeal Period: March 15, 2016 through March 25, 2016

Surrounding Land Uses and Project Setting

The subject property is located at 22545 Carbon Mesa Road. As shown in Figure 1 and outlined in Table 1, the neighborhood is comprised of a mixture of one-story and two-story single-family residences with accessory structures such as tennis courts and swimming pools.

Figure 1 - Aerial Site Map



The subject property and the adjacent properties are all zoned RR-2. Table 1 outlines the properties adjacent to the subject property and provides corresponding land uses:

Table 1 - Surrounding Land Uses				
Direction	Address / APN	Lot Size	Zoning	Land Use
North	22516 Carbon Mesa Road	46,014 square feet	RR-2	SFR
	22540 Carbon Mesa Road	51,350 square feet	RR-2	SFR
South	22531 Carbon Mesa Road	268,115 square feet	RR-2	SFR
West	22511 Carbon Mesa Road	202,233 square feet	RR-2	SFR
East	22561 Carbon Mesa Road	54,220 square feet	RR-2	Duplex

* SFR = Single-Family Residential

The project site is located on an irregularly shaped parcel with approximately 190 feet of frontage on Carbon Mesa Road. The subject property descends 53 feet from Carbon Mesa Road to the southern property line. No environmentally sensitive habitat area (ESHA) is located onsite. Grading associated with existing development has established building areas for: 1) the existing single family residence, pool, cabana located in the northern half of the site; and 2) a studio, guest house, and associated driveway and parking occupying the southern half of the property. No development is proposed on slopes steeper than 3 to 1. Site data is summarized in Table 2.

Table 2 - Property Data	
Lot Depth	295 feet, 6 inches
Lot Width	208 feet, 3 inches
Gross Lot Area	57,975 square feet
Easement Area	6,061 square feet
1 to 1 Slope Area	0 square feet
Net Lot Area*	51,914 square feet

* Excludes slopes greater than 1:1 (LIP §3.6(F)(4)) and access easements for purposes of calculating yards (LIP Chapter 2).

California Environmental Quality Act

Pursuant to the authority and criteria contained in California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director found this project is listed among classes of projects determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15303(e) - New Construction or Conversion of Small Structures and 15304 – Minor Alterations to Land. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

LCP Analysis

The LCP consists of a Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the Coastal Act in the City of Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a coastal development permit must adhere.

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and Onsite Wastewater Treatment System (OWTS) and are discussed under the Conformance Analysis section. The nine remaining LIP sections include: 1) Coastal Development Permit findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. These nine sections are discussed under the LIP Findings section. Of these nine, General Coastal Development Permit and findings apply to this project.

Based on the project site, the scope of work, and substantial evidence contained within the record, the Native Tree Protection, Scenic, Visual and Hillside Resource Protection, Transfer of Development Credits, ESHA, Shoreline and Bluff Development, Public Access and Land Division findings are not applicable or required for the project for the reasons described herein.

Additionally, Malibu Municipal Code (MMC) Section 17.70.060 regarding demolition permits applies to this project and conformance with the associated requirements is detailed as follows.

LIP Conformance Analysis

The proposed project has been reviewed by Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, the City Public Works Department, and the Los Angeles County Fire Department for conformance with the LCP. The review sheets are attached hereto as Attachment 3. The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals and policies.

Zoning (LIP Chapter 3)

Development standards are contained in LIP Chapter 3. Table 3 provides a summary and indicates that the proposed project meets the property development and design standards as set forth under LIP Sections 3.5 and 3.6.

Table 3 - Zoning Conformance (Non-Beachfront)

Development Requirement	Allowed	Existing	Proposed	Comments
SETBACKS				
Front Yard (20%)	59 ft., 1 in	69 ft.	63 ft. (proposed cabana)	Complies
Rear Yard (15%)	44 ft., 4 in.	18 ft., 5 in.	No change	Existing Non-conforming studio
Side Yard (Minimum 10%)	20 ft., 10 in.	5 ft.	No change; Cabana setback is 25 ft.	Existing Non-conforming studio
Side yard (Cumulative 25%)	52 ft., 1 in.	18 ft. 9 in.	No change	Existing Non-conforming studio
PARKING	2 enclosed, 2 unenclosed, 1 enclosed or unenclosed	2 enclosed, 2 unenclosed, 1 unenclosed	No change	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE	7,451 sq. ft.	3,667 sq. ft.	4,515 sq. ft.	Complies
CABANA HEIGHT	18 ft.	10 ft.	11 ft., 6 in.	Complies
FENCE/WALL HEIGHT				
Front	6 ft. (42 in. solid, 30 in. view permeable)	6 ft. (42 in. solid, 30 in. view permeable)	6 ft. (42 in. solid, 30 in. view permeable)	Complies
Side(s)	6 ft.	6 ft.	No change	Complies
Rear	6 ft.	6 ft.	No change	Complies
Retaining	6 ft.	N/A	6 ft. maximum	Complies
IMPERMEABLE COVERAGE	15,574 sq. ft.	13,994 sq. ft.	14,367 sq. ft.	Complies
CONSTRUCTION ON SLOPES	3:1 or flatter	3:1 or flatter	3:1 or flatter	Complies
NON-EXEMPT GRADING	1,000 cu. yd.	N/A	250 cu. yd.	Complies

Grading (LIP Chapter 8)

As shown in Table 4, the project involves 280 cubic yards of non-exempt grading. The project conforms to the grading requirements as set forth under LIP Section 8.3, which ensures new development minimizes the visual and resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards for a residentially-zoned parcel.

Table 4 - LCP Grading Conformance

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	50	400	0	280	0	730
Fill	50	0	0	0	0	50
Total	100	400	0	280	0	780
Import	0	0	0	0	0	0
Export	0	400	0	280	0	680

Note: All quantities in cubic yards; R&R = Removal and Recompaction; Exempt grading = includes all R&R, understructure, and safety grading; Safety grading = the incremental grading required for emergency vehicle access (turnouts, hammerheads, and turnarounds and any other increases in driveway width in excess of the 15 feet required by LACFD).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archaeological Report was prepared by John E. Atwood and Dr. Alan Garfinkel Gold, R.P.A. of PAST, Inc. in January 2014 for the subject property. No archaeological resources were found onsite. The report concluded that any improvements within the project area would not have adverse effects on cultural resources.

Nevertheless, a condition of approval is included which states that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department has reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval require that prior to grading permit issuance, a local storm water pollution prevention plan, and final grading and drainage plan must be approved by the City Public Works Department. With the implementation of these conditions, the project conforms to the Water Quality Protection standards of LIP Chapter 17.

Onsite Wastewater Treatment Systems (LIP Chapter 18)

The proposed project does not involve a new OWTS, expansion or modification of an existing OWTS, nor changes in the type or intensity of use of an existing system. The City Environmental Health Administrator reviewed the project for conformance with the LCP. The project conforms to the standards set forth in LIP Chapter 18.

Administrative Coastal Development Permit Findings

The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP goals and policies. Based on the foregoing evidence contained within the record and pursuant to LIP Section 13.13, the Planning Director hereby makes the following findings of fact.

A. General Coastal Development Permit (LIP Section 13.9)

Finding A1. The project as described in the application and accompanying materials, and as modified by any conditions of approval, conforms to the certified City of Malibu Local Coastal Program.

The proposed project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and the LACFD. The proposed project, as conditioned, conforms to the LCP in that it meets all residential development standards.

Finding A2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is not located between the first public road and the sea and will not affect public access or recreation because the project site is located inland and not located along the shoreline. In addition, the project site has no trails on or adjacent to it according to the LCP Park Lands Map. The project will not result in significant impacts on public access or recreation. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

Finding A3. The project is the least environmentally damaging alternative.

Pursuant to CEQA, this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment and is categorically exempt from CEQA pursuant to Sections 15303 and 15304. The proposed project would not result in significant adverse effects on the environment, within the meaning of CEQA, and there are no feasible alternatives that would further reduce any impacts on the environment. The proposed replacement of a pool and cabana for a larger pool and cabana, landscaping and hardscape, wall and fences, and accessory structures are permitted uses within the rural residential zoning classification of the subject property. The project will not result in potentially significant impacts on the physical environment.

Three alternatives were considered to determine which was the least environmentally damaging.

1. No Project – The no project alternative would avoid any change to the project site, and hence, any change to natural resources. The project site is zoned RR-2 which allows for single-family residential development and accessory structures, and the owner's objectives include replacing accessory structures that are ancillary to existing single-family residential development. Therefore, the no project alternative would not accomplish any of the project objectives and therefore is not viable.
2. Smaller Project – A smaller project could be proposed on the project site. However, the project proposes less impermeable coverage than what is allowed per the LIP, and the proposed pool and cabana would conform to development standards. The enlarged pool and cabana would be constructed in the same location as the existing pool and cabana, and most of the area has been previously graded and development. As proposed, the project results in no significant increase to the building footprint, and the proposed cabana would not impact blue water views of the Pacific Ocean or views from Carbon Mesa Road. Therefore, it is not anticipated that a smaller or relocated project would be an environmentally superior alternative.
3. Alternative Location – The proposed project is centrally located on the subject property adjacent to the existing single-family residence. The proposed pool and cabana are proposed in the same location as the existing pool and spa. Moving the proposed pool and cabana to different locations on the property would offer no advantage with respect to view preservation and would require additional grading.

4. Proposed Project – The project consists of demolition of the existing pool and cabana and construction of a larger pool, spa, cabana, and associated development within the existing development area. The project would maintain similar building setbacks and a slightly larger building footprint.

Based on site reconnaissance, photographs, review of the architectural plans, and the nature of the surrounding area, the proposed residence would have no significant adverse scenic or visual impacts on public views or on the physical environment due to the project location. The selected location has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, and the City Public Works Department, and meets the City's residential development policies. For the reasons stated above, the project, as proposed, is the least environmentally damaging feasible alternative.

Finding A4. The project is not located in or adjacent to an environmentally sensitive habitat area (ESHA) pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay).

The subject parcel is not located in ESHA or ESHA buffer as depicted on the LCP ESHA and Marine Resources Overlay Map. Therefore, the project did not require review by the ERB. The City Biologist has reviewed the project and determined that it is consistent with the LCP.

B. Environmentally Sensitive Habitat Area (LIP Chapter 4)

According to the Biological Assessment prepared by Forde Biological Consultants on April 4, 2010 and as determined by the City Biologist, the subject parcel does not contain ESHA. Furthermore, no additional fuel modification is required as a result of the proposed project. Therefore, the findings in LIP Chapter 4 are not applicable.

C. Native Tree Protection (LIP Chapter 5)

The provisions of the Native Tree Protection Chapter apply to those areas containing one or more native Oak, California Walnut, Western Sycamore, Alder or Toyon trees that has at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter, 4½ feet from the ground. No protected trees occur on the property. Therefore, the findings in LIP Chapter 5 are not applicable as the proposed project does not impact any protected native trees.

D. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The Scenic, Visual, and Hillside Resource Protection Chapter governs those CDP applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. On February 8, 2016, staff visited the site to determine potential visual impacts of the proposed project to any scenic area, scenic road or public viewing area. Based on the site visit, project plans, and photographs taken during the site visit, it was determined that there would not be any visual impacts as a result of the proposed project. The project site is not located along, within a scenic area, nor is it visible from a scenic area. The subject parcel slopes downward towards the project site, and the front yard is vegetated with mature vegetation that obstructs the view of the project site from Carbon Mesa Road. The tallest portion of the proposed pool cabana would be below the top elevation of the proposed entry gate. No scenic or visual impacts would occur. Therefore, the findings contained in LIP Chapter 6 are not applicable.

E. Transfer of Development Credits (LIP Chapter 7)

According to LIP Section 7.2, transfer of development credits only applies to land divisions and multi-family development in specified zones. The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 does not apply.

F. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards must be included in support of all approvals, denials or conditional approvals of development located in or near an area subject to these hazards. The project has been analyzed for the hazards listed in LIP Sections 9.2(A)(1-7) by the LACFD, City geotechnical staff, and City Public Works Department, and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and the MMC.

Finding F1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

The City geotechnical staff determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity, and the Public Works Department determined the project is not in a flood hazard area. In addition to the project plans and the City Geotechnical Staff and the City Public Works Department approvals, the proposed project, as conditioned, does not have an adverse impact on the subject site or surrounding properties.

On January 21, 2016, the City geotechnical staff approved the project, subject to conditions. All recommendations of the Geotechnical Engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.

Fire Hazard

The entire city limits of Malibu are located within a high fire hazard area. The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has “mutual aid agreements” with cities and counties throughout the state so that additional personnel and fire-fighting equipment can augment the LACFD.

Nonetheless, a condition of approval has been included which requires that the property owner indemnify and hold the City harmless for wildfire hazards to the project.

Finding F2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding F1, the project as designed, conditioned, and approved by the City geotechnical staff and the City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

Finding F3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project as designed and conditioned is the least environmentally damaging alternative.

Finding F4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As stated in Finding F1, the project as designed, and conditioned, and approved by the City geotechnical staff and the City Public Works Department does not have any significant adverse impacts on the site stability or structural integrity.

Finding F5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Finding A3, the development is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

G. Shoreline and Bluff Development (LIP Chapter 10)

LIP Chapter 10 applies to land that is located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. The proposed project is not located near the shore. Therefore, LIP Chapter 10 does not apply.

H. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access. The subject parcel is not located along the shore. There are no proposed or existing public trails on or adjacent to the subject property as shown on the LCP Park Lands Map or the City's Trails System Map. Therefore, LIP Chapter 12 findings do not apply.

I. Land Divisions (LIP Chapter 15)

The project does not include any land division. Therefore, LIP Chapter 15 is not applicable.

L. Demolition Permit (MMC Section 17.70)

MMC Section 17.70 states that demolition permit shall be required for the demolition of any building or structure, or for a substantial remodel, except for a demolition initiated by the City and ordered or authorized under the provisions of the building code. The proposed project includes the demolition of portions of an existing pool cabana, retaining walls, and pool. The findings for DP No. 16-005 are made as follows.

Finding L1. The demolition permit is conditioned to assure that it will be conducted in a manner that will not create significant adverse environmental impacts.

Conditions of approval included for this application ensure that the project will not create significant adverse environmental impacts.

Finding L2. A development plan has been approved or the requirement waived by the city.

An ACDP application is being processed concurrently with DP No. 16-005. Therefore, approval of the demolition permit is subject to the approval of ACDP No. 13-008.

Approval of Administrative Coastal Development Permit No. 13-008

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves ACDP No. 13-008 and DP No. 16-005, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. Approval of this application is to allow for the following:
 - a. Demolition Permit No. 16-005 to allow the demolition of:
 - i. 435 square foot pool cabana;
 - ii. Retaining walls;
 - iii. Automobile gate and portions of an existing driveway; and
 - iv. Pool
 - b. Construction of:
 - i. New pool and spa;
 - ii. 1,335 square foot concrete patio;
 - iii. 848 square foot pool cabana;
 - iv. 1,035 square feet of cabana hardscape;
 - v. Four new retaining walls ranging from 4 feet to 6 feet in height;
 - vi. 1,100 square feet of hardscape;
 - vii. Water features;
 - viii. 5,994 square foot paved driveway; and
 - ix. New walls, fencing, and two automobile entry gates not to exceed six feet in height.
 - c. Non-exempt grading involving 280 cubic yards of cut; and
 - d. Installation of landscaping.
3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped February 8, 2016. The proposed development shall further comply with all conditions of approval stipulated in this Notice of Decision and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.
5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to submittal into plan check and again prior to the issuance of any building or development permit.
6. This ACDP, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the March 21, 2016 Planning Commission agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.
7. This ACDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension to the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.
8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Geotechnical Staff, City Biologist, City Public Works Department, City Environmental Health Administrator, Los Angeles County Water District No. 29, and the LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. and the LCP. An application with all required materials and fees may be required.
11. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the ACDP is effective. The ACDP is not effective until all appeals have been exhausted.
12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.
13. This permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission requests that the ACDP becomes effective pursuant to LIP Section 13.13.6.

Cultural Resources

14. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in M.M.C. Section 17.54.040(D)(4)(b) shall be followed.
15. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Demolition/Solid Waste

16. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.
17. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.
18. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction waste generated by the project.
19. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Deputy Building Official.
20. No demolition permit shall be issued until building permits are approved for issuance. Demolition of the existing structure and initiation of reconstruction must take place within a six month period. Dust control measures must be in place if construction does not commence within 30 days.
21. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.
22. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.
23. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Division.

Geology

24. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.
25. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System

26. All final project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

Grading/Drainage/Hydrology

27. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

Public Works

28. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. The applicant shall place a note on the plans that addresses this condition.
29. A Grading and Drainage plan shall be approved containing the following information prior to the Issuance of grading permits for the project:
 - a. Public Works Department General Notes.
 - b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
 - c. The limits of land to be disturbed during project development shall be delineated on the Grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
 - d. The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
 - e. If the property contains trees that are to be protected they shall be highlighted on the grading plan.
 - f. If the property contains rare and endangered species as identified in the Resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
 - g. Private storm drain systems shall be shown on the Grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
 - h. Public Storm drain modifications shown on the Grading plan shall be approved by the Public Works Department prior to the issuance of the Grading permit.

30. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Concrete Waste Management
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

31. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.

Swimming Pool / Spa / Water Feature

32. On-site noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in Malibu Municipal Code (MMC) Chapter 8.24 (Noise).
33. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3.
34. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.
35. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:
- a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
 - b. There are sufficient BMPs in place to prevent soil erosion; and
 - c. The discharge does not reach into the MS4 or to the ASBS (including tributaries)

Discharges not meeting the above-mentioned methods must be trucked to a publicly owned wastewater treatment works.

36. The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)" The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.
37. Pursuant to MMC Section 9.20.040(B), all ponds, decorative fountains shall require a water recirculating/recycling system.

Water Quality/ Water Service

38. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve letter from Los Angeles County Waterworks District No. 29 to the Planning department indicating the ability of the property to receive adequate water service.

Construction / Framing

39. A construction staging plan shall be reviewed and approved by the Planning Director prior to plan check submittal.
40. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.
41. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.
42. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
 - d. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
 - e. Grading activities shall be planned during the southern California dry season (April through October).
 - f. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
 - g. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

Lighting

43. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
 - a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
 - b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
 - c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
 - d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
 - e. Site perimeter lighting shall be prohibited; and
 - f. Outdoor decorative lighting for aesthetic purposes is prohibited.
44. Night lighting for sports courts or other private recreational facilities shall be prohibited.
45. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.
46. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

Biology/Landscaping

47. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.
48. Prior to or at the time of a Planning Department final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.
49. Prior to Final Plan Check Approval, please provide landscape water use approval from the Los Angeles County Waterworks District No. 29.
50. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six (6) feet in height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height.
51. Invasive plant species, as determined by the City of Malibu, are prohibited.
52. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

53. No non-native plant species shall be approved greater than 50 feet from the residential structure.
54. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as copper arsenate.
55. Site preparation, demolition, construction, etc. scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. The nesting bird report shall be submitted prior to start of work.

Fuel Modification

56. The project shall receive LACFD approval of a Final Fuel Modification Plan prior to the issuance of final building permits.

Fencing and Walls

57. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.
58. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.
59. Necessary boundary fencing enclosing more than half an acre shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40-inches high, and have a space greater than 14-inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

Prior to Final Inspection

60. The City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.
61. Prior to Final Building inspection, the applicant shall provide the Public Works Department with a Final Waste Reduction and Recycling Summary Report (Summary Report). The Final Summary Report shall designate all material that were land filled or recycled, broken down by material types. The Public Works Department shall approve the final Summary Report.
62. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Environmental and Building Safety Division. A final approval shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.
63. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval.

Deed Restriction

64. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning department staff prior to final planning approval.

Fixed Conditions

65. This Administrative Coastal Development Permit shall run with the land and bind all future owners of the property.
66. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Appeals and Reporting

LOCAL APPEAL – Pursuant to LIP Section 13.20.1 (Local Appeals), a decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on March 25, 2016 at 4:30 p.m. An appeal shall be filed with the City Clerk and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the March 21, 2016 Regular Planning Commission meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Lilly Rudolph in the Planning Department at (310) 456-2489, extension 238, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: March 15, 2016

Prepared by:

Lilly Rudolph
Contract Planner

Approved by:



Bonnie Blue
Planning Director

Attachments:

1. Project Plans
2. Department Review Sheets
3. Notices

All reports referenced are available for review at City Hall.

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu’s decision of approval and agrees to abide by all terms and conditions for Administrative Coastal Development Permit No. 13-008 and Demolition Permit No. 16-005, dated March 15, 2016, for the project located at 22545 Carbon Mesa Road, Malibu, CA. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

Date

Signature of Property Owner

Print Property Owner Name

Date

Signature of Property Owner

Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
County of Los Angeles

} SS

On _____ before me, _____,
Date (Insert Name and Title of Notary Public)

personally appeared _____

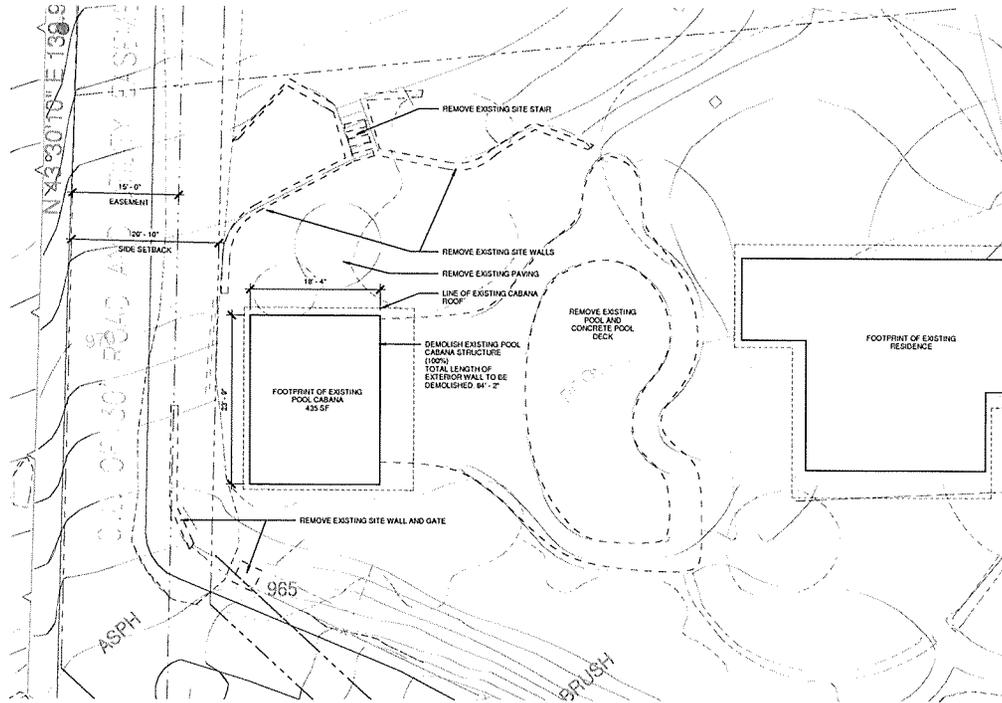
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Notary Public’s signature in and for said County and State)

(seal)



SITE PLAN - DEMOLITION
1/8" = 1'-0"

5

SETBACK CALCULATION

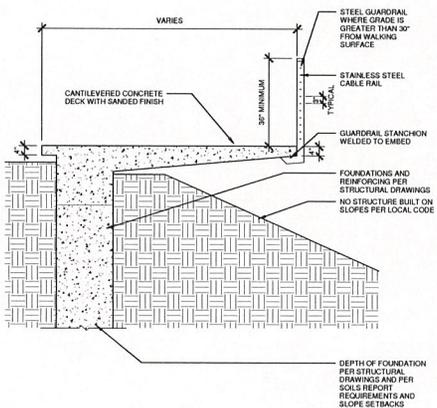
LOT DEPTH:	295'-6"
LOT WIDTH:	206'-3"
FRONT SETBACK:	
20% OF LOT DEPTH OR 65FT MAX.	59'-1"
15%	44'-4"
REAR SETBACK:	
15% OF LOT DEPTH OR 15FT MIN.	31'-3"
10%	20'-10"
SIDE SETBACKS:	
25% OF LOT WIDTH AND NO SIDE LESS THAN 10%	52'-1"
25%	31'-3"
10%	20'-10"

SLOPE LEGEND FROM SLOPE ANALYSIS

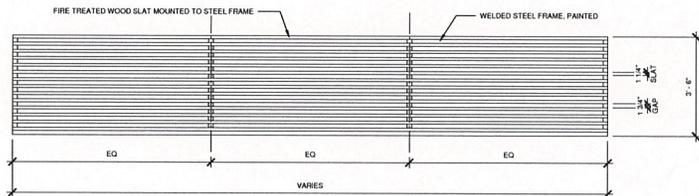
NOTE: HATCH AREA FOR SLOPES 5:1 AND LESS HAS BEEN REMOVED FOR CLARITY

Slope	Planimetric area
5:1 & less	39,832.50 FT
5:1 to 4:1	2,425.50 FT
4:1 to 3:1	3,784.50 FT
3:1 to 2-1/2:1	3,684.50 FT
2-1/2 to 1:1	8,248.50 FT
1:1 & greater	0.50 FT
Totals	57,975.50 FT

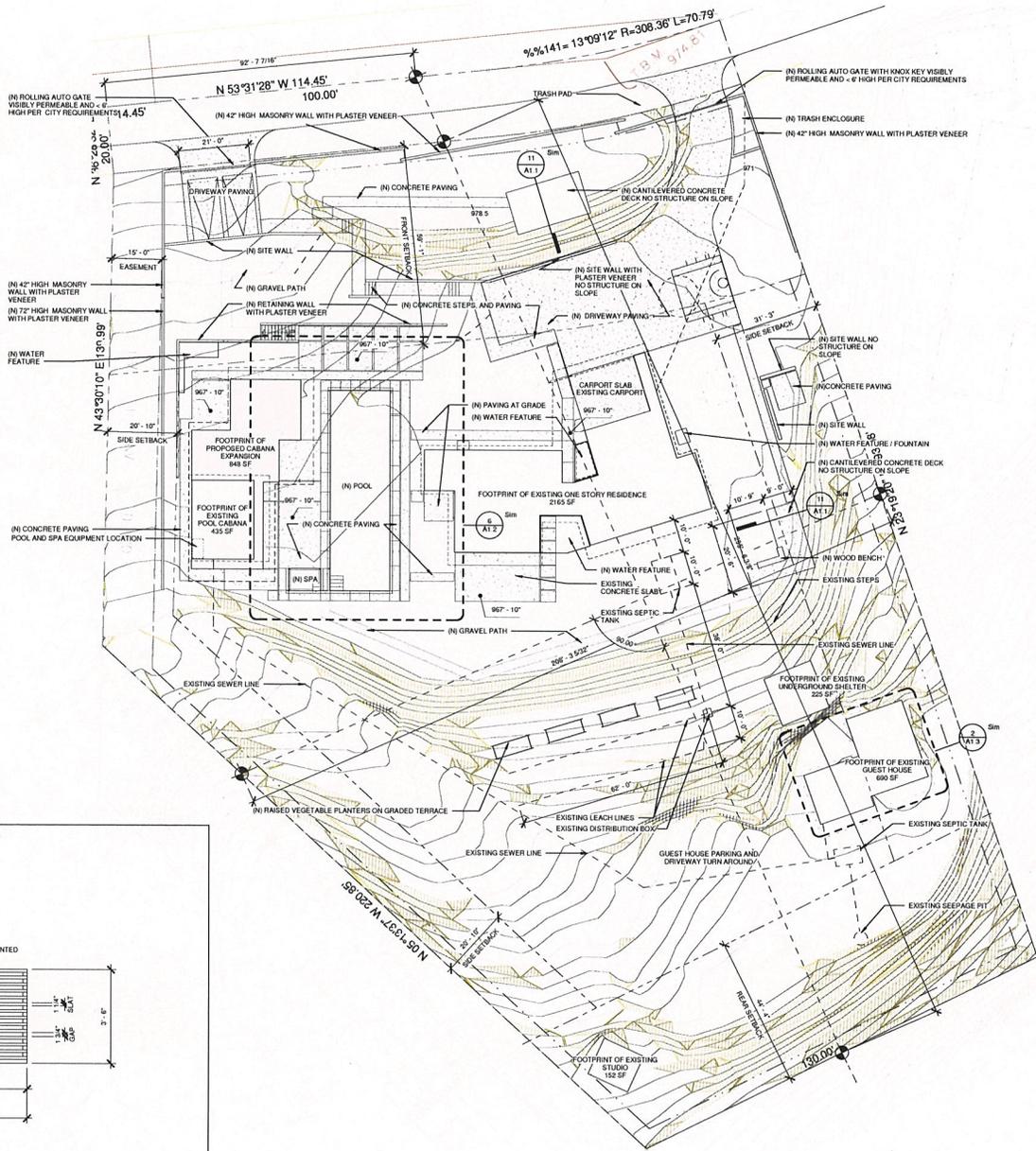
BASED ON 5', 1' & BREAK LINES



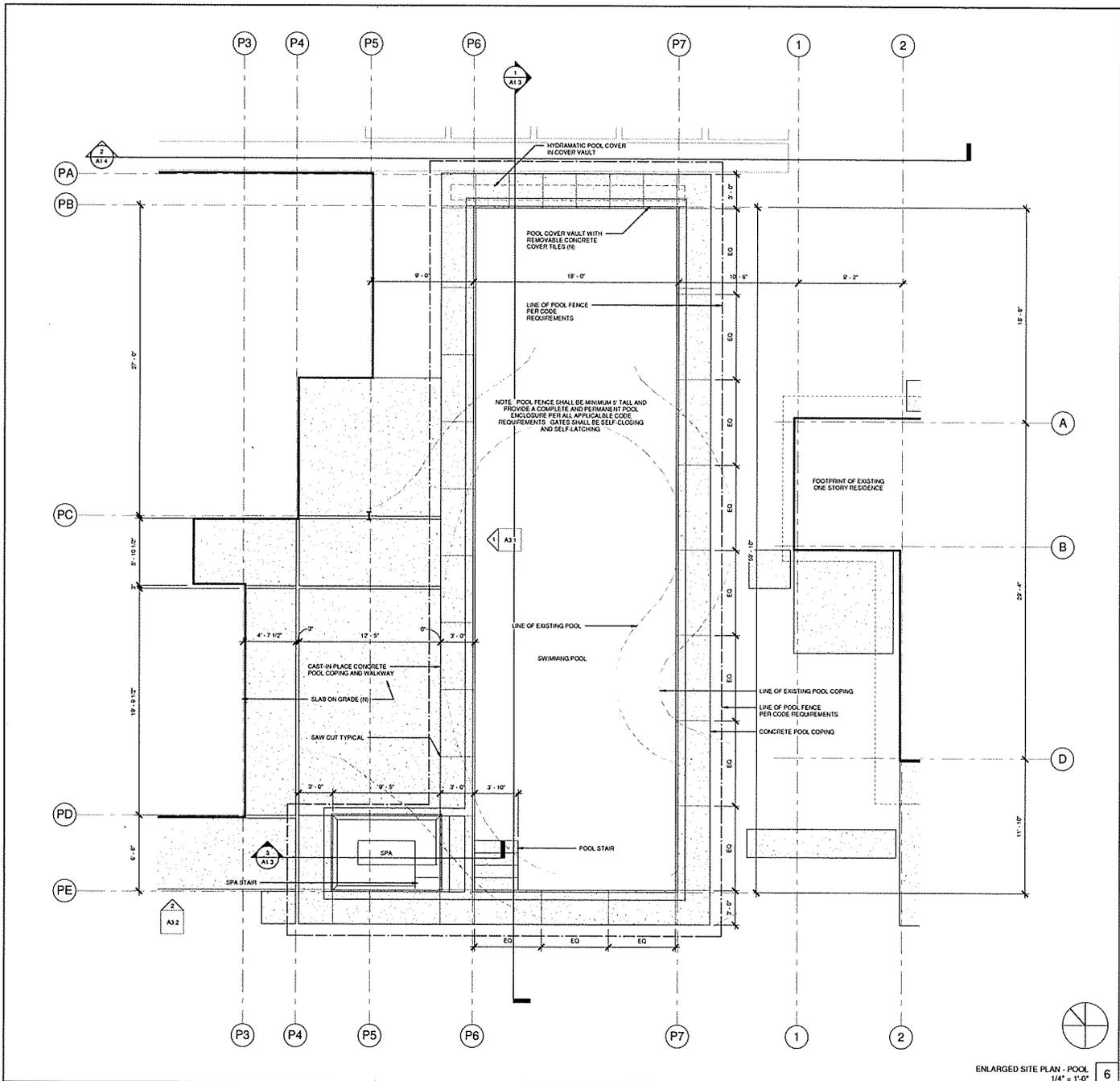
Cantilevered Deck, Typical
1/2" = 1'-0" 11



Gate Elevation
1/2" = 1'-0" 9



OVERALL SITE PLAN
1/16" = 1'-0" 3



POOL NOTES

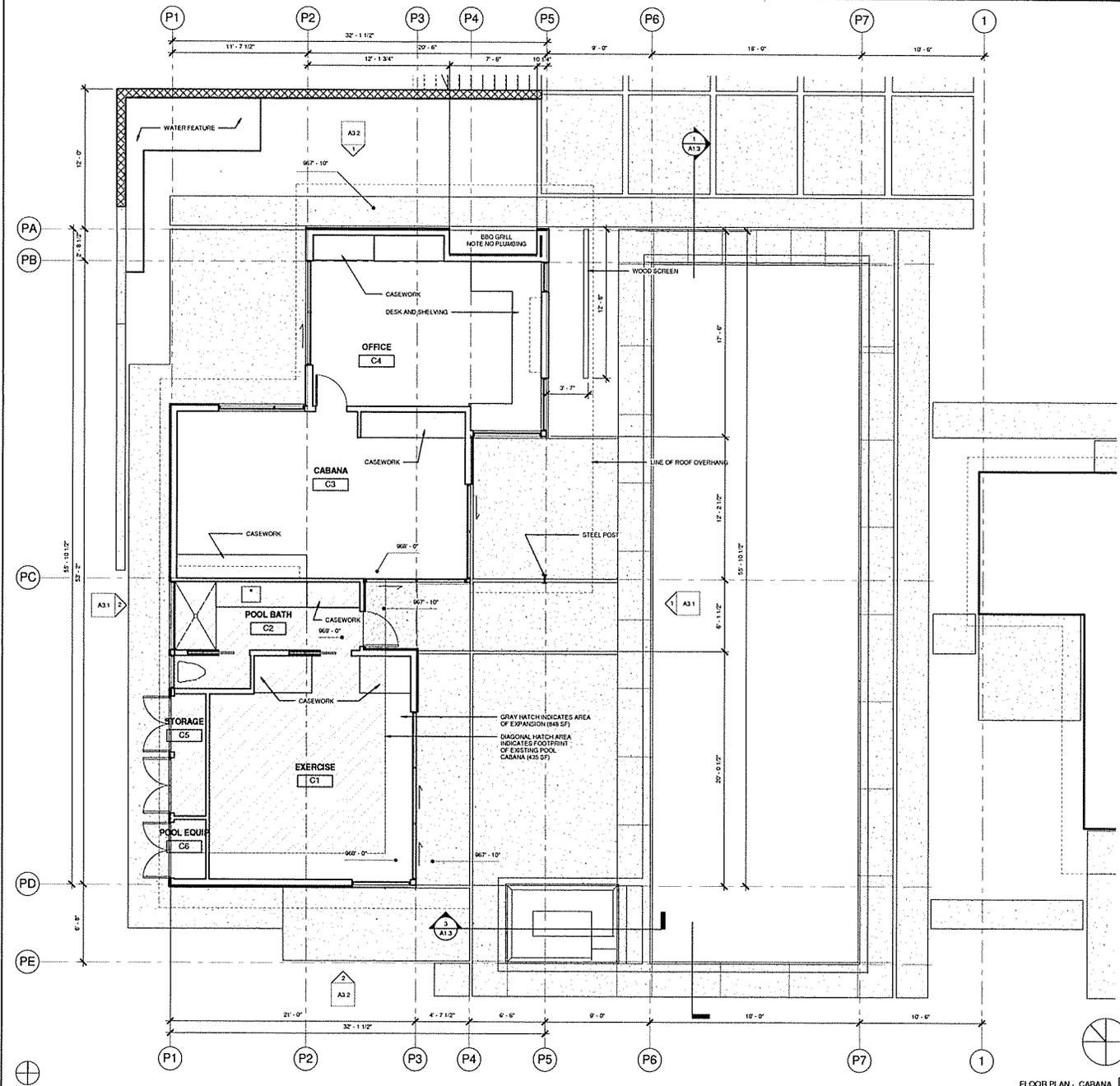
INTEGRAL POOL PLASTER COLOR
 POOL COPING
 POOL COVER
 POOL LIGHTS
 WATERLINE TILE

DARK GRAY - COLOR SAMPLE TO BE PROVIDED
 INTEGRAL COLORED SCUMMED WATER BEIGE
 HYDRAMATIC COLOR CHARCOAL GRAY
 PENTAM INTELLIGRITE LED POOL LIGHT
 T & D

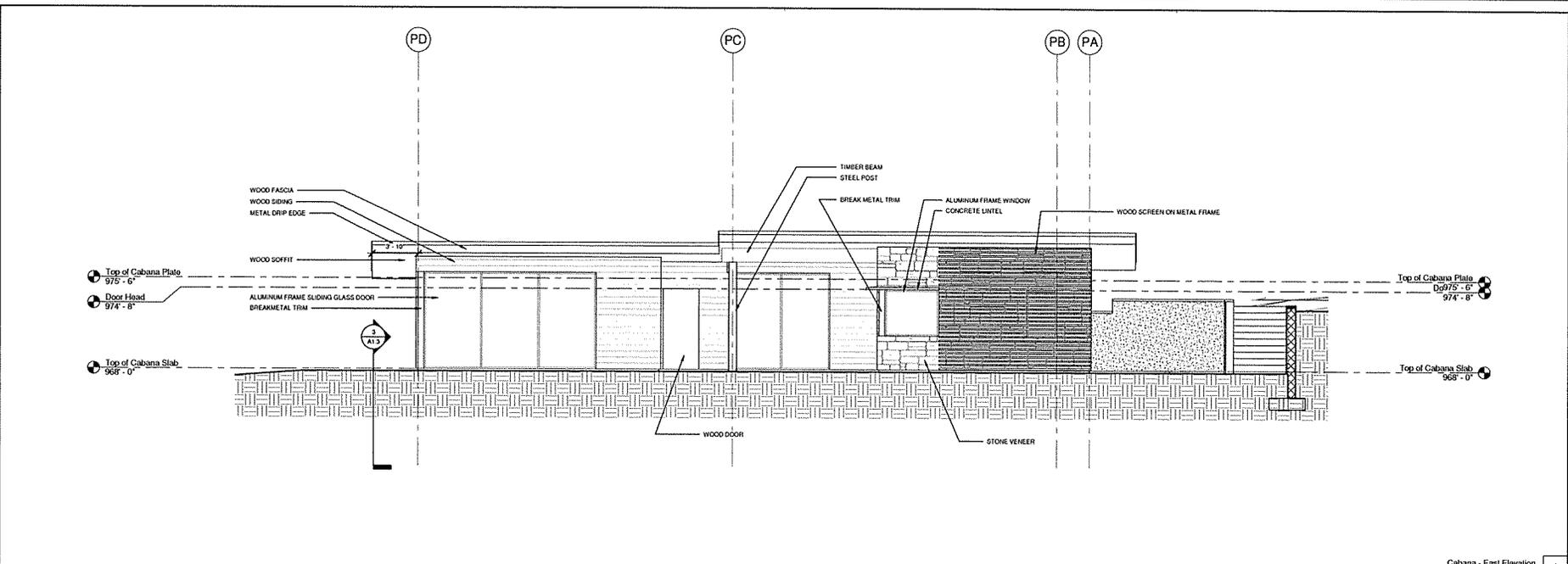
EXISTING CONCRETE POOL COPING AND POOL DECK AREA:	992 SF
EXISTING POOL AREA:	657 SF
TOTAL:	1648 SF
NEW POOL COPING AND DECK:	845 SF
NEW POOL AREA:	826 SF
TOTAL:	1671 SF

ENLARGED SITE PLAN - POOL
 1/4" = 1'-0" 6

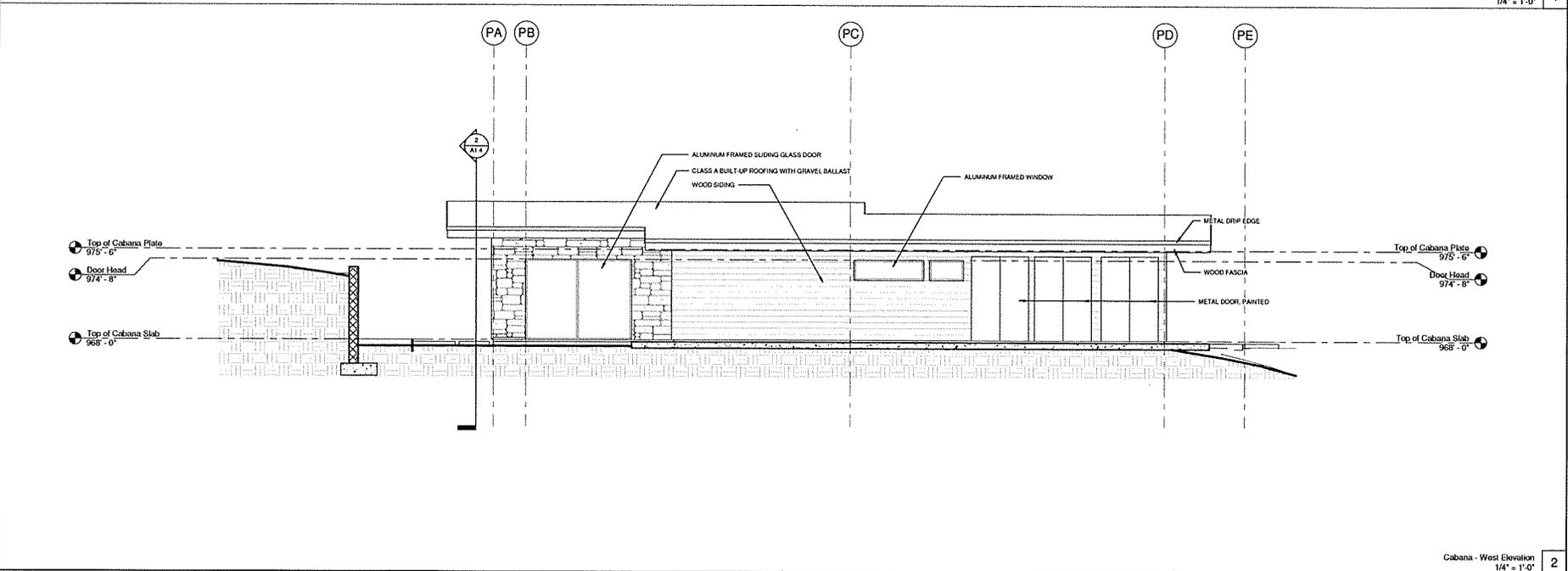
POOL AREAS
 1/2" = 1'-0" 1



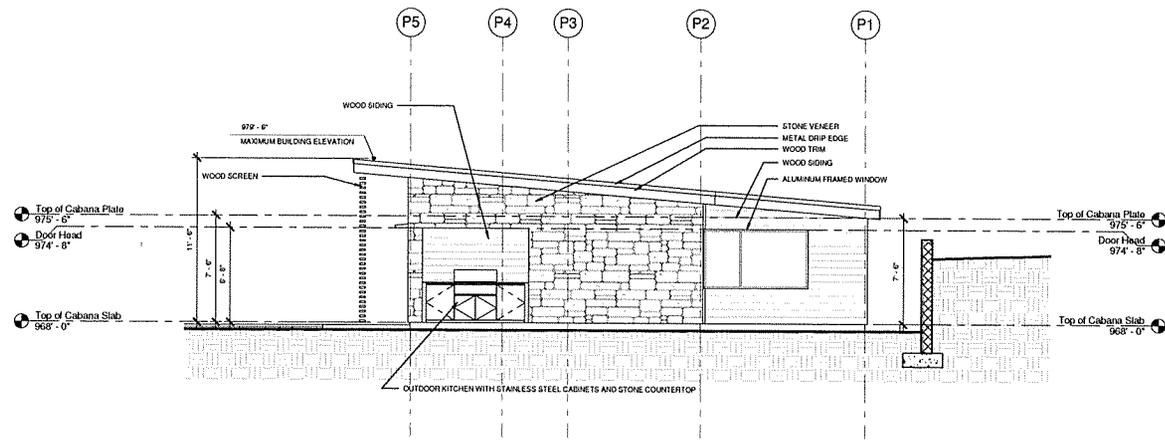
FLOOR PLAN - CABANA
1/4" = 1'-0" 1



Cabana - East Elevation
 1/4" = 1'-0" 1

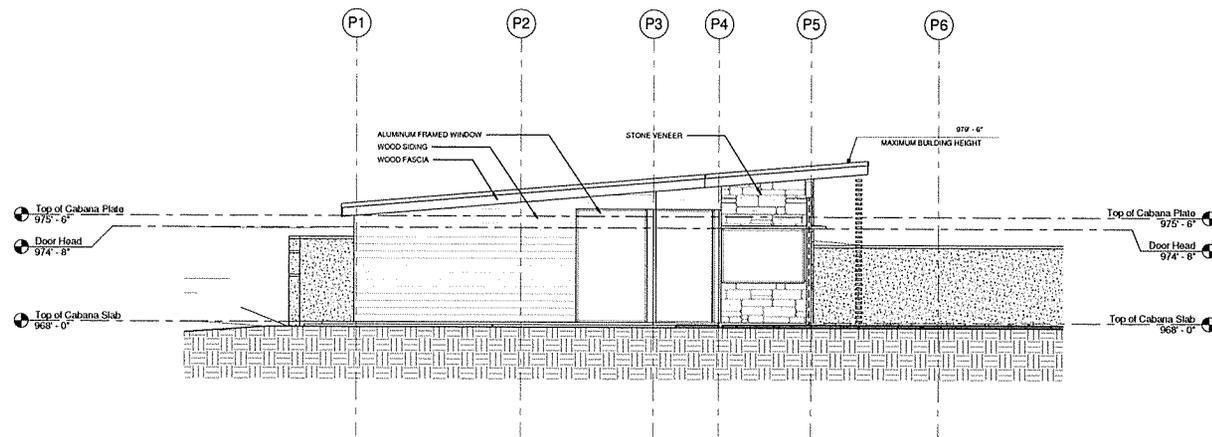


Cabana - West Elevation
 1/4" = 1'-0" 2



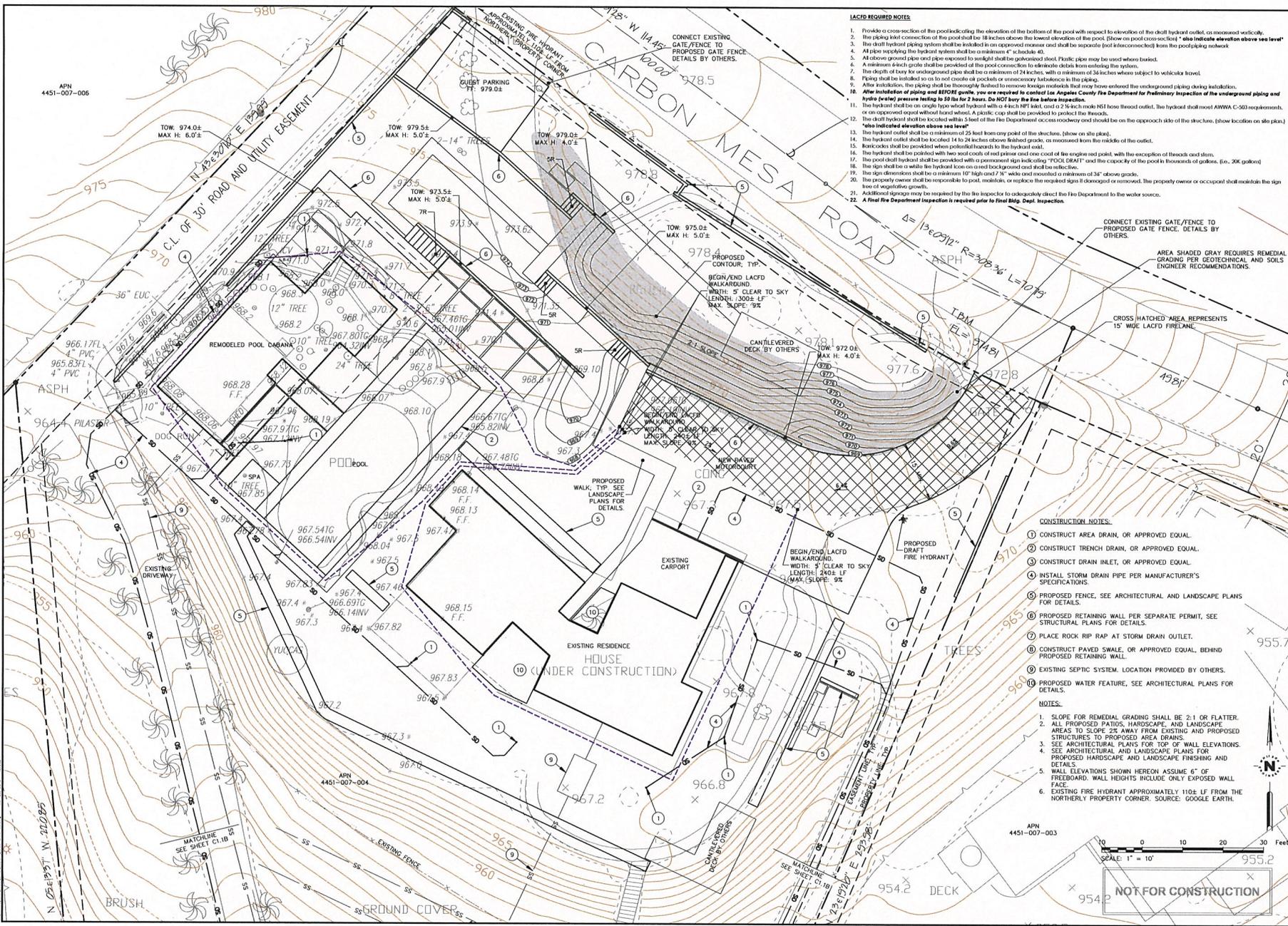
Cabana - North Elevation
1/4" = 1'-0"

1



Cabana - South Elevation
1/4" = 1'-0"

2



- LACFD REQUIRED NOTES:**
1. Provide a cross-section of the pool indicating the elevation of the bottom of the pool with respect to elevation of the draft hydrant outlet, as measured vertically.
 2. The piping inlet connection of the pool shall be 18 inches above the lowest elevation of the pool. (Show on pool cross-section) * also indicate elevation above sea level*
 3. The draft hydrant piping system shall be installed in an approved manner and shall be separate (not interconnected) from the pool piping network.
 4. All piping supporting the hydrant system shall be a minimum 4" schedule 40.
 5. All above ground piping and pipe exposed to sunlight shall be galvanized steel. Plastic pipe may be used where buried.
 6. A minimum trench grade shall be provided at the pool connection to eliminate debris from entering the system.
 7. The depth of bury for underground pipe shall be a minimum of 24 inches, with a minimum of 36 inches where subject to vehicle travel.
 8. Piping shall be installed so as to not create air pockets or unnecessary turbulence in the piping.
 9. After installation, the piping shall be thoroughly flushed to remove foreign materials that may have entered the underground piping during installation.
 10. After installation of piping and BEFORE grout, you are required to contact Los Angeles County Fire Department for preliminary inspection of the underground piping and hydrant system pressure testing to 50 psi for 2 hours. Do NOT bury the line before inspection.
 11. The hydrant shall be on single type wheel hydrant with a 4 inch NPT inlet, and a 2 1/2 inch steel HGI hose thread outlet. The hydrant shall meet AWWA C-503 requirements, or an approved equal without brand name. A plastic cap shall be provided to protect the threads.
 12. The draft hydrant shall be located within 2 feet of the Department access roadway and should be on the approach side of the structure. (show location on site plan) *also indicate elevation above sea level*
 13. The hydrant outlet shall be a minimum of 25 feet from any point of the structure, (show on site plan).
 14. The hydrant outlet shall be located 14 to 24 inches above finished grade, as measured from the middle of the outlet.
 15. Handcups shall be provided when potential hazards to the hydrant exist.
 16. The hydrant shall be protected with two steel coats of red primer and one coat of the engine red paint, with the exception of threads and stem.
 17. The pool draft hydrant shall be provided with a permanent sign indicating "POOL DRAFT" and the capacity of the pool in thousands of gallons. (i.e., 20K gallons)
 18. The sign shall be as wide as the hydrant face on red background and shall be reflective.
 19. The sign dimensions shall be a minimum 10" high and 7 3/4" wide and mounted a minimum of 36" above grade.
 20. The property owner shall be responsible to post, maintain, or replace the required signs if changed or removed. The property owner or occupant shall maintain the sign free of vegetative growth.
 21. Additional signage may be required by the Inspector to adequately direct the Fire Department to the water source.
 22. A final Fire Department inspection is required prior to final Bidg. Draft inspection.

- CONSTRUCTION NOTES:**
1. CONSTRUCT AREA DRAIN, OR APPROVED EQUAL.
 2. CONSTRUCT TRENCH DRAIN, OR APPROVED EQUAL.
 3. CONSTRUCT DRAIN INLET, OR APPROVED EQUAL.
 4. INSTALL STORM DRAIN PIPE PER MANUFACTURER'S SPECIFICATIONS.
 5. PROPOSED FENCE, SEE ARCHITECTURAL AND LANDSCAPE PLANS FOR DETAILS.
 6. PROPOSED RETAINING WALL PER SEPARATE PERMIT, SEE STRUCTURAL PLANS FOR DETAILS.
 7. PLACE ROCK RIP RAP AT STORM DRAIN OUTLET.
 8. CONSTRUCT PAVED SWALE, OR APPROVED EQUAL, BEHIND PROPOSED RETAINING WALL.
 9. EXISTING SEPTIC SYSTEM. LOCATION PROVIDED BY OTHERS.
 10. PROPOSED WATER FEATURE, SEE ARCHITECTURAL PLANS FOR DETAILS.

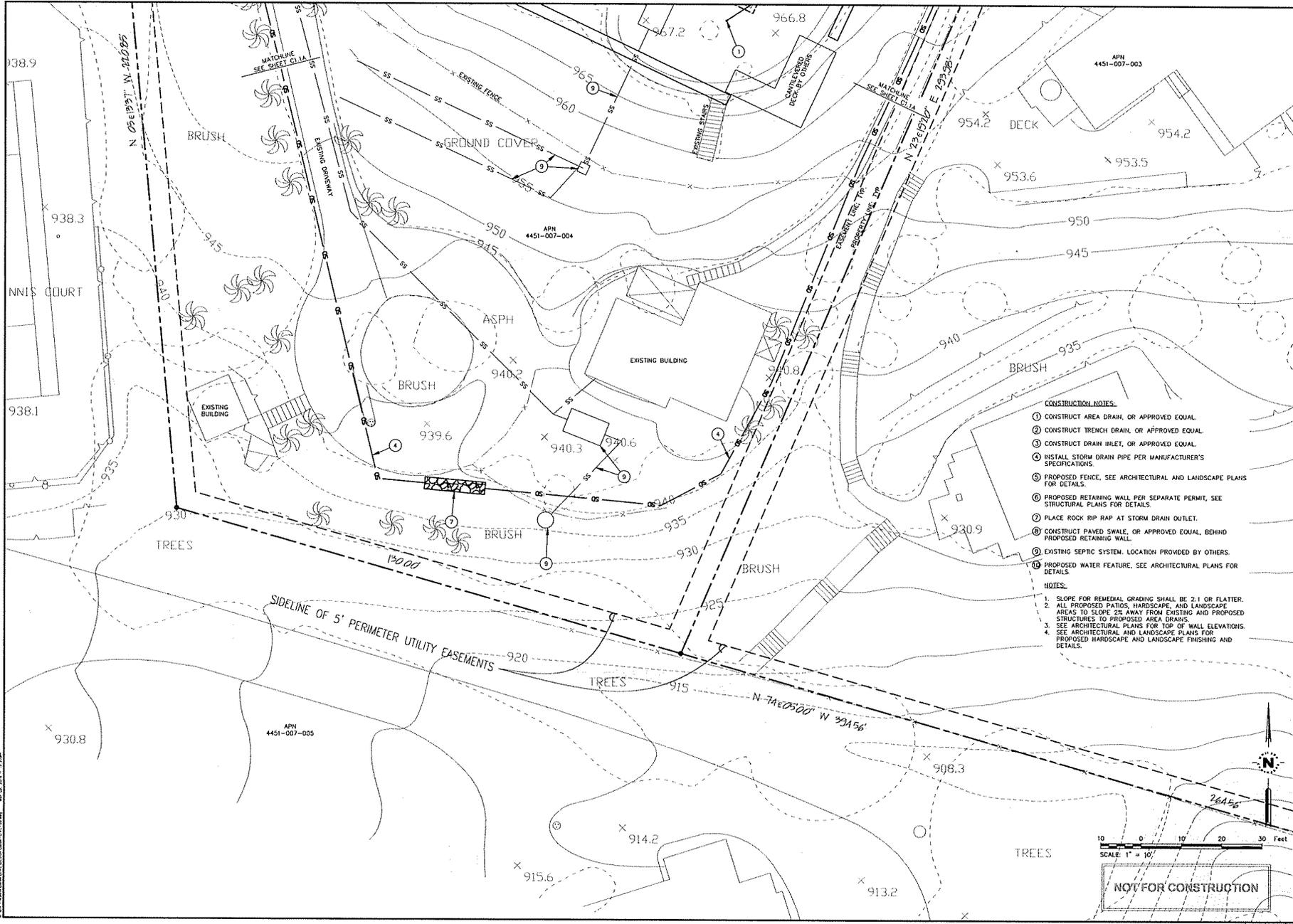
- NOTES:**
1. SLOPE FOR REMEDIAL GRADING SHALL BE 2:1 OR FLATTER.
 2. ALL PROPOSED PATIOS, HARDSCAPE, AND LANDSCAPE AREAS TO SLOPE 2% AWAY FROM EXISTING AND PROPOSED STRUCTURES TO PROPOSED AREA DRAINS.
 3. SEE ARCHITECTURAL PLANS FOR TOP OF WALL ELEVATIONS.
 4. SEE ARCHITECTURAL AND LANDSCAPE PLANS FOR PROPOSED HARDSCAPE AND LANDSCAPE FINISHING AND DETAILS.
 5. WALL ELEVATIONS SHOWN HEREON ASSUME 6" OF FREEBOARD. WALL HEIGHTS INCLUDE ONLY EXPOSED WALL FACE.
 6. EXISTING FIRE HYDRANT APPROXIMATELY 1102 LF FROM THE NORTHERLY PROPERTY CORNER. SOURCE: GOOGLE EARTH.

NO.	BY	DATE	REVISIONS

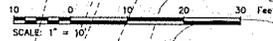
DATE: 11/20/25
SCALE: 1" = 10'
SHEET: 11 OF 11
PROJECT: 22545 CARBON MESA ROAD
JOB NO: 22545-001

WHITSON ENGINEERS
5200 West Century Blvd • Suite 430 • Los Angeles, CA 90045
310 645-3205 • Fax 310 645-3204
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

CALIFORNIA
22545 CARBON MESA ROAD
MALIBU CITY
CONCEPTUAL GRADING AND DRAINAGE PLAN
GRADING AND DRAINAGE PLAN
SHEET **C1.1A**
OF 1
INCHES



- CONSTRUCTION NOTES:**
- ① CONSTRUCT AREA DRAIN, OR APPROVED EQUAL.
 - ② CONSTRUCT TRENCH DRAIN, OR APPROVED EQUAL.
 - ③ CONSTRUCT DRAIN INLET, OR APPROVED EQUAL.
 - ④ INSTALL STORM DRAIN PIPE PER MANUFACTURER'S SPECIFICATIONS.
 - ⑤ PROPOSED FENCE, SEE ARCHITECTURAL AND LANDSCAPE PLANS FOR DETAILS.
 - ⑥ PROPOSED RETAINING WALL PER SEPARATE PERMIT, SEE STRUCTURAL PLANS FOR DETAILS.
 - ⑦ PLACE ROCK RIP RAP AT STORM DRAIN OUTLET.
 - ⑧ CONSTRUCT PAVED SWALE, OR APPROVED EQUAL, BEHIND PROPOSED RETAINING WALL.
 - ⑨ EXISTING SEPTIC SYSTEM, LOCATION PROVIDED BY OTHERS.
 - ⑩ PROPOSED WATER FEATURE, SEE ARCHITECTURAL PLANS FOR DETAILS.
- NOTES:**
1. SLOPE FOR REMEDIAL GRADING SHALL BE 2:1 OR FLATTER.
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 3. SEE ARCHITECTURAL PLANS FOR TOP OF WALL ELEVATIONS.
 4. SEE ARCHITECTURAL AND LANDSCAPE PLANS FOR PROPOSED HARDSCAPE AND LANDSCAPE FINISHING AND DETAILS.



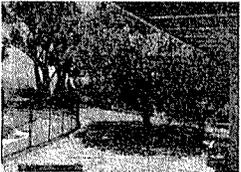
NOT FOR CONSTRUCTION

<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">NO.</th> <th style="width: 40%;">BY</th> <th style="width: 50%;">DATE</th> <th style="width: 10%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	BY	DATE	DESCRIPTION					<p>DATE: 07/16 SCALE: 1" = 10' ENR: [blank] JOB NO: [blank] SHEET NO: [blank]</p>
NO.	BY	DATE	DESCRIPTION						
<p>WHITSON ENGINEERS PROFESSIONAL ENGINEER RICHARD P. WALKER No. 5209 5200 West Century Blvd. - Suite 430 - Los Angeles, CA 90045 310 645-3205 Fax 310 645-3204 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT</p>									
<p>22545 CARBON MESA ROAD MALIBU CITY CALIFORNIA CONCEPTUAL GRADING AND DRAINAGE PLAN GRADING AND DRAINAGE PLAN</p>									
<p>SHEET C1.1B OF 1 INCHES</p>									

SITE PHOTOS:



NORTH



SOUTH



EAST



WEST

FUEL MODIFICATION NOTES:

Back-Overlook

- 1. Back-Overlook is the condition of a site where the structure is located on a slope and the back-Overlook area is not protected by a fire-resistant barrier.
- 2. The back-Overlook area is the area behind the structure that is not protected by a fire-resistant barrier.
- 3. The back-Overlook area is the area behind the structure that is not protected by a fire-resistant barrier.
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- 9. The back-Overlook area is the area behind the structure that is not protected by a fire-resistant barrier.
- 10. The back-Overlook area is the area behind the structure that is not protected by a fire-resistant barrier.

Back-Underlook

- 1. Back-Underlook is the condition of a site where the structure is located on a slope and the back-Underlook area is not protected by a fire-resistant barrier.
- 2. The back-Underlook area is the area behind the structure that is not protected by a fire-resistant barrier.
- 3. The back-Underlook area is the area behind the structure that is not protected by a fire-resistant barrier.
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- 10. The back-Underlook area is the area behind the structure that is not protected by a fire-resistant barrier.

Back-Side

- 1. Back-Side is the condition of a site where the structure is located on a slope and the back-Side area is not protected by a fire-resistant barrier.
- 2. The back-Side area is the area behind the structure that is not protected by a fire-resistant barrier.
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- 9. The back-Side area is the area behind the structure that is not protected by a fire-resistant barrier.
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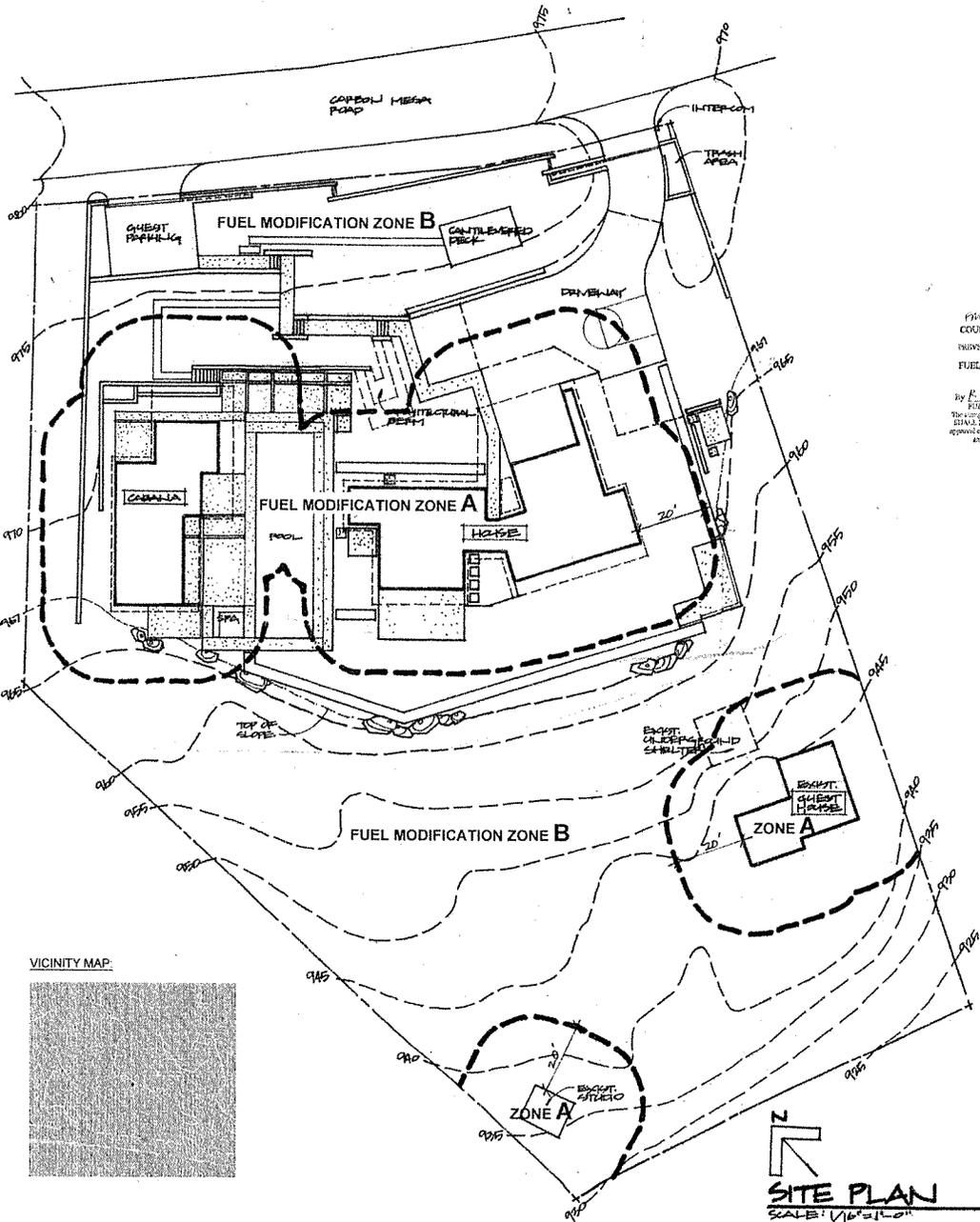
- 1. Fuel modification is the process of making a structure more fire-resistant by adding fire-resistant materials to the structure.
- 2. Fuel modification is the process of making a structure more fire-resistant by adding fire-resistant materials to the structure.
- 3. Fuel modification is the process of making a structure more fire-resistant by adding fire-resistant materials to the structure.
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- 10. Fuel modification is the process of making a structure more fire-resistant by adding fire-resistant materials to the structure.

Back-Side

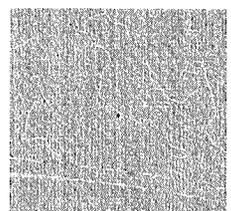
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- 2. The back-Side area is the area behind the structure that is not protected by a fire-resistant barrier.
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LONGTERM MAINTENANCE AGREEMENT

The property owner is responsible for the long-term maintenance of the fuel modification materials. The property owner shall maintain the fuel modification materials in good condition and repair any damage to the fuel modification materials. The property owner shall also maintain the fuel modification materials in good condition and repair any damage to the fuel modification materials.



VICINITY MAP:



SITE PLAN
SCALE: 1/4" = 1'-0"

PROJECT: 6074 (11/11/2007)
COUNTY OF LOS ANGELES
FIRE DEPARTMENT
INVESTIGATION DIVISION
FUEL MODIFICATION PLAN
APPROVED
By: P. L. L. L. Date: 01/11/10
FUEL MODIFICATION UNIT
The contents of this plan are for informational purposes only and do not constitute a contract. The user of this plan is responsible for its use and for any consequences that may result from its use.

PREPARED BY:
D. TURNER
ARCHITECT
15000 W. 10TH STREET
LOS ANGELES, CA 90024
PH: 310.441.1111
WWW.DTURNER.COM

PROJECT: MALIBU RENOVATIONS
20245 CARROLL MESA ROAD
MALIBU, CALIFORNIA 90265

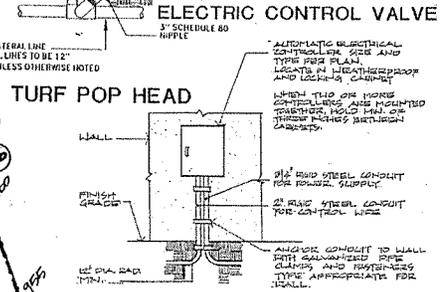
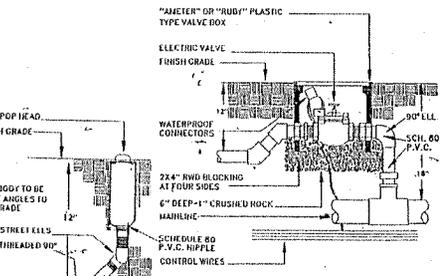
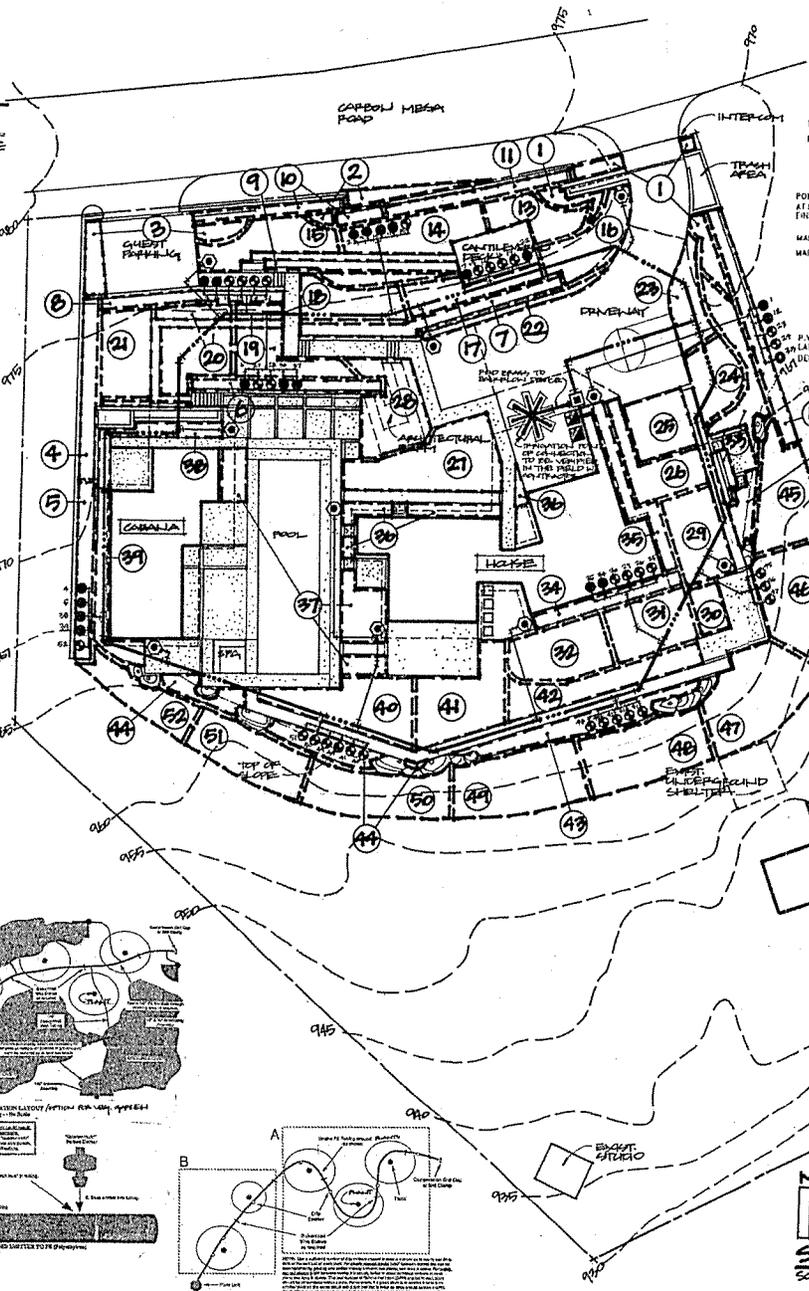
GUEST TITLES:
FUEL MODIFICATION PLAN

DATE: 10/11/07
REVISED: 01/10

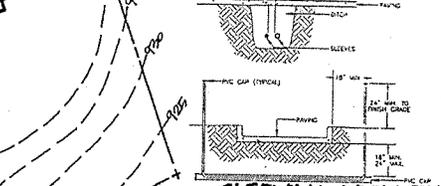
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IRRIGATION HEAD SCHEDULE BY VALVE

2016 VALVE	DESCRIPTION OF USE	TYPE OF HEAD	CONTROLLER
1	NATIVE PLANTING AREA	DWP SYSTEM	24 STATION/LAWNS AUTOMATIC CONTROLLER W/ RAIN SENSOR
2	FL HEDGE	LAWN POP-UP	
3	HEDGE		
4	NATIVE HEDGE		
5	FL HEDGE		
6	NATIVE GRASS		
7	FL HEDGE		
8	NATIVE HEDGE		
9	FL HEDGE		
10	NATIVE GRASS		
11	FL HEDGE		
12	NATIVE GRASS		
13	FL HEDGE		
14	NATIVE GRASS		
15	FL HEDGE		
16	NATIVE GRASS		
17	FL HEDGE		
18	NATIVE GRASS		
19	FL HEDGE		
20	NATIVE GRASS		
21	PLANTED AREA	DWP SYSTEM	
22	BUFFALO GRASS		
23	BUFFALO GRASS		
24	BUFFALO GRASS		
25	BUFFALO GRASS		
26	BUFFALO GRASS		
27	BUFFALO GRASS		
28	BUFFALO GRASS		
29	BUFFALO GRASS		
30	BUFFALO GRASS		
31	PLANTED AREA		DWP SYSTEM
32	PLANTED AREA		
33	PLANTED AREA		
34	PLANTED AREA		
35	PLANTED AREA		
36	PLANTED AREA		
37	PLANTED AREA		
38	PLANTED AREA		
39	PLANTED AREA		
40	PLANTED AREA		
41	NATIVE PLANTED AREA	LAWN POP-UP	
42	NATIVE PLANTED AREA		
43	NATIVE PLANTED AREA		
44	NATIVE PLANTED AREA		
45	NATIVE PLANTED AREA		
46	NATIVE PLANTED AREA		
47	NATIVE PLANTED AREA		
48	NATIVE PLANTED AREA		
49	NATIVE PLANTED AREA		
50	NATIVE PLANTED AREA		
51	NATIVE PLANTED AREA		STREAM POTERS
52	NATIVE PLANTED AREA		



- ### IRRIGATION KEY
- 11/2" PRESSURE LOOP SUPPLY LINE, SCHEDULE 40 PVC
 - LATERAL SUPPLY LINE, SCHEDULE 40 PVC
 - BASES REMOVE CONTROL VALVE, TOP 252 SERIES OR EQUAL (32)
 - PAIRED 252-100 PPE DWP CONTROL KIT, 1" D VALVE WITH PRESSURE REGULATING FILTER (20), EACH VALVE TO HAVE DWP 20-NE CONTROL FROM PVC LATERAL TO PWP TUBING W/ PWP IN DWP BOX
 - 11/2" PPE 200 PPE PRESSURE CAP FLOW DEVICES
 - BASES WATER HYDRANT HOSE BEEB 6" STEEL PIPER IN G.C. (10)
 - 24/26 OPTION: 24-NE AUTOMATIC CONTROL KIT, 24-NE CONTROL W/ RAIN SENSOR (1-24 VALVE AND 1-26 VALVE)

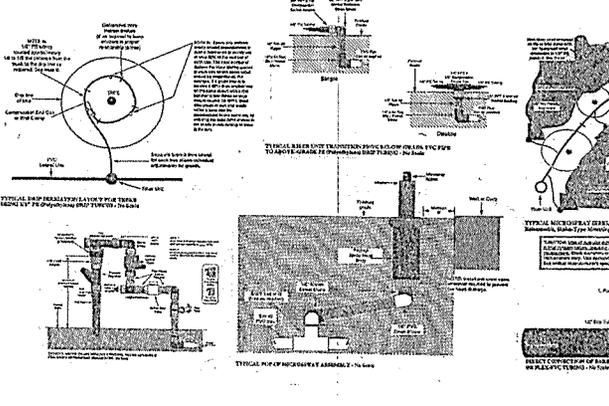


SLEEVING DETAIL

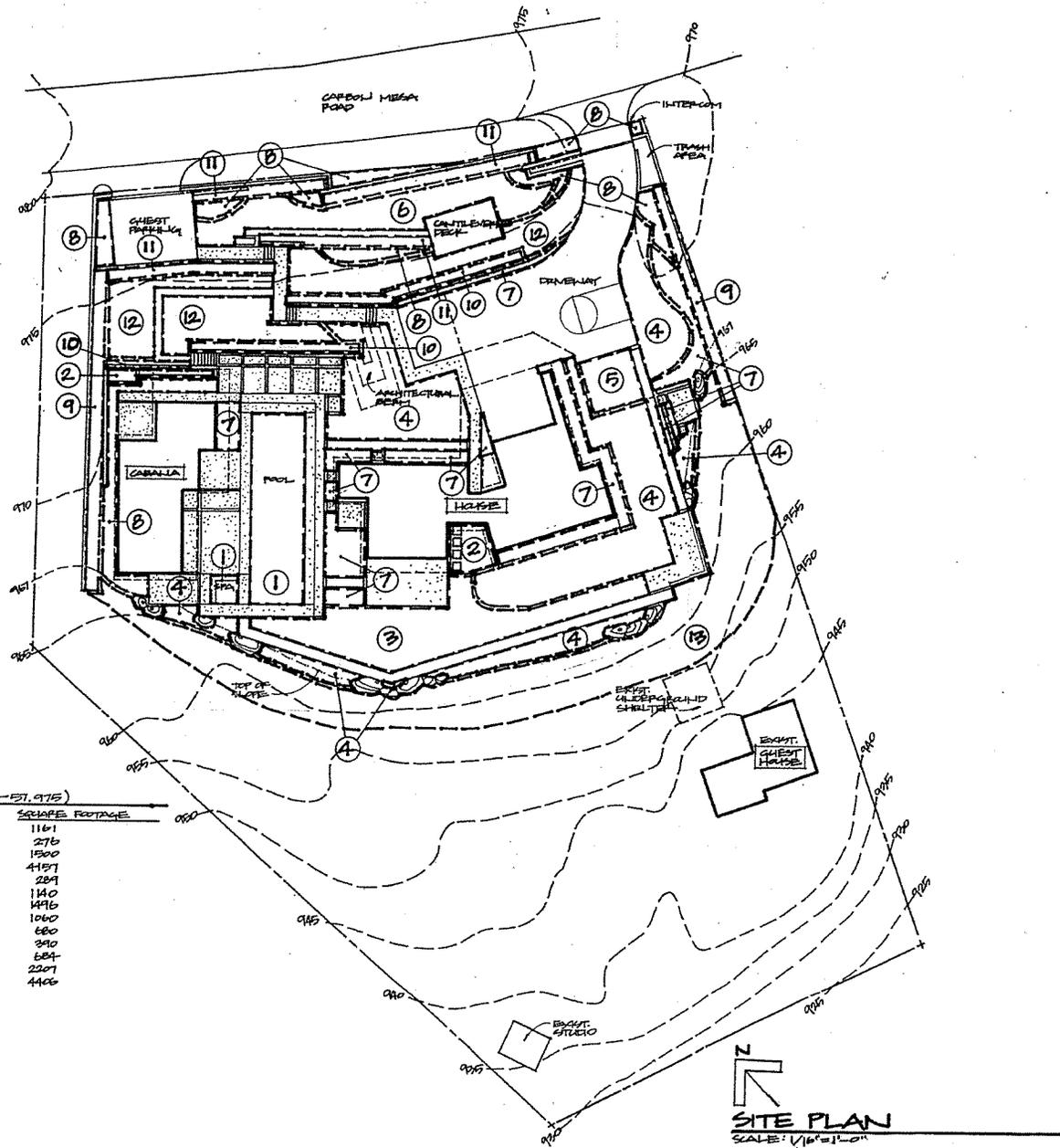
NOTES:

- ALL PVC PROTRUSION SLEEVES TO BE CLASS 200 PPE
- ALL SLEEVES TO BE SOLID WELDED AND NOT JOINT
- IF SLEEVES ARE TO BE USED OVER THE SLEEVE, EXTEND THE SMALLER SLEEVE TO 24-INCHES BEYOND JOINT FROM CAP
- MINIMUMLY 2\"/>

SITE PLAN
SCALE: 1/8" = 1'-0"



PREPARED BY: DUSTIN LARKIN, LANDSCAPE ARCHITECTURE, 100 BOON STREET, MALIBU, CALIFORNIA 90263, PH: 310-316-1144, WWW.DUSTINLARKIN.COM
 PROJECT: MALIBU RENOVATIONS, 20245 CARROLL MESA ROAD, MALIBU, CALIFORNIA 90263
 SHEET TITLE: IRRIGATION PLAN
 DATE: 10 MAY 2015
 REV: 10-15-15
 SCALE: 1/8" = 1'-0"



HYDROZONE KEY: (TOTAL LOT SQUARE FOOTAGE - 57,975)

AREA	DESCRIPTION OF AREA	SQUARE FOOTAGE
1	POOL/SPA (HIGH WATER USE)	1161
2	WATERFEATURES (HIGH WATER USE)	276
3	LAWN (HIGH WATER USE)	1500
4	BUFFALO GRASS LAWN (LOW WATER USE)	4187
5	BUFFALO GRASS/CONCRETE (LOW WATER USE)	284
6	NATIVE GRASS (LOW WATER USE)	140
7	PLANTED AREAS (MEDIUM WATER USE)	4416
8	NATIVE PLANTED AREAS (LOW WATER USE)	1060
9	R. HEDGE (MEDIUM LOW WATER USE)	680
10	HEDGE (MEDIUM LOW WATER USE)	390
11	NATIVE HEDGE (LOW WATER USE)	684
12	COTON MEADOW (LOW WATER USE)	2201
13	LOWER MEADOW (LOW WATER USE)	4406

PREPARED BY:
 PLANNING
 ARCHITECTURE
 22500 CARROLL MESA ROAD
 MALIBU, CALIFORNIA 90263
 MALIBU RENOVATIONS.COM

PROJECT:
MALIBU RENOVATIONS
 22500 CARROLL MESA ROAD
 MALIBU, CALIFORNIA 90263

HYDROZONE PLAN

DATE: 18 MAY 2015
 PERIOD: 15'

SCALE: H=1.0



FILE LK

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu City Biologist
FROM: City of Malibu Planning Department

DATE: 9/21/15
~~2/14/2013~~

PROJECT NUMBER: ARC 15-025, ACDP 13-008
JOB ADDRESS: 22545 CARBON MESA RD
APPLICANT / CONTACT: Charles Santos, Santos Planning
APPLICANT ADDRESS: 29800 Agoura Road, Suite 207
Agoura Hills, CA 91301
APPLICANT PHONE #: (310) 980-9468
APPLICANT FAX #: (818) 230-0438
APPLICANT EMAIL: charles@santosplanning.com
PROJECT DESCRIPTION: (N) pool and addition
Landscaping

TO: Malibu Planning Division and/or Applicant
FROM: Dave Crawford, City Biologist

The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design (See Attached).

The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.

The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).

SIGNATURE [Signature]

DATE 10/22/15

Additional requirements/conditions may be imposed upon review of plan revisions. Dave Crawford City Biologist, may be contacted on Tuesday between 9:00 am and 11:00 am at the City Hall Public counter, by leaving an e-mail at dcrawford@malibucity.org or by leaving a detailed voice message at (310) 456-2489, extension 277.

City of Malibu

23815 Stuart Ranch Road, Malibu, California 90265
(310) 456-2489 Fax (310) 456-7650

Planning Department

BIOLOGICAL REVIEW

Site Address: 22545 Carbon Mesa Road
Applicant/Phone: Charles Santos/ 310.980.9468
Project Type: N pool, addition, landscaping
Project Number: ACDP 13-008
Project Planner: Jasch Janowicz
Previous Biological Review: Incomplete 6/11/13; Incomplete 8/18/15

REFERENCES: Site Plans, Revised landscape plans, irrigation plan

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 273,2001 gallons per year. The Estimated Applied Water Use (EAWU) totals 269,217 gpy, thus meeting the Landscape Water Conservation Ordinance Requirements.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:
 - A. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.
 - B. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.
 - C. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

Dave Rydman

Address: 1000 S. Fremont Ave, Bldg. A-9 East, 4th Floor-“Waterworks Division”,
Alhambra, CA 91803

Email: DRYDMAN@DPW.LACOUNTY.GOV (preferred)

Phone: (626) 300-3357

Please note this action may require several weeks. As such, the applicant should submit their approved landscape plans to DPW as soon as feasible in order to avoid a delay at plan check.

- D. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six (6) feet in height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height.
 - E. Invasive plant species, as determined by the City of Malibu, are prohibited.
 - F. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth).
 - G. No non-native plant species shall be approved greater than 50 feet from the residential structure.
 - H. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as copper arsenate.
 - I. Site preparation, demolition, construction, etc. scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. The nesting bird report shall be submitted prior to start of work.
 - J. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting.
 - K. Up-lighting of landscaping is prohibited.
2. **UPON COMPLETION OF ALL PLANTING**, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

Reviewed By: _____

Dave Crawford, City Biologist
310-456-2489 ext.227 (City of Malibu); e-mail drcrawford@malibucity.org

Date: 10/22/15



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator DATE: 2/4/2013 ^{10/29/15}
FROM: City of Malibu Planning Department

PROJECT NUMBER: ARC 15-025, CDP 13-008
JOB ADDRESS: 22545 CARBON MESA RD
APPLICANT / CONTACT: Charles Santos, Santos Planning
APPLICANT ADDRESS: 29800 Agoura Road, Suite 207
Agoura Hills, CA 91301
APPLICANT PHONE #: (310) 980-9468
APPLICANT FAX #: (818) 230-0438
APPLICANT EMAIL: charles@santosplanning.com
PROJECT DESCRIPTION: (N) pool and addition
Landscaping

TO: Malibu Planning Department and/or Applicant
FROM: City of Malibu Environmental Health Reviewer

Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

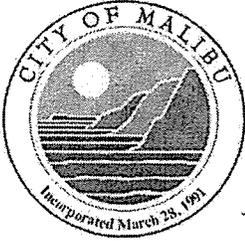
OWTS Plot Plan: **NOT REQUIRED**
 REQUIRED (attached hereto) **REQUIRED (not attached)**

Matthew...
Signature

NOVEMBER 10, 2015
Date

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

The Environmental Health Specialist may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 307.



City of Malibu

Environmental Health • Environmental Sustainability Department
 23825 Stuart Ranch Road • Malibu, California • 90265-4861
 Phone (310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Charles Santos, Santos Planning charles@santosplanning.com	
Project Address:	22545 Carbon Mesa Road Malibu, CA 90265	
Planning Case No.:	CDP 13-008	
Project Description:	(N) pool and addition	
Date of Review:	November 10, 2015	
Reviewer:	Matt Janousek	Signature:
Contact Information:	Phone: (310) 456-2489 x 307	Email: mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Architectural plans by Malibu Renovations received by Planning 10-7-2015, 4-5-2013
Fixture Worksheet:	Worksheets for guest house and cabana by Mike Baldi dated 10-14-2015
Operating Permit:	Operating Permit expires 6-21-2016
Miscellaneous:	Grading and Drainage Plans by Whitson Engineers dated 6-4-2015; City Sewer/Septic Permit for 1,500-gal septic tank replacement dated 6-21-2011
Prev. EH Approval:	EH approval for interior remodel (OC 11-008) dated 2-17-2011
Previous Reviews:	4-24-2013

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
Plan Check Stage:	<input type="checkbox"/>	APPROVED
	<input checked="" type="checkbox"/>	NOT APPROVED Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	<input type="checkbox"/>	NOT REQUIRED
	<input checked="" type="checkbox"/>	REQUIRED (attached hereto) <input type="checkbox"/> REQUIRED (not attached)

Environmental Health **conformance review** has been completed for the development proposal described in the project description provided by the Planning Department and the project plans and reports submitted to this office. Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the project. In order to obtain Environmental Health final approval of the OWTS Plot

Plan and project construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review

- 1) **Building Plans:** All final project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

-oOo-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file
Planning Department





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

RECEIVED

JAN 29 2016

FIRE DEPARTMENT REVIEW REFERRAL SHEET

PLANNING DEPT.
6/29/15

TO: Los Angeles County Fire Department ~~DATE: 2/14/2013~~
 FROM: City of Malibu Planning Department
 PROJECT NUMBER: ARC 15-025, ACDP 13-008
 JOB ADDRESS: 22545 CARBON MESA RD
 APPLICANT / CONTACT: Charles Santos, Santos Planning
 APPLICANT ADDRESS: 29800 Agoura Road, Suite 207
Agoura Hills, CA 91301
 APPLICANT PHONE #: (310) 980-9468
 APPLICANT FAX #: ~~(818) 230-0438~~ 818-643-5959
 PROJECT DESCRIPTION: (N) pool and addition - CABANA

TO: Malibu Planning Department and/or Applicant
 FROM: Fire Prevention Engineering Assistant

Compliance with the conditions checked below is required prior to Fire Department approval.

- The project DOES require Fire Department Plan Review and Developer Fee payment
- The project DOES NOT require Fire Department Plan Review
- The required fire flow for this project is _____ gallons per minute at 20 pounds per square inch for a 2 hour duration. (Provide flow information from the water dept.)
- The project is required to have an interior automatic fire sprinkler system.
- Final Fuel Modification Plan Approval is required prior to Fire Department Approval

Conditions below marked "not approved" shall be corrected on the site plan and resubmitted for Fire Department approval.

- | | App'd | N/app'd |
|--|-------|---------|
| Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project. | ___ | ___ |
| Required and/or proposed Fire Department Vehicular Turnaround | ___ | ___ |
| Required 5 foot wide Fire Department Walking Access (including grade %) | ___ | ___ |
| Width of proposed driveway/access roadway gates | ___ | ___ |

*County of Los Angeles Fire Department Approval Expires with City Planning permits expiration, revisions to the County of Los Angeles Fire Code or revisions to Fire Department regulations and standards.

**Minor changes may be approved by Fire Prevention Engineering, provided such changes achieve substantially the same results and the project maintains compliance with the County of Los Angeles Fire Code valid at the time revised plans are submitted. Applicable review fees shall be required.

OHINNIE
SIGNATURE

ANNA / 23, 2016
DATE

Additional requirements/conditions may be imposed upon review of complete architectural plans.
The Fire Prevention Engineering may be contacted by phone at (818) 880-0341 or at the Fire Department Counter:
26600 Agoura Road, Suite 110, Calabasas, CA 91302; Hours: Monday - Thursday between 7:00 AM and 11:00 AM



City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	January 21, 2016	Review Log #:	3464
Site Address:	22545 Carbon Mesa Road		
Lot/Tract/PM #:		Planning #:	CDP 13-008
Applicant/Contact:	Charles Santos, charles@santosplanning.com	BPC/GPC #:	
Contact Phone #:	310-980-9468	Fax #:	818-230-0438
		Planner:	Lilly Rudolph
Project Type:	Revised project: new swimming pool, cabana, retaining walls, grading, flatwork		

Submittal Information

Consultant(s) / Report Date(s): <i>(Current submittal(s) in Bold.)</i>	GeoConcepts, Inc. (Barrett, CEG 2088; Walter, GE 2426): 12-21-15 GeoConcepts, Inc. (Haddad, RCE 69169): 6-28-13 GeoConcepts, Inc. (Barrett, CEG 2088; Haddad, RCE 69169): 6-13-13, 6-12-13, 10-10-11 GeoConcepts, Inc. (Sousa, CEG 21315; Walter, GE 2426): 7-9-99
--	--

Building plans prepared by Canopy dated October 7, 2015.
Conceptual Grading plans prepared by Whitson Engineers dated September 21, 2015.

Previous Reviews: Environmental Health Review Sheet dated November 10, 2015,
Geotechnical Review Referral Sheet dated 7-21-15, 3-5-13,
Geotechnical Review Referral Sheet dated 2-19-13

Review Findings

Coastal Development Permit Review

- The project is **APPROVED** from a geotechnical perspective.
- The project is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.

Building Plan-Check Stage Review

- Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.
- APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.
- NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval

Remarks

The referenced geotechnical reports and building and grading plans were reviewed by the City from a geotechnical perspective. Based on the submitted information, the revised project includes demolishing

the existing swimming pool and spa, 435 square foot pool cabana, concrete decking, retaining walls and hardscape and constructing a new swimming pool and spa and a new 1,283 square foot pool cabana/office in the same locations, new decking, flatwork, hardscape, retaining walls, and grading (280 yards of cut and export). No changes to the two onsite wastewater treatment systems (OWTS) that service the residence and guest house are proposed.

NOTICE: Applicants shall be required to submit all Geotechnical reports for this project as searchable PDF files on a CD. At the time of Building Plan Check application, the Consultant must provide searchable PDF files on a CD to the Building Department for ALL previously submitted reports that have been reviewed by City Geotechnical Staff.

Building Plan-Check Stage Review Comments:

1. The Project Geotechnical Consultant needs to provide a complete finding, not an opinion, in accordance with Section 111 of the Malibu Building Code. Please include in the finding a direct reference to Section 111 of the Building Code.
2. The GeoConcepts, Inc. report dated July 9, 1999, submitted in response to the previous review comment, appears to be incomplete, as it has numerous question marks related to several design recommendations that are required by the City's Guidelines. Missing examples include foundation depths and bearing capacity of foundations and piles, slabs-on-grade recommendations, settlement of foundations elements, reinforcing, lateral loading, retaining wall and slab-on-grade recommendations, field data, laboratory test results, geologic maps and cross sections, etc. Although these issues are covered in subsequent update reports, a completed copy of the original report, sans question marks, needs to be submitted for the City's files.
3. No grading yardages are shown on the Conceptual Grading Plans submitted. The Project Description on Sheet A0.1 of the plans indicates that there are 250 yards of cut, 30 yards of remedial cut, and 280 yards of export proposed. However, cross-sections prepared by the Project Geotechnical Consultant show areas of cut and fill on the site, and they recommend that the existing fill and soils should be removed to bedrock and replaced as compacted fill in the area beneath the pool cabana/office. Please provide a grading plan that incorporates the Consultant's recommendations, and clearly depicts the grading yardages. Areas of cut and fill shall be shown on the plans. Include cross-sections across the proposed development areas on the grading plans showing areas of cut, fill, and over-excavation (R & R).
4. Provide recommendations for the proposed cantilevered deck (foundations, slabs, subgrade preparation, etc.).
5. The Consultant needs to incorporate into the report a contour map of ground motion from the Northridge earthquake. To facilitate this requirement, the Malibu map is provided for the Project Consultants' use at (<http://www.malibucity.org/index.aspx?nid=258>). The Consultants should include a copy of that ground motion map in their report, with the subject site plotted on the map. On the basis of that map, the Consultant should interpolate the ground acceleration at the subject site and state that value in their report.
6. Include the following note on the foundation plans: "The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, and a map depicting the locations of the piles".
7. Please provide a detail(s) for the swimming pool subdrain and outlet in the swimming pool plans.
8. Section 7.2.1 of the City's geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. Building plans shall reflect this requirement.

- 9. The following note must be placed on the plans 'Prior to the placement of concrete slabs, the slab subgrade soils shall be pre-moistened to at least 120% of the optimum moisture content to the depth specified by the geotechnical engineer. The pre-moistened soils should be tested and verified to be by the geotechnical engineer within one day prior to the placement of the moisture barrier and sand.'
- 10. Two sets of grading, retaining wall, swimming pool/spa, decking, and pool cabana/office plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

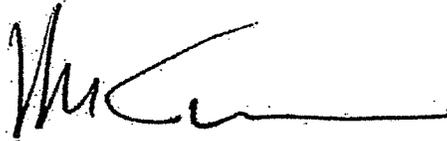
Engineering Geology Review by:



Christopher Dean, C.E.G. #1751, Exp. 9-30-16
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

1/21/16
Date

Geotechnical Engineering Review by:



Kenneth Clements, G.E. 2010, Exp. 6-30-16
Geotechnical Engineering Reviewer (805-563-8909)
Email: kclements@fugro.com

January 21, 2016
Date

This review sheet was prepared by City Geotechnical Staff contracted with Fugro as an agent of the City of Malibu.

FUGRO CONSULTANTS, INC.
4820 McGrath Street, Suite 100
Ventura, California 93003-7778
(805) 650-7000 (Ventura office)
(310) 456-2489, x306 (City of Malibu)





City of Malibu

- GEOTECHNICAL -

NOTES FOR BUILDING PLAN-CHECK

The following standard items should be incorporated into Building Plan-Check submittals, as appropriate:

1. One set of grading, retaining wall, swimming pool/spa, decking, and pool cabana/office plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. Additional review comments may be raised at that time that may require a response.
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building Plans.
3. Include the following note on Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Project Geotechnical Consultant, as appropriate.*"
4. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel.*"
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
6. Foundation setback distances from descending slopes shall be in accordance with Section 1808 of the Malibu Building Code, or the requirements of the Project Geotechnical Consultant's recommendations, whichever are more stringent. Show minimum foundation setback distances on the foundation plans, as applicable.
7. Show the onsite wastewater treatment system on the Site Plan.
8. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

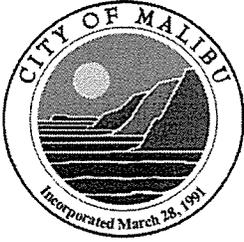
Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of

all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Project Geotechnical Consultant, on the Plans.
2. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional concerns may be raised at that time which may require a response by the Project Geotechnical Consultant and applicant.



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Jorge Rubalcava, Assist. Civil Engineer

Date: March 9, 2016

Re: Proposed Conditions of Approval for 22545 Carbon Mesa Rd., ACDP 13-008

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

GRADING AND DRAINAGE

1. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. **A note shall be placed on the project that addresses this condition.**
2. A Grading and Drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
 - Public Works Department General Notes
 - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
 - The limits of land to be disturbed during project development shall be delineated on the Grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
 - The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.



- If the property contains trees that are to be protected they shall be highlighted on the grading plan.
- If the property contains rare and endangered species as identified in the Resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
- Private storm drain systems shall be shown on the Grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
- Public Storm drain modifications shown on the Grading plan shall be approved by the Public Works Department prior to the issuance of the Grading permit.

STORMWATER

3. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANEOUS

4. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.
5. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:



- The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
- There are sufficient BMPs in place to prevent soil erosion; and
- The discharge does not reach into the MS4 or to the ASBS (including tributaries)

Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating **“It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5).”** The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.



Notice Continued...

PUBLIC COMMENT PERIOD — Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Department at any time prior to the issuance of a decision. Anyone with concerns or questions about the application is urged to contact the case planner prior to the decision date. Contact Lilly Rudolph at lrudolph@malibucity.org, by phone at (310) 456-2489 extension 238, or by mail as indicated on the front of this notice.

NOTICE OF DECISION — On or after **March 15, 2016**, the Planning Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 500 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

LOCAL APPEAL — Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1 (Local Appeals), a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. Should a decision be issued on **March 15, 2016**, the appeal period would expire on **Friday, March 25, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, ext. 245.

REPORTING – The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on **March 21, 2016**. Copies of the agenda report, including the approved or denied permit, will be available at the meeting and also provided to all those persons wishing to receive such notification. An approved permit shall not become effective until completion of the Planning Commission reporting.

If there are any questions regarding this notice, please contact Lilly Rudolph, Contract Planner, at (310) 456-2489 extension 238.

Date: February 25, 2016

By: Bonnie Blue
Planning Director

Notice of Application



City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265



City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489 Fax (310) 456-7650
www.malibucity.org

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-008 AND DEMOLITION PERMIT NO. 16-005 - An application for the demolition of the existing pool, pool deck, and cabana; installation of a new larger pool and pool deck; and construction of a larger pool cabana, retaining walls, driveway improvements, and additional hardscape areas

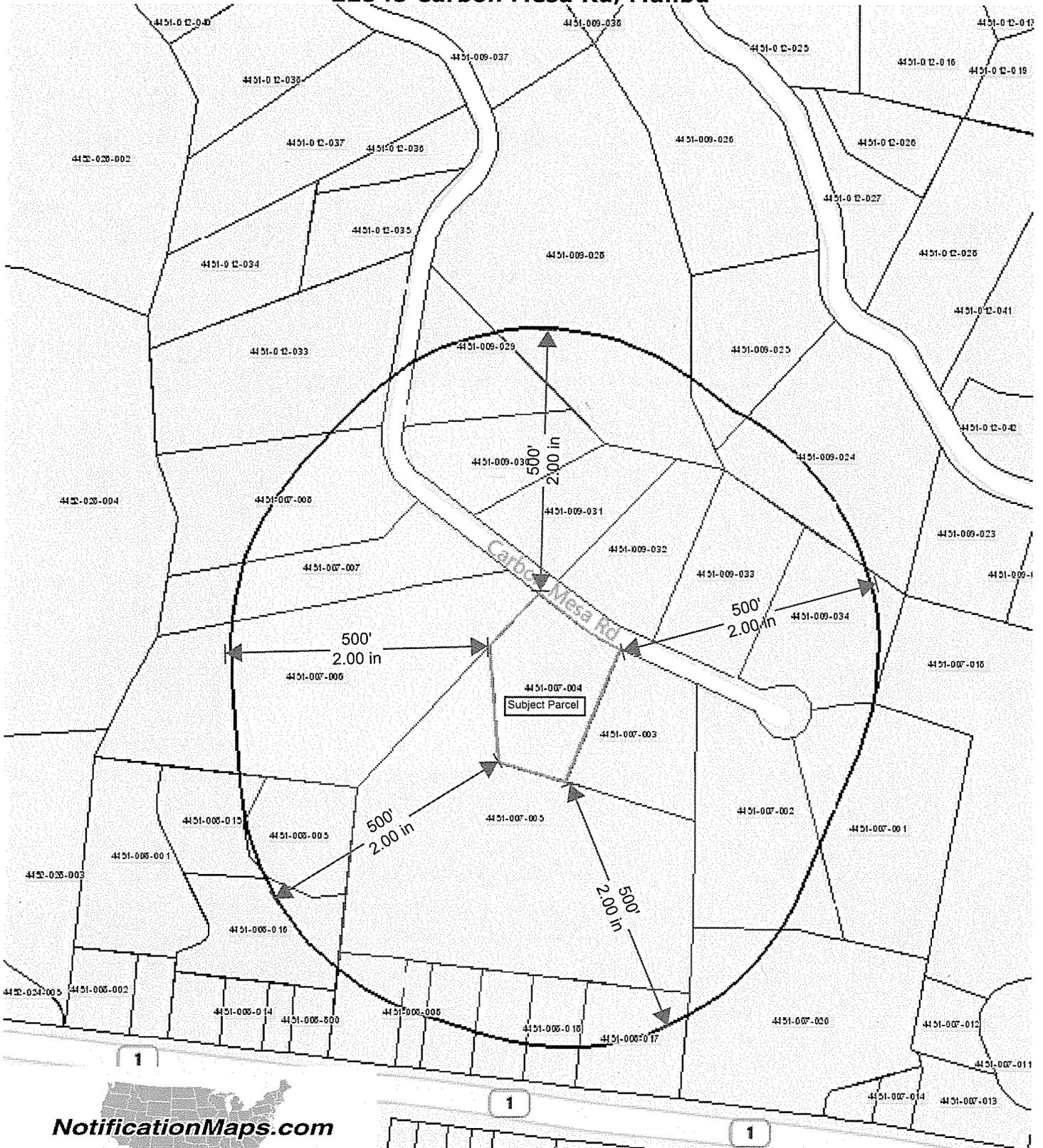
LOCATION:	22545 Carbon Mesa Road, not within the appealable coastal zone
APN:	4451-007-004
ZONING:	Rural Residential-Two Acre (RR-2)
APPLICANT:	Santos Planning
OWNER:	Philip Erlanger
APPLICATION FILED:	February 14, 2013
CASE PLANNER:	Lilly Rudolph Contract Planner (310) 456-2489 ext. 238 lrudolph@malibucity.org

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA Guidelines Sections 15303(e) – New Construction or Conversion of Small Structures and 15304 – Minor Alterations to Land. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

ATTACHMENT 3



500' Radius Map 22545 Carbon Mesa Rd, Malibu



Radius Maps Owner and Occupant Lists Mailing Services

866.752.6266 toll free
949.613.8341 fax
sales@notificationmaps.com

Mailing Address Only:
668 N Coast Hwy #401
Laguna Beach, CA 92651

www.notificationmaps.com

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Notice continued...

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project and found that it is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore the project is categorically exempt from the provisions of CEQA Guidelines Sections 15303(e) – New Construction or Conversion of Small Structures and 15304 – Minor Alterations to Land. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

REPORTING — Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **March 21, 2016** Planning Commission Meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to the California Code of Regulations Section 13153.

Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals), a decision or any portion of the decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **March 25, 2016 at 4:30 p.m.** The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, ext. 245.

If there are any questions regarding this notice, please contact Lilly Rudolph, Contract Planner, at (310) 456-2489, extension 238.

Date: **March 10, 2016**

By: **Bonnie Blue, AICP
Planning Director**

Notice of Decision



City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265



PLANNING DEPARTMENT

City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489 · Fax (310) 456-7650

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for an Administrative Coastal Development Permit (ACDP) as described below:

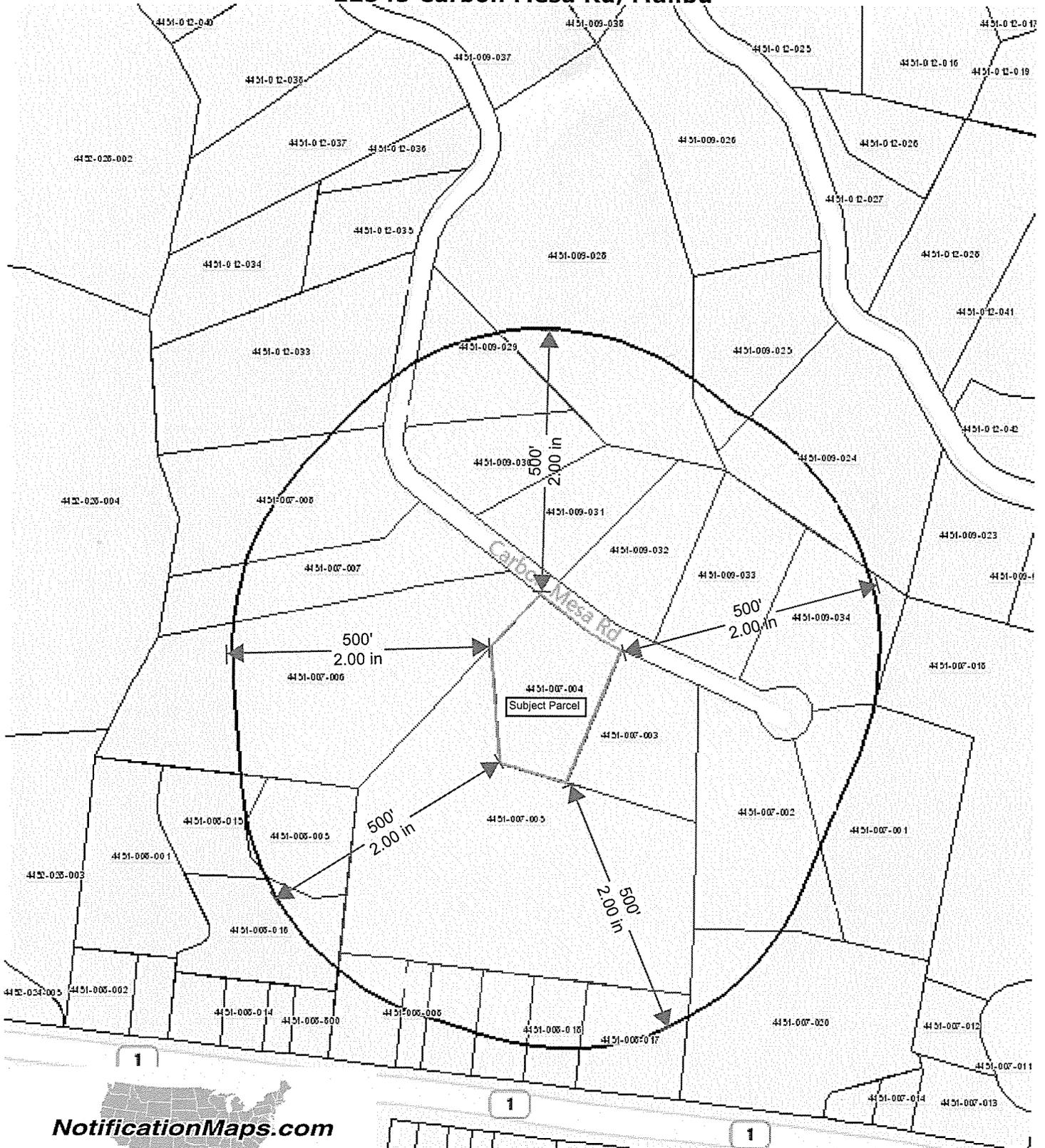
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-008 AND DEMOLITION PERMIT NO. 16-005

– An application for the demolition of the existing pool, pool deck, and cabana; installation of a new larger pool and pool deck; and construction of a larger pool cabana, retaining walls, driveway improvements, and additional hardscape areas

LOCATION:	22545 Carbon Mesa Road, not within the appealable coastal zone
APN:	4451-007-004
ZONING:	Rural Residential-Two Acre (RR-2)
APPLICANT:	Santos Planning
OWNER:	Philip Erlanger
APPLICATION FILED:	February 14, 2013
ISSUE DATE:	March 15, 2016
CASE PLANNER:	Lilly Rudolph Contract Planner lrudolph@malibucity.org (310) 456-2489, ext. 238



500' Radius Map 22545 Carbon Mesa Rd, Malibu



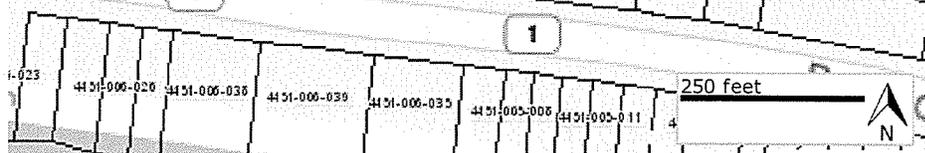
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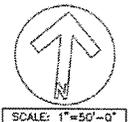
866.752.6266 toll free
949.613.8341 fax
sales@notificationmaps.com

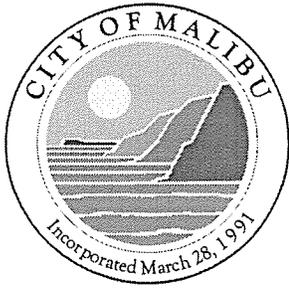
Mailing Address Only:
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Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Jessica Colvard, Assistant Planner

Approved by: Bonnie Blue, Planning Director *BB*

Date prepared: March 10, 2016 Meeting date: March 21, 2016

Subject: Administrative Coastal Development Permit No. 15-036 – An application to install a new alternative onsite wastewater treatment system to replace the existing onsite wastewater treatment system at a commercial restaurant facility

Location: 6800 Westward Beach Road, within the appealable coastal zone

APNs: 4468-022-001

Zoning: Commercial Visitor Serving–One (CV-1)

Applicant: Aloha Expediting

Tenant: The Sunset Restaurant

Owner: Francesco Semplicio

Application Filed: May 21, 2015

RECOMMENDED ACTION: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-036.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13, the Planning Director shall report in writing to the Planning Commission any administrative coastal development permits that have been issued by the City of Malibu. If the majority of the appointed membership of the Planning Commission so request, the issuance of an administrative coastal development permit shall not become effective, but shall, if the applicant wishes to pursue the application, be treated as a regular coastal development permit application under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

Local Implementation Plan Sections 13.13 and 13.29 (Administrative Permits Applicability)

The Planning Director may process administrative permits if: 1) the proposed project is not appealable as defined in LIP Chapter 2; 2) the proposed project is not within the CCC's continuing jurisdiction as defined in Chapter 2 of the LIP; 3) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; 4) water wells; or 5) onsite wastewater treatment systems (OWTS).

Permit Issuance and Local Appeal Period

On March 15, 2016, the Planning Director will issue the administrative coastal development permit thus beginning the appeal period. The appeal period will begin on March 16, 2016 and end on March 25, 2016. In addition, since this project is located within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post- LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu, the project is appealable to the California Coastal Commission.

The project is more specifically described in the Planning Director's decision attached hereto.

PUBLIC NOTICE: A Notice of Application and Notice of Decision were mailed to property owners and occupants within a 500-foot radius of the subject property.

ATTACHMENT: Administrative Coastal Development Permit No. 15-036



City of Malibu

23825 Stuart Ranch Road • Malibu, California • 90265
(310) 456-2489 • fax (310) 456-7650 • www.malibucity.org

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 15-036

Categorical Exemption No. 16-014

6800 Westward Beach Road

APN 4468-022-001

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Aloha Expediting, on behalf of the property owner, Francesco Simplicio, for an administrative coastal development permit (ACDP) to install a new alternative onsite wastewater treatment system (AOWTS) to replace the existing onsite wastewater treatment system at a commercial restaurant facility located at 6800 Westward Beach Road. The subject parcel is zoned Commercial Visitor Serving–One (CV-1) and is located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Project Description

The project involves the removal of the existing septic tanks and leach fields and the installation of a new tertiary treatment tank system, grease interceptor tanks and one 5,250 square foot leach field in four zones. The restaurant has an average daily estimated flow of 3,000 Gallons Per Day (GPD) and a total peak daily estimated flow of 10,000 GPD. Once the existing tanks are removed, a 6,000 gallon grease interceptor tank will be installed to collect kitchen wastewater. The grease interceptor tank installation will be followed by the installation of the 12,000 gallon flow equalization tanks. The kitchen wastewater will flow from the grease interceptor and combine with the 12,000 gallon flow equalization tanks. The equalization tanks will be followed by the installation of two 6,000 GPD BioMicrobics HS MBR 6.0 systems installed in precast concrete tanks, followed by two 6,000 GPD anoxic tanks (Attachment 1 – Project Plans).

Local Implementation Plan Section 13.29 (Administrative Permits Applicability)

The Planning Director may process ACDPs if: 1) the proposed project is not appealable as defined in the LCP Local Implementation Plan (LIP) Chapter 2; 2) the proposed project is not within the CCC continuing jurisdiction as defined in Chapter 2 of the LIP; 3) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; 4) water wells; and 5) onsite wastewater treatment system (OWTS).

The project consists of the replacement of an existing septic system and leach fields and installation of a new AOWTS at an existing commercial property. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively. However, since it is located in the appeal jurisdiction, it may be appealed to the California Coastal Commission.

Project Background

- Application Date: May 21, 2015
- Posting of Property: July 23, 2015
- Completeness Determination: February 22, 2016
- Notice of Application Mailer (Attachment 2): February 25, 2016

- Notice of Decision Mailer (Attachment 2): March 10, 2016
- Issuance of ACDP: March 15, 2016
- Planning Commission Reporting: March 21, 2016
- Appeal Period: March 15, 2016 through March 25, 2016

Surrounding Land Uses and Setting

Uses in the immediate area include residential mobile homes, public parking lots and public beach recreational areas. Due to the natural topography of the area, residential developments are located at a higher elevation than the restaurant.

The following uses surround the project:

- To the north, Point Dume Club mobile homes
- To the south, single-family residences and the Point Dume Beach parking lot
- To the east, multi-family residences in the Zuma Bay Villa development
- To the west, Westward Beach

The project site is the only parcel designated CV-1 in the general vicinity. The nearest parcel zoned CV-1 within a 1,500 foot radius is Kristy's Wood Oven and Wine Bar located at 6506 Westward Beach Road, near Pacific Coast Highway.

Although there is ESHA mapped to the east of the property, all proposed development included in this permit application will occur within existing (paved) developed area. As such no new impacts would occur to ESHA.

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15302(c) – Replacement or Reconstruction. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

Local Coastal Program Conformance

The LCP consists of a Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the California Coastal Act in Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a CDP must adhere. The LCP provides a streamlined administrative review process for projects with a scope limited to repair, replacement or upgrade of an OWTS. This project has been reviewed and approved for LCP conformance review by the City geotechnical staff, City Environmental Health Reviewer, City Public Works Department and the City Biologist (Attachment 2 – Department Review Sheets). The findings required for an OWTS-only project by LIP Section 13.29.2 are provided below.

Onsite Wastewater Treatment Systems (LIP Section 13.29.2)

Finding 1. The proposed OWTS is consistent with the LCP and all applicable LCP provisions, local laws and regulations regarding OWTS.

Planning Department staff, City Biologist, City Environmental Health Reviewer, City geotechnical staff, and City Public Works Department have reviewed the proposed project and found it to meet the requirements of the Malibu Plumbing Code, Malibu Municipal Code (MMC) and LCP. The proposed project is for the abandonment of an existing septic tank and leach fields and the installation of a new AOWTS. The project was reviewed and cleared for the potential to adversely affect cultural and biological resources. The applicant is also required to record a covenant indicating the proper operation and maintenance of the AOWTS. In addition, conditions of approval have been included for the proposed project to require continued operation, maintenance and monitoring of the subject system.

Finding 2. The proposed OWTS does not require a new or upgraded shoreline protective device.

The subject parcel is located landward of Westward Beach Road outside the wave uprush zone and therefore, no new or upgraded shoreline protection devices are proposed.

Finding 3. The proposed OWTS is necessary to protect public health and/or improve water quality.

The State Water Resources Control Board requires all development located within the City of Malibu that is not served by a public or private sewage utility to provide treatment of wastewater through an OWTS that meets minimum design standards intended to protect public health. The subject parcel is not served by a public or private sewage utility. The proposed project will provide secondary and tertiary treatment. Therefore, the removal of the existing septic tank and leach fields and installation of a new AOWTS with a grease interceptor and leach fields promotes public health by minimizing potential contamination of the groundwater table in the area and nearby Pacific Ocean.

Finding 4. The proposed OWTS has been conditioned in accordance with the LCP.

As previously discussed in Finding 1, the proposed project has been designed to meet all applicable LCP requirements and has been conditioned in accordance with the LCP.

Approval of Administrative Coastal Development Permit No. 15-036

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves Administrative Coastal Development Permit No. 15-036, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. This approval is for the removal of the existing septic tank and leach fields located in the center of the property beneath the existing paved parking lot, and the installation of a new alternative onsite wastewater treatment system consisting of a 6,000 gallon grease interceptor tank, a 12,000 gallon flow equalization tank, two 6,000 GPD BioMicrobics HS MBR 6.0 systems in precast concrete tanks, two 6,000 GPD anoxic tanks and a 5,280 square foot leach field.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, dated **May 24, 2015**. In the event the project plans conflict with any condition of approval, the condition shall take precedence.
4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.
5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of an AOWTS permit.
6. This decision, signed Affidavit of Acceptance of Conditions, and all attached Department Review Sheets shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the Building Safety Division for plan check.
7. This ACDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension to the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.
8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
9. All structures shall conform to requirements of the Environmental Sustainability Department, City geotechnical staff, City Environmental Health Reviewer, City Biologist, City Public Works Department and the Los Angeles County Waterworks District No. 29 as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.
11. This permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission requests that the ACDP becomes effective, pursuant to LIP Section 13.13.6.
12. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the administrative coastal development permit is effective. The ACDP is not effective until all appeals, including appeals to the CCC, have been exhausted.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.

14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Site Specific Conditions

15. As a condition of approval of new development within or adjacent to an area subject to high wildfire hazards, prior to issuance of the ACDP the property owner shall be required to submit a signed and recorded document which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.
16. The proposed AOWTS shall not displace any existing parking spaces.
17. A construction schedule plan for the proposed work shall be reviewed and approved by the Planning Director prior to Building Safety Division plan check submittal. The plan shall clearly designate the project timing in phases, a primary contact person, and proper traffic control measures, designated areas for construction vehicle parking, and customer parking should the restaurant remain open while the parking lot is closed.
18. The approved project does not include any reconfiguration of the parking spaces on the subject parcel.

Demolition/Solid Waste

19. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.
20. Prior to final building inspection, the applicant shall provide the Environmental Sustainability Department with a Waste Reduction and Recycling Plan (WRRP) Final Summary Report. The Final Summary Report shall designate all materials that were landfilled or recycled, broken down by material types. The Environmental Sustainability Department shall approve the Final Summary Report.
21. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.
22. Prior to issuance of a building/demolition permit, an Affidavit and Certification to implement a WRRP shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction generated by the project.

23. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Deputy Building Official.
24. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Division.

Biology

25. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height or to exceed 2,500 square feet in area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

Environmental Health

26. A final plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the Malibu Plumbing Code, and the LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The AOWTS plot plan shall show essential features of the AOWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11 inches x 17 inches sheet leaving five inch left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches x 22 inches for review by Environmental Health).
27. A final AOWTS design report, plan drawings, and system specifications shall be submitted as to AOWTS design basis and all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed AOWTS. Final design drawings and calculations must be signed by a California-Registered Civil Engineer who is responsible for the design. The final AOWTS design report and drawings shall be submitted with the designer's wet signature, professional registration number and stamp.

The final AOWTS design report shall contain the following information (in addition to the items listed above).

- a. Waste Discharge Requirements (WDRs) for this project have not yet been issued by the Los Angeles Regional Water Quality Control Board (RWQCB). A copy of applicable WDRs issued by the RWQCB must be included with your Plan Check submittal. The City's Plan Check wastewater engineering review will be performed relative to the treatment objectives expressed in the WDRs. Please note that while the wastewater system renovation project has been approved in-concept for the CDP, the final design of the treatment train may need to be substantially modified from what has been shown in the Addendum I Engineering Report (EPD report dated 11-18-2015) based on project-specific WDRs.
- b. The final plan must include a wastewater treatment system sized to accommodate peak flow equivalent to the MPC design flow of 10,000 GPD. The wastewater treatment process shall be reviewed and approved by the City's wastewater engineering consultant (currently Tetra Tech, Inc.) prior to Environmental Health final approval. A review letter issued by Tetra Tech on January 26, 2016 must be attached to the plans. All conditions for final approval must be addressed in the Plan Check submittal.

28. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MPC.
29. The following note shall be added to the plan drawings included with the OWTS final design. "Prior to commencing work to abandon, remove, or replace existing OWTS components an OWTS Abandonment Permit shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtaining of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.
30. Proof of ownership of the subject property shall be submitted to the City Environmental Health Consultant.
31. An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and or operator of the proposed alternative onsite wastewater disposal system.
32. A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. Please note only original "wet signature" documents are acceptable.
33. A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Specialist. The applicant shall submit a certified copy issued by the Los Angeles County Recorder.
34. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a one hundred (100%) percent expansion effluent dispersal area (i.e., replacement disposal field(s) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. The applicant shall submit a certified copy issued by the Los Angeles County Recorder.
35. City of Malibu geotechnical staff final approval of the AOWTS plan shall be submitted.
36. City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.

- 37. A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.
- 38. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

Geology

- 39. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.
- 40. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved ACDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require an ACDP amendment or a new ACDP.

Public Works

- 41. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the grading/building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

- 42. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.

Fixed Conditions

- 43. This ACDP runs with the land and binds all future owners of the property.

44. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

Appeals

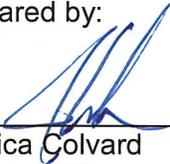
LOCAL APPEAL – Pursuant to LIP Section 13.20.1 (Local Appeals), a decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **March 25, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **March 21, 2016** Regular Planning Commission meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Jessica Colvard in the Planning Department at (310) 456-2489, extension 234, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: March 15, 2016

Prepared by:



Jessica Colvard
Assistant Planner

Approved by:



Bonnie Blue, AICP
Planning Director

Attachments:

1. Project Plans
2. Department Review Sheets
3. Notices

All reports referenced are available for review at City Hall.

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for **ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 15-036**, dated **March 15, 2016**, for the project located at **6800 Westward Beach Road, MALIBU, CALIFORNIA 90265**. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

Date

Signature of Property Owner

Print Property Owner Name

Date

Signature of Property Owner

Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
County of Los Angeles } SS

On _____, before me, Notary Public, personally appeared _____, who proved
(date) (name)

to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Notary Public's signature in and for said County and State)

(seal)

ONSITE WASTEWATER TREATMENT & DISPERSAL SYSTEM

FOR

**THE SUNSET RESTAURANT
6800 WESTWARD BEACH ROAD
MALIBU, CALIFORNIA 90265**

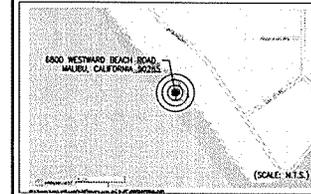
PREPARED FOR:

FRANCO SIMPLICIO
6800 WESTWOOD BEACH ROAD
MALIBU, CA 90265

PREPARED BY:

EPD CONSULTANTS, INC.
20722 MAIN STREET
CARSON, CA 90745
TEL. 310.241.6565
FAX. 310.241.6566

VICINITY MAP



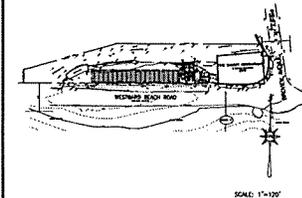
CONSULTANT

GEOLOGIST:
LAND PHASES, INC.
5158 COCHRAN STREET
SIMI VALLEY, CA 93063
TEL. 805.522.5174
FAX. 805.582.1228

COASTAL ENGINEER:
DAVID C. WEISS STRUCTURAL ENGINEER & ASSOCIATES
24372 VANOWEN STREET, STE. 104
WEST HILLS, CA 91307
TEL. 818.227.8040
FAX. 818.227.8041

SURVEYOR:
PEAK SURVEYS, INC.
2488 TOWNSGATE ROAD, STE. D
WESTLAKE VILLAGE, CA 91361
TEL. 805.497.0102
FAX. 805.455.7014

KEY MAP



DRAWING INDEX

SHEET NO.	DESCRIPTION
G-1	TITLE SHEET
W1.00	OWS DEMOLITION PLAN
W1.01	OWS OVERALL SITE PLAN
W1.02	OWS SITE PLAN

PRELIMINARY - NOT FOR CONSTRUCTION



NO.	REVISIONS	DATE	BY
1.	CHANGE TREATMENT TO WBR	11/18/15	MP



All design, ideas, arrangements and plans indicated by these drawings and specifications are the property of EPD CONSULTANTS, INC. and shall not be used on any other work not be disclosed to any other person for any use whatsoever without the written consent of EPD CONSULTANTS, INC. In the event of any discrepancy over scaled dimensions and that be the responsibility of the drafter. The drafter shall be responsible for the accuracy of the drawings and shall be held liable for any discrepancy prior to the commencement of work.

SHEET	TITLE SHEET	SCALE	DRAWN BY	SI
	ONSITE WASTEWATER TREATMENT			
	PROJECT: 6800 WESTWARD BEACH ROAD			
	SHEET: MALIBU CA 90265			
	DATE: 4/27/15			

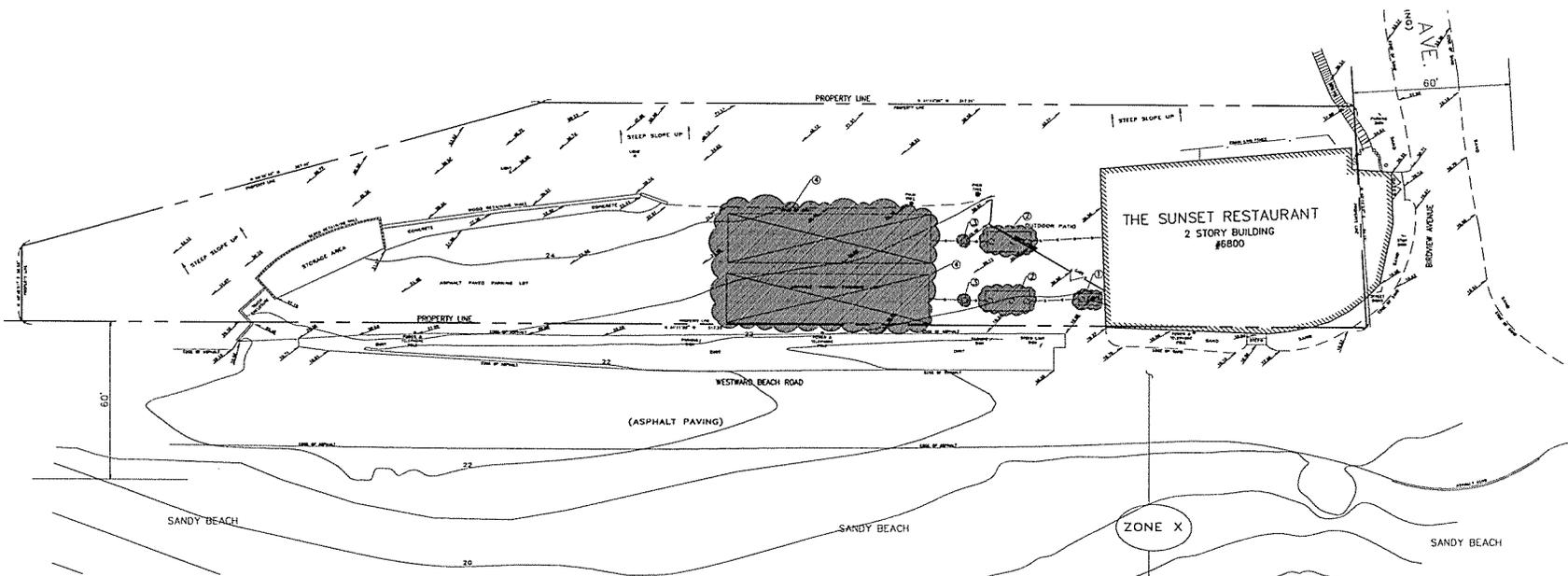
PROJECT NO.	DRAWING NO.
R210	G-1

SHEET 1 OF 6 SHEETS

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

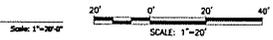
LEGEND	
---	PROPERTY LINE
▨	(1) RESTAURANT STRUCTURE
---	(2) SS PIPE
▨	(3) OWS ITEM TO BE ABANDONED OR DEMOLISHED

DEMOLITION NOTES:
 1. THIS PLAN IS ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) DEMOLITION PLAN ONLY.
 2. TOPOGRAPHIC SURVEY DATED AUGUST, 2015 PROVIDED BY PSM SURVEYS, INC. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN MOVIES DATUM.
 3. EXISTING SEPTIC COMPONENTS SHALL BE ABANDONED OR DEMOLISHED AS NECESSARY BY THE CONTRACTOR PER THE MPC. THE APPROXIMATE LOCATION OF EXISTING SEPTIC COMPONENTS PROVIDED PER SEPTIC INSPECTION REPORT BY MOSSER PLUMBING DATED 3/13/2013.
 REMOVAL OF ALL SEPTIC COMPONENTS SHALL FOLLOW ASTM D1557 AND BE EXECUTED IN ACCORDANCE WITH APPLICABLE OSHA AND CAL/OSHA STANDARDS. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING OWS COMPONENTS AN OWS ABANDONMENT PERMIT SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.



- DEMOLITION PLAN KEY NOTES:**
- (1) EXISTING 1,000-GAL GREASE INTERCEPTOR TANK TO BE ABANDONED PER MPC. APPROXIMATE LOCATION PER CITY OF MALIBU SEPTIC PERMIT, DATED 11-22-1999 AND SEPTIC INSPECTION REPORT BY MOSSER PLUMBING DATED 3/13/2013.
 - (2) EXISTING 5,000-GAL SEPTIC TANK (TYP. OF 2) TO BE ABANDONED PER MPC. APPROXIMATE LOCATION PER CITY OF MALIBU SEPTIC PERMIT, DATED 11-22-1999 AND SEPTIC INSPECTION REPORT BY MOSSER PLUMBING DATED 3/13/2013.
 - (3) EXISTING 0-BOX (TYP. OF 2) TO BE ABANDONED PER MPC. APPROXIMATE LOCATION PER CITY OF MALIBU SEPTIC PERMIT, DATED 11-22-1999 AND SEPTIC INSPECTION REPORT BY MOSSER PLUMBING DATED 3/13/2013.
 - (4) EXISTING LEACH TRENCH (80'X30')(TYP. OF 2) TO BE ABANDONED PER MPC. APPROXIMATE LOCATION PER CITY OF MALIBU SEPTIC PERMIT, DATED 11-22-1999 AND SEPTIC INSPECTION REPORT BY MOSSER PLUMBING DATED 3/13/2013.

1 ONSITE WASTEWATER SYSTEM (OWS) DEMOLITION PLAN



PRELIMINARY - NOT FOR CONSTRUCTION

PERSONAL SERVICE, INC. HAS NOT BE REPRODUCED OR ON LINE FOR UNAUTHORIZED CHANGE TO OR USE OF THESE PLANS. ALL CHANGES TO THESE PLANS MUST BE APPROVED BY THE DRAWER OF THESE PLANS.



JOHN HARRY PERLUT
 CHAIRMAN OF THE BOARD
 PROFESSIONAL ENGINEER
 LICENSE NO. 10000

DATE	BY	REVISIONS
11/19/15	SI	1. CHANGE TREATMENT TO HBR

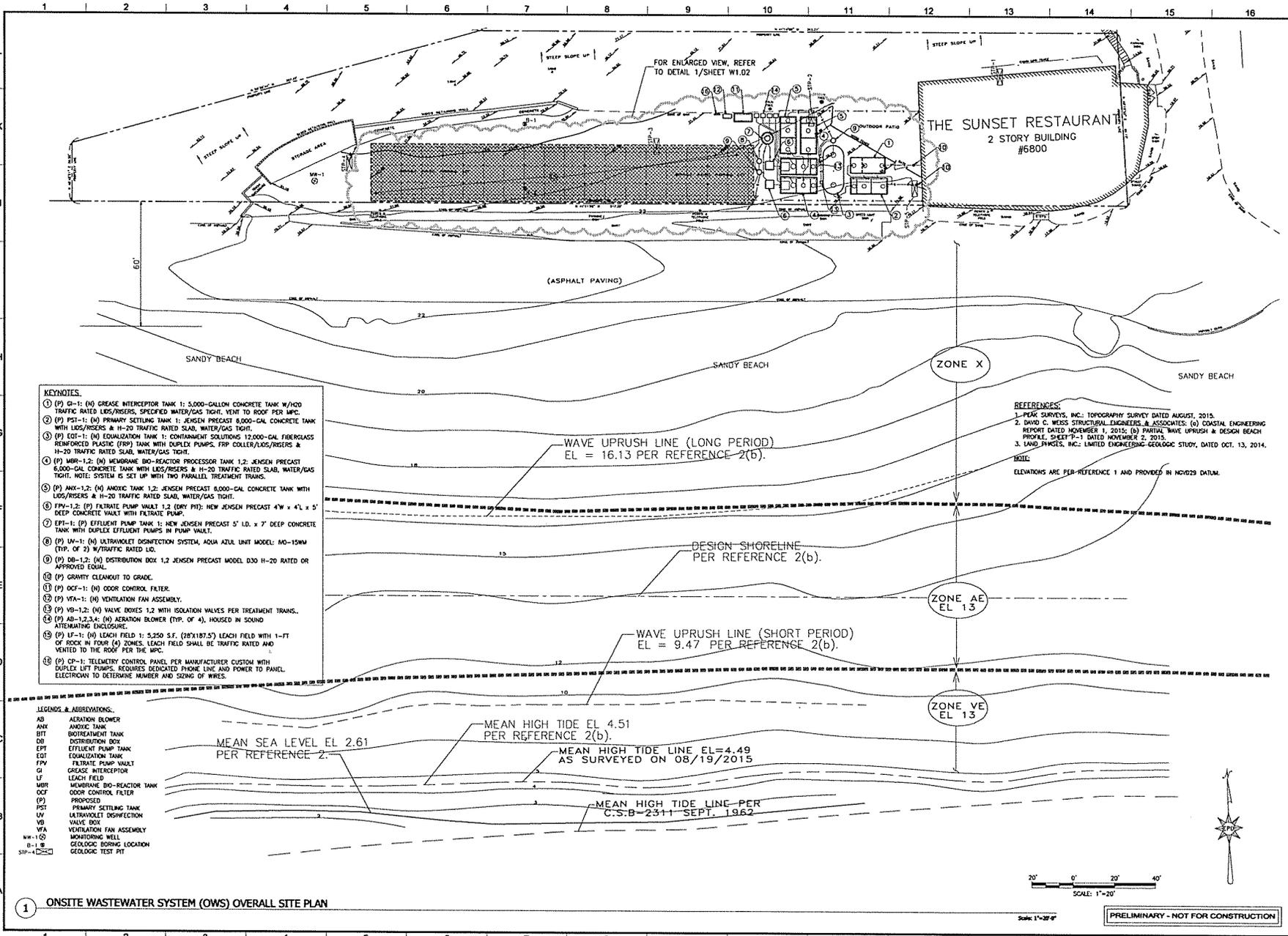


All design ideas, arrangements and plans submitted by these drawings and specifications are the property and copyright of the Engineer and shall neither be reproduced nor used in any way without the written permission of the Engineer. Any written permission, in written dimensions shall be verified at the job site. Any dimensional discrepancy shall be the responsibility of the Engineer prior to the commencement of work.

SHEET TITLE	OWS DEMOLITION PLAN	SCALE	AS SHOWN	DRAWN BY	SI
PROJECT	OWS DEMOLITION PLAN				
ADDRESS	100 WESTWAY BEACH ROAD MALIBU, CA 90263				
DATE	4/27/15				

PROJECT NO. R210
 DRAWING NO.

W1.00
 SHEET 2 OF 6 SHEETS



- KEYNOTES:**
- ① (P) GI-1: (H) GREASE INTERCEPTOR TANK 1: 5,000-GALLON CONCRETE TANK W/40D TRAFFIC RATED LIDS/RISERS, SPECIFIED WATER/GAS TIGHT, VENT TO ROOF PER IMC.
 - ② (P) PST-1: (H) PRIMARY SETTLING TANK 1: JENSEN PRECAST 8,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - ③ (P) EQT-1: (H) EQUALIZATION TANK 1: CONTAINMENT SOLUTIONS 12,000-GAL FIBERGLASS REINFORCED PLASTIC (FRP) TANK WITH DUPLEX PUMPS, FRP COLLAR/LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - ④ (P) MBR-1.2: (H) MEMBRANE BIO-REACTOR PROCESSOR TANK 1.2: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT. NOTE: SYSTEM IS SET UP WITH TWO PARALLEL TREATMENT TRANS.
 - ⑤ (P) ANX-1.2: (H) ANOXIC TANK 1.2: JENSEN PRECAST 8,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - ⑥ (P) FPV-1.2: (P) FILTRATE PUMP VAULT 1.2 (DRY PIT): NEW JENSEN PRECAST 4'W x 4'L x 5' DEEP CONCRETE VAULT WITH FILTRATE PUMP.
 - ⑦ (P) EPT-1: (P) EFFLUENT PUMP TANK 1: NEW JENSEN PRECAST 5' I.D. x 7' DEEP CONCRETE TANK WITH DUPLEX EFFLUENT PUMPS IN PUMP VAULT.
 - ⑧ (P) UV-1: (H) ULTRAVIOLET DISINFECTION SYSTEM, AQUA AZUL UNIT MODEL: AQ-15W (TYP. OF 2) W/TRAFFIC RATED LID.
 - ⑨ (P) DB-1.2: (H) DISTRIBUTION BOX 1.2 JENSEN PRECAST MODEL D30 H-20 RATED OR APPROVED EQUAL.
 - ⑩ (P) GRAVITY CLEANOUT TO GRADE.
 - ⑪ (P) OCF-1: (H) ODOOR CONTROL FILTER.
 - ⑫ (P) VFA-1: (H) VENTILATION FAN ASSEMBLY.
 - ⑬ (P) VB-1.2: (H) VALVE BOXES 1.2 WITH ISOLATION VALVES PER TREATMENT TRANS.
 - ⑭ (P) AB-1.2, 3.4: (H) AERATION BLOWER (TYP. OF 4), HOUSED IN SOUND ATTENUATING ENCLOSURE.
 - ⑮ (P) LF-1: (H) LEACH FIELD 1: 5,250 S.F. (28'X187.5') LEACH FIELD WITH 1-FIT OF ROCK IN FLOOR (4) ZONES. LEACH FIELD SHALL BE TRAFFIC RATED AND VENTED TO THE ROOF PER IMC.
 - ⑯ (P) CP-1: TELEMETRY CONTROL PANEL PER MANUFACTURER CUSTOM WITH DUPLEX LIFT PUMPS. REQUIRES DEDICATED PHONE LINE AND POWER TO PANEL. ELECTRONIC TO DETERMINE NUMBER AND SIZING OF WIRES.

- LEGENDS & ABBREVIATIONS:**
- AB AERATION BLOWER
 - ANX ANOXIC TANK
 - BTI BIODTREATMENT TANK
 - DB DISTRIBUTION BOX
 - EPT EFFLUENT PUMP TANK
 - EQT EQUALIZATION TANK
 - FPV FILTRATE PUMP VAULT
 - GI GREASE INTERCEPTOR
 - LF LEACH FIELD
 - MBR MEMBRANE BIO-REACTOR TANK
 - OCF ODOOR CONTROL FILTER
 - (P) PROPOSED
 - PST PRIMARY SETTLING TANK
 - UV ULTRAVIOLET DISINFECTION
 - VB VALVE BOX
 - VFA VENTILATION FAN ASSEMBLY
 - W-1(S) MONITORING WELL
 - B-1(S) GEOLOGIC BORING LOCATION
 - SIP-1(S) GEOLOGIC TEST PIT

1. **ONSITE WASTEWATER SYSTEM (OWS) OVERALL SITE PLAN**

Scale: 1"=20'

PRELIMINARY - NOT FOR CONSTRUCTION

REFERENCES:

1. PEAK SURVEYS, INC.: TOPOGRAPHY SURVEY DATED AUGUST, 2015.
2. DAVID C. WESS STRUCTURAL ENGINEERS & ASSOCIATES: (a) COASTAL ENGINEERING REPORT DATED NOVEMBER 1, 2015; (b) PARTIAL WAVE UPRUSH & DESIGN BEACH PROFILE, SHEET P-1 DATED NOVEMBER 2, 2015.
3. LAND FINISHES, INC.: LIMITED ENGINEERING GEOLOGIC STUDY, DATED OCT. 13, 2014.

NOTE:
ELEVATIONS ARE PER REFERENCE 1 AND PROVIDED IN NOV29 DATUM.



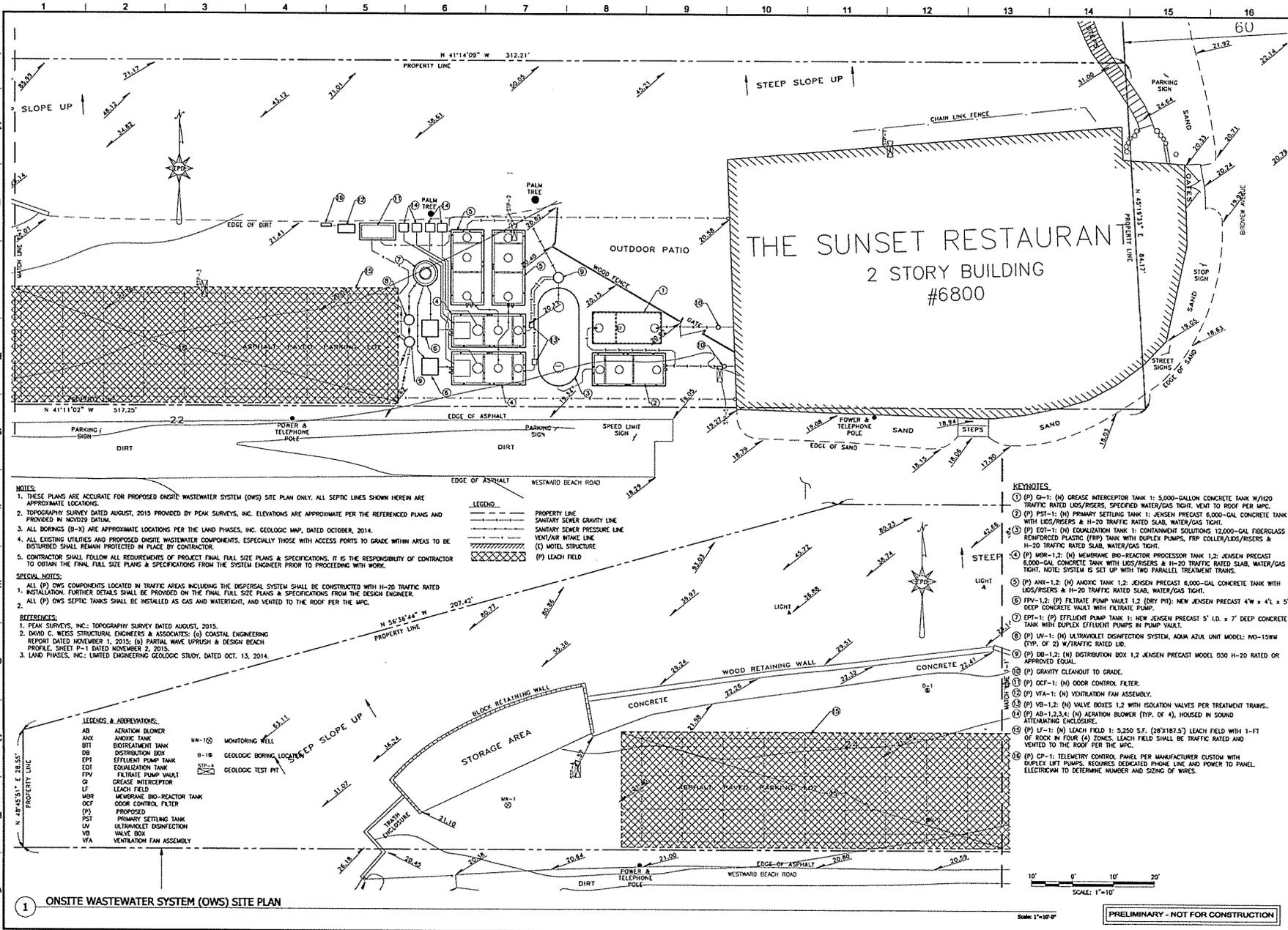
DATE:	11/19/15	SI
NO.:		
BY:		
FOR:		
PROJECT:		
DESCRIPTION:	1. CHANGE TREATMENT TO MBR	



All design, ideas, arrangements and plans indicated by these drawings and specifications are the property of the engineer and shall not be used or duplicated in any other work without the written consent of the engineer. No part of these drawings or specifications shall be used for any other purpose without the written consent of the engineer. Any dimensional discrepancy noted on these drawings shall be the responsibility of the engineer prior to the commencement of work.

SHEET TITLE:	ONSITE WASTEWATER SYSTEM (OWS) OVERALL SITE PLAN
PROJECT:	ONSITE WASTEWATER TREATMENT
ADDRESS:	800 WESTWARD BEACH ROAD MALIBU, CA 90265
DATE:	4/27/15
SCALE:	AS SHOWN
DRAWN BY:	SI

PROJECT NO.:	R210
DRAWING NO.:	W1.01
SHEET	3 OF 6 SHEETS



- NOTES:**
1. THESE PLANS ARE ACCURATE FOR PROPOSED ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
 2. TOPOGRAPHY SURVEY DATED AUGUST, 2013 PROVIDED BY PEAK SURVEYS, INC. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN NAVD83 DATUM.
 3. ALL BORINGS (B-X) ARE APPROXIMATE LOCATIONS PER THE LAND PHASES, INC. GEOLOGIC MAP, DATED OCTOBER, 2014.
 4. ALL EXISTING UTILITIES AND PROPOSED ONSITE WASTEWATER COMPONENTS, ESPECIALLY THOSE WITH ACCESS PORTS TO GRADE WITHIN AREAS TO BE DISTURBED SHALL REMAIN PROTECTED IN PLACE BY CONTRACTOR.
 5. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE RESPONSIBILITY OF CONTRACTOR TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
- SPECIAL NOTES:**
1. ALL (P) OWS COMPONENTS LOCATED IN TRAFFIC AREAS INCLUDING THE DISPERAL SYSTEM SHALL BE CONSTRUCTED WITH H-20 TRAFFIC RATED.
 2. INSTALLATION, FURTHER DETAILS SHALL BE PROVIDED ON THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE DESIGN ENGINEER.
 3. ALL (P) OWS SEPTIC TANKS SHALL BE INSTALLED AS GAS AND WATER TIGHT, AND VENTED TO THE ROOF PER THE MPC.
- REFERENCES:**
1. PEAK SURVEYS, INC.: TOPOGRAPHY SURVEY DATED AUGUST, 2013.
 2. DAVID C. WELLS STRUCTURAL ENGINEERS & ASSOCIATES: (S) COASTAL ENGINEERING REPORT DATED NOVEMBER 1, 2015; (B) PARTIAL WAVE UPRUSH & DESIGN BEACH PROFILE, SHEET P-1 DATED NOVEMBER 2, 2015.
 3. LAND PHASES, INC.: LIMITED ENGINEERING GEOLOGIC STUDY, DATED OCT. 13, 2014.

- LEGENDS & ABBREVIATIONS:**
- | | | | |
|-----|---------------------------|--------|--------------------------|
| AB | AERATION BLOWER | MR-100 | MONITORING WELL |
| ANK | ANODIC TANK | B-19 | GEOLOGIC BORING LOCATION |
| BT | BIORETENTION TANK | STP-4 | GEOLOGIC TEST PIT |
| DB | DISTRIBUTION BOX | | |
| EPT | EFFLUENT PUMP TANK | | |
| EQT | EQUALIZATION TANK | | |
| FPV | FILTRATE PUMP VAULT | | |
| GI | GREASE INTERCEPTOR | | |
| LF | LEACH FIELD | | |
| MBR | MEMBRANE BIO-REACTOR TANK | | |
| OCF | ODOR CONTROL FILTER | | |
| (P) | PROPOSED | | |
| PST | PRIMARY SETTLING TANK | | |
| UV | ULTRAVIOLET DISINFECTION | | |
| VB | VALVE BOX | | |
| VFA | VENTILATION FAN ASSEMBLY | | |

- KEYNOTES:**
- (1) GI-1: (N) GREASE INTERCEPTOR TANK 1: 5,000-GALLON CONCRETE TANK W/100 TRAFFIC RATED LIDS/RSERS, SPECIFIED WATER/GAS TIGHT, VENT TO ROOF PER MPC.
 - (2) PST-1: (N) PRIMARY SETTLING TANK 1: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RSERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - (3) EQT-1: (N) EQUALIZATION TANK 1: CONTAINMENT SOLUTIONS 12,000-GAL FIBERGLASS REINFORCED PLASTIC (FRP) TANK WITH DUPLEX PUMPS, FRP COLLER/LIDS/RSERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - (4) MBR-1,2: (N) MEMBRANE BIO-REACTOR PROCESSOR TANK 1,2: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RSERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT. NOTE: SYSTEM IS SET UP WITH TWO PARALLEL TREATMENT TRAINS.
 - (5) ANK-1,2: (N) ANODIC TANK 1,2: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RSERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
 - (6) FPV-1,2: (P) FILTRATE PUMP VAULT 1,2 (DRY PIT): NEW JENSEN PRECAST 4'W x 4'L x 5' DEEP CONCRETE VAULT WITH FILTRATE PUMP.
 - (7) EPT-1: (P) EFFLUENT PUMP TANK 1: NEW JENSEN PRECAST 5' LD. x 7' DEEP CONCRETE TANK WITH DUPLEX EFFLUENT PUMPS IN PUMP VAULT.
 - (8) UV-1: (N) ULTRAVIOLET DISINFECTION SYSTEM, AQUA ULTR UNIT MODEL: UD-150W (TYP. OF 2) W/TRAFFIC RATED LID.
 - (9) DB-1,2: (N) DISTRIBUTION BOX 1,2 JENSEN PRECAST MODEL D30 H-20 RATED OR APPROVED EQUAL.
 - (10) (P) GRAVITY CLEANOUT TO GRADE.
 - (11) (P) OCF-1: (N) ODOR CONTROL FILTER.
 - (12) (P) VFA-1: (N) VENTILATION FAN ASSEMBLY.
 - (13) (P) VB-1,2: (N) VALVE BOXES 1,2 WITH ISOLATION VALVES PER TREATMENT TRAINS, ATTERRAINING ENCLOSURE.
 - (14) (P) AB-1,2,3,4: (N) AERATION BLOWER (TYP. OF 4), HOUSED IN SOUND ATTERRAINING ENCLOSURE.
 - (15) (P) LF-1: (N) LEACH FIELD 1: 5,250 S.F. (28'x187.5') LEACH FIELD WITH 1-FIT OF ROCK IN FOUR (4) ZONES, LEACH FIELD SHALL BE TRAFFIC RATED AND VENTED TO THE ROOF PER MPC.
 - (16) (P) CP-1: TELEMETRY CONTROL PANEL PER MANUFACTURER CUSTOM WITH DUPLEX LIFT PUMPS. REQUIRES DEDICATED PHONE LINE AND POWER TO PANEL. ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.

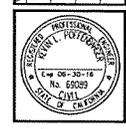
1. ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN

Scale: 1"=10'-0"

PRELIMINARY - NOT FOR CONSTRUCTION



DATE:	11/18/15
BY:	SI
REVISIONS:	
1. CHANGE TREATMENT TO MBR	



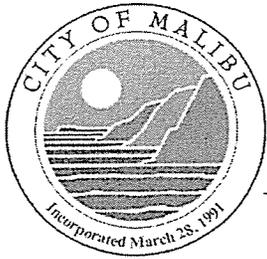
All design, issues, arrangements and plans indicated by these drawings and specifications are the property of the design engineer and shall not be used on any other work not be disclosed to any other person without the written consent of the design engineer. The design engineer shall not be responsible for any errors or omissions in the drawings or specifications or for any consequences arising therefrom which may be brought to the attention of the Engineer prior to the commencement of work.

SHEET TITLE:	OWS SITE PLAN
PROJECT:	OWS WASTEWATER TREATMENT
ADDRESS:	8800 WESTWARD BEACH ROAD
CITY:	MALIBU, CA 90265
DATE:	4/27/15
SCALE:	AS SHOWN
DRAWN BY:	SI
CHECKED BY:	SI

PROJECT NO. R210

DRAWING NO. W1.02

SHEET 4 OF 6 SHEETS

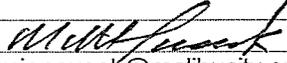


City of Malibu

Environmental Health • Environmental Sustainability Department
 23825 Stuart Ranch Road • Malibu, California • 90265-4861
 Phone (310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant : (name and email address)	Gigi Goyette gigigoyette@mac.com	
Project Address:	6800 Westward Beach Road Malibu, California 90265	
Planning Case No.:	ACDP 15-036	
Project Description:	New alternative onsite wastewater treatment system (AOWTS)	
Date of Review:	January 28, 2016	
Reviewer:	Matt Janousek	Signature: 
Contact Information:	Phone: 310-456-2489 x 307	Email: mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	None submitted
Grading Plans:	None submitted
OWTS Plan:	EPD Consultants: Preliminary OWTS plan issued 4-27-2015 (revised 11-18-2015)
OWTS Report:	EPD Consultants: Engineering feasibility report dated 5-4-2015; Cumulative impact analysis report dated 10-16-2015; Add. I engineering report dated 11-18-2015
Geology Report:	Land Phases: OWTS supporting geology report dated 10-13-2014
Miscellaneous:	David C. Weiss: Coastal engineering report dated 11-1-2015
Previous Reviews:	6-15-2015

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
Plan Check Stage:	<input type="checkbox"/>	APPROVED
	<input checked="" type="checkbox"/>	NOT APPROVED Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	<input type="checkbox"/>	NOT REQUIRED
	<input checked="" type="checkbox"/>	REQUIRED (attached hereto) <input type="checkbox"/> REQUIRED (not attached)

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed AOWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2013 Edition with City of Malibu local amendments (Malibu Municipal Code Section 12.12; hereinafter MPC), and the City of Malibu Local Coastal Program/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project



consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project AOWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review

- 1) **Final AOWTS Plot Plan:** A final plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The AOWTS Plot Plan shall show essential features of the AOWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).
- 2) **AOWTS Design Report and System Specifications:** A final design report, plan drawings, and system specifications shall be submitted as to the AOWTS design basis and all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed AOWTS. Final design drawings and calculations must be signed by a California-registered Civil Engineer who is responsible for the design. The final AOWTS design report and drawings shall be submitted with the designer's wet signature, professional registration number, and stamp.
 - a. **Waste Discharge Requirements:** Waste Discharge Requirements (WDRs) for this project have not yet been issued by the Los Angeles Regional Water Quality Control Board (RWQCB). A copy of applicable WDRs issued by the RWQCB must be included with your Plan Check submittal. The City's Plan Check wastewater engineering review will be performed relative to the treatment objectives expressed in the WDRs. Please note that while the wastewater system renovation project has been approved in-concept for the Coastal Development Permit, the final design of the treatment train *may* need to be substantially modified from what has been shown in the Addendum I Engineering Report (EPD report dated 11-18-2015) based on project-specific WDRs.
 - b. **Treatment System Design:** The final plan must include a wastewater treatment system sized to accommodate peak flow equivalent to the MPC design flow of 10,000 gallons per day. The wastewater treatment process shall be reviewed and approved by the City's wastewater engineering consultant (currently Tetra Tech, Inc.) prior to Environmental Health final approval. A review letter issued by Tetra Tech on January 26, 2016 is attached hereto; all conditions for final approval must be addressed in your first Plan Check submittal.



- 3) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MPC.
- 4) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design. "Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."
- 5) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.
- 6) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.
- 7) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. **Please note only original "wet signature" documents are acceptable.**
- 8) **AOWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. **Please submit a certified copy issued by the Los Angeles County Recorder.**



- 9) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s), and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. **Please submit a certified copy issued by the Los Angeles County Recorder.**
- 10) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan shall be submitted.
- 11) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.
- 12) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.
- 13) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

Attachment: TetraTech, Inc. review letter dated January 26, 2016

cc: Environmental Health file
Planning Department



THE SUNSET RESTAURANT
6800 WESTWARD BEACH ROAD
MALIBU, CA 90265

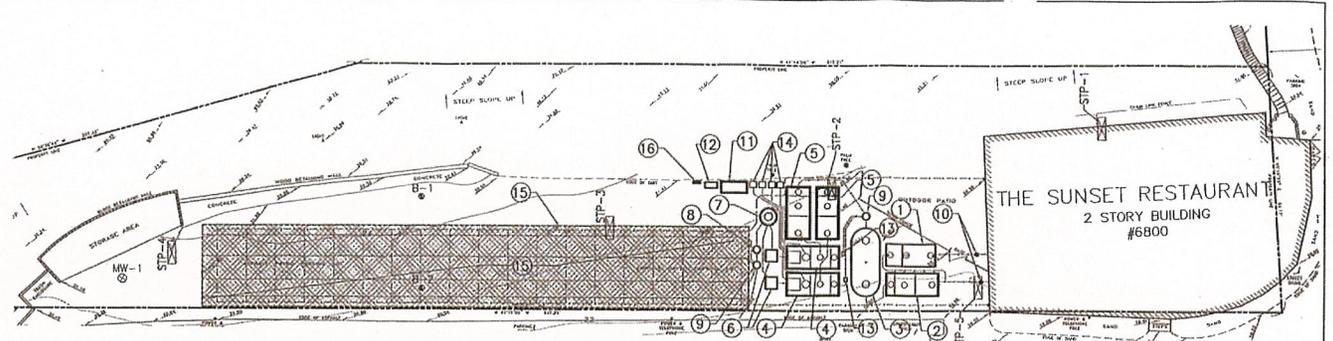
(ACDP 15-036)

RESTAURANT:	200 Seats (E)
GREASE TRAP:	5,000 Gallon (N)
PRIMARY TANK:	6,000 Gallon Jensen Precast (N)
EQUALIZATION TANK:	12,000 Gallon Fiberglass Reinforced Plastic (N)
PROCESSOR TANK:	2 - 6,000 Gallon Jensen Precast Membrane Bio-Reactor (N)
ANOXIC TANK:	2 - 6,000 Gallon Jensen Precast (N)
PUMP STATION:	2 - 4' x 4' x 5' Effluent Pump Vault (N) 5' x 7' Jensen Precast Effluent Pump Tank (N)
DISINFECTION:	UV Disinfection, Aqua Azul IVO-15WM (N)
DISPERSAL:	5,250 (28' x 107.5') Leachfield w/1' extra rock in 4 zones (N)
LOADING RATE:	1.9 gpd/sf (peak), 0.57 gpd/sf (avg)
DESIGNER:	Kevin Poffenbarger, RCE (69089)
REFERENCE:	EPD Consultants: OWTS feasibility report dated 5-4-2015; Add. I report dated 11-18-2015

NOTES:

1. This conformance review is for renovation of the onsite wastewater treatment system for the subject facility. The alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

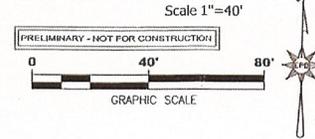
CITY OF MALIBU ENVIRONMENTAL SUSTAINABILITY DEPT ENVIRONMENTAL HEALTH	
CONFORMANCE REVIEW	
JAN 28 2016	
SIGNATURE:	<i>Kevin Poffenbarger</i>
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.	



1 ONSITE WASTEWATER SYSTEM PLOT PLAN

KEYNOTES

- 1 (P) GI-1: (N) GREASE INTERCEPTOR TANK 1: 5,000-GALLON CONCRETE TANK W/H2O TRAFFIC RATED LIDS/RISERS, SPECIFIED WATER/GAS TIGHT. VENT TO ROOF PER MPC.
- 2 (P) PST-1: (N) PRIMARY SETTLING TANK 1: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
- 3 (P) EQT-1: (N) EQUALIZATION TANK 1: CONTAINMENT SOLUTIONS 12,000-GAL FIBERGLASS REINFORCED PLASTIC (FRP) TANK WITH DUPLEX PUMPS, FRP COLLER/LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
- 4 (P) MBR-1,2: (N) MEMBRANE BIO-REACTOR PROCESSOR TANK 1,2: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT. NOTE: SYSTEM IS SET UP WITH TWO PARALLEL TREATMENT TRAINS.
- 5 (P) ANX-1,2: (N) ANOXIC TANK 1,2: JENSEN PRECAST 6,000-GAL CONCRETE TANK WITH LIDS/RISERS & H-20 TRAFFIC RATED SLAB, WATER/GAS TIGHT.
- 6 (P) FPV-1,2: (P) FILTRATE PUMP VAULT 1,2 (DRY PIT): NEW JENSEN PRECAST 4'W x 4'L x 5' DEEP CONCRETE VAULT WITH FILTRATE PUMP.
- 7 (P) EPT-1: (P) EFFLUENT PUMP TANK 1: NEW JENSEN PRECAST 5' I.D. x 7' DEEP CONCRETE TANK WITH DUPLEX EFFLUENT PUMPS IN PUMP VAULT.
- 8 (P) UV-1: (N) ULTRAVIOLET DISINFECTION SYSTEM, AQUA AZUL UNIT MODEL: IVO-15WM (TYP. OF 2) W/TRAFFIC RATED LID.
- 9 (P) DB-1,2: (N) DISTRIBUTION BOX 1,2 JENSEN PRECAST MODEL D30 H-20 RATED OR APPROVED EQUAL.
- 10 (P) GRAVITY CLEANOUT TO GRADE.
- 11 (P) OCF-1: (N) ODOR CONTROL FILTER.
- 12 (P) VFA-1: (N) VENTILATION FAN ASSEMBLY.
- 13 (P) VB-1,2: (N) VALVE BOXES 1,2 WITH ISOLATION VALVES PER TREATMENT TRAINS..
- 14 (P) AB-1,2,3,4: (N) AERATION BLOWER (TYP. OF 4), HOUSED IN SOUND ATTENUATING ENCLOSURE.
- 15 (P) LF-1: (N) LEACH FIELD 1: 5,250 S.F. (28'x187.5') LEACH FIELD WITH 1-FT OF ROCK IN FOUR (4) ZONES. LEACH FIELD SHALL BE TRAFFIC RATED AND VENTED TO THE ROOF PER THE MPC.
- 16 (P) CP-1: TELEMETRY CONTROL PANEL PER MANUFACTURER CUSTOM WITH DUPLEX LIFT PUMPS. REQUIRES DEDICATED PHONE LINE AND POWER TO PANEL. ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.



LEGENDS & ABBREVIATIONS:

AB	AERATION BLOWER
ANX	ANOXIC TANK
BIT	BIOTREATMENT TANK
DB	DISTRIBUTION BOX
EPT	EFFLUENT PUMP TANK
EQT	EQUALIZATION TANK
FPV	FILTRATE PUMP VAULT
GI	GREASE INTERCEPTOR
LF	LEACH FIELD
MBR	MEMBRANE BIO-REACTOR TANK
OCF	ODOR CONTROL FILTER
(P)	PROPOSED
PST	PRIMARY SETTLING TANK
UV	ULTRAVIOLET DISINFECTION
VB	VALVE BOX
VFA	VENTILATION FAN ASSEMBLY
MW-1	MONITORING WELL
B-1	GEOLOGIC BORING LOCATION
STP-4	GEOLOGIC TEST PIT

- NOTES:
1. THESE PLANS ARE ACCURATE FOR PROPOSED ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
 2. TOPOGRAPHY SURVEY DATED AUGUST, 2015 PROVIDED BY PEAK SURVEYS, INC. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN NGVD29 DATUM.
 3. ALL BORINGS (B-X) ARE APPROXIMATE LOCATIONS PER THE LAND PHASES, INC. GEOLOGIC MAP, DATED OCTOBER, 2014.
 4. ALL EXISTING UTILITIES AND PROPOSED ONSITE WASTEWATER COMPONENTS, ESPECIALLY THOSE WITH ACCESS PORTS TO GRADE WITHIN AREAS TO BE DISTURBED SHALL REMAIN PROTECTED IN PLACE BY CONTRACTOR.
 5. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE RESPONSIBILITY OF CONTRACTOR TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
- SPECIAL NOTES:
1. ALL (P) OWS COMPONENTS LOCATED IN TRAFFIC AREAS INCLUDING THE DISPERSAL SYSTEM SHALL BE CONSTRUCTED WITH H-20 TRAFFIC RATED INSTALLATION. FURTHER DETAILS SHALL BE PROVIDED ON THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE DESIGN ENGINEER.
 2. ALL (P) OWS SEPTIC TANKS SHALL BE INSTALLED AS GAS AND WATERTIGHT, AND VENTED TO THE ROOF PER THE MPC.

D. REVISIONS:	DATE:	BY:	ADDRESS:
CHANGE TREATMENT TO MBR	11/18/15	SI	6800 WESTWARD BEACH ROAD MALIBU, CA 90265

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) PLOT PLAN		
PROJECT: THE SUNSET RESTAURANT		
DATE	SCALE	DRAWN BY
4/27/15	AS_SHOWN	SI

PROJECT NO. R210
DRAWING NO. W0.01
SHEET 1 of 1 SHEETS



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

TO: Public Works Department DATE: 5/21/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 15-036

JOB ADDRESS: 6800 WESTWARD BEACH RD, 1

APPLICANT / CONTACT: Gigi Goyette, Aloha Expediting

APPLICANT ADDRESS: 33169 Decker School Road
Malibu, CA 90265

APPLICANT PHONE #: (310) 980-7290

APPLICANT FAX #: _____

APPLICANT EMAIL: gigigoyette@mac.com

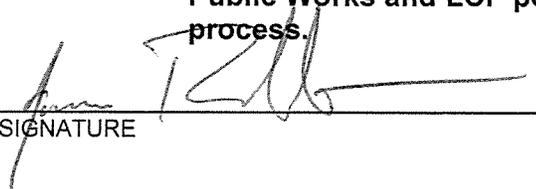
PROJECT DESCRIPTION: N AOWTS

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

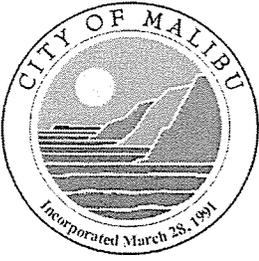
The following items described on the attached memorandum shall be addressed and resubmitted.

The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.


SIGNATURE

6/1/15
DATE

TIB



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
 Jorge Rubalcava, Assist. Civil Engineer *R*

Date: June 1, 2015

Re: Proposed Conditions of Approval for 6800 Westward Beach Rd. CDP 15-036

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

STORMWATER

1. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management



All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANEOUS

2. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-3356

COASTAL ENGINEERING REVIEW REFERRAL SHEET

ACDP 15-036

TO: City of Malibu Coastal Engineer Staff DATE: 5/21/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 15-036

JOB ADDRESS: 6800 WESTWARD BEACH RD, 1

APPLICANT / CONTACT: Gigi Goyette, Aloha Expediting

APPLICANT ADDRESS: 33169 Decker School Road
Malibu, CA 90265

APPLICANT PHONE #: (310) 980-7290

APPLICANT FAX #:

APPLICANT EMAIL: alohaexpediting@gmail.com

PROJECT DESCRIPTION: New AOWTS

TO: Malibu Planning Division and/or Applicant

FROM: Coastal Engineering Reviewer

The project is feasible and CAN proceed through the Planning process.*

The project CANNOT proceed through the planning process until coastal engineering feasibility is determined. Depending upon the nature of the project, this may require submittal of coastal engineering reports and/or wave run-up studies which evaluate the coastal environment setting, processes, and hazards.


SIGNATURE

11/24/15
DATE

Determination of Coastal Engineering feasibility is not approval of building and/or grading plans. Plans and/or reports must be submitted for Building Department approval, and may require approval of both the City Geotechnical Engineer, and City Coastal Engineer. Additional requirements/conditions may be imposed at the time of building and/or grading plans are submitted for review. Geotechnical reports may also be required.

City Coastal Engineering Staff may be contacted on Tuesday and Thursday between 8:00 am and 11:00 am at the City Hall Public counter, or by calling (310) 456-2489, extension 307.

* see attached for BPC comments



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: November 24, 2015	Review Log #: C433	
Site Address: 6800 Westward Beach Road	Lat:	Lon:
Lot/Tract/PM #:	Planning #: ACDP 15-036	
Applicant: Gigi Goyette, Aloha Expediting	BPC/GPC #:	
Phone #: (310) 980-7290	Email: alohaexpediting@gmail.com	Planner: J. Colvard-Botts
Project Type: NAOWTS		

Submittal Information

Consultant(s): David C. Weiss, Structural Engineer & Associates, Inc.
Report Date(s): 11-01-15 (DCWSE); 05-04-15, 11-18-15 (EPD Consultants)
Project Plan(s): 04-27-15, revised 11-18-15 (EPD Consultants)
Previous Reviews: 7-2-15
FEMA SFHA: D

Review Findings

Planning Stage

- APPROVED** in **PLANNING** - stage from a coastal engineering perspective. The listed Building Plan-Check Coastal Review Comments shall be addressed prior to Building Plan-Check approval.
- NOT APPROVED** in **PLANNING** - stage from a coastal engineering perspective. The listed Planning Stage Coastal Review Comments shall be addressed prior to Planning-stage approval.

Building Plan-Check Stage

- Awaiting Building plan check submittal. The listed 'Building Plan-Check Stage Review Comments' may be deferred for Planning Stage approval but shall be addressed prior to Building Plan-Check Stage approval.
- APPROVED** from a coastal engineering perspective.
- NOT APPROVED** from a coastal engineering perspective. Please respond to the listed 'Building Plan-Check Stage Review Comments.'

Remarks:

The referenced plans and reports were reviewed by the City from a coastal engineering perspective relative to the requirements of the following City codes and guidelines:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction, and
- City of Malibu Guidelines for the Preparation of Coastal Engineering Reports and Procedures for Report Submittal. (referred to herein as *Coastal Engineering Report Guidelines*)

The proposed project consists of a new alternative on-site wastewater treatment system (NAOWTS) to be installed in the existing paved parking lot at 6800 Westward Beach Road. The existing OWTS will be demolished and removed from the site for the NAOWTS installation. The project site is located on the landward side of Westward Beach Road, in FEMA Flood Hazard Zone D. The Project Coastal Engineer has evaluated wave run-up including a scenario with 2.75 feet of sea level rise, and the site does not appear to be subject to wave run-up and tsunami hazards. The Project Coastal Engineer has also opined that no shoreline protection device is required to protect the proposed OWTS from wave action.

Building Plan-Check Stage Review Comments

1. The property owner shall comply with the requirements for recorded documents and deed restrictions outlined in Section 10.6C of the City of Malibu LCP-LIP.
2. Sheet W1.01 of the revised plans contains Note: "Elevations are per Reference 1 and provided in *NGVD29 datum*"; however, it appears the Wastewater Consultant (EPD) has plotted the wave uprush lines determined by the Project Coastal Engineer using the NAVD88 datum values reported by the Project Coastal Engineer. The plans should be corrected to either convert the wave uprush elevations to NGVD29 datum (if the topography was prepared on the NGVD29 datum), or the project topography should be corrected to NAVD88 datum values.
3. The FEMA Base Flood Elevations shown on Sheet W1.01 are NAVD88 datum values superimposed over NGVD29 datum topography. Furthermore, Sheet W1.01 suggests the site is in FEMA Flood Hazard Zone X, which does not appear consistent with FIRM Panel 06037C1514F.
4. The final approved NAOWTS plan and above items should be submitted to the Coastal Engineering Reviewers in Building Plan Check, along with a Building Plan Check review fee of \$672.

Limitations:

This coastal engineering peer review has been performed to provide technical assistance to the City of Malibu with its discretionary permit decisions, and is limited to review of the documents identified herein in accordance with the guidelines of the City of Malibu and local standard of practice in respect to coastal developments. The opinions, conclusions and recommendations provided by the applicant's Coastal Engineering Consultant do not necessarily represent the opinions of the peer reviewer or the City of Malibu.

Reviewed by:

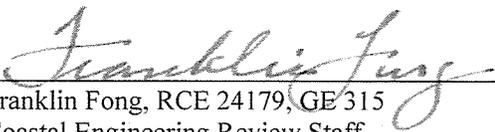


Michael B. Phipps, PG 5748, CEG 1832
Coastal Engineering Review Staff (x 307)

November 24, 2015

Date

Reviewed by:



Franklin Fong, RCE 24179, GE 315
Coastal Engineering Review Staff

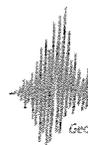
November 24, 2015

Date

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.



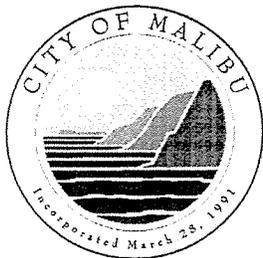
COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS



GeoDynamics, Inc.

Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

FILE



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu City Biologist DATE: 5/21/2015
 FROM: City of Malibu Planning Department
 PROJECT NUMBER: CDP 15-036
 JOB ADDRESS: 6800 WESTWARD BEACH RD, 1
 APPLICANT / CONTACT: Gigi Goyette, Aloha Expediting
 APPLICANT ADDRESS: 33169 Decker School Road
Malibu, CA 90265
 APPLICANT PHONE #: (310) 980-7290
 APPLICANT FAX #: _____
 APPLICANT EMAIL: gigigoyette@mac.com
 PROJECT DESCRIPTION: N AOWTS

TO: Malibu Planning Division and/or Applicant
 FROM: Dave Crawford, City Biologist

The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design (See Attached).

The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.

The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).

[Signature]
SIGNATURE

6/2/15
DATE

Additional requirements/conditions may be imposed upon review of plan revisions. Dave Crawford City Biologist, may be contacted on Tuesday between 9:00 am and 11:00 am at the City Hall Public counter, by leaving an e-mail at dcrawford@malibucity.org or by leaving a detailed voice message at (310) 456-2489, extension 277.

JCB

City of Malibu

23815 Stuart Ranch Road, Malibu, California 90265
(310) 456-2489 Fax (310) 456-7650

Planning Department

BIOLOGICAL REVIEW

Site Address: 6800 Westward Beach Road, 1
Applicant/Phone: Gigi Goyette, 310.980.7290
Project Type: NAOWTS
Project Number: CDP 15-036
Project Planner: Jessica Colvard-Botts

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:
 - A. Although there is ESHA mapped to the east of the property, all proposed development included in this permit application will occur within existing (paved) developed area. As such, no new impacts would occur to ESHA.
 - B. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six (6) feet in height, or change of 5,000 sq.ft. or more of the existing landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

Reviewed By:  Date: 6/2/15
Dave Crawford, City Biologist
310-456-2489 ext.227 (City of Malibu); e-mail dcrawford@malibucity.org



City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date: December 23, 2015 **Review Log #:** 3754
Site Address: 6800 Westward Beach Road
Lot/Tract/PM #: n/a **Planning #:** CDP 15-036
Applicant/Contact: Gigi Goyette, gigigoyette@mac.com **BPC/GPC #:**
Contact Phone #: 310-980-7290 **Fax #:** **Planner:** Jessica Colvard-Botts
Project Type: New Onsite Wastewater Treatment System (OWTS) for the Sunset Restaurant

Submittal Information

Consultant(s) / Report Date(s): Land Phases, Inc. (Holt, CEG 22282; CHG 816): 10-13-14
(*Current submittal(s) in Bold.*) Calwest Geotechnical (Liston, RCE 31902): 11-12-14
EPD Consultants (Poffenbarger, RCE 69089): **11-18-15, 10-16-15, 5-4-15**
Previous Reviews: 7-1-15, Environmental Health Review Sheet dated 6-15-15, Geotechnical Review Referral Sheet dated 5-26-15

Review Findings

Coastal Development Permit Review

- The new OWTS is **APPROVED** from a geotechnical perspective, with the following items to address prior to building plan check approval.
- The new OWTS is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.

Building Plan-Check Stage Review

- Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.
- APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.
- NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced addendum OWTS and Cumulative Impact Analysis reports were reviewed by the City from a geotechnical perspective.

The project consists of abandoning the existing septic tanks and leach fields and installing a new tertiary treatment tank system and grease interceptor tanks and one 5,250 square foot leach field in four zones. The restaurant has a total average daily estimated flow of 3,000 GPD and a total peak daily estimated flow of 10,000 GPD. Based on the disposal area, the peak loading rate of effluent dispersal is 1.90 GPDSF and the average loading rate is 0.57 GPDSF. All non-beach sand category soils will be removed within 5 feet

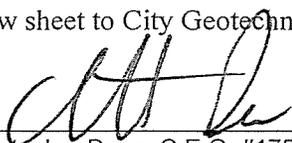
horizontal of the proposed leach field. Removed soils shall be replaced with a combination of washed pea gravel and engineered sand per the currently approved plans. The engineered sand shall be utilized to provide 5 feet of separation between the bottom of the gravel and the seasonal high groundwater elevation.

Building Plan-Check Stage Comments:

1. Please provide the referenced Calwest Geotechnical report as a searchable pdf file on a CD with an electronic signature page for the City's files.
2. Calwest Geotechnical provides recommendations to stabilize the excavations for the OWTS if groundwater is encountered at the bottom of the excavations. Please include these recommendations as notes on the OWTS plans ("float rock").
3. Shoring plans need to be reviewed by the City's structural plan checkers.
4. Include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve all excavations prior to placement of backfill to ensure encountered geologic conditions do not differ from those encountered during the original exploratory work and to ensure that beach sands underlie the leach field.*"
5. The Project Engineering Geologist shall submit a final field observation memorandum to the City Inspector documenting that the leach field has been installed in compliance with their recommendations. Please include this comment as a note on the OWTS plans.
6. Two sets of final OWTS plans (**APPROVED BY ENVIRONMENTAL HEALTH**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by:


Christopher Dean, C.E.G. #1751, Exp. 9-30-16
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

Date 12/23/15

This review sheet was prepared by City Geotechnical Staff contracted with Fugro as an agent of the City of Malibu.

FUGRO CONSULTANTS, INC.
4820 McGrath Street, Suite 100
Ventura, California 93003-7778
(805) 650-7000 (Ventura office)
(310) 456-2489, x306 (City of Malibu)





TETRA TECH

Matt Janousek
Environmental Health Administrator
City of Malibu
23825 Stuart Ranch Road
Malibu, California 90265

January 26, 2016
133-29148-15002
SL# 42248

Reference: OWTS Preliminary Plan Review
For Alternative Onsite Wastewater System
The Sunset Restaurant
6800 Westward Beach Road, Malibu, CA 90265
Prepared by EPD Consultants
Dated November 18, 2015

Dear Matt:

Tetra Tech, Inc. has reviewed the submittal for the referenced project and recommends approval. Documents reviewed are listed in the following table:

DOCUMENT	DATE
Addendum I Engineering Report & Report of Waste Discharge	November 18, 2015
OWTS Plans, 6 sheets	Latest Revision April 27, 2015

The Sunset Restaurant is an existing 2-story restaurant with 200 seats. Peak estimated flows, based on CA Plumbing Code, were 50 gpd/seat, equal to 10,000 gallons per day (gpd). Kitchen wastewater flows were estimated, based on CA Plumbing Code, as 6,000 gallons/hr (Engineering Report table B-1). Review of flow data collected at the site indicated average flows were 3,000 gpd. The anticipated composition of wastewater generated from the facility is listed in the following table:

CONTAMINANT	UNITS	POTABLE WATER	AVERAGE CONCENTRATION	PEAK CONCENTRATION
Biochemical Oxygen Demand (BOD)	mg/L	ND	400	600
Suspended Solids (TSS)	mg/L	ND	200	210
Dissolved Solids (TDS)	mg/L	260	600	850
Nitrogen (Total as N)	mg/L	2.2	<200	200
Fats, Oils & Grease (FOG)	mg/L	NA	<40	<40
pH	s.u.	8.3	6.5	8.5
Total Coliform	#/100 mL	0.02	10 ¹	10 ²



Target effluent water quality parameters were provided in Table 2 of the report and provided here:

Receiving Water Limits for Specific Constituents

CONSTITUENT	UNITS	MONTHLY AVERAGE	DAILY MAXIMUM
pH	s.u.	6.5 – 8.5	6.5 – 8.5
BOD	mg/L	30	45
TSS	mg/L	30	45
Oil & Grease	mg/L	10	15
FOG	mg/L	<30	<30
Turbidity	NTU	--	10
Total Nitrogen as N	mg/L	--	10
Nitrate as N	mg/L	--	10
Ammonia as N	mg/L	--	2.4
Total Coliform	MPN/100 mL	--	70
Fecal Coliform	MPN/100 mL	200	400
Enterococcus	MPN/100 mL	35	104

The following discussion summarizes the process design. The first process in the treatment system is proposed to be a series of grease interceptors to collect kitchen wastewater. The existing 5,000 gallon Grease Interceptor will be kept on-line. A new 6,000 gallon Grease Interceptor will be installed in series with the existing interceptor. At average flows (3,000 gpd), the tank will have a 88-hr detention time (DT). At peak hour flows (6,000 gallon per hour), the tank will have a 44-hr DT. Based on empirical data, the grease interceptor should remove a minimum of 48% BOD, and similar FOG. This tank meets recommended design criteria from Small & Decentralized Wastewater Management Systems, Crites & Tchobanoglous, 1998.

The next process in the treatment system is proposed to be a 12,000 gallon flow equalization tank. The kitchen wastewater will flow from the grease interceptor tanks, and combine with non-kitchen wastewater in a 12,000 gallon primary equalization tank. This size tank exceeds the recommended 3,000 gallon tank from Small & Decentralized Wastewater Management Systems, Crites & Tchobanoglous, 1998. The equalization tank will allow the system to buffer peak hour flows, and limit maximum flow rates to the secondary treatment process to 6,000 gpd.

Secondary/tertiary treatment is proposed to be an extended aeration activated sludge, with membranes for clarification. Two 6,000 gpd BioMicrobics HS MBR 6.0 systems will be installed in precast concrete tanks. The MBR tanks will be followed by 2 6,000 anoxic tanks. Recycle pumps will return mixed liquor from the anoxic tanks to the MBR tanks. The detention time for the aerated portion of the process will be 48 hours (at 6,000 gpd). This exceeds the recommended 24 hr detention time for BOD and nitrogen removal in activated sludge processes.



TETRA TECH

Aqua Azul ultra-violet (UV) disinfection equipment is proposed to remove pathogens and coliform organisms from the effluent prior to discharge to the leach field.

No air scrubber or mechanical odor control equipment is provided. Provide information on the odor control piping and connections to the treatment basins. Similar OWTS have mechanical odor control equipment. Please include a discussion in the Final Engineering Report to justify the odor control approach used in this project.

Please include a discussion in the final engineering report as to how these processes will be operated at start-up and low daily flows. Provide estimates on start-up and low flow volumes. Include information on the turn-down capability of pumps, blowers, and other process equipment. Include the methods of turndown: throttling with valves, recirculation, or variable frequency drives (VFDs). If VFDs are provided, include heat dissipation vs. flow rate information on the motors and equipment over the turn-down range.

Please contact me with questions or comments. My direct telephone number is 719.749.2029, and my e-mail is Sherri.Jones@vista-engineering.com.

Sincerely,
TETRA TECH, INC.

Sherri D. Jones, P.E.
Project Manager



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator DATE: 11/24/2015
5/21/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 15-036

JOB ADDRESS: 6800 WESTWARD BEACH RD, 1

APPLICANT / CONTACT: Gigi Goyette, Aloha Expediting

APPLICANT ADDRESS: 33169 Decker School Road
Malibu, CA 90265

APPLICANT PHONE #: (310) 980-7290

APPLICANT FAX #: _____

APPLICANT EMAIL: gigigoyette@mac.com

PROJECT DESCRIPTION: N AOWTS

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: NOT REQUIRED
 REQUIRED (attached hereto) REQUIRED (not attached)

Matthew...
Signature

JANUARY 28, 2016
Date

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

Andrew Sheldon, Environmental Health Administrator may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

Notice Continued...

PUBLIC COMMENT PERIOD — Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Department at any time prior to the issuance of a decision. Anyone with concerns or questions about the application is urged to contact the case planner prior to the decision date. Contact Jessica Colvard at jcolvard@malibucity.org, by phone at (310) 456-2489 extension 234, or by mail as indicated on the front of this notice.

NOTICE OF DECISION — On or after **March 15, 2016**, the Planning Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 500 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

LOCAL APPEAL — Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1 (Local Appeals), a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. Should a decision be issued on **March 15, 2016**, the appeal period would expire on **Friday, March 25, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL — For projects appealable to the Coastal Commission, an aggrieved person may appeal the Planning Commission's decision to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling 805-585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

REPORTING — The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on **March 21, 2016**. Copies of the agenda report, including the approved or denied permit, will be available at the meeting and also provided to all those persons wishing to receive such notification. An approved permit shall not become effective until completion of the Planning Commission reporting.

If you have any questions regarding this notice, please contact Colvard, Assistant Planner, at (310) 456-2489 extension 234.

February 25, 2016

Bonnie Blue
Planning Director

Notice of Application



City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265



City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489 Fax (310) 456-7650
www.malibucity.org

NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 15-036 - An application to install a new alternative onsite wastewater treatment system to replace the existing onsite wastewater treatment system at a commercial restaurant facility

LOCATION:	6800 Westward Beach Road, within the appealable coastal zone
APN:	4468-022-001
ZONING:	Commercial Visitor Serving— One (CV-1)
APPLICANT:	Aloha Expediting
OWNER:	Francesco Simplicio
TENANT:	Sunset Restaurant
APPLICATION FILED:	May 21, 2015
CASE PLANNER:	Jessica Colvard Assistant Planner (310) 456-2489 ext. 234 jcolvard@malibucity.org

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA Guidelines Section 15302(c) — Replacement or Reconstruction. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

ATTACHMENT 3



Notice continued...

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project and found that it is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore the project is categorically exempt from the provisions of CEQA Guidelines Section 15302(c) – Replacement or Reconstruction. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

REPORTING — Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **March 21, 2016** Planning Commission Meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to the California Code of Regulations Section 13153.

Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals), a decision or any portion of the decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **March 25, 2016 at 4:30 p.m.** The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL – For projects appealable to the Coastal Commission, an aggrieved person may appeal the Planning Commission's decision to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling 805-585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

If there are any questions regarding this notice, please contact Jessica Colvard, Assistant Planner, at (310) 456-2489, extension 234.

Date: **March 10, 2016**

By: **Bonnie Blue
Planning Director**

Notice of Decision



**City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265**



PLANNING DEPARTMENT

City of Malibu

23825 Stuart Ranch Road
Malibu, CA 90265

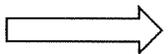
Phone (310) 456-2489 · Fax (310) 456-7650

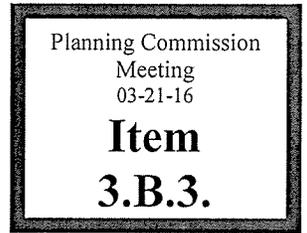
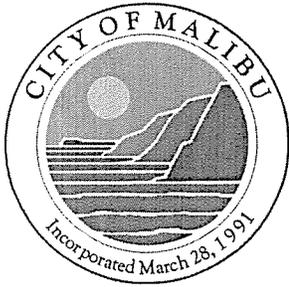
NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for an Administrative Coastal Development Permit (ACDP) as described below:

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 15-036 - An application to install a new alternative onsite wastewater treatment system to replace the existing onsite wastewater treatment system at a commercial restaurant facility

LOCATION:	6800 Westward Beach Road, Unit #1, within the appealable coastal zone
APN:	4468-022-001
ZONING:	Community Visitor-Serving - One (CV-1)
APPLICANT:	Aloha Expediting (310) 980-7290
OWNER:	Francesco Semplicio
TENANT:	The Sunset Restaurant
APPLICATION FILED:	May 21, 2015
ISSUE DATE:	March 15, 2016
CASE PLANNER:	Jessica Colvard Assistant Planner jcolvard@malibucity.org (310) 456-2489, ext. 234





Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Kathleen Stecko, Senior Office Assistant *KS*

Approved by: Bonnie Blue, Planning Director *BB*

Date prepared: March 10, 2016 Meeting Date: March 21, 2016

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the February 29, 2016 Special Planning Commission meeting and the March 7, 2016 Regular Planning Commission meeting.

DISCUSSION: Staff has prepared draft minutes for the above-referenced Planning Commission meetings and hereby submits the minutes for the Commission's consideration.

ATTACHMENTS:

1. February 29, 2016 Special Planning Commission Meeting
2. March 7, 2016 Regular Planning Commission Meeting

MINUTES
MALIBU PLANNING COMMISSION
SPECIAL MEETING
FEBRUARY 29, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Stack called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Roohi Stack; Vice Chair John Mazza; and Commissioners David Brotman, Jeffrey Jennings, and Mikke Pierson.

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Christopher Deleau, Planning Manager; Stephanie Hawner, Associate Planner; Robert Duboux, Assistant Public Works Director/Assistant City Engineer; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Pierson led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to approve the agenda. The motion carried 5-0.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on February 26, 2016.

ITEM 1 NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 13-056, Variance Nos. 13-045, 14-034, 14-035, 16-004, Conditional Use Permit No. 13-011, and Demolition Permit No. 13-028 – Santa Monica College Malibu Campus Project

Location: 23525 Civic Center Way, Parcel A
APN: 4458-022-904
Zoning: Institutional (I)
Applicant: Santa Monica Community College
Owners: Los Angeles County

Application Filed: November 14, 2013
Case Planner: Associate Planner Hawner, 456-2489 ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 16-30 1) adopting Santa Monica College Malibu Campus Project Final Environmental Impact Report (SCH No. 2012051052), the mitigation monitoring and reporting program, the statement of overriding considerations and findings of fact required by the California Environmental Quality Act and approving Coastal Development Permit No. 13-056, Variance (VAR) Nos. 13-045, 14-034 and 16-004, VAR No. 14-035 as amended, Conditional Use Permit No. 13-011, and Demolition Permit No. 13-028 for demolition of the existing 16,603 square foot building, with a 7,279 square foot basement and a portion of the existing arcade, and construction of a new two-story, 35 foot, 10 inch high, 25,310 square foot educational facility that includes a 5,640 square foot sheriff substation, for a proposed floor area ratio of 0.20; reconstruction of the parking area; hardscape and landscaping; grading and retaining walls; lighting and utilities; and relocation and replacement of the existing 70 foot high communication tower with a 75 foot high communication tower, within the westerly 2.94 acre lease area within the 9.18 acre Los Angeles County Civic Center parcel; including, conditional use permit for an educational facility use in the Institutional zoning district and variances for landscaping, parking space size, an increase in the maximum height of 18 feet to 35 feet for the building, and an increase to 75 feet for the communications tower; and 2) recommending that the City Council approve the .20 FAR for the significant public benefits provided by the project, located at 23525 Civic Center Way (Los Angeles County).

Associate Planner Hawner presented the staff report.

Disclosures: Commissioners Brotman, Jennings, and Pierson, and Vice Chair Mazza.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public hearing.

Speakers: Kathryn Jeffery; Don Girard; Amelia Foster; Louise Jaffe; Craig Foster; Maria Chong Castillo; Ken Kearsley; Jim Royal; Heather Anderson; Steve Uhring; Cami Winikoff; Kay Gabbard; Lauren Sills; Karen Farver; Marianne Riggins; Don Schmitz; Anne Payne; Jefferson Wagner; Norman Haynie; Patt Healy; Isabella Antonio; and Ryan Embree.

Pat Davoren provided a speaker slip but did not speak.

Don Girard provided rebuttal to the public comment.

As there were no other speakers present, Chair Stack closed the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Kevin Tyrrell, Shane Parker, Don Girard, David Shender, Sri Chakravarthy, Greg Brown, and Maria Chong Castillo.

MOTION

Commissioner Pierson moved and Commissioner Brotman seconded a motion to adopt Planning Commission Resolution No. 16-30, as amended, adopting Santa Monica College Malibu Campus Project Final Environmental Impact Report (SCH No. 2012051052), the mitigation monitoring and reporting program, the statement of overriding considerations and findings of fact required by the California Environmental Quality Act and approving Coastal Development Permit No. 13-056, Variance Nos. 13-045, 14-034, and 14-035, Conditional Use Permit No. 13-011, and Demolition Permit No. 13-028 for demolition of the existing 16,603 square foot building, with a 7,279 square foot basement and a portion of the existing arcade, and construction of a new two-story, 35 foot, 10 inch high, 25,310 square foot educational facility that includes a 5,640 square foot sheriff substation, for a proposed floor area ratio of 0.20, reconstruction of the parking area, hardscape and landscaping, grading and retaining walls, lighting and utilities, and relocation and replacement of the existing 70 foot high communication tower with a 75 foot high communication tower, within the westerly 2.94 acre lease area within the 9.18 acre Los Angeles County Civic Center parcel; including a conditional use permit for an educational facility use in the Institutional zoning district and variances for an increase in the maximum height of 18 feet to 35 feet, 10 inches for the building, reduction in parking space size, and an increase to 75 feet for the communications tower; eliminating the landscape variance; adding lighting conditions to limit pole height for outdoor lighting fixtures be limited to 12 feet, limit the correlated color temperature to a maximum 3,000 Kelvin, limit pole fixtures to 54 watt LED, limit bollard fixtures to 18 watt LED fixtures with pole cut-off performance, assure that all fixtures are fully shielded, emit no upward light, and incorporate adaptive controls, dimmers, timers, and motion sensors; adding the condition that the applicant demonstrate to the satisfaction of the Planning Director the project meets the equivalency of Silver Leadership in Energy and Environmental Design (LEED) certification prior to issuance of certificate of occupancy; modifying Condition No. 25 to change non-glare to read anti-glare; and recommending that the City Council approve the .20 FAR for the significant public benefits provided by the project, located at 23525 Civic Center Way (Los Angeles County).

FRIENDLY AMENDMENT

Vice Chair Mazza amended the motion to require a variance specifying the landscaping be on the ground. The maker accepted the amendment; the seconder did not.

FRIENDLY AMENDMENT

Vice Chair Mazza amended the motion to include a provision that the conditional use permit for the farmers' market be respected.

The Commission directed questions to Maria Chong Castillo.

The amendment was not accepted by the maker and seconder.

The question was called and the motion carried 3-2, Vice Chair Mazza and Commissioner Jennings dissenting.

ADJOURNMENT

MOTION At 10:00 p.m., Vice Chair Mazza moved and Chair Stack seconded a motion to adjourn the meeting. The motion carried 5-0.

Approved and adopted by the Planning Commission
of the City of Malibu on _____.

ROOHI STACK, Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
MARCH 7, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Stack called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Roohi Stack; Vice Chair John Mazza; and Commissioner David Brotman.

ABSENT: Commissioners Jeffrey Jennings and Mikke Pierson.

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Adrian Fernandez, Senior Planner; Carlos Contreras, Associate Planner; Stephanie Hawner, Associate Planner; Jessica Colvard, Assistant Planner; Jasch Janowicz, Contract Planner; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Norman Haynie led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to approve the agenda, continuing Item No. 3.B.3. to a date uncertain and Item No. 4.A. to the April 4, 2016 Regular Planning Commission meeting.

The Commission discussed the motion.

The Commission directed questions to staff.

Chair Stack opened the floor to public comment on Item No. 3.B.3.

Speakers: Jaime Harnish and Jonathan Ross.

As there were no other speakers present, Chair stack closed public comment and returned the matter to the table. No further discussion occurred.

The motion carried 3-0, Commissioners Jennings and Pierson absent.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on March 2, 2016.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

Valerie Sklarevsky shared her concerns about the utilization of inmates for fire fighting efforts.

Norman Haynie commented on zoning codes as they pertain to his properties on Pacific Coast Highway at Tuna Canyon, referencing a letter sent by the City of Malibu Planning Department.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Vice Chair Mazza thanked Planning Department staff for giving the Commission the following week off.

Commissioner Brotman inquired if staff had any knowledge about Norman Haynie's zoning matter.

In response to Commissioner Brotman's inquiry, Planning Director Blue explained the letter pertained to an application under review and his concerns will be addressed by staff.

Commissioner Brotman requested an update be provided once staff has addressed Norman Haynie's matter.

Commissioner Brotman inquired about the next steps following the February 10, 2016 Joint City Council / Planning Commission Special meeting to address civic center design standards.

In response to Commissioner Brotman's inquiry, Planning Director Blue indicated options for pursuing a specific plan for the Civic Center area will be presented at the April 11, 2016 Regular City Council meeting.

Planning Director Blue extended an invitation to the City of Malibu 25th Anniversary event being held on March 28, 2016 and encouraged every to sign up for the City of Malibu e-notification lists to obtain City informational updates.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.4. was pulled for discussion by Vice Chair Mazza.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to approve the consent calendar. The motion carried 3-0, Commissioners Jennings and Pierson absent.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Extension of Coastal Development Permit No. 06-069, Lot Merger No. 08-005, Variance Nos. 06-019 And 08-058, Site Plan Review No. 06-060, Minor Modification No. 08-022, and Demolition Permit No. 08-042 – A request to extend the Planning Commission’s previous approval of a new single-family residence, lot merger, and associated development

Location:	27061 Sea Vista Drive
APN:	4460-010-013
Zoning:	Rural Residential–Two Acre (RR-2)
Applicant:	Burdge and Associates
Owner:	Melanie Lekkos
Extension Filed:	January 19, 2016
Case Planner:	Associate Planner Harwell, 456-2489 ext. 250

Recommended Action: Adopt Planning Commission Resolution No. 16-24 granting a one-year extension of Coastal Development Permit No. 06-069, Lot Merger No. 08-005, Variance Nos. 06-019 and 08-058, Site Plan Review No. 06-060, Minor Modification No. 08-022, and Demolition Permit No. 08-042, an application for the construction of a new single-family residence, lot merger, and associated development in the Rural Residential–Two Acre zoning district located at 27061 Sea Vista Drive (Lekkos).

2. Extension of Coastal Development Permit No. 06-125, Variance No. 12-031, Site Plan Review No. 12-035, Demolition Permit No. 10-002, and Tentative Parcel Map No. 09-001 - A request to extend the Planning Commission's previous approval to allow the subdivision of one lot into four lots, demolition of an existing residence, and associated development

Location: 6061 Galahad Road
APN: 4467-017-013
Zoning: Rural Residential–One Acre (RR-1)
Applicant: California Civil Design Group, Inc.
Owners: Walter and Leah Sauter
Extension Filed: January 20, 2016
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 16-25 granting a one-year extension of Coastal Development Permit No. 06-125, Site Plan Review No. 12-035, Variance No. 12-031, Demolition Permit No. 10-002, and Tentative Parcel Map No. 09-001, for the subdivision of one lot into four lots, demolition of an existing residence, and associated development in the Rural Residential One-Acre zoning district located at 6061 Galahad Road (Sauter).

3. Extension of Coastal Development Permit No. 05-067, Variance No. 04-016, Lot Merger No. 05-005, Site Plan Review No. 04-063 and Neighborhood Standards Nos. 05-001 and 05-002 – A request to extend the Planning Commission's approval of an application for the demolition of two abutting single-family residences and the construction of a new, three-story, single-family residence and associated development

Location: 31691 and 31697 Sea Level Drive
APNs: 4470-024-031 and 4470-024-033
Zoning: Single-Family Medium (SFM)
Applicant: Jaime Harnish
Owner: Patrick Riley
Extension Filed: December 1, 2015
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Continue this item to a date uncertain.

5. Approval of Minutes

Recommended Action: Approve the minutes for the January 27, 2016 Special Planning Commission meeting and the January 19, 2016, February 1, 2016, and February 16, 2016 Regular Planning Commission meetings.

Staff contact: Planning Director Blue, 456-2489 ext. 258

The following item was pulled from the Consent Calendar for individual consideration:

4. Administrative Coastal Development Permit No. 14-017 and Site Plan Review No. 14-026 – An application to allow for the construction of a new two-story single-family residence and associated development

Location:	3881 Puerco Canyon Road, not within the appealable coastal zone
APN:	4459-011-001
Zoning:	Rural Residential–Five Acre (RR-5)
Applicant:	Fine Homes by Hearthstone
Owner:	Puerco Canyon Development, LLC
Application Filed:	March 26, 2014
Case Planner:	Contract Planner Janowicz, 456-2489 ext. 345

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 14-017.

Contract Planner Janowicz presented the staff report.

Disclosures: Commissioner Brotman.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public comment.

Speaker(s): None.

As there were no speakers present, Chair Stack closed the public comment and returned the matter to the table. No further discussion occurred.

MOTION Vice Chair Mazza moved to require a regular coastal development for the project. The motion died due to lack of a second.

MOTION Commissioner Brotman moved and Chair Stack seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 14-017. The question was called and the motion carried 2-1, Vice Chair Mazza dissenting and Commissioners Jennings and Pierson absent.

ITEM 4 CONTINUED PUBLIC HEARINGS

- A. Coastal Development Permit No. 13-040, Conditional Use Permit No. 13-015, Variance Nos. 13-042, 13-043 and 15-036 - An application for the replacement of an existing 300,000 gallon water tank with a new 385,000 gallon water tank to meet current domestic and fire protection standards (Continued from January 27, 2016)

Location: 5723 Busch Drive, not within the appealable coastal zone
APN: 4469-028-006
Zoning: Rural Residential–Two Acre (RR-2)
Applicant: Los Angeles County Waterworks District No. 29
Owner: Serra Canyon Co, LTD
Application Filed: August 29, 2013
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Continue this item to the April 4, 2016 Regular Planning Commission meeting.

The item was continued upon approval of the agenda.

- B. Coastal Development Permit Amendment No. 15-002 - An application amending Coastal Development Permit No. 14-014 to add a second unit and concrete skate feature (Continued from February 16, 2016)

Location: 28981 Cliffside Drive, within the appealable coastal zone
APN: 4466-010-001
Zoning: Rural Residential–One Acre (RR-1)
Applicant: Marmol Radziner
Owners: Edward and Melissa Akkaway
Application Filed: April 16, 2015
Case Planner: Associate Planner Hawner, 456-2489 ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 16-22 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit Amendment No. 15-002, amending Coastal Development Permit No. 14-014, to add a new 570 square foot, single-story, 12-foot high second unit, a new concrete skate feature, and modified landscape/hardscape plan in the Rural Residential–One Acre zoning district located at 28981 Cliffside Drive (Akkaway).

Associate Planner Hawner presented the staff report.

Disclosures: Commissioner Brotman and Chair Stack.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public hearing.

Speakers: Leo Marmol; Jack Briskie; Richard Scott; Kevin Warner; Sonny Astani; Ken Ehrlich; Keith Clarke; Marlene Matlow; and Sam Hall Kaplan.

As there were no other speakers present, Chair Stack closed the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Jack Briskie, and Kevin Warner.

MOTION Vice Chair Mazza moved and Chair Stack seconded a motion to adopt Planning Commission Resolution No. 16-22 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit Amendment No. 15-002, amending Coastal Development Permit No. 14-014, to add a new 570 square foot, single-story, 12-foot high second unit, a new concrete skate feature, and modified landscape/hardscape plan in the Rural Residential–One Acre zoning district located at 28981 Cliffside Drive (Akkaway).

The Commission discussed the motion.

The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

C. Coastal Development Permit No. 14-057, Site Plan Review No. 14-042 and Variance No. 15-012 – An application for the construction of a new single-family residence and associated development (Continued from February 16, 2016)

Location: 24900 Pacific Coast Highway, within the appealable coastal zone
APN: 4458-015-015
Zoning: Rural Residential–Two Acre (RR-2)
Applicant: Burdge and Associates
Owner: Quaker Beach Properties Trust
Application Filed: September 26, 2014
Case Planner: Contract Planner Janowicz, 456-2489 ext. 345

Recommended Action: Adopt Planning Commission Resolution No. 16-31 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 14-057, Site Plan Review (SPR) No.14-042, and Variance (VAR) No. 15-012 for the construction of a new 8,094 square foot, two-story single-family residence with a 1,000 square foot basement, a 568 square foot attached two-car garage, a 49 square foot covered porch area, a 757 square foot detached second unit, a 36 square foot detached accessory structure, tennis court, swimming pool and spa, water features, retaining walls and fencing, driveway, and installation of a new alternative onsite wastewater treatment system, including VAR No. 15-012 for more than 1,000 cubic yards of non-exempt grading and SPR No. 14-042 for height in excess of 18 feet (up to 28 feet for a pitched roof) located in the Rural Residential Two-Acre zoning district at 24900 Pacific Coast Highway (Quaker Beach Properties Trust).

Contract Planner Janowicz presented the staff report.

Disclosures: Commissioner Brotman and Vice Chair Mazza.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public hearing.

Speakers: Douglas Burdge and Norman Haynie.

As there were no other speakers present, Chair Stack closed the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff and Douglas Burdge.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to adopt Planning Commission Resolution No. 16-31, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 14-057, Site Plan Review (SPR) No.14-042, and Variance (VAR) No. 15-012 for the construction of a new 8,094 square foot, two-story single-family residence with a 1,000 square foot basement, a 568 square foot attached two-car garage, a 49 square foot covered porch area, a 757 square foot detached second unit, a 36 square foot detached accessory structure, tennis court, swimming pool and spa, water features, retaining walls and fencing, driveway, and installation of a new alternative onsite wastewater treatment system, including VAR No. 15-012 for more than 1,000 cubic yards of non-exempt grading and SPR No. 14-042 for height in excess of 18 feet (up to 28 feet for a pitched roof) located in the Rural Residential Two-Acre zoning district at 24900 Pacific Coast Highway (Quaker Beach Properties Trust) and 2) modifying the landscaping conditions to specify the permitted lower-lying vegetation planted within the view corridors shall not exceed six feet in height, or the elevation of 156 feet (the same maximum roof height elevation as the primary residence), whichever is lower.

The Commission discussed the motion.

The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

RECESS Chair Stack called a recess at 8:43 p.m., reconvening at 8:48 p.m. with all Commissioners present.

ITEM 5 NEW PUBLIC HEARINGS

- A. Administrative Plan Review No. 15-108, Variance No. 15-047, and Code Violation No. 15-070 - An application for the after-the-fact placement of a 45-foot tall art sculpture with a 20-foot by 20-foot base

Location: 27712 Pacific Coast Highway
APN: 4460-031-017
Zoning: Rural Residential-Two Acre (RR-2)
Applicant: Kenneth Ehrlich
Owner: Rosebud Ventures, LLC
Application Filed: December 15, 2015
Case Planner: Assistant Planner Colvard, 456-2489 ext. 234

Recommended Action: Adopt Planning Commission Resolution No. 16-12 determining the project is exempt from the California Environmental Quality Act, and denying Administrative Plan Review No. 15-108 and Variance No. 15-047 for the after-the-fact placement of a 45-foot tall art sculpture with a 20-foot by 20-foot

base in the Rural Residential-Two Acre zoning district located at 27712 Pacific Coast Highway (Rosebud Ventures, LLC).

Assistant Planner Colvard presented the staff report.

Disclosures: Commissioner Brotman and Vice Chair Mazza.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public hearing.

Speakers: Ken Ehrlich; Bill Bell; Susan Debonne; Judy Villablanca; and Marc Gurvitz.

Ken Ehrlich provided rebuttal to the public comment.

As there were no other speakers present, Chair Stack closed the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion determining the project does not require Planning Commission approval as it is not a structure covered by the Local Coastal Program or Malibu Municipal Code.

The Commission discussed the motion.

The question was called and the motion failed, 1-1-1, Commissioner Brotman dissenting, Chair Stack abstaining, and Commissioners Jennings and Pierson absent.

MOTION Commissioner Brotman moved and Chair Stack seconded a motion adopting Planning Commission Resolution No. 16-12, as amended: 1) determining the project is exempt from the California Environmental Quality Act, and denying Administrative Plan Review No. 15-108 and Variance No. 15-047 for the after-the-fact placement of a 45-foot tall art sculpture with a 20-foot by 20-foot base in the Rural Residential-Two Acre zoning district located at 27712 Pacific Coast Highway (Rosebud Ventures, LLC) and 2) recommending City Council address artwork legislation and consider an appeal if requested by the applicant.

The Commission discussed the motion.

FRIENDLY AMENDMENT

Vice Chair Mazza amended the motion that City Council enact legislation before deciding an appeal. The amendment was not accepted by the maker and the seconder.

The question was called and the motion carried, 2-1, Vice Chair Mazza dissenting and Commissioners Jennings and Pierson absent.

- B. Coastal Development Permit No. 14-038 – An application for the addition of 51 square feet to allow for the installation of two bay windows, the remodel of the existing two-story main residence, and a 948 square foot second story addition to an existing detached garage and second unit that will be remodeled

Location: 31012 Broad Beach Road, within the appealable coastal zone
APN: 4470-014-010
Zoning: Single-Family Medium (SFM)
Applicant: Burdge and Associates
Owners: Barry and Frankie Sholem
Application Filed: June 4, 2014
Case Planner: Associate Planner Contreras, 456-2489 ext. 265

Recommended Action: Adopt Planning Commission Resolution No. 16-21 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-038 to allow a remodel with less than 50 percent demolition and a 51 square foot addition to the existing two-story single-family residence, and a remodel with less than 50 percent demolition and a 948 square foot second story addition to an existing detached garage and second unit in the Single-Family Medium zoning district located at 31012 Broad Beach Road (Sholem).

Associate Planner Contreras presented the staff report.

Disclosures: Commissioner Brotman.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Stack opened the public hearing.

Speaker: Douglas Burdge

As there were no other speakers present, Chair Stack closed the public hearing and returned the matter to the table for discussion.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to adopt Planning Commission Resolution No. 16-21, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-038 to allow a remodel with less than 50 percent demolition and a 51 square foot addition to the existing two-story single-family residence, and a remodel with less than 50 percent demolition and a 948 square foot second story addition to an existing detached garage and second unit in the Single-Family Medium zoning district located at 31012 Broad Beach Road (Sholem) and 2) limiting the living area of the second dwelling unit to 900 square feet as set forth under LIP Chapter 3.6. The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 9:44 p.m., Vice Chair Mazza moved and Chair Stack seconded a motion to adjourn the meeting. The motion carried 3-0, Commissioners Jennings and Pierson absent.

Approved and adopted by the Planning Commission
of the City of Malibu on _____.

ROOHI STACK, Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Trevor Rusin, Assistant City Attorney

Approved by: Bonnie Blue, Planning Director *[Signature]* for Bonnie Blue

Date prepared: March 10, 2016 Meeting date: March 21, 2016

Subject: Zoning Text Amendment No. 16-001 – An Amendment to Malibu
Municipal Code Title 17 Regulating Formula Retail Stores

This report to be distributed under separate cover.



Supplemental Commission Agenda Report

Planning Commission
Meeting
03-21-16
**Item
5.A**

To: Chair Stack and Members of the Planning Commission

Prepared by: Trevor Rusin, Assistant City Attorney

Approved by: Bonnie Blue, Planning Director *BB*

Date prepared: March 15, 2016 Meeting date: March 21, 2016

Subject: Zoning Text Amendment No. 16-001 – An Amendment to Malibu Municipal Code (MMC) Title 17 Regulating Formula Retail Stores

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-36 (Attachment 1) recommending the City Council approve Zoning Text Amendment (ZTA) No. 16-001 amending Malibu Municipal Code Title 17 to regulate formula retail establishments in the City.

DISCUSSION: On February 8, 2016, the City Council directed staff to prepare a ZTA to regulate chain stores and directed that the Planning Commission consider the ZTA and provide its recommendations to the Council. The proposed ordinance is designed to provide the City with a contingency plan to regulate formula retail businesses should Measure R cease to be in effect as a result of legal challenge. The Malibu voters overwhelmingly approved Measure R which included two central components: Citywide restrictions on chain stores and required voter-approved specific plans for large commercial and mixed use developments. Two property owners in the Civic Center filed a lawsuit challenging the constitutionality and legality of Measure R on its face.¹ The court ruled Measure R was invalid because; (1) the conditional use permits required for chain stores were tethered to the tenant instead of the use of the property; and (2) the voter-approved specific plan requirement was tethered to particular developments.

¹A “facial challenge” tests the validity of a law based only on the text of the law and not its application to a particular circumstance. To be facially invalid, the court must find that the law’s provisions inevitably pose a present total and fatal conflict with applicable constitutional provisions or state law. This is the standard set by the California Supreme Court that must be employed by California courts when evaluating a challenge to an initiative Measure, such as Measure R. Courts are also required to afford deference to initiative measures and attempt to construe the measure to preserve its constitutionality. The City defended Measure R, in part, by demonstrating how it can be implemented consistent with the constitution. In its decision, the court acknowledged that it is plausible to regulate in this area [formula retail] but found that the language of Measure R precluded its implementation. The intent of the proposed ordinance is to overcome the infirmities identified by the court while (within the constraints of the law) fulfilling the purpose of Measure R.

The proposed ZTA is intended to enact the formula retail component of Measure R while addressing the trial court's reasons for invalidating Measure R. Because a city council cannot overturn an initiative measure through a simple ordinance, the proposed ZTA cannot be adopted unless the lawsuits (state and federal) are resolved/dismitted and Measure R remains invalidated. Nevertheless, the City Council is requesting the Planning Commission's recommendation on the proposed ordinance so that the City will be ready to enact chain store regulations without delay should the City be enjoined from enforcing Measure R.

The proposed ordinance was crafted to track closely to those portions of Measure R's chain store regulations that the trial court did not find troubling but change the portion of the regulations that caused the court to rule Measure R unconstitutional and illegal. The proposed ordinance also makes additional changes that make it easier to enforce and address some of the technical issues that arose during the time that the City was enforcing the measure. The proposed ordinance only addresses the chain store regulation portion of Measure R. The City Council is separately discussing how the City might achieve the other goals of Measure R should it be invalidated. Only the chain store regulations are before the Commission at this point.

Measure R defines and places citywide restrictions on formula retail establishments. Among other things, the measure adds to the Municipal Code Section 17.66.130, entitled "Limits on Formula Retail." The proposed ZTA differs from Measure R because it replaces a conditional use permit (CUP) requirement with a zone clearance procedure, called a "planning clearance," and it requires this planning clearance for a category of use (restaurant, retail, professional services) rather than for a tenant (Starbucks, Peet's Coffee). Like Measure R, it limits formula retail to 30 percent, it is citywide, prohibits stores larger than 2,500 square feet, and exempts the same general use categories. Also, the proposed ZTA does not include the exemption for existing tenant spaces. The proposed ZTA also defines "formula retail" to mean 10 or more in the United States rather than worldwide which is designed to protect against further legal challenge; 10 or more locations in the United States (instead of globally) presents a much stronger threat to the City's rural character than a business that has few, or no, other locations in the United States.

Other changes from Measure R are designed to better effect its purpose or to deal with enforcement challenges that have emerged since its passage. For example, the proposed ZTA limits formula retail to 30 percent of a shopping center's gross floor area only, rather than also limiting formula retail to 30 percent of a floor and 30 percent of the service area. Service area is not a defined term in the City's code, which makes such a calculation difficult; it also can be easily manipulated. The 30 percent floor requirement would also encourage "big box" style development to maximize the space available for formula retail, rather than "campus style" or other creative designs for shopping centers. Another change is that the proposed ZTA allows a new tenant with the same use (for example, a Peet's Coffee replacing a Starbucks) to take longer than six months to reopen, so long as a lease

has been executed with the intent to continue the formula retail use. This prevents a planning clearance from expiring when renovations or other delays take more than six months to accomplish.

Similarities and difference between the proposed ordinance and Measure R are summarized in Table 1. Items shaded green are consistent between the documents.

Table 1 – Comparison	
Proposed Ordinance	Measure R
Citywide applicability	Citywide applicability
Max formula retail establishment size – 2,500 square feet	Max formula retail establishment size – 2,500 square feet
Cap is 30 percent	Cap is 30 percent
<u>Exempt uses:</u> Grocery Drug stores/pharmacies Banks and financial services Real estate offices Movie theaters Postal service offices Medical offices Low-cost overnight accommodations	<u>Exempt uses:</u> Grocery Drug stores/pharmacies Banks and financial services Real estate offices Movie theaters Postal service offices Medical offices Low-cost overnight accommodations
No exempt spaces	Certain Civic Center tenant spaces exempt
Exempt uses are excluded from 30 percent calculation	Exempt uses and spaces are included in 30 percent calculation
Planning clearance for formula retail use	CUP for formula retail tenant
Cap applied to shopping center gross floor area	Cap applied to square footage of service area of each floor of shopping center, number of leasable tenant spaces per floor, and gross floor area of parcel and gross floor area of shopping center
Formula retail = 10 in US	Formula retail = 10 worldwide
Servicemark and trademark excluded from “formula retail” definition	Servicemark and trademark included in “formula retail” definition

Drafting a concrete proposal at this stage assures supporters of Measure R that the City would be enacting strong restrictions on chain stores and apprise the plaintiffs of the type of restrictions that would be in place if Measure R remains invalidated. This is important because it will only make sense to adopt an ordinance if the proponents and the City do not appeal the court’s decision on Measure R (and the plaintiffs agree not to challenge the new ordinance).² As mentioned above, this proposal is part of a contingency plan and offers one method of making sure that there is no gap in the City’s regulation of chain stores.

²As previously noted, if the court’s decision is stayed pending the appeal, the City could not adopt an ordinance because Measure R would be in effect.

CORRESPONDENCE: To date, no correspondence has been received on this item.

PUBLIC NOTICE: On February 25, 2016, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to all interested parties (Attachment 2).

CONCLUSION: Staff recommends that the Planning Commission recommend the City Council adopt ZTA No. 16-001 as recited in the attached Resolution No. 16-36.

ATTACHMENTS:

1. Planning Commission Resolution 16-36
2. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION 16-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING TEXT AMENDMENT NO. 16-001, AMENDING MALIBU MUNICIPAL CODE TITLE 17 (ZONING) TO PLACE A 30 PERCENT CAP ON THE NUMBER OF FORMULA RETAIL USES PERMISSIBLE WITHIN ANY SHOPPING CENTER, LIMIT THE PERMISSIBLE SIZE OF FORMULA RETAIL USES TO 2,500 SQUARE FEET, AND FIND THE CITY'S ACTION IN ADOPTING THE ZONING TEXT AMENDMENT TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals.

A. Malibu desires to remain unique, not just in its physical setting as evidenced by approximately 22 miles of scenic coastline nestled between the Santa Monica Mountains and Pacific Ocean, but in its relatively rural nature, its small-town feel, its commercial character, and its overall visitor and resident experience. With only 3.7 percent of its total land area zoned for commercial use, nearly half is clustered in the Civic Center neighborhood – the City's main commercial district that has historically served the City's visitors and residents alike with a variety of retail offerings. The rest is located in pockets along Pacific Coast Highway to the east and west of the Civic Center. Maintaining the economic health and unique appeal of the City's commercial area is vital to the ongoing preservation and enhancement of the City's unique, small-town feel, commercial character, and the needs of its visitors and residents.

B. To advance those goals, the City seeks to prevent the proliferation of elements that project an overwhelming sense of sameness and familiarity. Instead, the City desires to encourage elements that promote variety and charm while still leaving opportunities open for all. The City has adopted land use policies intended to maximize these principles, starting with the City's foundational principle:

“Malibu is a unique land and marine environment and residential community whose citizens have historically evidenced a commitment to sacrifice urban and suburban conveniences in order to protect that environment and lifestyle, and to preserve unaltered natural resources and rural characteristics. The people of Malibu are a responsible custodian of the area's natural resources for present and future generations.” [General Plan, Vision Statement].

C. With more than 23 percent of its nearly 12,000 acres zoned as public open space and more than 50 percent being designated as environmentally sensitive habitat area (ESHA) pursuant to the City's Local Coastal Program (LCP), the City recognizes the importance land use plays in the planned distribution, location, and intensity of human activity in context to the relatively rural nature of the City. As previously

3.7 percent of its nearly 12,000 acres is zoned for commercial use, with nearly half of that, or 43.5 percent, being clustered in the Civic Center commercial neighborhood. The City recognizes that retail is the dominant commercial use in the City and maintaining a strong and diverse retail base is most critical to the success and ongoing preservation of its commercial zones. The City recognizes that this can be enhanced by a healthy blend of commercial uses that are familiar because of their broad availability outside Malibu and those that are distinctive such that they offer an unfamiliar (nowhere-but-here) shopping, service or dining experience. A mix of these types of uses provides diverse and distinct retail, service and dining opportunities for visitors and residents alike.

- D. The City is committed to “manage growth to preserve a rural community character” [General Plan Land Use (LU) Element, Section 1.4.2] and to encouraging the “...establishment and continued operation of small neighborhood and community serving businesses.” [General Plan LU Policy 4.4.1]. Further, the City must ensure that commercial “visitor serving retail uses...fit the character and scale of the surrounding community.” [LCP Land Use Plan (LUP) Policy 5.12, in part].
- E. Commercial amenities aside, Malibu is a world-known destination that draws millions of visitors each year, particularly to its beautiful beaches and parks. Along with the City’s recreational opportunities, Malibu offers a rural residential community set within the Santa Monica Mountains National Recreation Area and the Santa Monica Bay. The City desires its commercial uses to promote variety and charm, embrace its relatively rural character, and not detract from its qualities.
- F. The City has experienced an increase in commercial leasing activity Citywide, with a specific increase in the number of formula retail establishments. It is anticipated that additional formula retail establishments will, in the foreseeable future, continue to find their way into the City’s commercial rental/lease market.
- G. Formula retail establishments are, by their nature, generally not unique in appearance or character. Likewise, formula retail establishments generally do not offer goods and services that are not readily available at other establishments within a reasonable proximity to the City. Consequently, the City finds that the proliferation of formula retail establishments, if not regulated, will conflict with and frustrate the City’s goal of maintaining a distinctive community character and correspondingly distinctive retail amenities.
- H. An over-abundance of formula retail establishments frustrates the City’s ability to promote a diverse and distinctive retail base in its commercial zones. The City considers a diverse retail base to include a distinctive retail personality that avoids shifting the City’s character toward familiarity and sameness. A diverse retail base should be comprised of a balanced mix of businesses ranging from small to medium to large and from familiar to distinctive. An over-abundance of formula retail

establishments will unduly limit and eventually eliminate the commercial diversity and distinctive character.

- I. The General Plan Mission Statement states, in part, that “Malibu will maintain its rural character by establishing programs and policies that avoid suburbanization and commercialization of its natural and cultural resources.” Further, the overriding goals of the City shall be to: “(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; and (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.” [LCP LUP, Section 1(D)].
- J. In light of the foregoing considerations, the City Council has determined that the public welfare will be served and advanced by regulating the establishment of formula retail establishments in the commercial districts. The City has experienced an increase in the presence of formula retail establishments and anticipates that additional formula retail establishments will, in the foreseeable future, continue to find their way into the City’s rental/lease market – the over-abundance of which threatens to diminish the City’s distinctive character.
- K. This ordinance was prepared in light of the Superior Court’s ruling in the lawsuit bringing a facial challenge to Measure R and it specifically does not attach conditional use permit requirements to tenants or require voter-approved specific plans for individual projects and should not be construed otherwise.
- L. At the direction of the City Council, the Planning Commission on March 21, 2016, initiated Zoning Text Amendment (ZTA) No. 16-001 regulating formula retail use, held a duly noticed public hearing, and adopted Planning Commission Resolution No. 16-36, recommending the City Council adopt ZTA No. 16-001 to amend Title 17 (Zoning) of the Malibu Municipal Code (MMC) to establish development standards and procedures for regulating formula retail uses to assure consistency with the General Plan.

Section 2. Environmental Review.

The Planning Commission has analyzed the project proposal described herein. California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission has determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

Section 3. Zoning Text Amendment Findings.

Pursuant to MMC Section 17.74.040, the Planning Commission hereby makes the following findings and recommends to the City Council that the MMC be amended as stated in Section 4.

A. Based on evidence in the whole record, the Planning Commission hereby finds that the amendment is consistent with the General Plan and LCP. The ordinance would support the objectives and policies of the General Plan intended to preserve and enhance the City's distinctive, small-town feel, commercial character, and the needs of its visitors and residents. The ordinance will also ensure compatibility between land uses by reducing any potential negative indirect effects that have been associated with an overabundance of formula retail establishments, such as shifting a community's commercial variety and charm to familiarity and sameness, which conflict with and frustrate the City's goals of remaining unique while promoting a diverse retail base within its commercial districts.

B. The ZTA advances the General Plan Vision Statement which reads, "Malibu is a unique land and marine environment and residential community whose citizens have historically evidenced a commitment to sacrifice urban and suburban conveniences in order to protect that environment and lifestyle, and to preserve unaltered natural resources and rural characteristics. The people of Malibu are a responsible custodian of the area's natural resources for present and future generations." The City is committed to "manage growth to preserve a rural community character" [General Plan LU Element, Section 1.4.2] and encouraging the "...establishment and continued operation of small neighborhood and community serving businesses." [General Plan LU Policy 4.4.1]. Further, the City must ensure that commercial "visitor serving retail uses ... fit the character and scale of the surrounding community." [LCP LUP Policy 5.12, in part]. The overriding goals of the City are to: "(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; and (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state." [LCP LUP, Section 1(D)].

C. In accordance with the LCP Local Implementation Plan (LIP), Chapter 1, Section 1.2, Purpose, (F), the ordinance will promote the public welfare by regulating the establishment of formula retail establishments in the commercial districts. The ordinance conforms to the City's LCP, specifically to LUP Policies 2.34 to 2.36 which require lower-cost overnight accommodations to be protected and encouraged, and as such, an exemption is provided. Consistent with LUP Policy 2.35, the exemption applies to all lower-cost "hotel/motels, hostels, RV parks, and campgrounds." Other than lower cost overnight accommodations, which are more likely to operate under a formula designation, no other types of feasible "lower-cost coastal recreational and visitor serving use[s] or opportunit[ies]" were identified that would be precluded

from operating in the Civic Center commercial district. Formula retail uses, such as those that offer hard/soft goods, services, and food and drinks, are not considered any more "visitor serving" or "lower cost" than their non-formula counterparts. It is the uniqueness of Malibu, its coastal recreation opportunities and environment that are the primary draw to visitors.

D. The ordinance does not prohibit formula establishments from operating in the City. The ordinance allows a reasonable percentage of formula establishments to operate in the City and includes several exclusions for formula uses that are considered essential to local and visitor demand.

E. The ordinance does not authorize a use other than that already designated in the LCP and MMC as a permitted or conditionally permitted use in the zone. The ordinance is consistent with the Coastal Act and the LCP because it protects, maintains and enhances the overall quality of the coastal zone environment. The ordinance will not alter the utilization or conservation of coastal zone resources, impede public access to and along the coastal zone, or interfere with the priorities established for coastal-dependent or coastal-related development.

F. The Planning Commission held a public hearing, reviewed the subject ZTA application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the ZTA is consistent with them, and recommends its approval to the City Council.

Section 4. Title 17 of the MMC is hereby amended as follows:

A. Add Section 17.22.020.E to read as follows:

E. Formula retail, subject to the standards set forth in Section 17.40.085.

B. Add Section 17.40.085 to read as follows:

Formula retail.

A. Purpose. The purpose of this Section is to regulate the mix of formula and non-formula retail uses within the commercial districts in order to prevent the proliferation of elements that project a sense of sameness and familiarity and which conflict with and frustrate the City's goals of remaining distinctive while promoting a diverse retail base. This Section is intended to encourage retail elements that promote variety while contributing to, and maintaining, the City's rural charm and small-town feel.

B. Applicability. Prior to opening a formula retail use, the property owner must obtain a planning clearance as set forth in Section 17.04.030.

C. Formula Retail Limits. Not more than 30 percent of the gross floor area of a shopping center shall be occupied by formula retail uses. The maximum size of each formula retail establishment within such shopping center shall be limited to 2,500 square feet.

D. Applicable provisions. Formula retail uses shall be subject to all provisions of this section unless otherwise specified in this section.

E. Definitions. For the purpose of this section, the following definitions shall apply:

“Formula retail” is a type of use that creates familiarity by having 10 or more other existing, operational retail establishments located in the United States, that are required to contractually, or by other agreement, maintain two or more of the following features: 1) standardized array of merchandise or menu; 2) standardized color scheme; 3) standardized décor; 4) standardized façade; 5) standardized layout; 6) standardized signage; and 7) uniform apparel. Formula retail uses include any type of retail sales activity or retail service activity conducted within a retail establishment which creates familiarity as defined herein.

1. “Standardized” means both identical and substantially the same.
2. “Array of merchandise or menu” means 50 percent or more of in-stock merchandise or menu items.
3. “Color scheme” means the selection of colors used throughout, such as on the furnishings, wall coverings, or wall coverings, or as used on the façade. Standardized lighting is considered part of the color scheme.
4. “Décor” means the style of interior finishes such as the style of furniture, wall coverings, or permanent fixtures.
5. “Façade” means the face of the front of a building or tenant space oriented onto a street or public open space. Awnings are considered part of the façade.
6. “Layout” means the interior arrangement of furniture, service area, or permanent fixtures.
7. “Uniform apparel” means standardized items of clothing such as aprons, pants, shirts, dresses, hats, and pins (other than name tags), as well as standardized colors of clothing.

“Retail establishment” means a commercial establishment that provides goods and/or services directly or indirectly to the consumer such as general retail, eating

and drinking places, beauty, personal services, professional office, luxury overnight accommodations, amusement, health, fitness, and galleries.

“Shopping center” means a group of retail, retail service, and other commercial establishments operating under common management and having at least 10,000 square feet of gross floor area. No differentiation shall be made between centers that are product-oriented or service-oriented.

F. Exclusions. For purposes of Section 17.40.085(B), the following shall not constitute formula retail uses:

1. Banks and financial services;
2. Drug stores/pharmacies;
3. Gas stations;
4. Grocery;
5. Insurance offices;
6. Lower-cost overnight accommodations;
7. Medical uses;
8. Movie theaters;
9. Post offices; and
10. Real estate offices.

G. Planning Clearance Validity. The planning clearance shall be void in the event that a formula retail use does not commence within three months of issuance or ceases or suspends operation for a period of six consecutive calendar months, relocates to another tenant space, or expands by 200 square feet or more of gross floor area. For purposes of this subsection, a formula retail use shall not be deemed to have ceased or suspended operation for any period during which a new tenant has executed a lease with the intent to resume the formula retail use.

Section 5. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences,

clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 6. Effectiveness.

The amendments approved in this ordinance shall become effective 30 days after the City Council adoption.

Section 7. Certification.

The Planning Commission shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 21st day of March 2016.

ROOHI STACK, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-036 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on of March 21, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary

**NOTICE OF PUBLIC HEARING
CITY OF MALIBU
PLANNING COMMISSION**

The Malibu Planning Commission will hold a public hearing on **Monday, March 21, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA**, for the project identified below.

ZONING TEXT AMENDMENT NO. 16-001 – An Amendment to Title 17 of the Malibu Municipal Code to place a cap on the number of formula retail uses permissible within any shopping center and otherwise regulate these uses (commonly known as chain stores).

Applicant: City of Malibu
Location: Citywide
City Planner: Christopher Deleau, Planning Manager
(310) 456-2489, extension 273
cdeleau@malibucity.org

The California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. After analyzing the project, the Planning Director determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

A written staff report will be available at or before the hearing. All persons wishing to address the Commission will be afforded an opportunity in accordance with the Commission's procedures.

Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Commission at any time prior to the beginning of the public hearing.

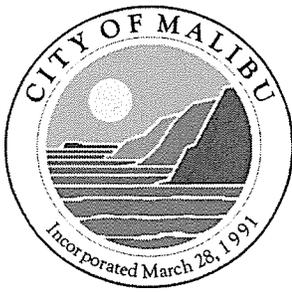
IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

If there are any questions regarding this notice, please contact Christopher Deleau, Planning Manager, at (310) 456-2489, extension 273.



Bonnie Blue
Planning Director

Publish Date: February 25, 2016



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Adrian Fernandez, Senior Planner *af.*

Approved by: Bonnie Blue, AICP, Planning Director *BB*

Date prepared: March 5, 2016 Meeting date: March 21, 2016

Subject: Coastal Development Permit No. 14-070, Variance No. 15-045, Site Plan Review No. 14-051, Minor Modification No. 14-015, and Demolition Permit No. 15-011 – An application for the demolition of a stable and guest house, major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and associated development

Location: 27545 Pacific Coast Highway, not within the appealable coastal zone

APN: 4460-007-003

Zoning: Rural Residential – Two Acres (RR-2)

Applicant: Burge & Associates Architects, Inc.

Owner: James W. Barge and Susan S. Barge, as Trustees of the James W. Barge Revocable Trust

Application Filed: November 7, 2014

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-29 (Attachment 1), determining the project is categorically exempt from the California Environmental Quality Act (CEQA) and approving Coastal Development Permit (CDP) No. 14-070 to allow a major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, grading and retaining walls for a new riding ring and circular driveway around the new stables and alternative onsite wastewater treatment system (AOWTS), Variance (VAR) No. 15-045 for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches, Site Plan Review (SPR) No. 14-051 for several buildings over 18 feet in height but to not exceed 28 feet for

a pitched roof, Minor Modification (MM) No. 14-015 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet, Demolition Permit (DP) No. 15-011 for the partial demolition of the existing single-family residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house located in the RR-2 zoning district at 27545 Pacific Coast Highway (James W. Barge Revocable Trust).

DISCUSSION: This agenda report will provide an overview of the project, including a summary of the surrounding land uses and project setting and description of the project scope of work. Next, the report summarizes staff's analysis of the project's consistency with applicable provisions of the Malibu Local Coastal Program (LCP) and CEQA review. The discussion and analysis demonstrate the project is consistent with the LCP. A complete project chronology and a summary of the required findings to approve the application can be found in Planning Commission Resolution No. 16-29 (Attachment 1).

Project Overview

The proposed project includes the demolition of an existing barn and guest house, major remodel of and addition to an existing two-story single-family residence, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and other associated development (Attachment 2 - Project Plans).

On October 10, 2014, the applicant submitted an application for Emergency Coastal Development Permit (ECDP) No. 14-060 for the repair of a failed onsite wastewater treatment system (OWTS). However, the scope of work also included a remodel of the existing residence and the rest of the proposed project. As ECDP No. 14-060 could only apply to the failed OWTS, the applicant decided to withdraw the ECDP application and pursue a full coastal development permit for the entire project.

The applicant originally proposed a less than 50 percent remodel of and addition to the existing residence. According to building permits, the existing residence was constructed in 1956. Given the age of the building, it is likely that additional structural repairs would be necessary at the time of construction that may not be apparent at this time. Additionally, the total amount of exterior walls to be removed/replaced is 45 percent as depicted on Sheet A-0.5 of the architectural plans (Attachment 2). Since a coastal development permit was being processed for the rest of the scope of work already, staff encouraged the applicant to assume a major remodel (replacement of more than 50 percent of the exterior walls) of the existing residence. Pursuant to LCP Local Implementation Plan (LIP) Section 13.5, demolition/replacement of more than 50 percent of a non-conforming building is considered a replacement structure and all current development standards apply.

The proposed improvements to the residence need additional staff review of structural and foundations plans to confirm the accuracy of the architectural plans related to a less than 50 percent remodel. This process would take a considerable amount of additional time to verify compliance and may still not fully vet whether structural repairs may be necessary. For the purposes of the subject application, the improvements to the existing residence are presumed to result in a replacement building (hereinafter referred to as "replacement residence"). Therefore, VAR No. 15-045 is proposed for the replacement residence to have a reduced rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches.

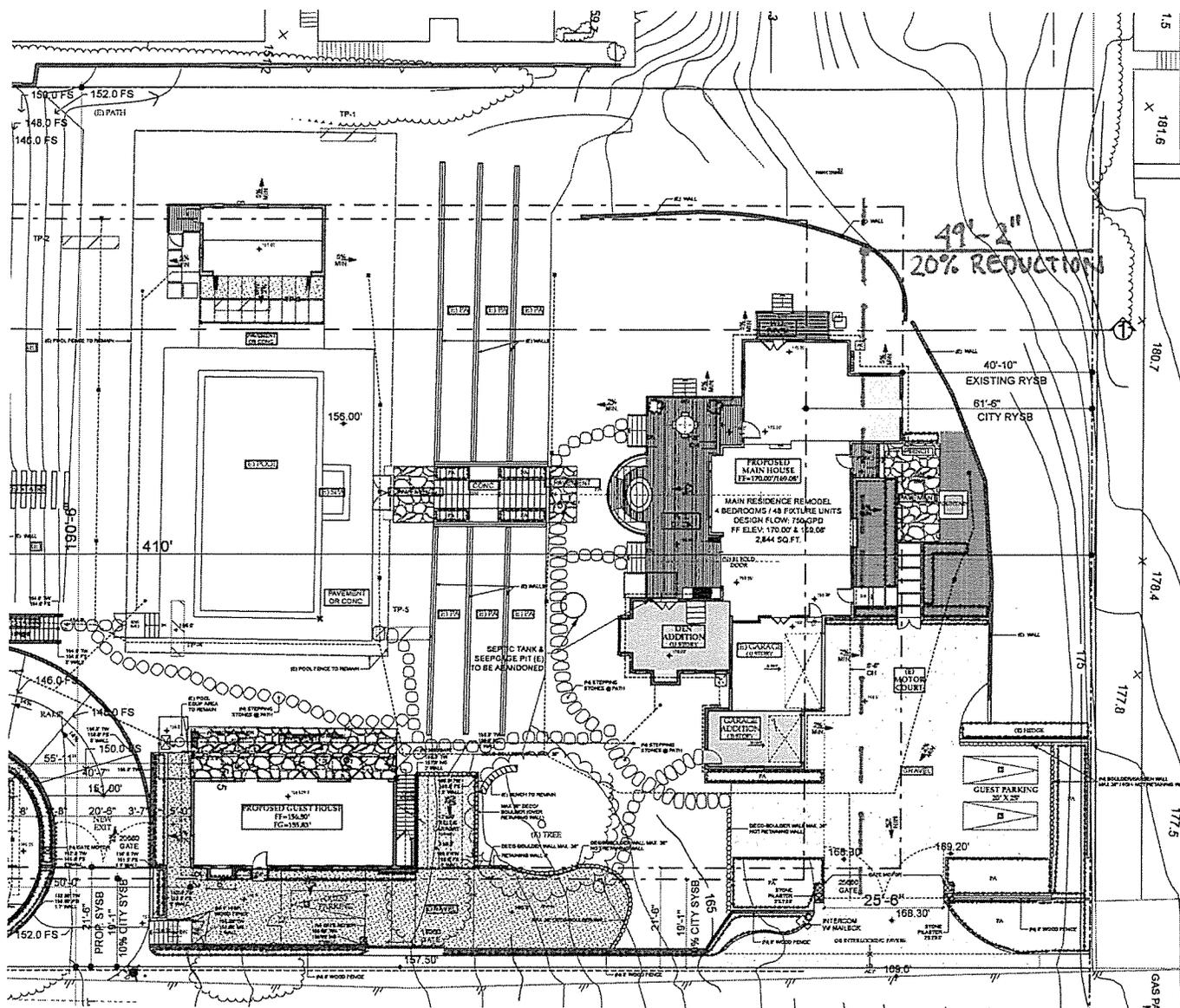


Figure 1 – Reduced Site Plan

The portion of the replacement residence that requires a variance consists of a 15 foot wide by 8 foot, 8 inch deep first floor bedroom, which is identified as the yellow area in Figure 1 above. If not for this bedroom, the rest of the building would require a less than 20 percent reduction of the required rear yard setback, as shown in red.

Should the Planning Commission not support the proposed variance and site plan review for the replacement residence, the Commission may still consider approving a less than 50 percent remodel of the existing residence. If so, prior to the issuance of any permits for the residence, Planning staff can collaborate with the Building Safety Division to confirm the remodel conforms with the LCP Remodel Policy.

The applicant is requesting approval of SPR No. 14-051 for construction over 18 feet in height applied to the replacement residence, stables and second unit. Additions are proposed to the second floor of the replacement residence by adjusting the roof pitch and expanding into an existing attic space. However, these roofline modifications are below the residence’s existing overall height of 22 feet, 1 inch. The proposed stables and second unit have a height of 24 feet, 4 inches and 22 feet, 2 inches, respectively. A primary view determination for the neighbor to the north demonstrated no primary view impacts.

The applicant is also requesting approval of MM No. 14-015 for the reduction of the cumulative side yard setback from the required 47 feet, 7 inches to the proposed 47 feet. The cumulative side yard setback is the combined dimensions of both side yard setbacks. The proposed stables and second unit are both located 21 feet, 6 inches from the easterly edge of road easement¹ and the pool cabana is located 25 feet, 6 inches from the westerly property line. As a result, the proposed cumulative side yard setback is 47 feet, which is 7 inches short of the required 25 percent.

Surrounding Land Use and Project Setting

Table 1 below outlines the land use of properties adjacent to the subject parcel (Attachment 3 – Aerial Photograph / Vicinity Map).

Table 1 – Surrounding Land Uses				
Direction	Address/ Parcel No.	Size	Zoning	Land Use
North	27553 PCH	2.04 acres	RR-2	Single-Family Residential
South	27589 PCH	1.09 acres	RR-2	Single-Family Residential
	27605 PCH	0.93 acre	RR-2	Single-Family Residential
East	27535 PCH	2.89 acres	RR-2	Single-Family Residential ²
West	27549 PCH	2.03 acres	RR-2	Single-Family Residential

The subject parcel is a rectangular flag lot with access to Pacific Coast Highway through a private driveway easement across the neighboring property to the south (27589 Pacific Coast Highway). The subject parcel contains 22 foot wide and 15 foot wide road easements parallel to the easterly and southerly property lines, respectively. The

¹ Pursuant to Zoning Code Interpretation No. 1, setbacks are measured from the edge of road easements instead of property lines.

² On November 3, 2014, the Planning Commission approved ACDP No. 12-090 for the demolition of the existing residence and construction of a new 6,870 square foot single-family residence and associated development.

easements are improved with a 20 foot wide and 15 foot wide driveways. Properties developed with single-family residences surround the subject parcel.

The subject parcel is not located in or adjacent to an Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown in the LCP ESHA and Marine Resources Map. According to the LCP Park Lands Map and the City's Trails System Map, no parks or trails are shown on or adjacent to the subject parcel.

Table 2 below summaries the parcel's lot dimensions and areas.

Table 2 – Property Data	
Lot Depth	190 feet, 6 inches
Lot Width	410 feet
Gross Lot Area	87,125 square feet
Area of Access Easements	9,020 square feet
Area of 1:1 Slopes	N/A
*Net Lot Area	78,105 square feet

*Net Lot Area = Gross Lot Area minus the areas of public or private access easements and 1:1 slopes.

The subject parcel is developed with a 2,000 square foot, two-story single-family residence with a 480 square foot attached garage, an 816 square foot barn, swimming pool and spa, and an illegally constructed stable. The barn was since illegally converted into a guest house.

Project Description

The proposed project includes the full demolition of the existing stable and former barn/guest house, partial demolition of the existing residence and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and other associated development. The proposed total development square footage (TDSF) of 8,047 square feet is comprised as follows:

Replacement Residence

2,586 square foot first floor
696 square foot second floor
274 square foot garage
<u>44 square foot covered porches</u>
3,600 square feet

Stables / Accessory Structure

1,571 square foot first floor stables
574 square foot second floor accessory structure
178 square foot first floor covered patio
244 square foot second floor covered patio
2,567 square feet

Second Unit / Accessory Structure

899 square foot first floor second unit
485 square foot second floor accessory structure
78 square foot second floor covered porch
1,462 square feet

Pool House

418 square feet

8,047 square feet of TDSF

Associated development includes:

- New AOWTS;
- Total non-exempt grading in the amount of 994 cubic yards;
- Entry gate and wall / fence combination;
- Retaining walls along the proposed access road. The retaining walls will not exceed a height of six feet or a cumulative height of 12 feet for more than one wall with a minimum three foot separation between retaining walls;
- New hardscape, including a new concrete driveway and pool deck; and
- New landscaping and fuel modification planting in compliance with MMC Chapter 9.22 (Landscape Water Conservation).

The following discretionary requests are included:

- VAR No. No. 15-045 for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches for the replacement residence;
- SPR No. 14-051 for the replacement residence, guest house and stables to exceed a height of 18 feet but to not exceed 24 feet, 4 inches for a pitched roof;
- MM No. 14-014 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet; and
- DP No. 15-011 for the partial demolition of the existing residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house.

LCP Analysis

The Malibu LCP consists of the Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the California Coastal Act in Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a CDP must adhere. This project has been reviewed and approved for LCP conformance review by the Planning Department, as well as the City Biologist, City Environmental Health Reviewer, City geotechnical staff, City Public Works Department and the Los Angeles County Fire Department (LACFD) (Attachment 4 - Agency Review Sheets).

There are 14 sections within the LIP that potentially require conformance review and specific findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality and Onsite Wastewater Treatment System, and are discussed under the *LIP Conformance* section.

The remaining nine sections that potentially require specific findings to be made are found in the following LIP chapters: 1) CDP; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. Of these nine, the CDP (including the requested variance, site plan review and minor modification); Scenic, Visual, and Hillside Resource Protection; and Hazards findings apply to the project. Consistency review with these sections is discussed later in the *LIP Findings* section.

Based on the proposed project site and scope of work described above, the ESHA, Native Tree Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access and Land Division findings are not applicable or required for the project.

Additionally, MMC Section 17.70.060 regarding demolition permits applies to this project for the partial demolition of the existing residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house.

LIP Conformance

Zoning (LIP Chapter 3)

As shown in Table 3, with the inclusion of the proposed variance, site plan review and minor modification, the proposed project complies with LIP Sections 3.5 and 3.6 related to residential non-beachfront development standards.

Table 3 – Zoning Conformance (Non-Beachfront)			
Development Requirement	Allowed	Proposed	Comments
SETBACKS			
Front Yard (20%)	65 feet	139 feet, 3 inches	Complies
Rear Yard (15%)	61 feet, 6 inches	40 feet, 10 inches	VAR No. 15-045
Side Yard (Minimum 10%)	19 feet	21 feet, 6 inches	Complies
Side yard (Cumulative 25%)	47 feet, 7 inches	47 feet	MM No. 14-015
PARKING			
Replacement Residence	2 enclosed 2 unenclosed	2 enclosed 2 unenclosed	Complies
Second Unit	1 space	1 space (carport)	Complies
TDSF	8,377 sq. ft. (max)	8,047 sq. ft.	Complies
Second Unit Square Footage	900 square feet	899 square feet	Complies
2/3^{RDS} RULE (2ND FLOOR SQUARE FOOTAGE)			
Replacement Residence	1,936 square feet	696 square feet	Complies
Stables	1,166 square feet	818 square feet	Complies
Second Unit	651 square feet	485 square feet	Complies
HEIGHT			
Replacement Residence	18 feet	22 feet, 1 inch	SPR No. 14-051
Stables		24 feet, 4 inches	
Second Unit		22 feet, 2 inches	
IMPERMEABLE COVERAGE	22,574 sq. ft. (max)	18,269 sq. ft.	Complies
CONSTRUCTION ON SLOPES	Less than 3:1	Less than 3:1	Complies
FENCE AND WALL HEIGHTS			
Front yard fencing	6 feet view-permeable and 42 inches non-view permeable	6 feet view-permeable and 42 inches non-view permeable	Complies
Walls or Fences	6 feet	6 feet	Complies
Retaining Walls	6 feet, 12 feet for a combination of walls	6 feet, 12 feet for a combination of walls	Complies

Grading (LIP Chapter 8)

As shown in Table 4, the proposed project includes approximately 994 cubic yards of non-exempt grading. This amount of grading is less than the maximum 1,000 cubic yards of non-exempt grading allowed pursuant to LIP Section 8.3. The Public Works Department has reviewed the proposed project for conformance with LCP grading requirements, and has deemed the project consistent with these requirements.

Table 4 – LCP Grading Conformance						
	Exempt**			Non-Exempt	Remedial	Total
	R&R*	Understructure	Safety***			
Cut	504	257	195	595	0	1,047
Fill	504	329	68	399	0	796
Total	1,008	586	263	994	0	2,851
Import	0	72	0	0	0	0
Export	0	0	127	196	0	251

All quantities listed in cubic yards unless otherwise noted

*R&R= Removal and Re-compaction

**Exempt grading includes all R&R, understructure and safety grading.

***Safety grading is the incremental grading required for fire department access (such as turnouts, hammerheads, and turnarounds and any other increases in driveway width above 15 feet required by the LACFD).

Archaeological/Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. On February 26, 2014, a Phase I Archaeological Study, dated January 2014, prepared by Compass Rose Archaeological, Inc. was submitted for review. The study concluded that any improvements within the project site will have no adverse effect on known cultural resources.

Nevertheless, a condition of approval is included which states that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department has reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval require that prior to grading permit issuance, final grading and drainage plans incorporating construction-phase water quality mitigation plan, as well as post-construction storm water management plans, must be approved by the City Public Works Department. With the implementation of these conditions, the project conforms to the Water Quality Protection standards of LIP Chapter 17.

Onsite Wastewater Treatment Systems (LIP Chapter 18)

The City Environmental Health Reviewer has reviewed the proposed AOWTS and determined that the subject system will meet all applicable requirements. The system will incorporate a 2,500-gallon MicroSepTec ES-25 (traffic rated) treatment tank with ultraviolet disinfection unit and a 1,650 square foot leachfield area. The applicant is required to record a covenant indicating the proper operation and maintenance of the

AOWTS. In addition, conditions of approval have been included for the proposed project to require continued operation, maintenance and monitoring of subject system.

LIP Findings

A. General Coastal Development Permit (LIP Chapter 13)

Pursuant to LIP Section 13.9, the following four findings need to be made for all coastal development permits.

Finding A1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

Based on submitted reports and plans, visual analysis and site investigation, the proposed project inclusive of the proposed discretionary requests, as designed and conditioned, complies with the provisions of the LCP.

Finding A2. If the project is located between the first public road and the sea, that the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is not located between the first public road and the sea; therefore, this finding does not apply.

Finding A3. The project is the least environmentally damaging alternative.

Pursuant to CEQA Guidelines discussed later in this report, the proposed project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment and is categorically exempt from the requirements of CEQA. The proposed project would not result in significant adverse effects on the environment, within the meaning of CEQA and therefore, there are no feasible alternatives that would further reduce any impacts on the environment.

Two other alternatives were considered to determine the least environmentally damaging alternative.

1. No Project – The no project alternative would avoid any changes to the subject parcel and would allow an existing unpermitted stable and illegally converted barn into a guest house to remain. However, the proposed project is consistent with the applicable land use designation of the LCP and General Plan, applicable development and design standards, and surrounding land use. Furthermore, the existing failed OWTS would be replaced with a new system that will produce effluent that has received secondary and tertiary treatment thereby improving water quality.

The no project alternative would not meet the project objectives and would not improve water quality. Therefore, it is not the least environmentally damaging alternative.

2. Smaller Project – A smaller project could be proposed on the subject parcel, including clustering buildings closer together, reducing the number of buildings and/or eliminating second stories. Clustering buildings closer together would require the relocation of the replacement residence or siting the other buildings closer to the replacement residence. However, the subject parcel is relatively flat, does not have any sensitive resources and the total amount of not exempt grading is less than 1,000 cubic yards. Therefore, clustering the buildings closer together or reducing the number of buildings does not provide any significant environmental advantage.

Relocating the replacement residence could eliminate the proposed rear yard setback variance and the removal of the second story could eliminate the proposed site plan review for construction over 18 feet in height (but not to exceed 24 feet, 4 inches for a pitched roof). However, as later discussed in *Sections B and C* of this report, findings for the variance and site plan review can be made. The reduced rear yard setback and height over 18 feet are not expected to have primary view impacts or public view impacts from Pacific Coast Highway and ample separation between the nearest adjacent building to the replacement residence (80 feet) will be provided. It is not anticipated that a smaller project would offer significant environmental advantages.

Proposed Project – The alternatives evaluated and described above would not offer significant environmental advantages compared to the proposed project. The proposed AOWTS will replace the existing OWTS. The new AOWTS will produce effluent that has received secondary and tertiary treatment. Therefore, the proposed AOWTS will be more protective of water quality relative to the existing conventional system. Furthermore, the subject parcel has been previously disturbed for the existing development. The proposed project will be sited within the previously disturbed graded areas, resolves code violations, does not adversely affect sensitive resources and conforms to the LCP, inclusive of the proposed discretionary requests. For these reasons, the proposed development is the least environmentally damaging feasible alternative.

Finding A4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

The subject parcel is not located in or adjacent to ESHA or ESHA buffer as shown in the LCP ESHA and Marine Resources Map. Therefore, this finding does not apply.

B. Variance for the Reduction of the Rear Yard Setback (LIP Section 13.26.5)

The proposed variance is for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches pursuant to LIP Section 3.6(F)(1). The Planning Commission may approve and/or modify an application for a variance in whole or in part, with or without conditions, only if it makes all of the findings of fact supported by substantial evidence as specific by LIP Section 13.26.5. The findings required to approve VAR No. 15-045 may be made as follows.

Finding B1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

The proposed variance is for a reduction in the required rear yard setback, but the portion of the residence encroaching into the rear yard setback is an existing first floor bedroom. The existing residence was constructed prior to the incorporation of the City and no expansion of the pad further into the rear yard is proposed. The special circumstances affecting the project are that denial of the variance would require the property owner to demolish the portion of the existing residence that encroaches into the setback, and has existed for 60 years.

Finding B2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The proposed variance would allow a replacement residence to encroach into the required rear yard setback. The rear lot line is shared with 27553 Pacific Coast Highway, which has been developed with a two-story residence built in 1981. That house is 25 feet from its southerly property line and approximately 80 feet from the nearest corner of the replacement residence. Given the ample separation between these two residences, the proposed variance is not expected to be detrimental to the nearest residence or any other surrounding property.

The City Biologist, City Environmental Health Reviewer, City geotechnical staff and City Public Works Department have reviewed the proposed project and determined it was consistent with all applicable regulations and policies. Therefore, the granting of the proposed variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zoning district in which the property is located.

Finding B3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

The three existing residences immediately to the south (27589, 27605 and 27625 Pacific Coast Highway) have similar or smaller rear yard setbacks as measured using GovClarity, the City's mapping system. The proposed rear yard is consistent with the immediately adjoining lots which have been developed with ample separation to the replacement residence. The replacement residence would have a rear yard setback of 40 feet, 10 inches. Therefore, the proposed variance is necessary for the replacement residence, which will have similar or greater setbacks compared to other surrounding properties and will not constitute a special privilege to the applicant or the property owner.

Finding B4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the proposed variance will not be contrary to or in conflict with the LCP. The proposed variance would allow the owner to continue to use the existing residence, in an upgraded condition and with the existing reduced rear yard setback that is similar to immediately adjacent developed properties as previously discussed in *Finding B3*.

Finding B5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The proposed project is not located within an ESHA or ESHA buffer; therefore, this finding does not apply.

Finding B6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

The requested variance is not associated with stringline standards; therefore, this finding does not apply.

Finding B7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed variance would allow a replacement residence. The existing single-family residential use will remain and is consistent with the uses and activities permitted in the applicable RR-2 zone. Therefore, the proposed variance would not grant a use or activity which is not otherwise expressly authorized by the parcel's zoning district.

Finding B8. The subject site is physically suitable for the proposed variance.

The proposed variance would allow a replacement residence. All final recommendations from the project's geotechnical consultant, project's structural engineer, the City Building Safety Division, City geotechnical staff and Public Works Department will be incorporated into the construction of the proposed project. Therefore, the subject parcel is physically suitable to accommodate the development related to the requested variance.

Finding B9. The variance complies with all requirements of state and local law.

In addition with being consistent with the LCP, the proposed variance will comply with all requirements of State and local law in that the proposed project will be required to obtain applicable City Building Safety Division, City geotechnical staff and City Public Works Department permits prior to construction.

Finding B10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

The proposed project does not reduce or eliminate public parking for access to the beach, public trails or parklands; therefore, this finding does not apply.

C. Site Plan Review for Construction in Excess of 18 Feet in Height (LIP Section 13.27.5)

Pursuant to LIP Section 13.27.1, a site plan review is required to allow a replacement residence, new second unit and stables over 18 feet in height, up to 24 feet, 4 inches for a pitched roof. LIP Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D). Based on the foregoing evidence contained in the record, the required findings for SPR No. 14-051 are made as follows.

Finding C1. The project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Finding A1, with the inclusion of proposed discretionary requests, the proposed project, as designed and conditioned, conforms to all applicable LCP policies and provisions.

Finding C2. The project does not adversely affect neighborhood character.

Story poles were placed on the subject parcel to demonstrate the project's potential for aesthetic changes to the neighborhood relative to siting, height and bulk. On February 18, 2016, staff visited the site after the story poles were installed and revised. As demonstrated by the story poles, the project's location, height and bulk is similar to other

surrounding residences in that it is located in the middle of a fully developed neighborhood that consists of mostly two-story residences with existing landscaping and perimeter fencing. Therefore, the project, as proposed and conditioned, does not adversely affect neighborhood character.

Finding C3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP.

On February 18, 2016, Planning Department staff visited the subject property after story poles representing the height, location and bulk of the proposed buildings were installed (Attachment 5 – Site Photographs). Based on staff's story pole inspection, staff determined that the replacement residence, new stables and second unit will be partially visible from Pacific Coast Highway. However, the proposed buildings are located approximately 600 feet from the valley on Pacific Coast Highway where all but the tops of the proposed buildings are obscured behind existing landscaping. Furthermore, the approval of the proposed project is subject to conditions of approval regarding construction materials, landscaping, fencing and lighting in order to protect scenic public views. Due to siting, existing landscaping and applicable standard conditions, the proposed buildings will have less than significant adverse public view impacts.

Finding C4. The proposed project complies with all applicable requirements of state and local law.

As previously discussed in Finding A1, the proposed project, as designed and conditioned, conforms to the LCP. Planning staff, City Biologist, City Environmental Health Reviewer, City geotechnical staff, Public Works Department and the LACFD have reviewed the proposed project and determined it to be consistent with applicable State and local regulations. Construction of the proposed project will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies.

Finding C5. The project is consistent with the City's general plan and local coastal program.

As previously discussed in Findings A1 and B7, the proposed project, as designed and conditioned, conforms to the LCP and is consistent with the rural residential land use designation of the General Plan and LCP. The proposed project is consistent with this designation and other surrounding land uses.

Finding C6. The portion of the project that is in excess of 18 feet in height does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40. 040(A)(17).

On November 20, 2015, a Courtesy Notice of the Proposed Project and Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property and story poles were installed on February 3, 2016. To date, only one of the neighbors has requested a primary view determination to assess potential visual impacts as a result of the proposed project. The primary view determination was conducted for the principal residence located immediate to the north (27553 Pacific Coast Highway). However, the portions of the buildings above 18 feet in height do not obstruct impressive scenes from the main viewing area of the principal residence.

Based on staff's inspection of the story poles, review of project plans, and no primary view determinations demonstrated primary view impacts, staff has determined that the portions of the replacement residence, second unit and stables above 18 feet in height are not expected to obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17).

D. Minor Modification for a 20 Percent Reduction of the West Side Yard Setback (LIP Section 13.27)

A minor modification is proposed for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet related to the proposed buildings. LIP Section 13.27.5(B) requires that the City make three findings in consideration and approval of a minor modification to reduce the required setbacks. Based on the foregoing evidence contained within the record, the required findings for MM No. 14-015 are made as follows.

Finding D1. That the project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Finding A1, the proposed project with the inclusion of the proposed discretionary requests, as designed and conditioned, conforms to all applicable LCP policies and provisions.

Finding D2. That the project does not adversely affect neighborhood character.

As previously discussed in Finding C2, the proposed project is not expected to adversely affect neighborhood character. The proposed reduction totals seven inches and will not be perceptible to viewers. Surrounding neighboring buildings were built in the 1950s and as recent as 2003. The proposed cumulative side yard setback reduction is consistent with many of the surrounding residences that were built under the development standards of the County of Los Angeles which required a minimum side yard setback of five feet. Based on GovClarity, the City's mapping system, several of the surrounding buildings have been developed with less than the currently required setbacks.

Some of the primary objectives of setbacks are to ensure that the use of a property does not infringe on the rights of neighbors, to allow fire department access around the structures, provide light and ventilation, and to avoid potential visual impacts. The seven inch reduction to the cumulative side yard setback would not affect existing fire department access around the replacement residence and new buildings because there is ample separation between the property lines and all the buildings, which will have a minimum setback of 21 feet, 6 inches. Therefore, the proposed project will not adversely affect neighborhood character as the proposed improvements will be similar to other surrounding development.

Finding D3. The proposed project complies with all applicable requirements of state and local law.

As previously discussed in Finding B4, the proposed project complies with all requirements of State and local law.

E. Environmentally Sensitive Habitat Area (LIP Chapter 4)

As previously discussed in Finding A4, the subject parcel is not located in or adjacent to ESHA or ESHA buffer as shown in the LCP ESHA and Marine Resources Map. Therefore, the supplemental ESHA findings in LIP Section 4.7.6 do not apply.

F. Native Tree Protection (LIP Chapter 5)

The proposed CDP does not involve removal of or encroachment into the protected zone of any protected native trees. Therefore, LIP Chapter 5 does not apply.

G. Scenic, Visual, and Hillside Resource Protection (LIP Chapter 6)

The Scenic, Visual and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provide views to or is visible from any scenic area, scenic road or public viewing area. LIP policies require that new development not be visible from scenic roads or public viewing areas. Where this is not feasible, new development must minimize impacts through siting and by incorporating design measures to ensure visual compatibility with the character of surrounding areas. The project will be partially visible from Pacific Coast Highway, an LCP-designated scenic highway; therefore, LIP Chapter 6 findings are made below.

Finding G1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

On February 18, 2016, staff visited the subject property after story poles representing the height, location and bulk of the proposed buildings were installed. Based on the site visit,

staff determined that the replacement residence will be partially visible from Pacific Coast Highway. However, the proposed buildings are located approximately 600 feet from the valley on Pacific Coast Highway where all but the tops of the proposed buildings are obscured behind existing landscaping. Due to siting and existing landscaping, the proposed buildings will have less than significant adverse scenic impacts.

Finding G2. The project, as proposed, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As previously discussed in Finding G1, the proposed project, as designed and conditioned, will have no significant adverse scenic or visual impacts.

Finding G3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As previously discussed in Finding A3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative.

Finding G4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As previously discussed in Findings A3 and G1, the proposed project, as designed and conditioned, will have no significant adverse impacts on scenic and visual resources and is the least environmentally damaging alternative. A single-story design would avoid the visibility of the replacement residence, new stables and second unit. However, the existing residence at 27553 Pacific Coast Highway is located immediately behind the proposed buildings and at a higher elevation. Therefore, the portions of the proposed buildings partially visible behind existing landscaping will blend with existing development rather than causing new visual impacts.

Finding G5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

As previously discussed in Findings G1 and G4, the replacement residence, new stables and second unit have been sited to avoid significant adverse visual impacts.

H. Transfer of Development Credits (LIP Chapter 7)

Pursuant to LIP Section 7.2, transfer of development credits only applies to land divisions and / or new multi-family residential development in specified zoning districts. The proposed CDP does not involve a land division or multi-family residential development. Therefore, LIP Chapter 7 does not apply.

I. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazard must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project has the potential to adversely impact site stability or structural integrity. The project has been reviewed by City geotechnical staff and City Public Works Department for the hazards listed in LIP Section 9.2(A)(1-7). Based on the project plans and provided reports, staff determined that the project is located on a site where the proposed project, as conditioned, will not adversely impact site stability or structural integrity if the recommendations of the project geotechnical consultant are incorporated. The required findings of LIP Chapter 9 are made as follows.

Finding I1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

Analysis of the project for hazards included review of the project plans and the following documents, which are available on file with the City:

- Preliminary Geologic and Soils Engineering Investigation, dated September 12, 2006, prepared by GeoConcepts, Inc;
- Addendum Report No. 1, dated April 16, 2007, prepared by GeoConcepts, Inc;
- Addendum Report No. 2, dated May 21, 2007, prepared by GeoConcepts, Inc;
- Updated Engineering Geologic and Geotechnical Report, dated May 8, 2015, prepared by Donald B. Kowalewsky; and
- Addendum to Percolation Test Report, dated February 13, 2015, prepared by Donald B. Kowalewsky.

According to the geotechnical report and addenda, the property is not located within a liquefaction zone or landslide zone based on the State of California Seismic Hazard Map. Ground rupture due to fault movement is not anticipated. With the implementation of the recommendations of the project geotechnical engineer and City geotechnical staff, less than significant impacts on structural integrity from geologic or flood hazards are expected.

The entire city limits of Malibu are located in a high fire hazard area. However, the proposed development will incorporate all required measures of the LACFD to minimize risks from wildfire. The LACFD serves the City, as well as the California Department of Forestry, if needed. In the event of major fire, the County has mutual aid agreements with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD.

The proposed project will incorporate all recommendations contained in the previously referenced geotechnical report and addenda. As such, the proposed project will neither be subject to nor increase the instability of the site or structural integrity from geologic, flood, fire, or other hazards. The City geotechnical staff, City Public Works Department and the LACFD have reviewed the project and determined it to be consistent with all relevant policies and regulations regarding potential hazards.

Finding 12. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As previously discussed in Finding 11, the proposed project, as designed and conditioned, will not have significant impacts on site stability or structural integrity. The City geotechnical staff, City Public Works Department and the LACFD have conditioned the project to ensure that it will not have significant adverse impacts on the site stability or structural integrity.

Finding 13. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As previously discussed in Finding A3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative.

Finding 14. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As previously discussed in Finding 11, the proposed project, as designed and conditioned, will not have adverse impacts on site stability. Compliance with standard engineering techniques and other feasible available solutions to address hazards issues will ensure that the structural integrity of the proposed development will not result in any hazardous conditions.

Finding 15. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As previously discussed in Findings A3 and I1, the proposed project, as designed and conditioned, will not have significant adverse impacts on sensitive resources, including but not limited to hazards.

J. Shoreline and Bluff Development (LIP Chapter 10)

The proposed project is not located on or along the shoreline, coastal bluff or bluff-top fronting the shoreline. Therefore, LIP Chapter 10 does not apply.

K. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, vertical, trails and recreational. The subject parcel is not located between the first public street and the sea. Additionally, no planned or existing public trails or recreational uses are located on or adjacent to the subject parcel as shown on the LCP Park Lands Map. Therefore, LIP Chapter 12 does not apply.

L. Land Division (LIP Chapter 15)

The proposed project does not involve a land division as defined in LIP Section 15.1. Therefore, LIP Chapter 15 does not apply.

M. Demolition Permit (MMC Section 17.70)

MMC Section 17.70 requires that a demolition permit be processed for the demolition of any building or structure. The proposed project includes the partial demolition of the existing single-family residence and full demolition of the existing, unpermitted stable and barn that was illegally converted into a guest house. The findings for DP No. 15-011 are made as follows.

Finding M1. The demolition permit is conditioned to assure that it will be conducted in a manner that will not create significant adverse environmental impacts

Conditions of approvals are included in Planning Commission Resolution No. 16-29 to ensure that the project will not create significant adverse environmental impacts.

Finding M2. A development plan has been approved or the requirement waived by the city.

The subject coastal development permit application will concurrently permit the proposed demolition and construction of residential development.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project and found that it is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15301(I) and 15303(a) – Demolition of one single-family residence and accessory structures, and construction of a new single-family residence and accessory structures. It has further been determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: As previously discussed in the *Project Overview* section of this report, the neighbor immediately to the north located at 27553 Pacific Coast Highway requested a primary view determination from a detached workshop/gym. However, a detached accessory structure such as the office/gym may not be considered a main viewing area for purposes of the primary view determination. The portions of the buildings over 18 feet in height do not appear to obstruct impressive scenes from an alternative viewing location on the residence's second floor that was designated as the primary view location.

PUBLIC NOTICE: Staff published a Notice of Public Hearing on February 25, 2016 and mailed the notice to property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 16-29. The project has been reviewed and conditionally approved for conformance with the LCP by staff and appropriate City departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-29
2. Project Plans
3. Aerial Photograph / Vicinity Map
4. Agency Review Sheets
5. Site Photographs
6. Public Hearing Notice / Mailer

All referenced reports not included in the attachments can be viewed in their entirety in the project file located at Malibu City Hall.

**CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-29**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 14-070 TO ALLOW A MAJOR REMODEL OF AND ADDITION TO THE EXISTING TWO-STORY SINGLE-FAMILY RESIDENCE CONSTITUTING A REPLACEMENT STRUCTURE, AND CONSTRUCTION OF NEW STABLES WITH A SECOND FLOOR ACCESSORY STRUCTURE, DETACHED SECOND UNIT WITH A ONE-CAR CARPORT AND SECOND FLOOR GYM, POOL CABANA, GRADING AND RETAINING WALLS FOR A NEW RIDING RING AND CIRCULAR DRIVEWAY AROUND THE NEW STABLES AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, VARIANCE NO. 15-045 FOR THE REDUCTION OF THE REAR YARD SETBACK FROM THE REQUIRED 61 FEET, 6 INCHES TO THE PROPOSED 40 FEET, 10 INCHES, SITE PLAN REVIEW NO. 14-051 FOR SEVERAL BUILDINGS OVER 18 FEET IN HEIGHT BUT TO NOT EXCEED 28 FEET FOR A PITCHED ROOF, MINOR MODIFICATION NO. 14-015 FOR THE REDUCTION OF THE CUMULATIVE SIDE YARD SETBACKS FROM THE REQUIRED 47 FEET, 7 INCHES TO THE PROPOSED 47 FEET, DEMOLITION PERMIT NO. 15-011 FOR THE PARTIAL DEMOLITION OF THE EXISTING SINGLE-FAMILY RESIDENCE AND FULL DEMOLITION OF AN EXISTING, UNPERMITTED STABLE AND BARN THAT WAS ILLEGALLY CONVERTED INTO A GUEST HOUSE LOCATED IN THE RURAL RESIDENTIAL – TWO ACRE ZONING DISTRICT AT 27545 PACIFIC COAST HIGHWAY (JAMES W. BARGE REVOCABLE TRUST)

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals.

- A. On October 10, 2014, an application for Emergency Coastal Development Permit No. 14-060 was submitted for the replacement of a failed onsite wastewater treatment system (OWTS). The applicant subsequently withdrew this application because the scope of work included more than just repairs to the OWTS.
- B. On November 7, 2014, an application was submitted to the Planning Department for Coastal Development Permit (CDP) No. 14-070, Site Plan Review (SPR) No. 14-051 and Minor Modification (MM) No. 14-015 for the proposed project.
- C. On November 20, 2015, Variance (VAR) No. 15-045 for the replacement of the existing single-family residence and Demolition Permit (DP) No. 15-011 for the partial demolition of the existing

residence and full demolition of the existing stable and unpermitted guest house were assigned to the project.

- D. On November 20, 2015, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500-foot radius of the subject parcel.
- E. On November 24, 2015, a Notice of Application for CDP was posted on the subject parcel.
- F. On February 18, 2016, staff visited the project site after story poles representing the location, height and bulk of the proposed buildings were installed.
- G. On February 18, 2016, staff deemed the application complete for processing.
- H. On February 25, 2016, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.
- I. On March 21, 2016, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, staff presentation and written reports, public testimony, and other information in the record.

Section 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project and found that it is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, is project is categorically exempt from the provisions of CEQA pursuant to Guidelines Sections 15301(l) and 15303(a) – Demolition of one single-family residence and accessory structures, and construction of a new single-family residence and accessory structures. It has further been determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Section 3. Coastal Development Permit Approval and Findings.

Based on substantial evidence contained within the record and pursuant to Sections 13.7.B and 13.9 of the City of Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP), the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 14-070, VAR No. 15-045, SPR No. 14-051, MM No. 15-015, and DP No. 15-011 to allow the major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, grading and retaining walls for a new riding ring and circular driveway around the new stables and alternative onsite wastewater treatment system (AOWTS).

The proposed project has been reviewed by the City Biologist, City Environmental Health Reviewer, City geotechnical staff, City Public Works Department and the Los Angeles County Fire Department

(LACFD). The proposed project, inclusive of the proposed variance, site plan review and minor modification, is consistent with the LCP's zoning, grading, archaeological / cultural resources, water quality, and OWTS standards. The project has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. Based on submitted reports and plans, visual analysis and site investigation, the proposed project inclusive of the proposed discretionary requests, as designed and conditioned, complies with the provisions of the LCP.

2. Evidence in the record demonstrates that, as conditioned, the proposed project will be sited within the previously disturbed graded areas, does not adversely affect sensitive resources, improves water quality and conforms to the LCP, inclusive of the proposed discretionary requests. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

B. Variance for the Residence to Extend Higher than the Adjacent Road Grade (LIP Section 13.26.5)

1. VAR No. 15-038 is required for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches pursuant to LIP Section 3.6(F)(1).

2. The proposed variance would allow a replacement residence to remain in the same footprint it was lawfully permitted in 1956 and would allow the continual use of approximately 50 percent of the residence's exterior walls, which will have the least amount of land disturbance and result in less waste material. Additionally, exceptional characteristics applicable to the subject parcel consist of ample separation from surrounding residences and no impacts to these residences are anticipated from the proposed variance. Due to these special circumstances and exceptional characteristics, the strict application of the zoning ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification.

3. Evidence in the record demonstrates that, as designed and conditioned, the project will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

4. Evidence in the record demonstrates the proposed variance is necessary for a major remodel of the existing residence as it results in a replacement structure, which will have similar or greater setbacks compared to other surrounding properties and will not constitute a special privilege to the applicant or the property owner.

5. Evidence in the record demonstrates that the proposed project has been reviewed and approved for conformance with the LCP and applicable City and County goals and policies by City staff and LACFD.

6. The proposed replacement residence is consistent with its rural residential zoning designation. Therefore, the proposed variance does not authorize a use not otherwise consistent with the purpose and intent of the governing zone.

7. The proposed variance will allow a replacement residence. All final recommendations from the project's geotechnical consultant, project's structural engineer, the City Building Safety Division, City geotechnical staff and Public Works Department will be incorporated into the construction of the proposed project. Therefore, the subject parcel is physically suitable to accommodate the development related to the requested variance.

8. The variance complies with all requirements of State and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies.

C. Site Plan Review for Construction in Excess of 18 Feet in Height (LIP Section 13.27.5)

1. SPR No. 14-051 is required to allow a replacement residence, new second unit and stables over 18 feet in height, up to 24 feet, 4 inches for a pitched roof pursuant to LIP Section 13.27.1.

2. As demonstrated by the story poles, the project's location, height and bulk is similar to other surrounding residences in that it is located in the middle of a fully developed neighborhood that consists of mostly two-story residences with existing landscaping and perimeter fencing. Therefore, the project, as proposed and conditioned, does not adversely affect neighborhood character.

3. Due to siting, existing landscaping and applicable standard conditions, the proposed buildings will have less than significant adverse public view impacts.

4. Based on staff's inspection of the story poles, review of project plans and primary view determination, staff determined that the portions of the replacement residence, new stable and second unit above 18 feet in height are not expected to obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17).

D. Minor Modification for a 20 Percent Reduction of the West Side Yard Setback (LIP Section 13.27)

1. MM 14-015 is required for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet pursuant to LIP Section 3.6(F)(2).

2. Evidence in the record demonstrates that the proposed project will not adversely affect neighborhood character as the proposed improvements will be similar to other surrounding development.

3. Evidence in the record demonstrates that the proposed project complies with all requirements of State and local law.

E. Scenic, Visual, and Hillside Resource Protection (LIP Chapter 6)

1. Evidence in the record demonstrates that, due to siting and existing landscaping, the proposed buildings will have less than significant adverse scenic or visual impacts.

2. The proposed project, as designed and conditioned, will have no significant adverse impacts on scenic and visual resources and is the least environmentally damaging alternative. The portions of the proposed buildings partially visible behind existing landscaping will block the existing residence at 27553 Pacific Coast Highway and were determined not to have significant adverse visual impacts.

F. Hazards (LIP Chapter 9)

1. The proposed project will incorporate all recommendations contained in the geotechnical report and addenda. As such, the proposed project will neither be subject to nor increase the instability of the site or structural integrity from geologic, flood, fire, or other hazards. The City geotechnical staff, City Public Works Department and the LACFD have reviewed the project and determined it to be consistent with all relevant policies and regulations regarding potential hazards.

2. The City geotechnical staff, City Public Works Department and the LACFD have conditioned the project to ensure that it will not have significant adverse impacts on the site stability or structural integrity.

3. The proposed project, as designed and conditioned, will not have significant adverse impacts on sensitive resources, including but not limited to hazards.

G. Demolition Permit (MMC Section 17.70)

1. DP No. 15-011 is required for the partial demolition of the existing single-family residence and full demolition of the existing, unpermitted stable and barn that was illegally converted into a guest house pursuant to MMC Section 17.70.

2. Conditions of approvals are included herein to ensure that the project will not create significant adverse environmental impacts.

3. The proposed project includes both the proposed demolition and construction of a new residential development.

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 14-070, VAR No. 15-045, SPR No. 14-051, MM No. 15-015, and DP No. 15-011 subject to the following conditions of approval.

Section 5. Conditions of Approval

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. Approval of this application is to allow for construction of the following proposed project:
 - a. 3,556 square foot single-family residence;
 - b. 1,571 square foot first floor stables and 574 square foot, second floor accessory structure;
 - c. 899 square foot first floor second unit and 485 square foot second floor accessory structure; and
 - d. 418 square foot pool house.

Additional proposed development:

- e. New AOWTS;
- f. Total non-exempt grading in the amount of 994 cubic yards;
- g. Entry gate and wall / fence combination;
- h. Retaining walls along the proposed access road. The retaining walls will not exceed a height of six feet or a cumulative height of 12 feet for more than one wall with a minimum three foot separation between retaining walls;
- i. New hardscape, including a new concrete driveway and pool deck; and
- j. New landscaping and fuel modification planting in compliance with MMC Chapter 9.22.

The following discretionary requests are included:

- k. VAR No. No. 15-045 for the reduction of the rear yard setback for the replacement residence from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches;
 - l. SPR No. 14-051 for the replacement residence, guest house and stables to exceed a height of 18 feet but to not exceed 24 feet, 4 inches for a pitched roof;
 - m. MM No. 14-014 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet; and
 - n. DP No. 15-011 for the partial demolition of the existing residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house
3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped **February 4, 2016**. The proposed development shall further comply with all conditions of approval stipulated in this Resolution and Referral Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.
 4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions

Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department within 10 working days of receipt of this signed decision and prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.
6. This resolution, signed and notarized Acceptance of Conditions Affidavit and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works/Engineering Services Department for an encroachment permit (as applicable).
7. The CDP shall be expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.
8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
9. All structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Environmental Health Specialist, City Biologist, City Coastal Engineer, City Public Works Department, Los Angeles County Waterworks District No. 29 and the LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.
11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.
12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning

Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.

14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Site Specific Conditions

15. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant is required to obtain a transportation permit from the California Department of Transportation.
16. No more than one second unit is permitted to exist on the subject property per LIP Section 3.6(N)(1)(b).

Building Plan Check

Demolition/Solid Waste

17. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.
18. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.
19. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction waste generated by the project.
20. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Deputy Building Official.
21. No demolition permit shall be issued until building permits are approved for issuance. Demolition of the existing structure and initiation of reconstruction must take place within a six month period. Dust control measures must be in place if construction does not commence within 30 days.

22. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.
23. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.
24. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Division.

Geology

25. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.
26. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System

27. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's Onsite Wastewater Treatment regulations including provisions of LIP Section 18.9 related to continued operation, maintenance and monitoring of the AOWTS.
28. Prior to final Environmental Health approval, a final AOWTS plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the Malibu Plumbing Code (MPC) and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The AOWTS plot plan shall show essential features of the AOWTS and must fit onto an 11 inch by 17 inch sheet leaving a five inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).
29. A final design and system specifications shall be submitted as to all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed AOWTS. For all AOWTS, final design drawings and calculations must be signed by a California registered civil engineer, a registered environmental health specialist or a professional geologist who is responsible for the design. The final AOWTS design

drawings shall be submitted to the City Environmental Health Specialist with the designer's wet signature, professional registration number and stamp (if applicable).

30. Any above-ground equipment associated with the installation of the AOWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.
31. The final design report shall contain the following information (in addition to the items listed above).
 - a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
 - b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
 - c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and
 - d. All final design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For AOWTS final designs, full-size plans are required for review by the Building Safety and/or the Planning Department.
32. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the existing Onsite Wastewater Treatment System (OWTS) components, an 'OWTS Abandonment Permit' shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal or

replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.”

33. Prior to final Environmental Health approval, the applicant shall provide engineer’s certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MPC Take K-1) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the Table K-1 setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced.
34. Prior to final Environmental Health approval, the applicant shall provide engineer’s certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MPC Take K-1) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the Table K-1 setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced. All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in Table K-1) also must be supported by a letter from the project architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California-licensed architect, then the required architect’s certification may be supplied by an engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setbacks to the wastewater system. In this case, the engineer must include in his/her letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback, then the architect or engineer must provide associated construction documents for review and approval during Building and Safety plan check. The wastewater plans and the construction plans must be specifically referenced in all certification letters.
35. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS’ proper abandonment in conformance with the MPC.
36. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the

property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental and Building Safety Division.

37. Proof of ownership of subject property shall be submitted to the City Environmental Health Specialist.
38. An operations and maintenance manual specified by the AOWTS designer shall be submitted to the City Environmental Health Specialist. This shall be the same operations and maintenance manual submitted to the owner and/or operator of the proposed AOWTS following installation.
39. Prior to final Environmental Health approval, a maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed AOWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Specialist.
40. Prior to final Environmental Health approval, a covenant which runs with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive, notice to any future purchaser for value that the AOWTS serving subject property is an alternative method of onsite wastewater disposal pursuant to MPC, Appendix K, Section 10). Said covenant shall be provided by the City of Malibu Environmental Health Specialist and shall be submitted to the City of Malibu with proof of recordation by the Los Angeles County Recorder.
41. The City geotechnical staff and Geotechnical Engineer's final approval shall be submitted to the City Environmental Health Specialist.
42. The City Biologist's final approval shall be submitted to the City Environmental Health Specialist. The City Biologist shall review the AOWTS design to determine any impact on Environmentally Sensitive Habitat Area if applicable.
43. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Grading / Drainage / Hydrology

44. Non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

45. The latest Total Grading Yardage Verification Certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitute may be accepted.
46. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
 - a. Retains all non-storm water runoff on the property without discharge to the ASBS; and
 - b. Maintains the natural water quality within the ASBS by treating storm runoff for the pollutants in residential storm runoff that would cause a degradation of ocean water quality is the ASBS. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediments.
47. A Grading and Drainage Plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
 - a. Public Works Department general notes;
 - b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
 - c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;
 - d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
 - e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
 - f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes;
 - g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan; and
 - h. Public storm drain modifications shown on the Grading and Drainage Plan shall be reviewed and approved by the Public Works Department prior to the issuance of a grading permit.
48. Prior to the approval of any permits and submittal of the required construction general permit documents to the State Water Quality Control Board, the applicant shall submit to the Public Works Department for review and approval an Erosion and Sediment Control Plan (ESCP). The ESCP shall contain appropriate site-specific construction site Best Management Practices (BMPs)

and developed and certified by a Qualified SWPPP Developer (QWD). All structural BMPs must be designed by a licensed California Engineer. The ESCP must address the following elements:

- a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area;
- b. Methods used to protect native vegetation and trees;
- c. Sediment/erosion control;
- d. Non-storm water control;
- e. Material management (delivery and storage);
- f. Spill prevention and control;
- g. Waste management;
- h. Identification of site risk level as identified per the requirements in Appendix 1 of the construction general permit; and
- i. Landowner must sign the following statement on the ESCP:

“I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to update the ESCP to reflect current conditions, or failing to properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law.”

49. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of a development permit.
50. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3. A note shall be added to the grading plans to reflect compliance with this condition.
51. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:
 - a. Site Design Best Management Practices (BMPs);
 - b. Source Control BMPs;

- c. Treatment Control BMPs that retains onsite the Stormwater Quality Design Volume (SWQDv) or where it is technically infeasible to retain onsite, the project must biofiltrate 1.5 times the SWQDv that is not retained onsite;
- d. Drainage improvements;
- e. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
- f. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
- g. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
- h. The WQMP shall be submitted to the Building and Safety Public Counter and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

Confined Animal Facilities

52. New development and redevelopment of confined animal facilities shall require a WQMP-Ag and shall include the following:
- a. The confined animal facilities shall be designed and constructed to retain all precipitation and drainage through manured areas during the 85th Percentile, 24 hour storm event or the 0.75-inch, 24 hour storm event, whichever is greater. Manured areas are defined as those areas where livestock waste is likely to be deposited.
 - b. All precipitation and surface drainage outside of manured areas, including that collected from roofed areas, and runoff from tributary areas during the storm event described in "a" shall be diverted away from manured areas.
 - c. Retention ponds and manured areas at confined animal facilities shall be protected from inundation or washout by overflow from any stream channel during 100-year peak stream flows.
 - d. New development or redevelopment of confined animal facilities shall not result in the placement of manured areas in or within 100 feet of streams or other surface waters.
 - e. Confined animal facility new development or redevelopment shall not produce sedimentation or polluted runoff on any public road, adjoining property, or in any drainage channel.
 - f. The new development or redevelopment shall be designed to prevent animals at a confined animal facility from entering any surface water within the confined area.
 - g. New development and redevelopment projects must have a livestock waste storage area. Livestock waste storage areas shall be designed and constructed to be water-tight and covered such that storm water will not be allowed to discharge from the area. The storage area shall be located at least 50 feet from any drainage swale and 100 feet from any surface water and any public or private drainage conveyance systems.

- h. A copy of the WQMP-Ag shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
- i. The WQMP-Ag shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP-Ag shall be paid prior to the start of the technical review. The WQMP-Ag shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP-Ag, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP-Ag shall be submitted to the Public Works Department prior to the certificate of occupancy or final inspection.

Water Quality/ Water Service

- 53. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.
- 54. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve letter from Los Angeles County Waterworks District No. 29 to the Planning Department indicating the ability of the property to receive adequate water service.

Construction / Framing

- 55. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays and City-designated holidays.
- 56. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, will be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires will be rinsed off prior to leaving the property.
- 57. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
 - a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
 - b. Grading activities shall be planned during the southern California dry season (April through October).

- c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during onsite watering and periods of rain in order to minimize surface water contamination.
 - d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within project sites.
58. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Department for review and sign off on framing.

Colors and Materials

59. The project is visible from scenic roads or public viewing areas, therefore, shall incorporate colors and exterior materials that blend with the surrounding landscape.
- a. Acceptable colors shall be limited to colors that match the surrounding environment (earth tones) such as shades of green and brown, with no white or light shades and no bright tones. Color samples shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
 - b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
 - c. All windows shall be comprised of non-glare glass.
60. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Planning Director and clearly indicated on all grading, improvement and/or building plans.

Lighting

61. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
- a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
 - b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
 - c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
 - d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
 - e. Site perimeter lighting shall be prohibited; and
 - f. Outdoor decorative lighting for aesthetic purposes is prohibited.

62. Night lighting for sports courts or other private recreational facilities shall be prohibited.
63. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property shall not produce an illumination level greater than one foot candle.
64. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas.
65. Up-lighting of landscaping is prohibited.

Biology / Landscaping

66. Prior to final plan check approval, the applicant/property owner shall provide evidence that the landscape water use is approved by the Los Angeles County Waterworks District No. 29.
67. Prior to installation of any irrigation, the property owner/applicant shall obtain a plumbing permit from the Building Safety Division for the proposed irrigation system and demonstrate compliance with this condition prior to a planning final inspection.
68. Vegetation forming a view impermeable condition (hedge), serving the same function of a fence or wall, occurring within the side or rear yard setback shall not exceed a height of six feet. View impermeable hedge occurring within the front yard setback, serving the function of a fence or wall, shall not exceed a height of 42 inches.
69. Invasive plant species, as determined by the City of Malibu, are prohibited.
70. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).
71. Non-native plants shall not be allowed more than 50 feet from the proposed residential building.
72. The use of building materials treated with toxic compounds such as copper arsenate is prohibited.
73. The landscape and fuel modification plan has been conditioned to protect natural resources in accordance with the Local Coastal Program. All areas shall be planted and maintained as described in the landscape and fuel modification plan. Failure to comply with the landscape conditions is a violation of the conditions of approval for this project.
74. Grading or other site preparation activities scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active.

75. Stables and corrals shall be located no less than 50 feet from buildings used for habitation. All horse facilities including fencing, drainage control devices, landscaping, and manure management shall be followed as indicated in the WQMP-ag.

Fuel Modification

76. The project shall receive LACFD approval of a Final Fuel Modification Plan prior to the issuance of final building permits.

Fencing and Walls

77. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.
78. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

Prior to Occupancy

79. Prior to issuing a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning conditions to protect natural resources are in compliance with the approved plans.
80. Prior to a final Building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. The final Summary Report shall designate all material that were land filled or recycled, broken down by material types.
81. The applicant shall request a final Planning inspection prior to final inspection by the City of Malibu Environmental and Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.
82. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Deed Restrictions

83. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an

extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval.

84. Prior to final planning approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 61-65. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval.

Fixed Conditions

85. This CDP runs with the land and binds all future owners of the property.
86. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Section 6. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 21st day of March 2016.

ROOHI STACK, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-29 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 21st day of March 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

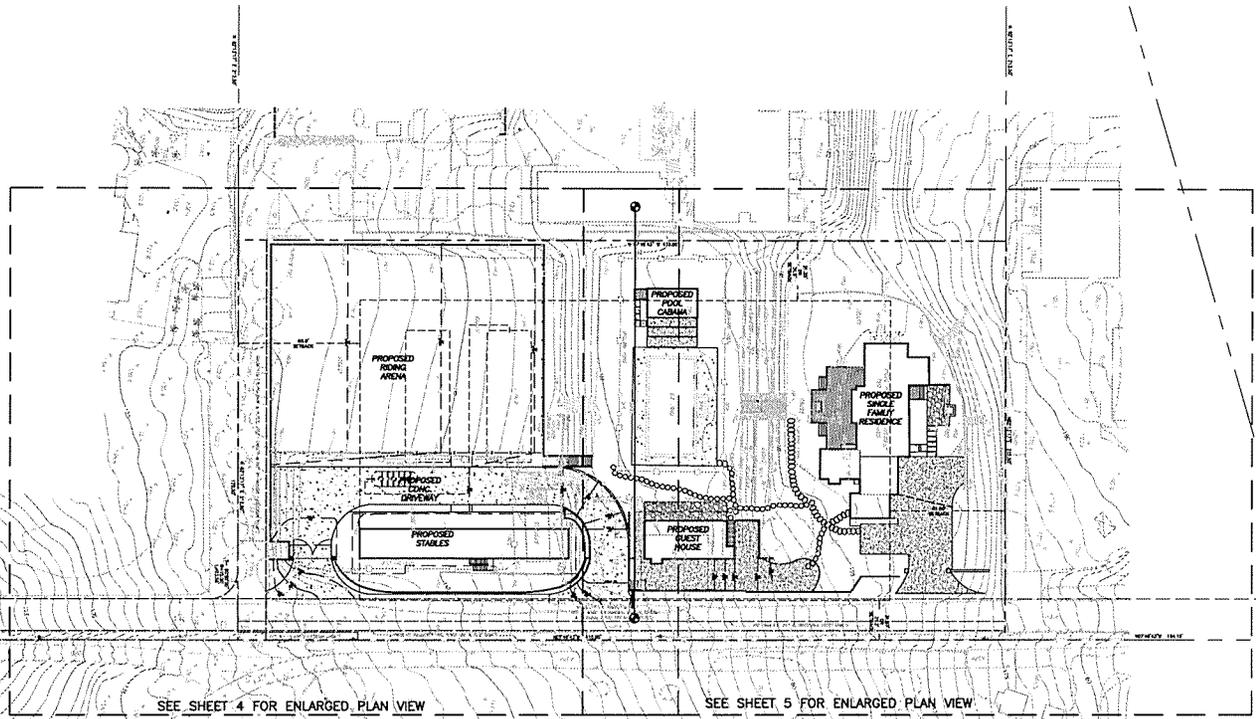
KATHLEEN STECKO, Recording Secretary

CITY OF MALIBU GRADING NOTES

1. ANY MODIFICATIONS OR CHANGES TO APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. ENGINEER MUST BE MADE AWARE OF ALL DRAINAGE DEVICES AND OBTAIN INSPECTION APPROVAL BEFORE POURING.
4. PROVISIONS WILL BE MADE FOR COMBATED EROSION AND SLOPE FAILURE.
5. SECURE PERMITS FROM CITY ENGINEER, EASEMENT GRANTOR, STATE HIGHWAY DEPARTMENT, AND/OR HOMEOWNERS ASSOCIATION FOR CONSTRUCTION, GRADING, AND/OR DISSEMINATION OF DRAINAGE WITHIN STREET RIGHT-OF-WAY.
6. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE BUILDING OFFICIAL BY A PRE-GRADING MEETING ON THE DATE IS REQUIRED BEFORE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOILS ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND WHEN REQUIRED, THE ARCHITECT/PAINTER AND LANDSCAPE ARCHITECT. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
7. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 3:1 HORIZONTAL TO 1 VERTICAL (5:1 EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE).
8. ANGLES TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED, IN WRITING, BY THE SOILS ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL.
9. FILL SHALL BE BACKFILLED INTO COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOIL ENGINEER'S DIRECTION.
10. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
11. ANY EXISTING UTILITY LINES AND CELESTIAL SHALL BE REMOVED OR CRUSHED, IN PLACE, AND APPROVED BY THE BUILDING OFFICIAL AND SOILS ENGINEER.
12. STRENGTHENING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.
13. THE DESIGN ENGINEER, AS A CONDITION OF PROPOSED GRADING, SHALL PROVIDE A BULK TOP WITH ACCOMPANYING WETNESS SCALE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR EACH GRADE. A BULK TOP WITH WETNESS SCALE SHALL BE PROVIDED FOR EACH SLOPE REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
14. ALL TRENCH BENCHES SHALL BE TESTED AND APPROVED BY THE SOILS ENGINEER.
15. SUBSIDIARY OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBSIDIARY CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADDED PLAN SHALL SHOW ALL SUBSIDIARY LOCATIONS AND ELEVATIONS.
16. SUBSIDIARY OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBSIDIARY CONSTRUCTION.
17. THE EXACT LOCATION OF THE SUBSIDIARY SHALL BE SURVEYED IN THE FIELD FOR LAYOUT AND REFLECTED ON AS-BUILT PLANS. CONSTRUCTION INSPECTION BY SOILS ENGINEER AND HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBSIDIARY INSTALLATIONS OR WHEN DETERMINED TO BE NECESSARY BY THE BUILDING OFFICIAL.
18. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH BEFORE AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEMS EXIST. SHOULD ENGINEER DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEERING GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
19. BEFORE SURVEY OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOILS ENGINEER, THE SOILS ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE RETAINING AND CEMENT TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UNDER CONSTRUCTION.
20. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL SURVEY IN THE REAR OF EACH TEST SITE. THE RESULTS OF THE SURVEY WILL BE REPLY THROUGH E-MAIL. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOILS ENGINEER, THE ENGINEERING GEOLOGIST SHALL PROVIDE PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
21. THE COMPACTION REPORT AND APPROVAL FROM THE SOILS ENGINEER SHALL INDICATE THE TYPE OF FILL, TESTS PERFORMED, AND THE RESULTS OF THE TESTS AS WELL AS THE MOISTURE AND DENSITY FOR EACH LAYER OF FILL.
22. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK WAS DONE UNDER THE DIRECTION HAS BEEN PERFORMED IN ACCORDANCE WITH APPROVED PLANS AND REQUIREMENTS OF CHAPTER 33 OF THE MALIBU BUILDING CODE OR DESCRIBING ALL VARIANCES FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE. [331.1-1]
23. THE DESIGN ENGINEER VERIFIES THAT THIS GRADING PLAN WAS PREPARED UNDER THE SUPERVISION AND IN ACCORDANCE WITH SECTION 331.1 OF THE MALIBU BUILDING CODE. ALL CIVIL ENGINEER AND ENGINEERING GEOLOGIST RECOMMENDATIONS WERE INCORPORATED IN THE PLAN. (MAY BE SIGNED AND DATED BY THE DESIGN ENGINEER.)
24. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTIONS TO BE SUBMITTED TO THE BUILDING OFFICIAL.
25. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWING CLEARLY ON APPROVED PLANS.
26. SLOPES SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL AND PROVIDED WITH AN APPROVED PROTECTION SYSTEM, UNLESS AN ALTERNATIVE HAS BEEN APPROVED BY THE CITY BIOLOGIST.
27. THE ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED GRADING PLAN.
28. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU AND CONSIDERED A PART OF THE APPROVED GRADING PLAN, ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS IDENTIFIED FOR REVIEW.
29. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORM WATER ARE APPROVED AND FUNCTIONAL. HOWEVER, IN ANY CASE, THE PERMITS SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
30. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EROSION CONTROL, SHALL BE ACCORDING WITHIN THE COMPANIES OF THE HOSE ORDINANCE AND POLICIES OF THE CITY OF MALIBU.
31. ROOF CUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES. CUTTERS SHALL BE CONNECTED TO PROPER DRAIN PIPING OR ANOTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIAL.
32. ANY EXCAVATIONS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 632, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND/OR THE OWNER.
33. **PLANNING AND REGULATORY NOTES:**
34. CUT AND FILL SLOPES WILL BE PLANTED WITH AN APPROVED GRADING CONTRACTOR AND PROVIDED WITH AN EROSION SYSTEM AS SOON AS IS PRACTICABLE DURING CONSTRUCTION. IN ADDITION TO THE GRADING CONTRACTOR, PLANTS SHALL BE INSTALLED ON ALL SLOPES. ALL PLANTING SHALL BE OF A TYPE APPROVED BY THE CITY BIOLOGIST.
35. THE PLANTING FOR A DESIGNATED IRRIGATION SYSTEM FOR FULL COVERAGE OF ALL PORTIONS OF THE SLOPES SHALL BE COMPLETED AND APPROVED PRIOR TO ROUGH GRADING APPROVAL BY THE CITY BIOLOGIST.
36. PLANNING AND PROTECTION PLANS FOR SLOPES MUST BE PREPARED AND SIGNED BY A CIVIL ENGINEER OR LANDSCAPE ARCHITECT.
37. FINISH GRADING WILL BE COMPLETED AND APPROVED AND SOILS PLANTING PROTECTION SYSTEMS INSTALLED BEFORE OCCUPANCY OF BUILDINGS.
38. **FILL NOTES:**
39. THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATIONS ARE READY FOR EACH OF THE FOLLOWING INSPECTIONS. THE PERMITTEE NEED NOT WAIT FOR THE INSPECTION TO ARRIVE BEFORE PROCEEDING WITH THE WORK.
40. FILL SHALL BE COMPACTED (AS DETERMINED BY SOILS COMPACTION TEST D1557-LATEST VERSION) THROUGHOUT THEIR FULL EXTENT TO APPROVED MATERIAL OR A MINIMUM RELATIVE COMPACTION OF 90% OF MAXIMUM DRY DENSITY WITHIN 40 FT. RISE OF MAXIMUM DRY DENSITY DEEPER THAN 40 FT. BELOW FINISH GRADE.
41. FILL DENSITY SHALL BE DETERMINED BY SAND-CONE METHOD, A.S.T.M. D1557-LATEST VERSION THROUGHOUT THEIR FULL EXTENT TO APPROVED MATERIAL SHALL BE DETERMINED BY THE DUNE-CLASPER METHOD, A.S.T.M. D-2937-LATEST VERSION, PROVIDED NOT LESS THAN 20% OF THE REQUIRED DENSITY IS SHOWN BY THE COMPACTION REPORT. OTHER METHODS MAY BE USED IF RECOMMENDED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL. [331.2-1]

41. SUFFICIENT TESTS OF SOIL PROPERTIES, INCLUDING SOIL TYPES AND SHEAR STRENGTH, SHALL BE MADE DURING GRADING OPERATIONS TO VERIFY COMPLIANCE WITH THE CITY OF MALIBU AND CONSIDERED A PART OF THE APPROVED GRADING PLAN. THE TESTING SHALL BE MADE DURING GRADING OPERATIONS, OR WHEN DISCONTINUED BY FIELD CONDITIONS UNDER THE SUPERVISION OF THE BUILDING OFFICIAL. [331.3] ONE FIELD DENSITY TEST TO BE MADE AS FOLLOWS:
42. ONE TEST FOR EACH TWO FOOT VERTICAL LIFT.
43. ONE TEST FOR EACH 1,000 CUBIC YARDS OF MATERIAL PLACED.
44. ONE TEST WILL BE MADE AT POINT APPROXIMATELY ONE FOOT BELOW THE FILL SURFACE BUT NOT LESS THAN ONE TEST FOR EACH TWO FOOT VERTICAL SLOPE HEIGHT.
45. NO FILL SHALL BE PLACED UNTIL STRIPPING OF VEGETATION, REMOVAL OF UNDESIRABLE SOILS, AND INSTALLATION OF SUBDRAINAGE IF ANY HAVE BEEN INSPECTED AND APPROVED BY SOILS ENGINEER.
46. NO ROCK OR SIMILAR MATERIAL GREATER THAN 1/2" IN DIAMETER WILL BE PLACED IN THE FILL UNLESS RECOMMENDED FOR SUCH PLACEMENT HAS BEEN SUBMITTED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL.
47. CONTINUOUS MONITORING OF THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBSIDIARY INSTALLATIONS OR WHEN DETERMINED TO BE NECESSARY BY THE BUILDING OFFICIAL.
48. ORIGINAL OF ALL REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL FOR ALL COMPACTED FILLS.
49. ALL EXISTING PLACES ON GRADE SHALL BE COLORED TO MATCH NATURAL CONDITIONS ADJACENT TO THE STRUCTURES. SURFACE PLANT IS NOT ACCEPTABLE. ALL COLORS ARE TO BE INCORPORATED INTO THE MAP AND RECORDED UNIFORMLY.
50. FILL PLACED OVER EXISTING TERRAIN 2:1 AND STEEPER THAN 3:1 HORIZONTAL TO 1 VERTICAL (5:1 EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE).
51. FILL SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION. SUFFICIENT TESTS SHALL BE MADE TO VERIFY THAT A MINIMUM OF 90% RELATIVE COMPACTION TEST D1557-81T OR APPROVED EQUIVALENT. ORIGINALS OF ALL REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL.
52. **RETAINING WALLS AND FOUNDATIONS:**
53. THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATIONS ARE READY FOR EACH OF THE FOLLOWING INSPECTIONS. THE PERMITTEE NEED NOT WAIT FOR THE INSPECTION TO ARRIVE BEFORE PROCEEDING WITH THE WORK.
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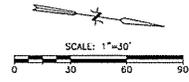
PACIFIC COAST HIGHWAY



SEE SHEET 4 FOR ENLARGED PLAN VIEW

SEE SHEET 5 FOR ENLARGED PLAN VIEW

NOTE TO CONTRACTOR
 CONTRACTOR TO VERIFY THE LOCATIONS OF ALL PROPOSED STRUCTURES, ELEVATIONS, AND DIMENSIONS PRIOR TO CONSTRUCTION. CONTRACTOR TO CONTACT PROJECT ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY CONSTRUCTION.



#	REVISIONS	DATE

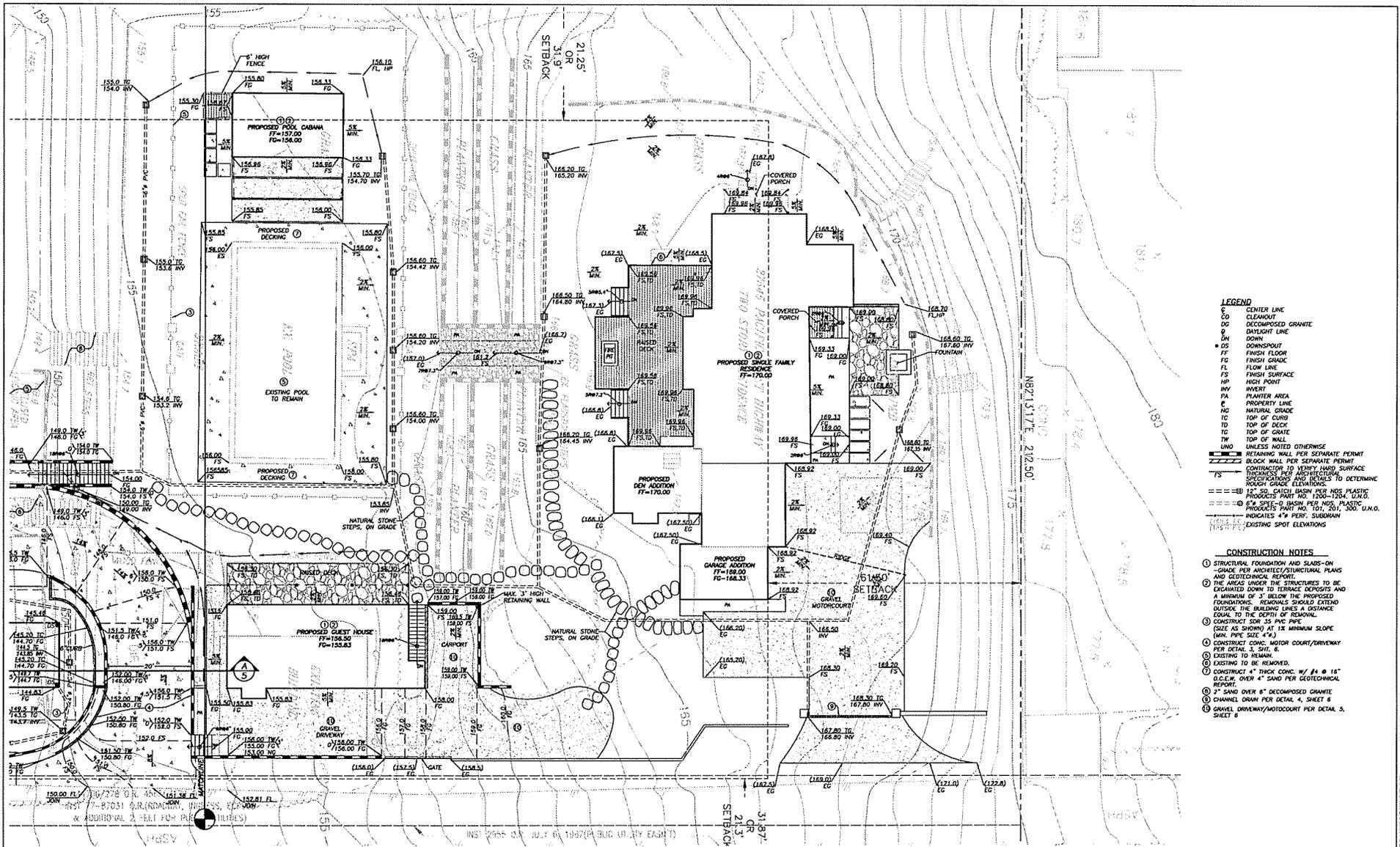
GRADING PLAN PREPARED BY:
LC ENGINEERING GROUP, INC.
 200 Pacific Coast Highway, Suite 100, Torrance, CA, California 90501
 (310) 201-1244 (FAX) (310) 201-1244 (CELL) www.lc-engineering.com

LEONARD LUSTON 31902 DATE
 RCE

CITY OF MALIBU
 OVERALL SITE PLAN
 27545 PACIFIC COAST HIGHWAY
 SHEET 3 OF 6

DRAWN BY / DATE CHECKED BY / DATE
 MICHELLE MEEHAN MM

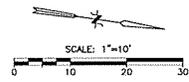
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- LEGEND**
- CL CENTER LINE
 - CO CLEANOUT
 - CG DECOMPOSED GRANITE
 - DL DASHDOT LINE
 - DN DOWN
 - DS DOWNSPOUT
 - FF FINISH FLOOR
 - FG FINISH GRADE
 - FL FLOW LINE
 - FS FINISH SURFACE
 - HP HIGH POINT
 - INV INVERT
 - PA PLANTER AREA
 - P PROPERTY LINE
 - NG NATURAL GRADE
 - TC TOP OF CURB
 - TD TOP OF DECK
 - TG TOP OF GRATE
 - TW TOP OF WALL
 - UNO UNLESS NOTED OTHERWISE
 - RETAINING WALL PER SEPARATE PERMIT
 - BLOCK WALL PER SEPARATE PERMIT
 - CONTRACTOR TO VERIFY HARD SURFACE SPECIFICATIONS AND DETAILS TO DETERMINE FINISH GRADE ELEVATIONS
 - 12" SD CATCH BASIN PER MSD PLASTIC PRODUCTS PART NO. 1200-1304, 12x10
 - 6" S/SPE-D BASIN PER MSD PLASTIC PRODUCTS PART NO. 101, 201, 300, UNL.O.
 - INDICATES 4" PERFT. SUBGRAV
 - EXISTING SPOT ELEVATIONS

- CONSTRUCTION NOTES**
1. STRUCTURAL FOUNDATION AND SLABS-ON-GRADE PER ARCHITECT/STRUCTURAL PLANS AND GEOTECHNICAL REPORT.
 2. THE AREAS UNDER THE STRUCTURES TO BE EXCAVATED DOWN TO TERRACE DEPOSITS AND A MINIMUM OF 3' BELOW THE PROPOSED FOUNDATIONS. REMOVALS SHOULD EXTEND OUTSIDE THE BUILDING LINES A DISTANCE EQUAL TO THE DEPTH OF REMOVAL.
 3. CONSTRUCT 30# 33 PAC PIPE (SIZE AS SHOWN) AT 1% MINIMUM SLOPE (MIN. PIPE SIZE 4"x4").
 4. CONSTRUCT CONC. MOTOR COURT/DRIVEWAY PER DETAIL 3, SHEET 6.
 5. EXISTING TO REMAIN.
 6. EXISTING TO BE REMOVED.
 7. CONSTRUCT 4" THICK CONC. W/ #4 @ 18" O.C.E.W. OVER 4" SAND PER GEOTECHNICAL REPORT.
 8. 2" SAND OVER 6" DECOMPOSED GRANITE
 9. CHANNEL DRAIN PER DETAIL 4, SHEET 6
 10. GRAVEL DRIVEWAY/MOTORCOURT PER DETAIL 5, SHEET 6

NOTE TO CONTRACTOR
 CONTRACTOR TO VERIFY THE LOCATIONS OF ALL PROPOSED STRUCTURES, ELEVATIONS, AND DIMENSIONS PRIOR TO CONSTRUCTION. CONTRACTOR TO CONTACT PROJECT ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY CONSTRUCTION.

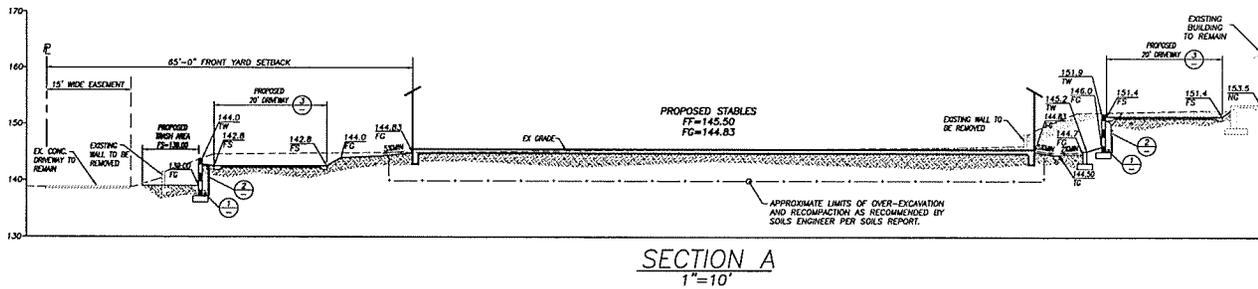


#	REVISIONS	DATE

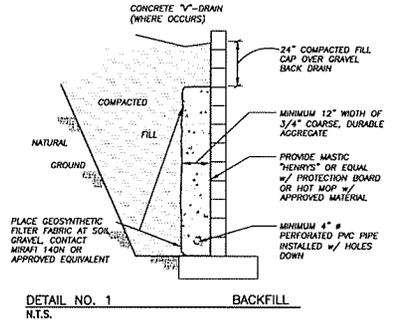
GRADING PLAN PREPARED BY:
LC ENGINEERING GROUP, INC.
1888 Pacific Coast Highway, Suite 100, Malibu, California 90265
 (805) 457-1844 (FAX) (714) 732-0111 (TOLL FREE) www.lcegroup.com

CITY OF MALIBU
EXPANDED GRADING PLAN
27545 PACIFIC COAST HIGHWAY
SHEET 5 OF 6

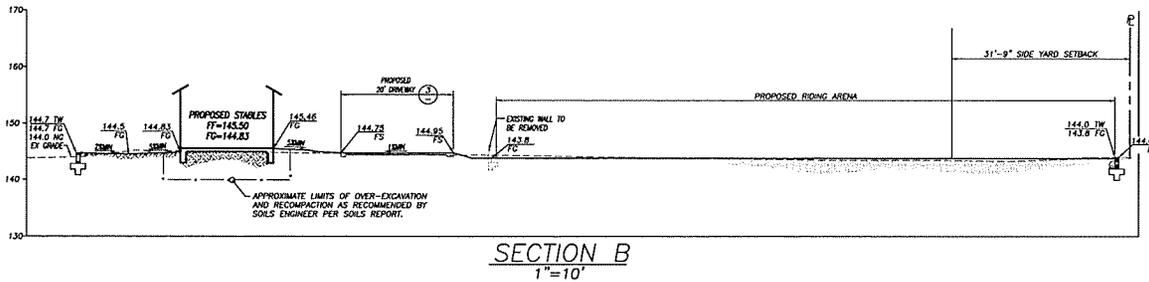
LEONARD LISTON 31902 RCE DATE
 DRAWN BY / DATE CHECKED BY / DATE



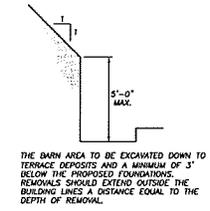
SECTION A
1"=10'



DETAIL NO. 1 BACKFILL
N.T.S.



SECTION B
1"=10'

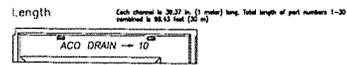


DETAIL NO. 2 TEMPORARY EXCAVATION
N.T.S.

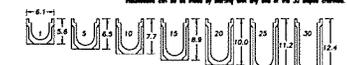
CHANNEL-SLOPE® NW100 Series Channels

Sloped Channels
Slope Each channel has a .85 ball-in-slope. There are 30 different slope channels (part nos. 1-30).

Length Each channel is 30.32 in. (1 meter) long. Total length of part numbers 1-30 combined is 90.95 feet (28 m).



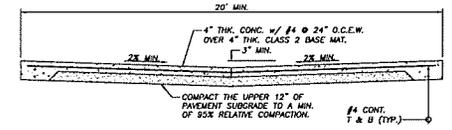
Width Depth Range Cross Section Range
Each channel has the same width. Channel depth at end of channel Part No. 1-10 is 2.0 inches. At end of channel Part No. 11-20 is 2.5 inches. At end of channel Part No. 21-30 is 3.0 inches. Installation can be in series by starting with any one of the 30 sloped channels.



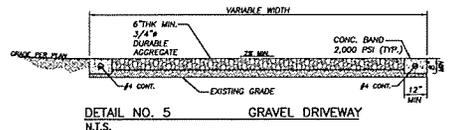
Part No.	Width	Depth	Part No.	Width	Depth
100-1	8.8	1.1	100-11	7.8	2.1
100-2	9.8	1.1	100-12	8.1	2.1
100-3	8.0	1.2	100-13	8.4	2.1
100-4	8.3	1.2	100-14	8.8	2.1
100-5	8.8	1.2	100-15	9.1	2.1
100-6	8.2	1.2	100-16	9.1	2.1
100-7	7.0	1.2	100-17	8.3	2.2
100-8	7.2	1.2	100-18	8.8	2.2
100-9	7.4	1.2	100-19	8.8	2.2
100-10	7.7	1.2	100-20	12.4	2.2
100-11	7.7	1.2	100-21	12.4	2.2
100-12	7.7	1.2	100-22	12.4	2.2
100-13	7.7	1.2	100-23	12.4	2.2
100-14	7.7	1.2	100-24	12.4	2.2
100-15	7.7	1.2	100-25	12.4	2.2
100-16	7.7	1.2	100-26	12.4	2.2
100-17	7.7	1.2	100-27	12.4	2.2
100-18	7.7	1.2	100-28	12.4	2.2
100-19	7.7	1.2	100-29	12.4	2.2
100-20	7.7	1.2	100-30	12.4	2.2

NOTE: Use height-referenced grade.

DETAIL NO. 4 CHANNEL DRAIN
N.T.S.



DETAIL NO. 3 CONC. DRIVEWAY
N.T.S.



DETAIL NO. 5 GRAVEL DRIVEWAY
N.T.S.



#	REVISIONS	DATE

GRAVING PLAN PREPARED BY:
LC ENGINEERING GROUP, INC.
1880 Pacific Coast Highway, Suite 111, Torrance, California 90501
(310) 407-1844 (FAX) (310) 407-1845 (TOLL FREE) www.lcegroup.com

31902
LEONARD LISTON RCE DATE

CITY OF MALIBU
CROSS SECTIONS AND DETAILS
27545 PACIFIC COAST HIGHWAY
DRAWN BY / DATE CHECKED BY / DATE
MICHELLE MEEHAY MM

SHEET 6 OF 6

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK WITHOUT THE WRITTEN AGREEMENT WITH THE ARCHITECT.

WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE REPORTED TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 7 18		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS

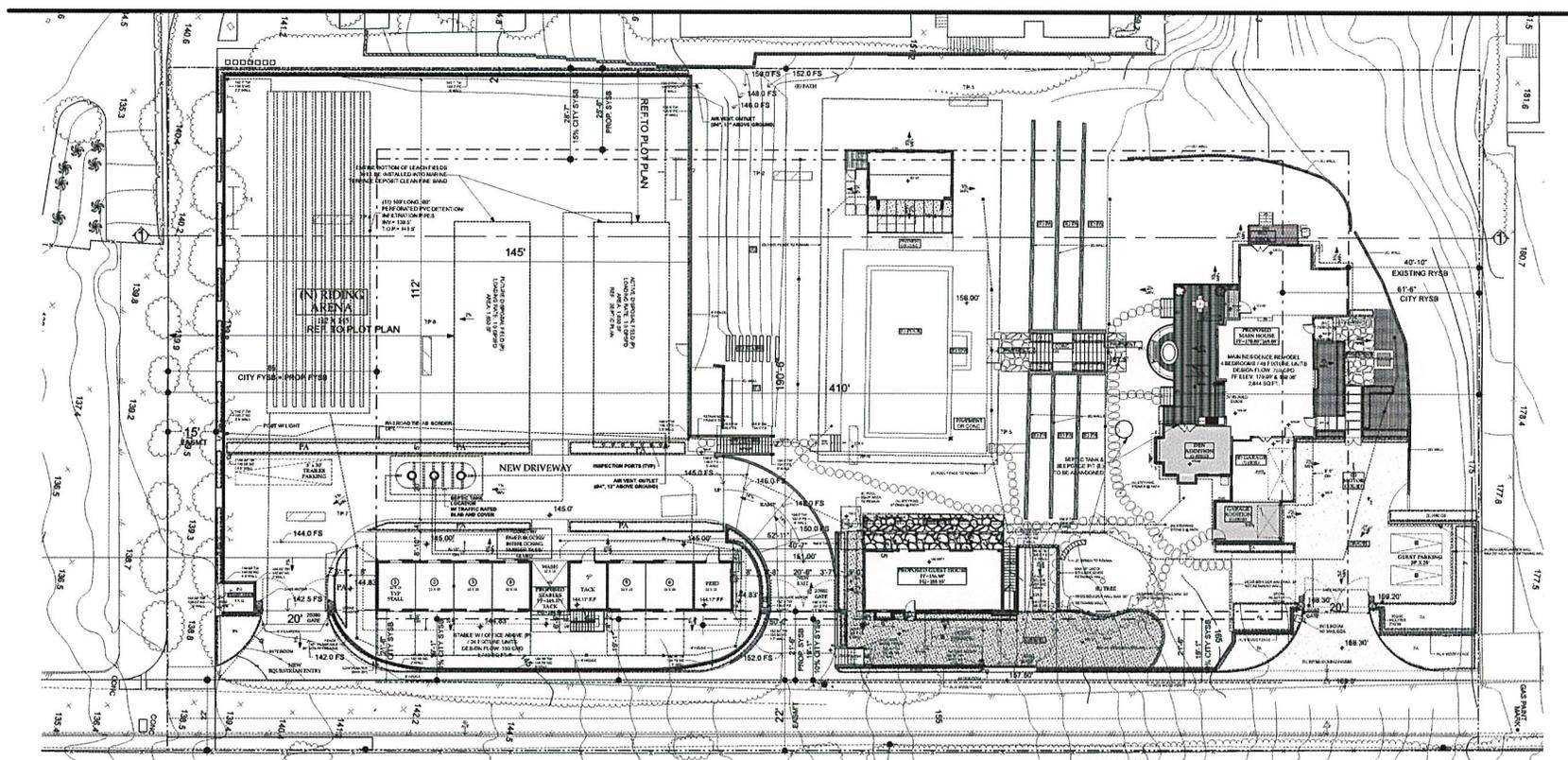
MALIBU SUN VALLEY WWW.BUARIA.COM
21236 PACIFIC COAST HWY. 21 CORNEL LANE, UNIT C MALIBU, CA 90265 TEL: 310 456 5865 FAX: 310 456 6466

DESCRIPTION:

SITE PLAN

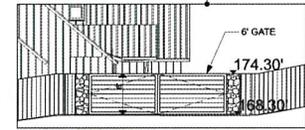
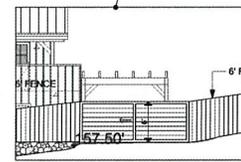
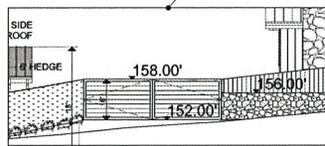
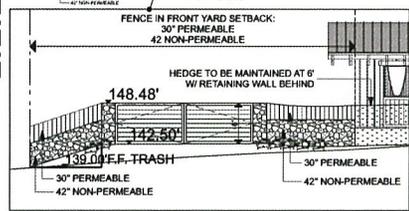
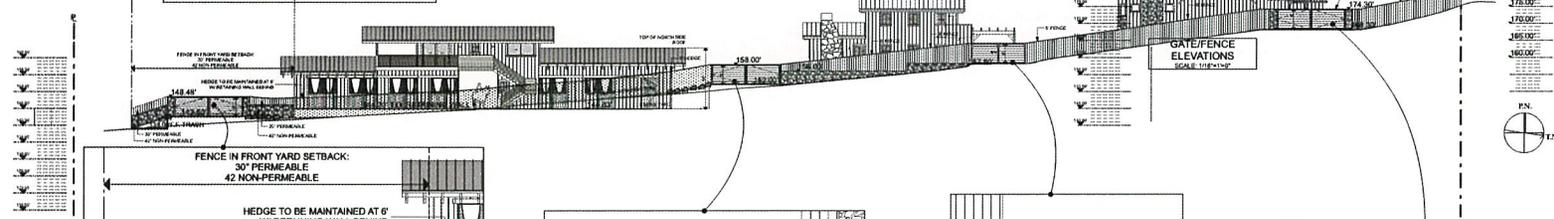
DRAWING NO. **A-0.1**

PROJECT BARGE ARENA
DATE Prev Date: 2/23/18
SCALE 1/8"=1'-0"
DRAWN BY D.W.B., S.O., N.W.



NOTE:
FOR INFORMATION ABOUT
RETAINING WALLS
REF. TO GRADING PLANS

LEGEND:
ADDITION TO MAIN HOUSE

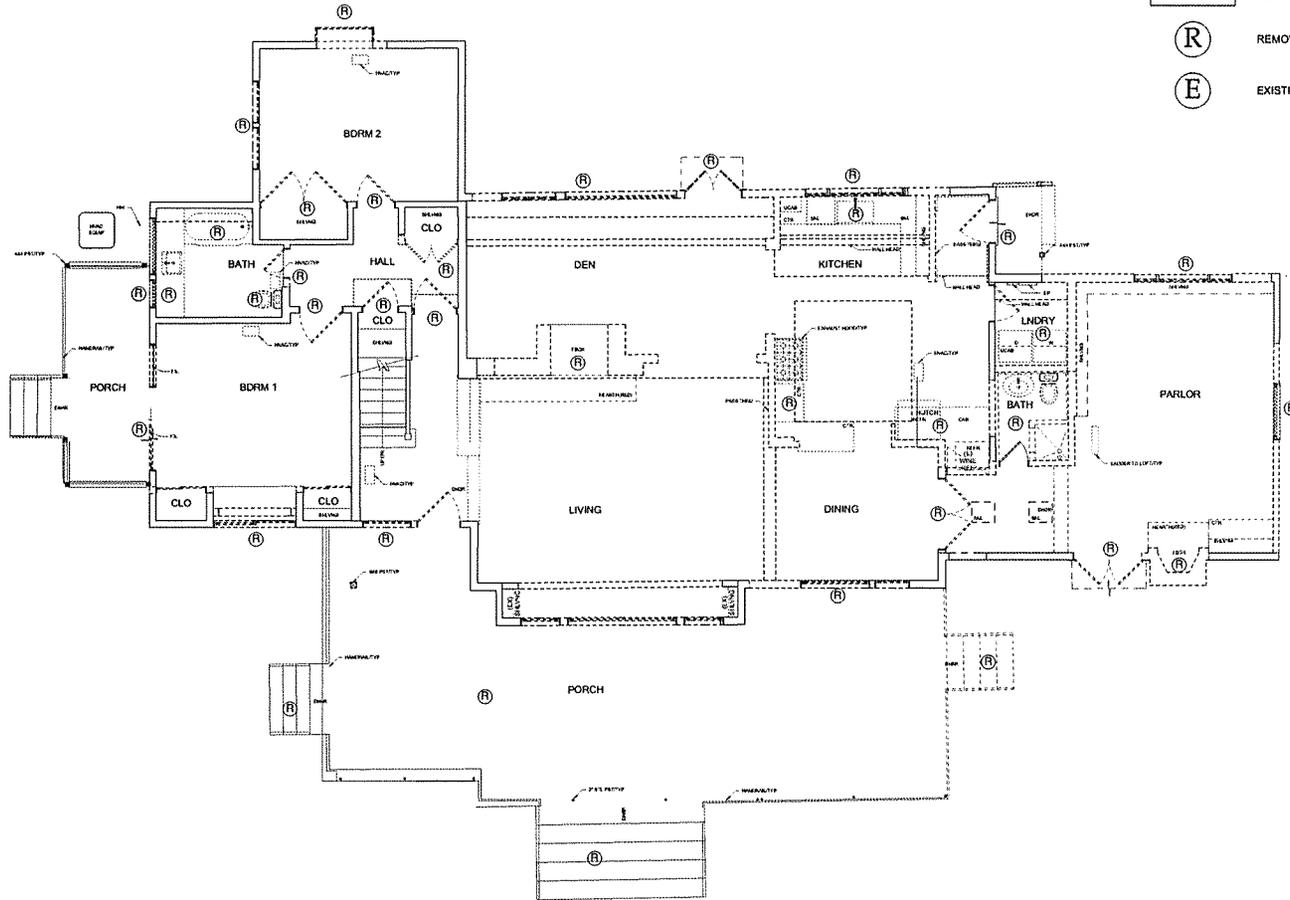


BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265

LEGEND:

-  EXISTING WALL TO BE REMOVED
-  EXISTING WALL TO REMAIN
-  REMOVE/REPLACE
-  EXISTING TO REMAIN



THE ANALYSIS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED OR ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT. WRITTEN DIMENSIONS SHALL BE VIEWED ON THE JOB SITE. CHANGES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FROM THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	5/17/14	INITIAL CDP SUBMITTAL
2	JULY 15	CDP RE-SUBMITTAL
3	OCT 15	CDP RE-SUBMITTAL

BURDGE & Associates ARCHITECTS

MALIBU SUN VALLEY WWW.BUAIA.COM
27545 PACIFIC COAST HWY. 21 COMET LANE, SUITE C MALIBU, CA 90265 TEL: 310-464-6400 FAX: 310-459-8036

DESCRIPTION:
EXISTING FIRST FLOOR PLAN - MAIN HOUSE



DRAWING NO. **A-0.2**

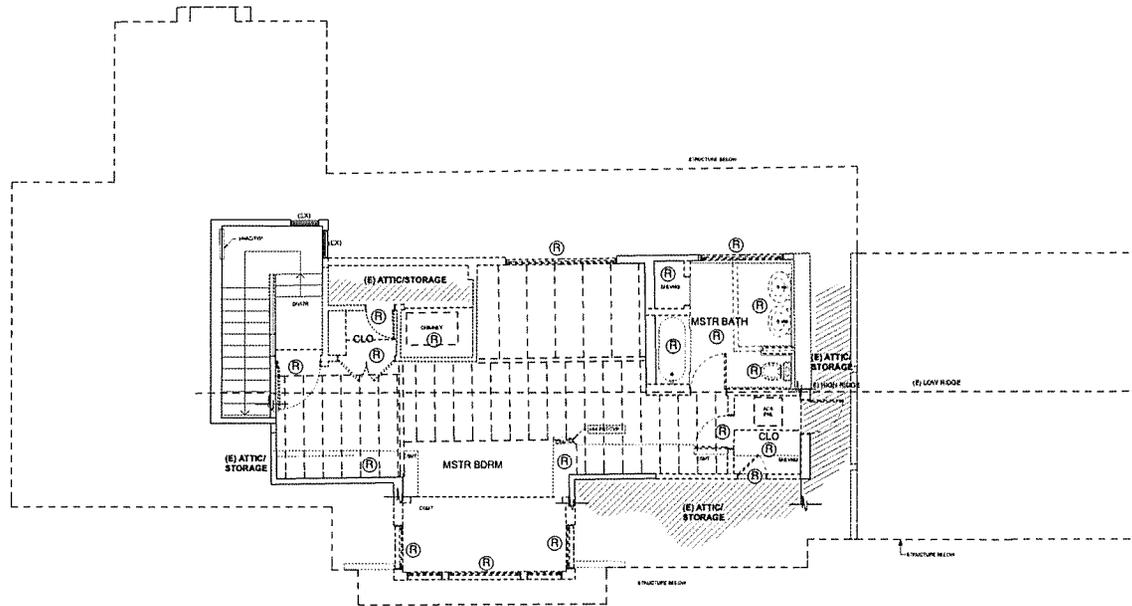
PROJECT	BARGE ARENA
DATE	MAY 2016
SCALE	1/8" = 1'-0"
DRAWN BY	DWB, SD, NW

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265

LEGEND:

-  EXISTING WALL TO BE REMOVED
-  EXISTING WALL TO REMAIN
-  REMOVE/REPLACE
-  EXISTING TO REMAIN



THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED OR ANY OTHER WORK WITHOUT WRITTEN AGREEMENT WITH THE ARCHITECT. WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 15		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS
MALIBU SUN VALLEY WWW.BUAIA.COM

21228 PACIFIC COAST HWY. MALIBU, CA 90265 TEL 310-466-2965
3106 MET LAKE BLVD. MALIBU, CA 90262 TEL 310-466-3223 FAX 310-466-8000

DESCRIPTION:
EXISTING SECOND FLOOR PLAN - MAIN HOUSE



DRAWING NO. **A-0.3**

PROJECT	BARGE ARENA
DATE	Proj Date: 2/2/16
SCALE	1/8" = 1'-0"
DRAWN BY	DWB, S.D. N.W.

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK, EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.
WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DIMENSIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 15		CDP RE-SUBMITTAL

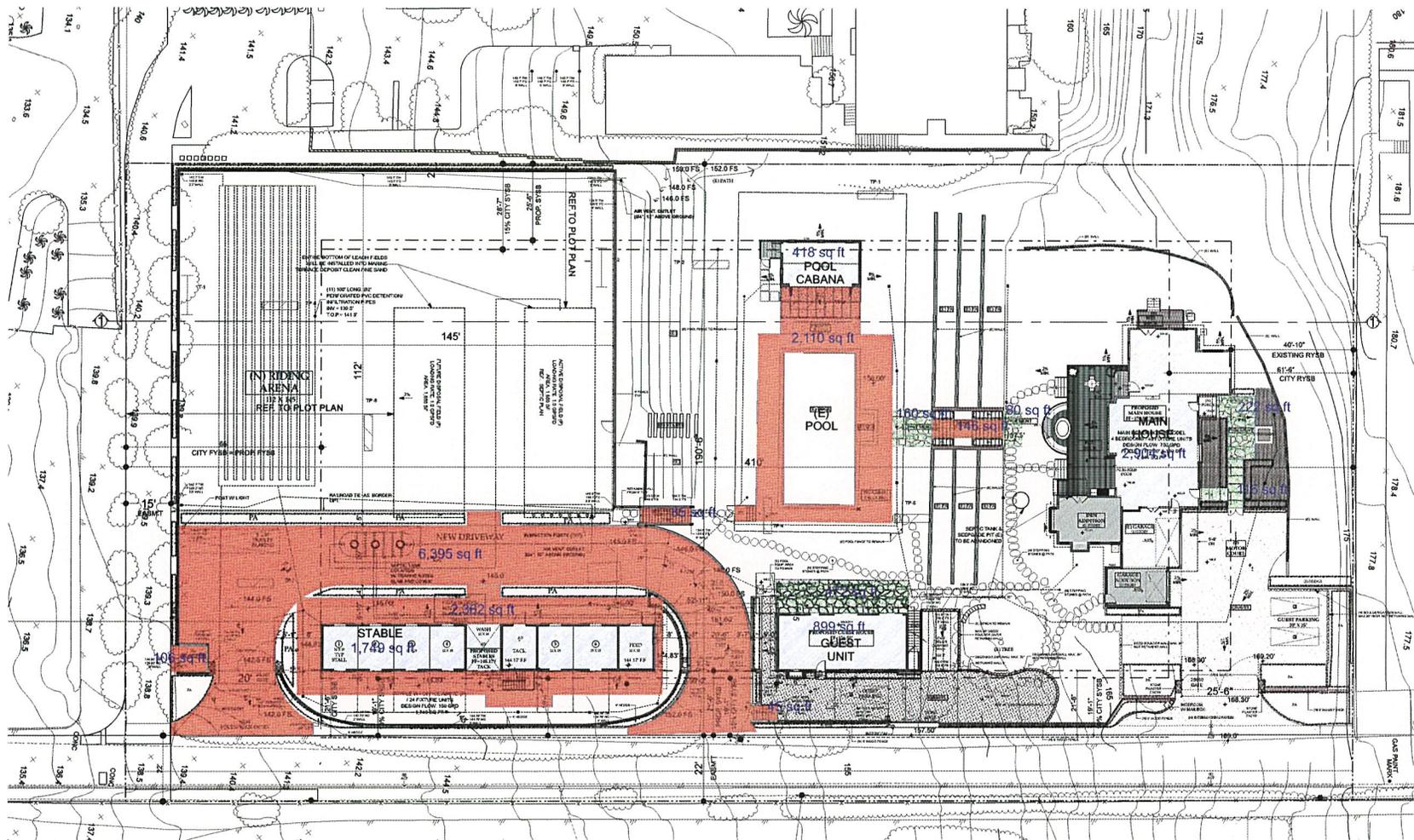
BURDGE & Associates
ARCHITECTS
MALIBU, SUN VALLEY
WWW.BUAIA.COM

21236 PACIFIC COAST HWY. MALIBU, CA 90265
TEL: 310-466-1805

21 COMET LAKE UNIT C MALIBU, CA 90265
TEL: 310-466-3228
FAX: 310-466-8046

DESCRIPTION:
EXHIBIT- IMPERMEABLE AREA

DRAWING NO. **A-0.7**
PROJECT: BARGE ARENA
DATE: Pci Date: 2/2/16
SCALE:
DRAWN BY: D.W.B., S.D. N.W.



MAX. ALLOWABLE COVERAGE:	75,247 x .30 = 22,544 SQ.FT.																		
COVERAGE:	<table border="1"> <thead> <tr> <th>PROPOSED</th> <th>PROPOSED</th> </tr> </thead> <tbody> <tr> <td>MAIN HOUSE:</td> <td>2,904 SQ.FT.</td> </tr> <tr> <td>SECOND UNIT:</td> <td>899 SQ.FT.</td> </tr> <tr> <td>STABLE:</td> <td>1,749 SQ.FT.</td> </tr> <tr> <td>POOL CABANA:</td> <td>418 SQ.FT.</td> </tr> <tr> <td>POOL DECK:</td> <td>2,110 SQ.FT.</td> </tr> <tr> <td>HARDSCAPE:</td> <td>3,794 SQ.FT.</td> </tr> <tr> <td>DRIVWAY:</td> <td>6,395 SQ.FT.</td> </tr> <tr> <td>TOTAL PROPOSED:</td> <td>18,260 SQ.FT. < 22,544 SQ.FT.</td> </tr> </tbody> </table>	PROPOSED	PROPOSED	MAIN HOUSE:	2,904 SQ.FT.	SECOND UNIT:	899 SQ.FT.	STABLE:	1,749 SQ.FT.	POOL CABANA:	418 SQ.FT.	POOL DECK:	2,110 SQ.FT.	HARDSCAPE:	3,794 SQ.FT.	DRIVWAY:	6,395 SQ.FT.	TOTAL PROPOSED:	18,260 SQ.FT. < 22,544 SQ.FT.
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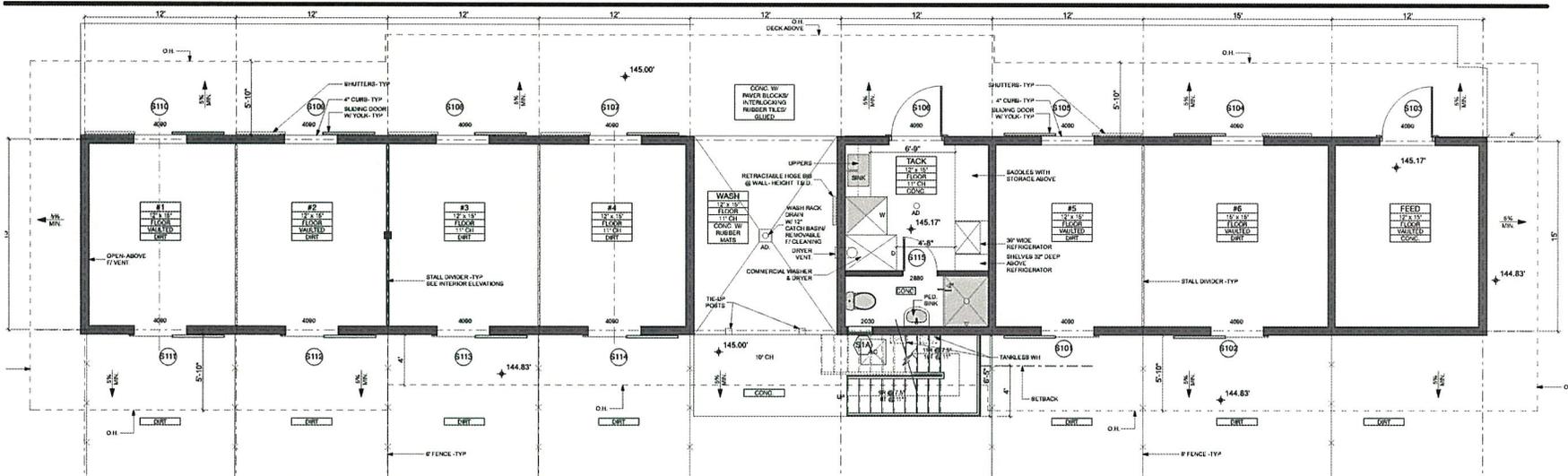
HARDSCAPE CALCULATION INCLUDES: TRASH AREAS, DECKS, WALKWAYS, ETC.
106+2.362+45+472+85+180+146+80+222+118+3,794 SQ.FT.

PROPOSED IMPERMEABLE AREA 1/16" = 1'-0"

MATERIALS LEGEND:
 PROPOSED FOOT PRINT OF STRUCTURES
 CONCRETE AREA
 PAVEMENT AREA

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265



LEGEND:

- PROPOSED COVERED AREA, 6" AND OVER
- PROPOSED AREA

FIRST FLOOR PLAN 1
1/4" = 1'-0"

LEGEND:

- NEW PROPOSED WALL

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

WRITTEN DISCLOSURES SHALL BE IDENTIFIED ON THE JOB SITE DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

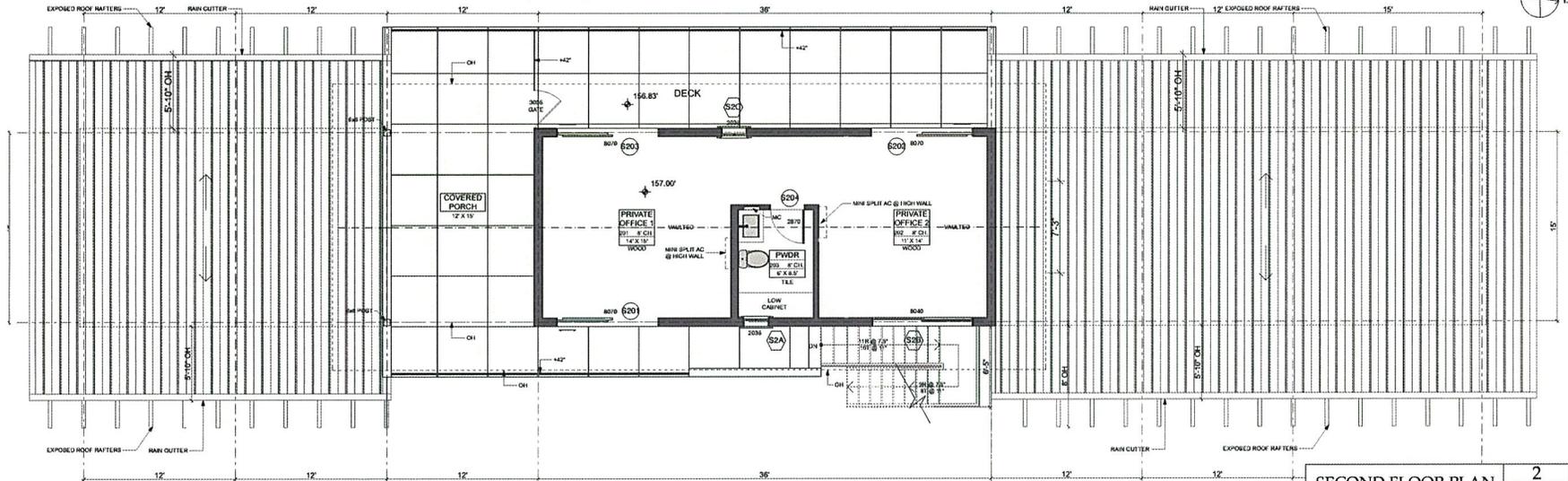
NO.	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT/15		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS
MALIBU SUN VALLEY WWW.BUJIA.COM

21234 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-464-9655

21 COMST LN. E. UNIT C MALIBU, CA 90265 TEL: 310-464-9655 FAX: 310-464-9655

DESCRIPTION:
PROPOSED FIRST & SECOND FLOOR PLANS - STABLE



SECOND FLOOR PLAN 2
1/4" = 1'-0"

DRAWING NO. **A-1.4**

PROJECT	BARGE ARENA
DATE	NOV 16 2016
SCALE	1/4" = 1'-0"
DRAWN BY	DWB, S.D. NW

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

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NO.	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 15		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS

MALIBU SUN VALLEY WWW.BUJIA.COM

21236 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-468-8665

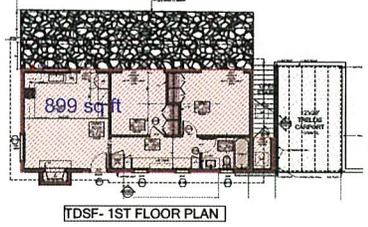
21 COAST LANE, SUITE C MALIBU, CA 90265 TEL: 310-468-3228 FAX: 310-468-8646

DESCRIPTION:
PROPOSED SECOND UNIT & GYM

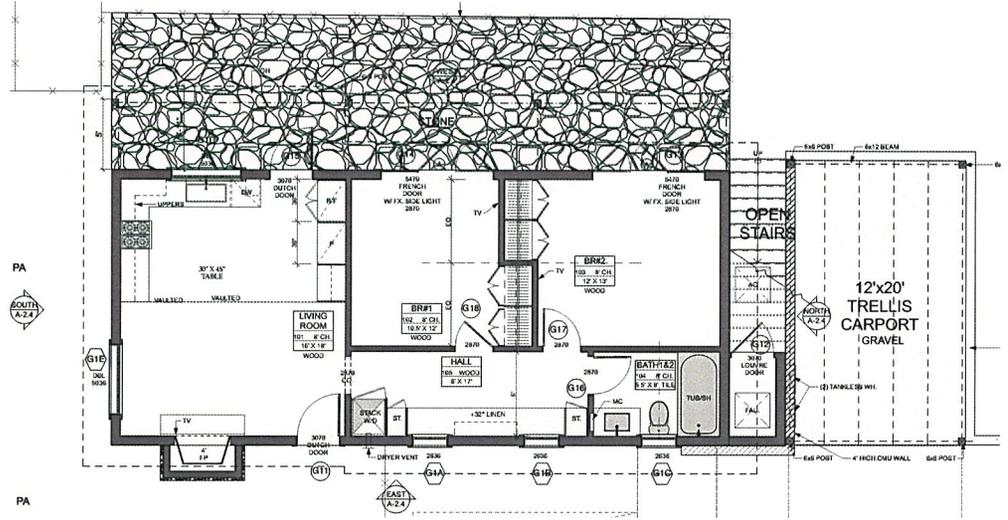
DRAWING NO. **A-1.6**

PROJECT	BARGE ARENA
DATE	PROJ. DATE: 2/2/16
SCALE	1/4" = 1'-0"
DRAWN BY	D.W.B., S.D., N.W.

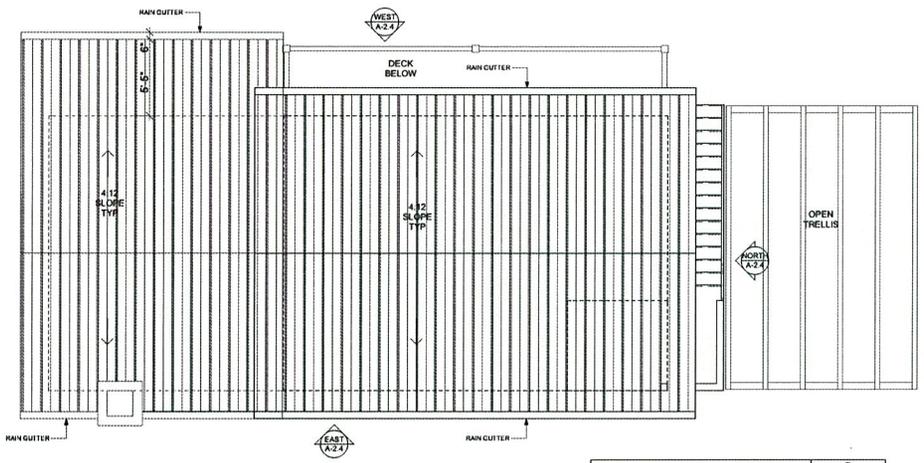
LEGEND:
NEW PROPOSED WALL



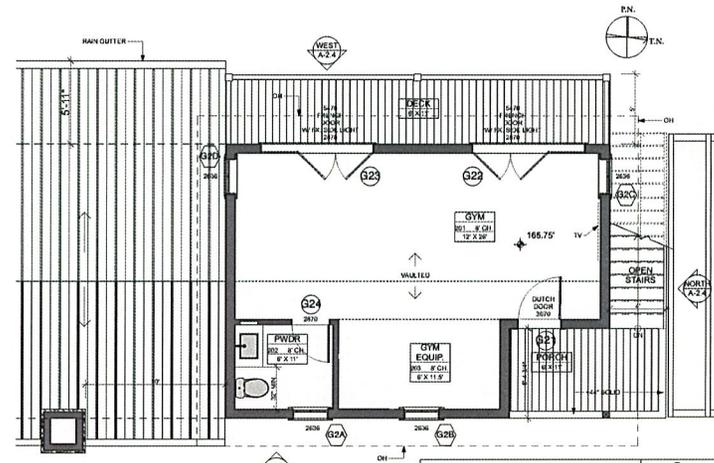
LEGEND:
PROPOSED COVERED AREA & WIND OVER
PROPOSED AREA



FIRST FLOOR PLAN 1
1/4" = 1'-0"



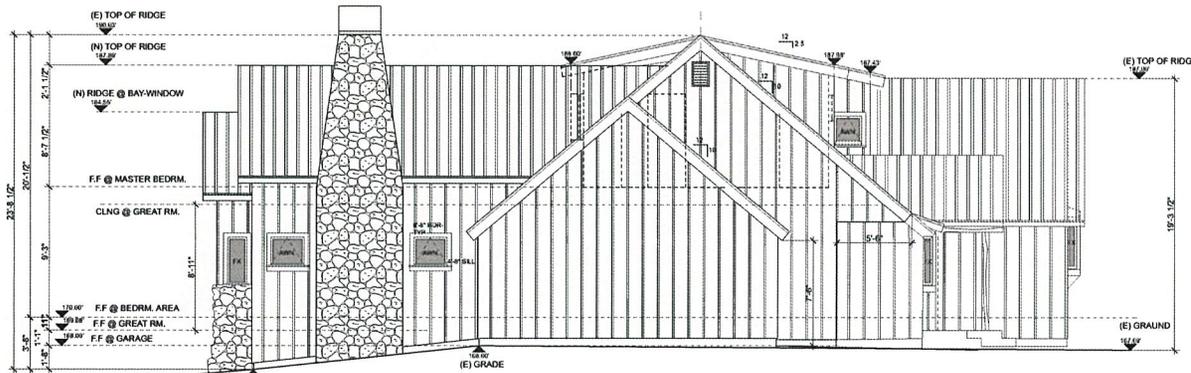
ROOF PLAN 3
1/4" = 1'-0"



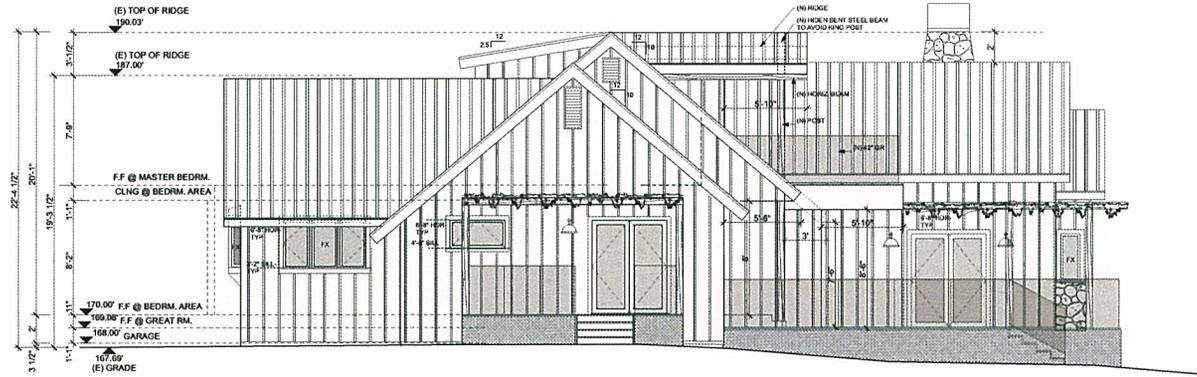
SECOND FLOOR PLAN 2
1/4" = 1'-0"

BARGE RESIDENCE

27545
PACIFIC COAST HWY.
MALIBU, CA 90265



EAST ELEVATION 1
1/4" = 1'-0"



WEST ELEVATION 2
1/4" = 1'-0"

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NO	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 7 15		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS
MALIBU SUN VALLEY WWW.BUAIA.COM

21256 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-466-5805
31 COMET LAKE, UNIT C MALIBU, CA 90265 TEL: 310-466-3328 FAX: 310-466-8636

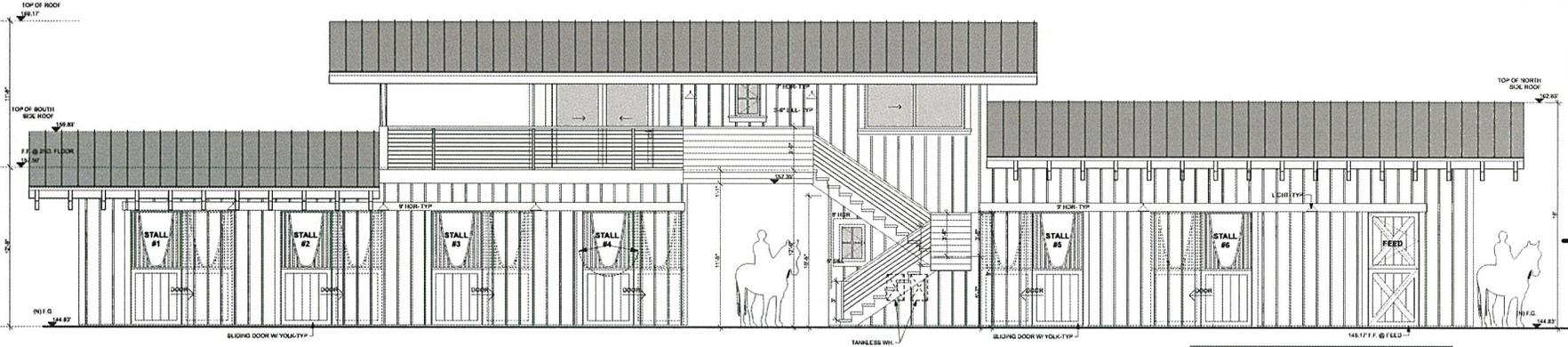
DESCRIPTION:
PROPOSED ELEVATIONS - MAIN HOUSE

DRAWING NO. **A-2.2**

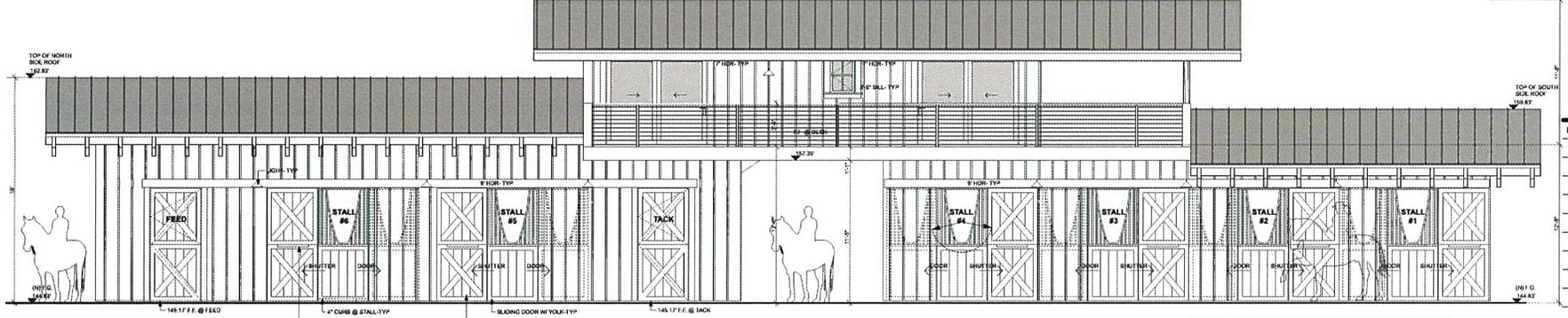
PROJECT	BARGE ARENA
DATE	Plot Date: 2/2/16
SCALE	
DRAWN BY	D.W.B., S.D. H.W.

BARGE RESIDENCE

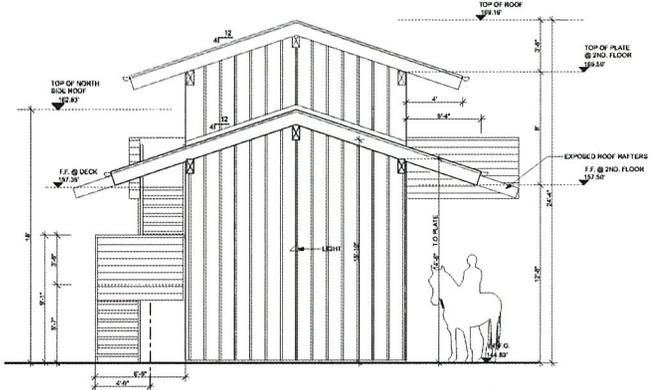
27545
PACIFIC COAST HWY.
MALIBU, CA 90265



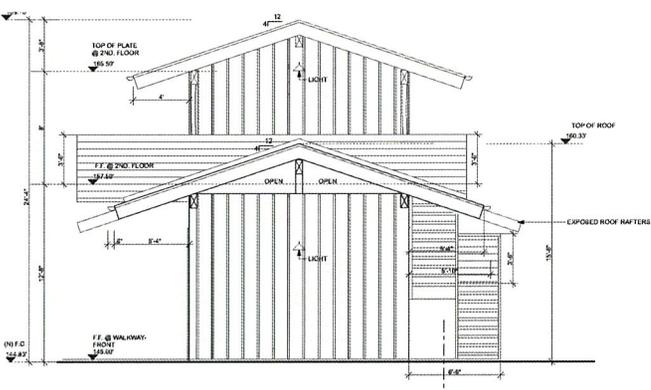
EAST ELEVATION 1
1/4" = 1'-0"



WEST ELEVATION 2
1/4" = 1'-0"



NORTH ELEVATION 3
1/4" = 1'-0"



SOUTH ELEVATION 4
1/4" = 1'-0"

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NO.	DATE	ISSUE
11/7/14		INITIAL CDP SUBMITTAL
JULY 15		CDP RE-SUBMITTAL
OCT 15		CDP RE-SUBMITTAL

BURDGE & Associates
ARCHITECTS
MALIBU, SUN VALLEY
WWW.BUAIA.COM

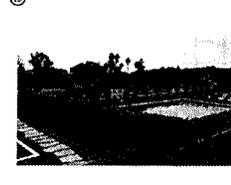
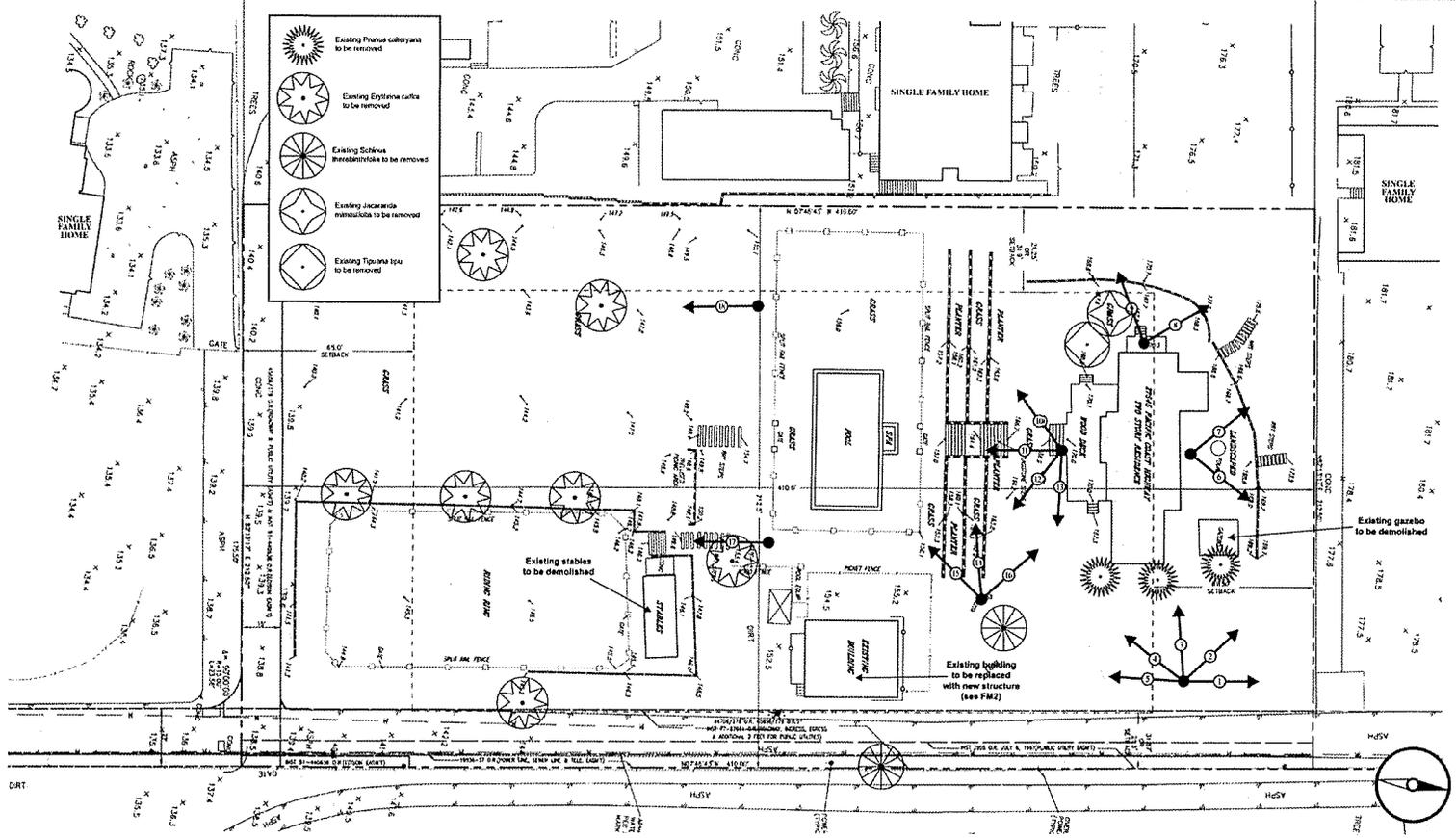
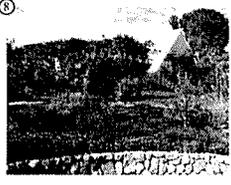
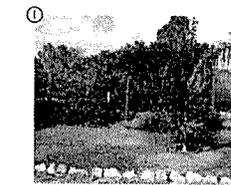
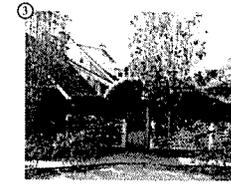
21236 PACIFIC COAST HWY. MALIBU, CA 90265
TEL: 310-466-9805

21 COWET LAKE UNIT C MALIBU, CA 90265
TEL: 310-466-9228
FAX: 310-466-9636

DESCRIPTION:
PROPOSED ELEVATIONS - STABLE

DRAWING NO. **A-2.3**

PROJECT	BARGE ARENA
DATE	PROJ. DATE: 2/2/16
SCALE	1/4" = 1'-0"
DRAWN BY	D.W.B., S.D. N.W.



Garden Culture
 1914 Canal Canyon Road
 Malibu, CA 90265
 310.455.6461

Barge Residence
 27545 Pacific Coast Highway
 Malibu, CA 90265

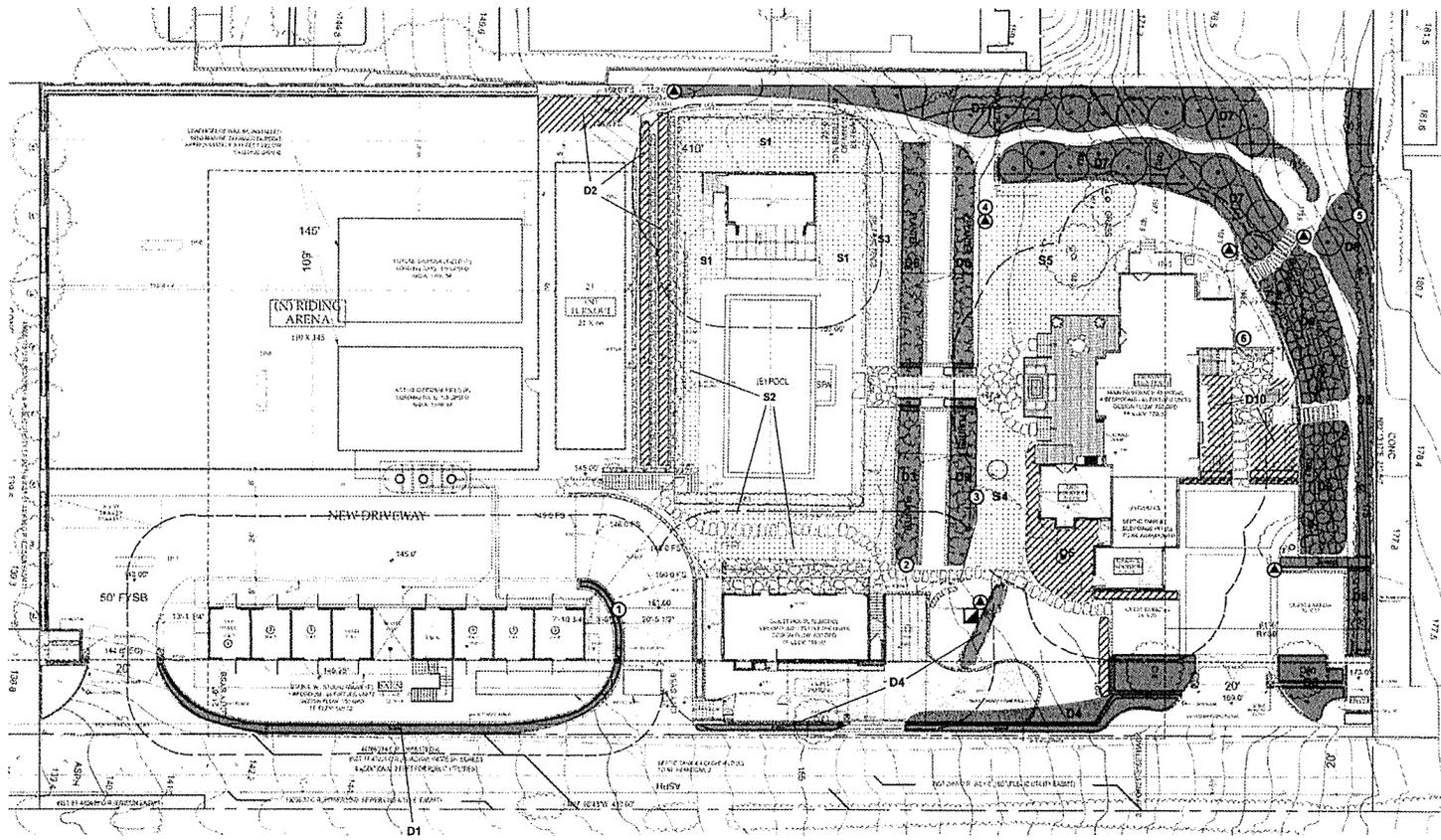
Fuel Modification
 Survey and Site Photos

date: Dec. 16, 2014
 scale: 1"=20'
 drawn by: D.G.A.
 I.R.
 revision:

FM2

GENERAL IRRIGATION NOTES

1. Irrigation to be designed based. Contractor to submit final drawing for approval by landscape architect prior to installation.
2. Drawing is diagrammatic only. Zoning is shown for design intent only. Contractor to determine exact number of zones and valves.
3. Contractor to determine exact number of zones and valves.
4. Contractor to determine exact number of zones and valves.
5. Contractor to determine exact number of zones and valves.
6. Contractor to determine exact number of zones and valves.
7. Contractor to determine exact number of zones and valves.
8. Contractor to determine exact number of zones and valves.
9. Contractor to determine exact number of zones and valves.
10. Contractor to determine exact number of zones and valves.
11. Contractor to determine exact number of zones and valves.
12. Contractor to determine exact number of zones and valves.
13. Contractor to determine exact number of zones and valves.
14. Contractor to determine exact number of zones and valves.



- | manifolds | stations | | |
|-----------|--|---|---------------------|
| ① | D1 drip for hedges (existing) | □ | Existing Lawn Spray |
| | D2 drip for lower terraces (new) | ▨ | Existing Drip Zones |
| ② | S1 lawn spray (existing) | ■ | Proposed Drip Zones |
| | S2 lawn spray (existing) | | |
| | S3 lawn spray (existing) | | |
| ③ | D3 drip for upper terraces east (existing) | | |
| | D4 drip for hedges (existing) | | |
| | D5 drip for new perennial garden (new) | | |
| | S4 lawn spray (existing) | | |
| ④ | D6 drip for upper terraces west (existing) | | |
| | S5 lawn spray (existing) | | |
| ⑤ | D7 drip for fruit orchard (existing) | | |
| | D8 drip for upper hedges (existing) | | |
| | D9 drip for Rose garden (existing) | | |
| ⑥ | D10 drip for entry courtyard (new) | | |
| Ⓐ | Hose bib | | |
| ■ | Irrigation controller "smart" with weather station | | |



Garden Culture
1914 Carmel Canyon Road
Malibu, CA 90265
310.456.6461

Barge Residence
27,545 Pacific Coast Highway
Malibu, CA 90265

Fuel Modification
Irrigation Plan

date: Mar. 19, 2015
scale: 1/10"=1'
drawn by: D.G. &
TR
revision:
Mar. 19, 2015

FM3



FILE AF

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

10/14/15

TO: City of Malibu City Biologist DATE: 11/7/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-070, SPR 14-051, MM 14-015

JOB ADDRESS: 27545 PACIFIC COAST HWY

APPLICANT / CONTACT: Joseph Lezama, Burdge & Associates

APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265

APPLICANT PHONE #: (310) 456-5905

APPLICANT FAX #: _____

APPLICANT EMAIL: joseph@buaia.com

PROJECT DESCRIPTION: (N) AOWTS, barn, second unit, cabana, driveway,
riding arena

TO: Malibu Planning Division and/or Applicant

FROM: Dave Crawford, City Biologist

- The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design (See Attached).
- The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.
- The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).

[Signature]
SIGNATURE

11/20/15
DATE

Additional requirements/conditions may be imposed upon review of plan revisions. *Dave Crawford City Biologist, may be contacted on Tuesday between 9:00 am and 11:00 am at the City Hall Public counter, by leaving an e-mail at dcrawford@malibucity.org or by leaving a detailed voice message at (310) 456-2489, extension 277.*

City of Malibu

23815 Stuart Ranch Road, Malibu, California 90265
(310) 456-2489 Fax (310) 456-7650

Planning Department

BIOLOGICAL REVIEW

Site Address: 27545 Pacific Coast Highway
Applicant/Phone: Joseph Lezama/ 310.456.5905
Project Type: AOWTS, barn, 2nd unit, cabana, driveway, riding arena
Project Number: CDP 14-070
Project Planner: Adrian Fernandez
Previous Biological Review: incomplete 9/7/15, incomplete 1/6/15

REFERENCES: Revised site plans, landscape and irrigation plans

DISCUSSION:

1. Pursuant to Section 9.22.030 of City of Malibu Ordinance No. 343 (Landscape Water Conservation Ordinance), the proposed project is not subject to the Landscape Water Conservation Ordinance as the property supports an existing single family residence and the newly planted area totals less than 5,000 square feet.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:
 - A. Prior to installation of any irrigation, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.
 - B. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.
 - C. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six (6) feet in height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height.
 - D. Invasive plant species, as determined by the City of Malibu, are prohibited.
 - E. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth).

- F. No non-native plant species shall be approved greater than 50 feet from the residential structure.
 - G. Removal of existing trees scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active.
 - H. Stables and corrals shall be located no less than 50 feet from habitable structures. All horse facilities including fencing, drainage control devices, landscaping, and manure management shall be as indicated in the WQMP-ag.
 - I. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas.
 - J. Up-lighting of landscaping is prohibited.
2. **UPON COMPLETION OF ALL PLANTING**, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

Reviewed By: _____

Dave Crawford, City Biologist

310-456-2489 ext.227 (City of Malibu); e-mail dcrawford@malibucity.org

Date: 11/10/15



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator DATE: 6/19/15
4/7/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-070, SPR 14-051, MM 14-015

JOB ADDRESS: 27545 PACIFIC COAST HWY

APPLICANT / CONTACT: Joseph Lezama, Burdge & Associates

APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265

APPLICANT PHONE #: (310) 456-5905

APPLICANT FAX #: _____

APPLICANT EMAIL: joseph@buaia.com

PROJECT DESCRIPTION: (N) AOWTS, barn, second unit, cabana, driveway, riding arena

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: NOT REQUIRED
 REQUIRED (attached hereto) REQUIRED (not attached)

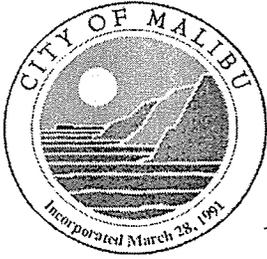
Matthew Frank
Signature

JULY 7, 2015
Date

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

Andrew Sheldon, Environmental Health Administrator may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

** Conditions of approval shown on conformance review dated 4-3-15 for new AOWTS.*



City of Malibu

Environmental Health • Environmental Sustainability Department
 23825 Stuart Ranch Road • Malibu, California • 90265-4861
 Phone (310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant : (name and email address)	Joseph Lezama joseph@buaia.com	
Project Address:	27545 Pacific Coast Highway Malibu, California 90265	
Planning Case No.:	ECDP 14-060 /CDP 14-070	
Project Description:	NSFR, AOWTS, barn, second unit, cabana, driveway, riding arena	
Date of Review:	April 3, 2015	
Reviewer:	Andrew Sheldon	Signature: <i>A. Sheldon</i>
Contact Information:	Phone: (310) 456-2489 ext. 364	Email: asheldon@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Burdge & Assoc.: Architectural plans submitted to Planning on 11-7-2014
Grading Plans:	LC Engineering: Grading plans submitted to Planning on 11-7-2014
OWTS Plan:	MKN & Assoc.: OWTS plan issued 9-25-2014 and 2-13-2015 (Shields, RCE 74757)
OWTS Report:	MKN & Assoc.: OWTS report dated 9-25-2014 and 2-13-2015 (Shields, RCE 74757)
Geology Report:	Donald B. Kowalewsky: OWTS supporting geology report dated 2-13-2015 (Kowalewsky, CEG1025)
Perc. Test Report:	Donald B. Kowalewsky: Perc. test report dated 1-29, 2014 (Kowalewsky, CEG1025); OWTS soil classification report dated 2-13-2015 (Kowalewsky, CEG1025; Tsao, RCE 46886)
Previous Reviews:	10-17-2015

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
Plan Check Stage:	<input type="checkbox"/>	APPROVED
	<input checked="" type="checkbox"/>	NOT APPROVED Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	<input type="checkbox"/>	NOT REQUIRED
	<input checked="" type="checkbox"/>	REQUIRED (attached hereto) <input type="checkbox"/> REQUIRED (not attached)

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed AOWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2013 Edition with City of Malibu local amendments (Malibu Municipal Code Section 12.12; hereinafter MPC), and the City of Malibu Local Coastal

Program/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project AOWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review

- 1) **Final AOWTS Plot Plan:** A final plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The AOWTS Plot Plan shall show essential features of the AOWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).
- 2) **Final AOWTS Design Report, Plans, and System Specifications:** A final AOWTS design report and construction drawings with system specifications (four sets) shall be submitted to describe the AOWTS design basis and all components proposed for use in the construction of the AOWTS. All plans and reports must be signed by the California-registered Civil Engineer, Registered Environmental Health Specialist, or Professional Geologist who is responsible for the design. The final AOWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

The final AOWTS design submittal shall contain the following information (in addition to the items listed above).

- a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture schedule, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.
- b. Sewage and effluent pump design calculations.
- c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.
- d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit,



subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

- e. All AOWTS design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

[Note: For AOWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

- 3) **Building Plans:** All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.
- 4) **Architect / Engineer Certification for Reduction in Setbacks to Buildings or Structures:** All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the onsite wastewater treatment system, and will not adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in Table H 1.7) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect's certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the Engineer must include in his letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check

The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building and Safety prior to Environmental Health final approval. The plans architectural and/or structural plans submitted for Building and Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing,



concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/waterproofing plans must show the location of onsite wastewater treatment system components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

- 5) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.
- 6) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.
- 7) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. **Please note only original "wet signature" documents are acceptable.**
- 8) **AOWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. **Please submit a certified copy issued by the Los Angeles County Recorder.**
- 9) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. **Please submit a certified copy issued by the Los Angeles County Recorder.**
- 10) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan shall be submitted.
- 11) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.



- 12) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.
- 13) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

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If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file
Planning Department





City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	June 9, 2015	Review Log #:	3744
Site Address:	27545 Pacific Coast Highway		
Lot/Tract/PM #:		Planning #:	CDP 14-070
Applicant/Contact:	Joseph Lezama, joseph@buaia.com	BPC/GPC #:	
Contact Phone #:	310-456-5905	Fax#:	
Project Type:	Remodel and additions to the residence, new barn, second unit, cabana, onsite wastewater treatment system (OWTS)		
		Planner:	Adrian Fernandez

Submittal Information

Consultant(s) / Report Date(s): Donald B. Kowalewsky (CEG 1025, Tsao, RCE 46886): **5-18-15**
(*Current submittal(s) in Bold.*) Donald B. Kowalewsky (CEG 1025): 2-13-15, 7-17-14
MKN & Associates (RCE 74757): 9-25-14

AOWTS Conformance Review Site Plan prepared by MKN & Associates dated September 25, 2014.

Building plans prepared by Burdge & Associates Architects dated November 7, 2014.

Grading plans prepared by LC Engineering Group, Inc. dated November 4, 2014.

Previous Reviews: Environmental Health Conformance Review dated April 3, 2015, Geotechnical Review Referral Sheet dated 11-13-14; Ref: 3-31-15 (for OWTS), 10-24-14, Environmental Health Review Sheet dated 10-17-14, Geotechnical Review Referral Sheet dated 10-13-14

Review Findings

Coastal Development Permit Review

- The project is **APPROVED** from a geotechnical perspective.
- The project is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.

Building/Grading Plan-Check Stage Review

- Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.
- APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.
- NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced reports and plans were reviewed by the City from a geotechnical perspective. The project includes remodeling the existing 2,893 square foot two-story single-family residence and attached garage and converting 438 square feet on the first floor into a 2-car garage, adding 724 square feet to the first- and second stories, demolishing the existing 835 square foot second unit and constructing a new 1,399 square foot two-story second unit/gym, a new 418 square foot pool cabana, demolishing the 383 square foot stable and constructing a new 2,607 square foot stable, demolishing the horse arena and building a new riding arena and turnout, flatwork, hardscape, fences, new driveway and entry gates, retaining walls, and grading (1,008 yards of R & R; 110 yards of cut and 36 yards of fill under structure; 603 yards of cut and 205 yards of fill for safety; 1,542 yards of cut and 1,361 yards of fill non-exempt; and 654 yards export).

The new OWTS was previously approved by City geotechnical staff in a review letter dated 3-31-15. The project consists of abandoning the two existing OWTS consisting of two septic tanks, a seepage pit, and leach field and installing a new OWTS consisting of a treatment tank system and a new 1,650 square foot leach field with a loading rate of 1.0 GPSFD with 100% expansion.

NOTICE: Applicants shall be required to submit all Geotechnical reports for this project as searchable PDF files on a CD. At the time of Building Plan Check application, the Consultant must provide searchable PDF files on a CD to the Building Department for ALL previously submitted reports that have been reviewed by City Geotechnical Staff.

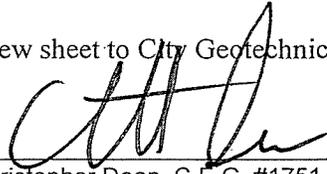
Building Plan-Check Stage Review Comments:

1. Please provide grading recommendations for the residence slab-on-grade support. The Consultant discourages the use of raised floors but does not provide specific recommendations for compaction of loose upper soils to support the slabs. Will the first floor be supported as a structural slab with the loads transferred to the deeper foundations or as a slab-on-grade, independent of the foundations? If the first floor is being supported as a slab-on-grade independent of the foundations, the Project Geotechnical Consultant needs to evaluate the potential for differential settlement between the slab and foundation in bedrock and the impacts of hydroconsolidation and seismically induced settlements on the performance of the slab-on-grade.
2. The Consultant needs to incorporate into the report a contour map of ground motion from the Northridge earthquake. To facilitate this requirement, the Malibu map is provided for the Project Consultants' use at (<http://www.malibucity.org/index.aspx?nid=258>). The Consultants should include a copy of that ground motion map in their report, with the subject site plotted on the map. On the basis of that map, the Consultant should interpolate the ground acceleration at the subject site and state that value in their report.
3. The Consultant has defined the procedure used for the 'Residual' strength values reported for the direct shear tests. The Consultant however reported 'Peak' shear strengths that appear to actually be the ultimate values. In order to conform to the current practices, the reviewer respectively requests that the Consultant conform to standard industry practice definitions for residual, ultimate and peak strengths.
4. Section 7.4 of the City's geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. The Project Geotechnical Engineer has recommended that the vapor barrier be a minimum thickness of 15 mils and conform to ASTM E1745 Class A requirements. Building plans shall reflect the Consultant's recommendation.
5. The Consultants acknowledge that expansive soils exist on the site and generally have provided recommendations that address the expansiveness of the soils. The reviewers believe that presoaking may assist in reducing post construction slab movement and suggest that the Consultants consider recommending that a note such as this be incorporated into the project requirements. *'Prior to the placement of concrete slabs, the slab subgrade soils shall be pre-moistened to at least 120% of the optimum moisture content to the depth specified by the geotechnical engineer. The pre-moistened soils should be tested and verified to be by the geotechnical engineer within one day prior to the placement of the moisture barrier and sand.'*

- 6. Please include procedures to properly abandon the existing OWTS systems on the AOWTS plans.
- 7. Submit shoring plans to the City for review, as applicable.
- 8. Include a note on the AOWTS plans stating, "The Project Engineering Geologist shall observe and approve the installation of the leach fields and provide the City inspector with a field memorandum(s) documenting and verifying that the leach field was installed per the approved AOWTS plans."
- 9. The following note must appear on the grading and foundation plans: "Tests shall be performed prior to pouring footings and slabs to evaluate the corrosivity of the supporting soils, and foundation and slab plans should be reviewed by the Civil or Structural Engineer and revised, if necessary."
- 10. Please depict limits and depths of over-excavation and structural fill to be placed on the grading plan, and cross sectional view of the proposed building area. Cut and fill yardages are to be indicated on the cover sheet of the plans.
- 11. Two sets of final AOWTS plans (**APPROVED BY ENVIRONMENTAL HEALTH**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**
- 12. Two sets of final grading, retaining wall, second unit, pool cabana, stable, and residence remodel and addition plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical/Civil Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

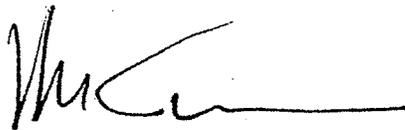
Engineering Geology Review by:



Christopher Dean, C.E.G. #1751, Exp. 9-30-16
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

6/9/15
Date

Geotechnical Engineering Review by:



Kenneth Clements, G. E. # 2010, Exp. 6-30-16
Geotechnical Engineering Reviewer (805-963-4450)
Email: kclements@fugro.com

June 9, 2015
Date

This review sheet was prepared by City Geotechnical Staff contracted with Fugro as an agent of the City of Malibu.

FUGRO CONSULTANTS, INC. 
4820 McGrath Street, Suite 100
Ventura, California 93003-7778
(805) 650-7000 (Ventura office)
(310) 456-2489, x306 (City of Malibu)



City of Malibu

- GEOTECHNICAL -

NOTES FOR BUILDING PLAN-CHECK

The following standard items should be incorporated into Building Plan-Check submittals, as appropriate:

1. One set of grading, retaining wall, second unit, cabana, stable, and residence remodel and addition plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. Additional review comments may be raised at that time that may require a response. concerns may be raised at that time which may require a response by the Project Geotechnical Consultant and applicant.
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building and Grading Plans.
3. Include the following note on the Foundation Plans: *"All foundation excavations must be observed and approved by the Geotechnical Consultant prior to placement of reinforcing steel."*
4. The Foundation Plans for the improvements shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Geotechnical Consultant's recommendations.
5. Show the onsite wastewater treatment system on the Site Plan.
6. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Geotechnical Consultant, on the Plans.
2. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

TO: Public Works Department DATE: 11/7/2014
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-070, SPR 14-051, MM 14-015
JOB ADDRESS: 27545 PACIFIC COAST HWY
APPLICANT / CONTACT: Joseph Lezama, Burdge & Associates
APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310)456-5905
APPLICANT FAX #: _____
APPLICANT EMAIL: joseph@buaia.com
PROJECT DESCRIPTION: (N) AOWTS, barn, second unit, cabana, driveway,
riding arena

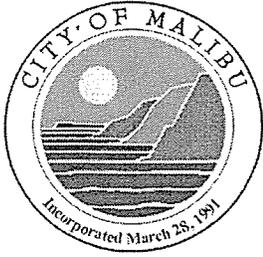
TO: Malibu Planning Department and/or Applicant
FROM: Public Works Department

The following items described on the attached memorandum shall be addressed and resubmitted.

The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.


SIGNATURE

12/3/14
DATE



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Jorge Rubalcava, Assist. Civil Engineer 

Date: December 1, 2014

Re: Proposed Conditions of Approval for 27545 Pacific Coast Highway CDP 14-070

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

GRADING AND DRAINAGE

1. Grading permits shall not be issued between November 1 and March 31 each year LCP Section 17.2.1. Projects approved for grading permit shall not receive grading permits unless the project can be rough graded before November 1 **A note shall be placed on the project that addresses this condition.**
2. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. **A note shall be placed on the project that addresses this condition.**
3. A Grading and Drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
 - Public Works Department General Notes
 - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
 - The limits of land to be disturbed during project development shall be delineated on the Grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of



the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.

- The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
- If the property contains trees that are to be protected they shall be highlighted on the grading plan.
- If the property contains rare and endangered species as identified in the Resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
- Private storm drain systems shall be shown on the Grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
- Public Storm drain modifications shown on the Grading plan shall be approved by the Public Works Department prior to the issuance of the Grading permit.

STORMWATER

4. Prior to the approval of any permits and prior to the applicant submitting the required Construction General Permit documents to the State Water Quality Control Board, the applicant shall submit to the Public Works Department for review and approval an Erosion and Sediment Control Plan (ESCP). The ESCP shall contain appropriate site-specific construction site BMPs and developed and certified by a Qualified SWPPP Developer (QWD). All structural BMPs must be designed by a licensed California Engineer. The ESCP must address the following elements:

- a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area.
- b. Methods used to protect native vegetation and trees.
- c. Sediment/Erosion Control.
- d. Controls to prevent tracking on and off the site.
- e. Non-storm water controls.
- f. Material management (delivery and storage).
- g. Spill Prevention and Control.
- h. Waste Management
- i. Identification of site Risk Level as identified per the requirements in Appendix 1 of the Construction General Permit.
- j. Landowner must sign the following statement on the ESCP:

"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information



submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to update the ESCP to reflect current conditions, or failing to properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law.”

5. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.
6. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan, Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The SWMP shall identify the Site design and Source control Best Management Practices (BMP's) that have been implemented in the design of the project (See Local Implementation Plan, Section 17, Appendix A). The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the Grading/Building permits for this project.
7. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
 - Site Design Best Management Practices (BMP's)
 - Source Control BMP's
 - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
 - Drainage Improvements
 - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
 - A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
 - The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the



completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

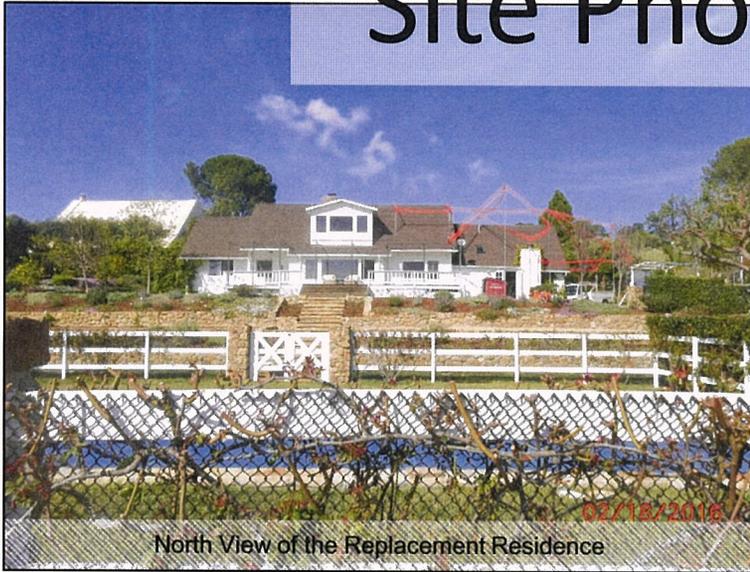
8. **CONFINED ANIMAL FACILITIES** – New development and redevelopment of confined animal facilities shall require a WQMP-Ag.
- a. The confined animal facilities shall be designed and constructed to retain all precipitation and drainage through manured areas during the 85th Percentile, 24 hour storm event or the 0.75-inch, 24 hour storm event, whichever is greater. Manured areas are defined as those areas where livestock waste is likely to be deposited.
 - b. All precipitation and surface drainage outside of manured areas, including that collected from roofed areas, and runoff from tributary areas during the storm event described in "a" shall be diverted away from manured areas.
 - c. Retention ponds and manured areas at confined animal facilities shall be protected from inundation or washout by overflow from any stream channel during 100-year peak stream flows.
 - d. New development or redevelopment of confined animal facilities shall not result in the placement of manured areas in or within 100 feet of streams or other surface waters.
 - e. Confined animal facility new development or redevelopment shall not produce sedimentation or polluted runoff on any public road, adjoining property, or in any drainage channel.
 - f. The new development or redevelopment shall be designed to prevent animals at a confined animal facility from entering any surface water within the confined area.
 - g. New development and redevelopment projects must have a livestock waste storage area. Livestock waste storage areas shall be designed and constructed to be water-tight and covered such that storm water will not be allowed to discharge from the area. The storage area shall be located at least 50 feet from any drainage swale and 100 feet from any surface water and any public or private drainage conveyance systems.
 - h. A copy of the WQMP-Ag shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
 - i. The WQMP-Ag shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP-Ag shall be paid prior to the start of the technical review. The WQMP-Ag shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP-Ag, and



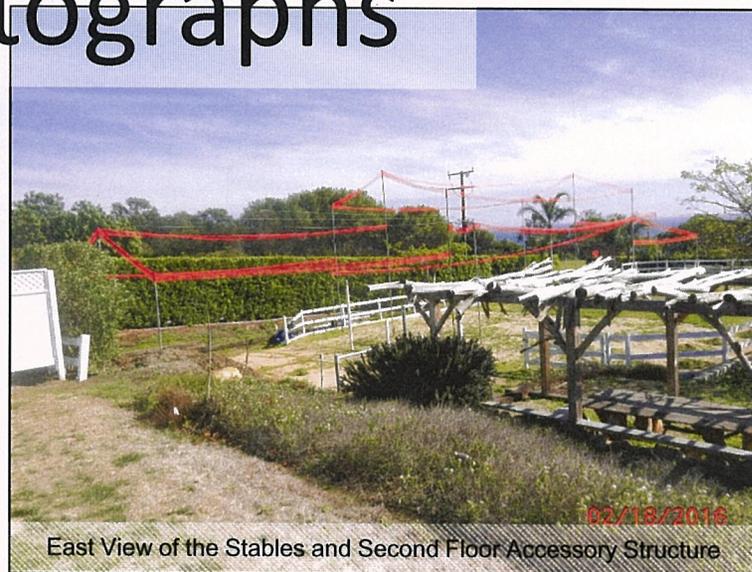
resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP-Ag shall be submitted to the Public Works Department prior to the certificate of occupancy or final inspection.



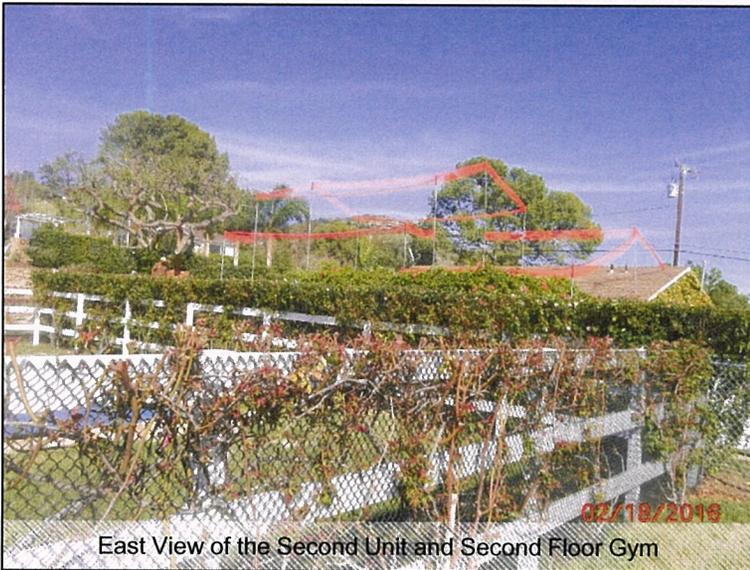
Site Photographs



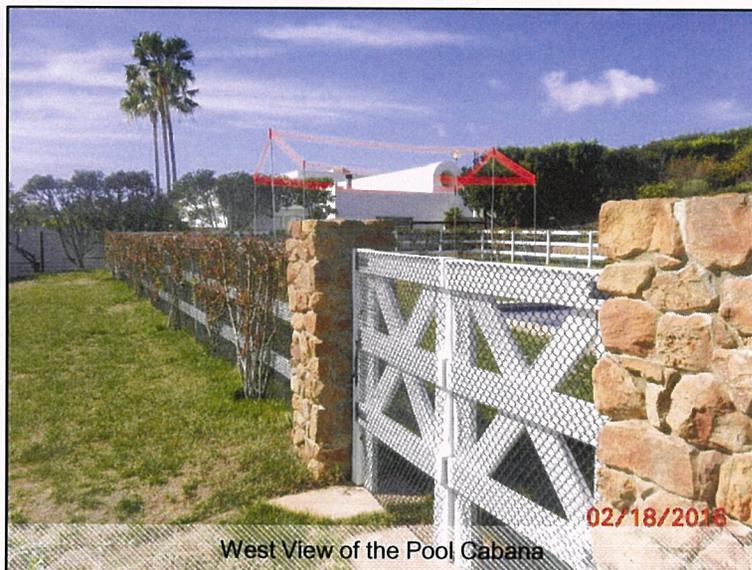
North View of the Replacement Residence



East View of the Stables and Second Floor Accessory Structure

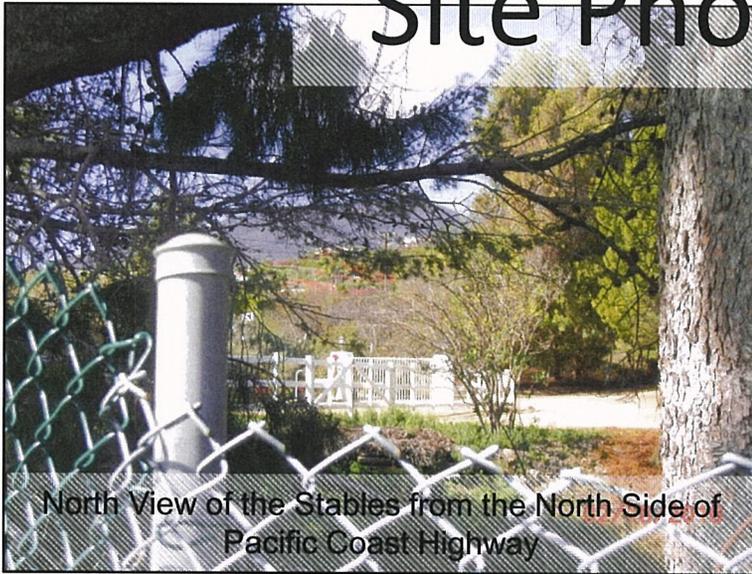


East View of the Second Unit and Second Floor Gym

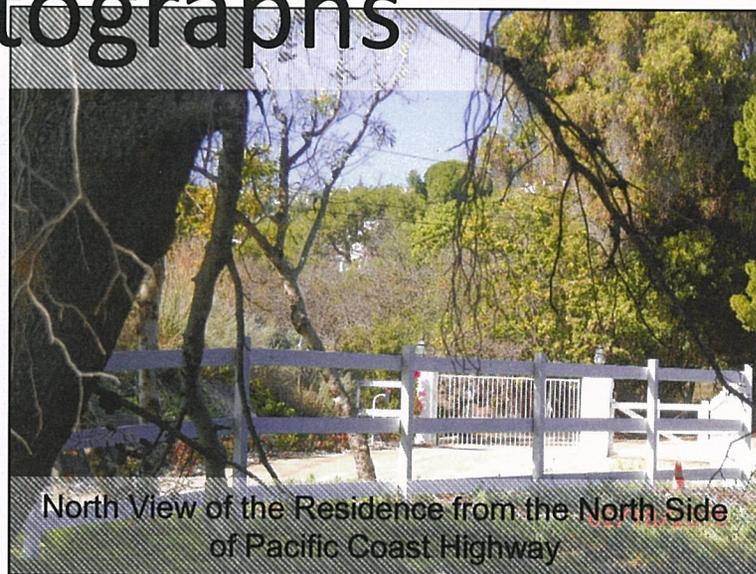


West View of the Pool Cabana

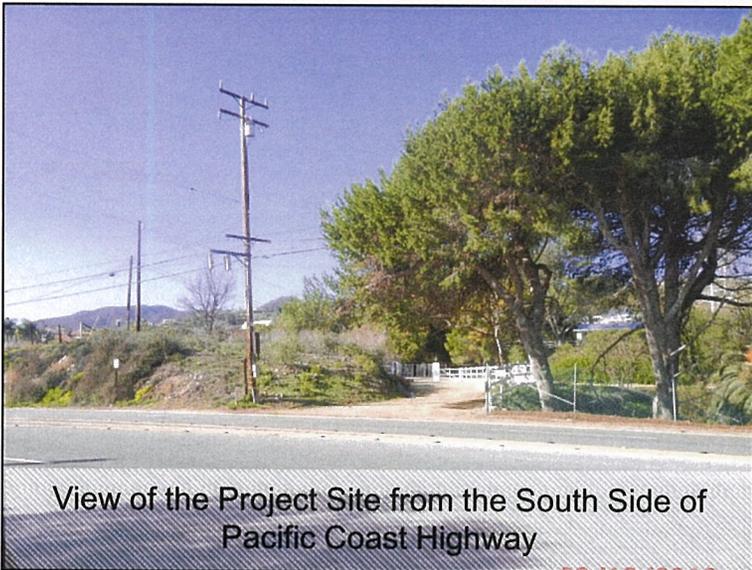
Site Photographs



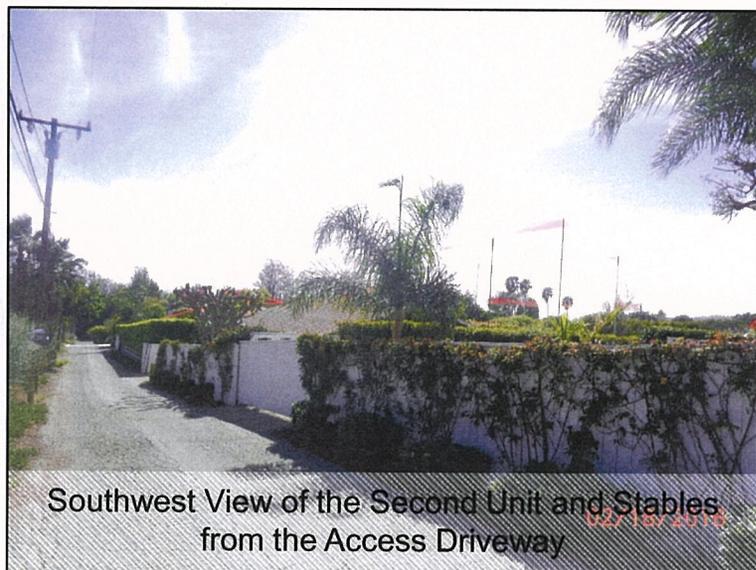
North View of the Stables from the North Side of Pacific Coast Highway



North View of the Residence from the North Side of Pacific Coast Highway



View of the Project Site from the South Side of Pacific Coast Highway



Southwest View of the Second Unit and Stables from the Access Driveway

Notice Continued...

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures.

Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Commission at any time prior to the beginning of the public hearing.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action for which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planning forms or in person at City Hall, or by calling (310) 456-2489, extension 245.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

If you have questions regarding this notice, please contact Adrian Fernandez, Senior Planner, at (310) 456-2489, extension 482.

Date: February 25, 2016

By: Bonnie Blue, Planning Director

Notice of Public Hearing



City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Planning Department

City of Malibu

23825 Stuart Ranch Road

Malibu, CA 90265

(310) 456-2489 Fax (310) 456-7650

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **MONDAY, March 21, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA**, for the project identified below.

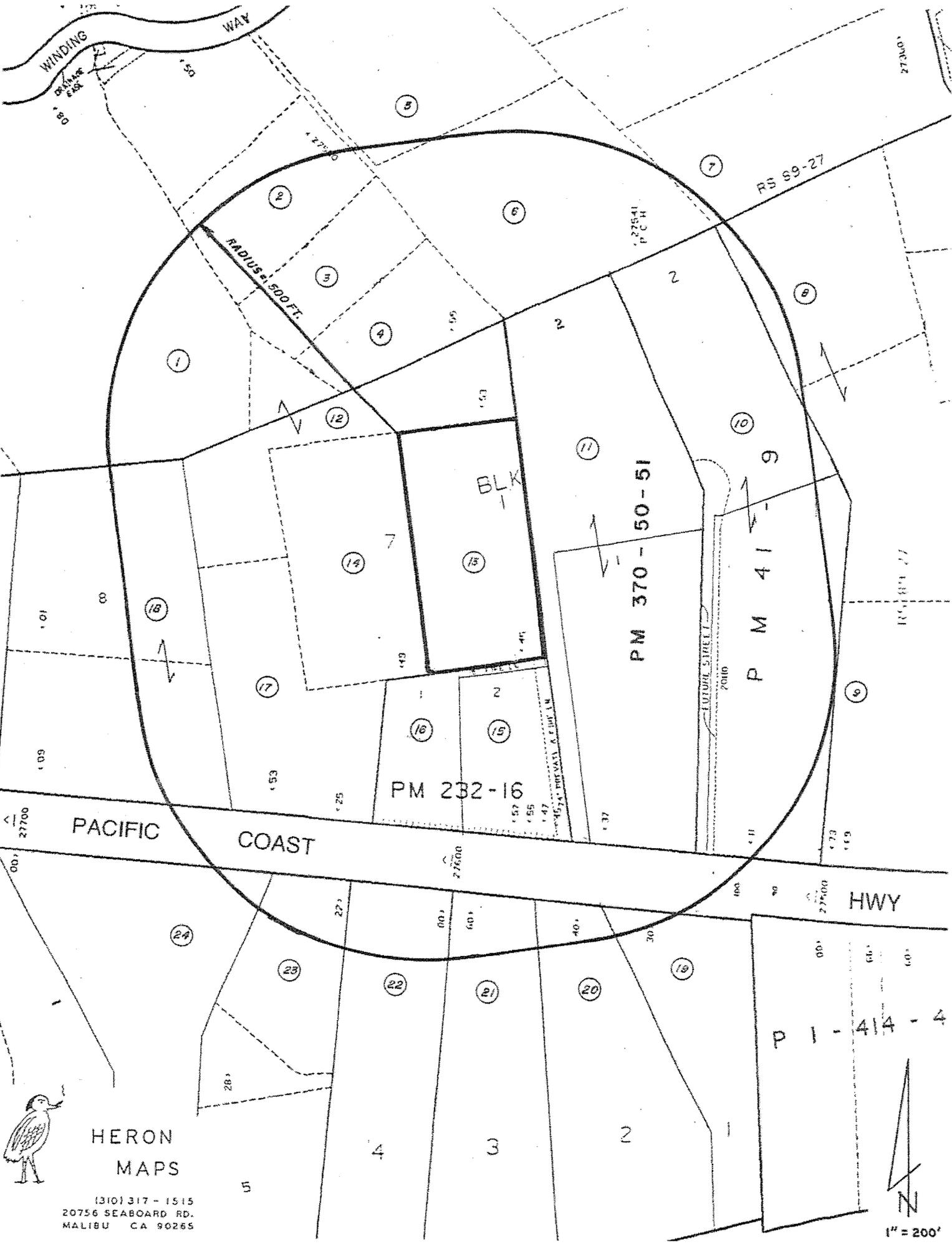
COASTAL DEVELOPMENT PERMIT NO. 14-070, VARIANCE NO. 15-045, SITE PLAN REVIEW NO. 14-051, MINOR MODIFICATION NO. 14-015, AND DEMOLITION PERMIT NO. 15-011

- An application for the demolition of a stable and guest house, major remodel of and addition to the existing two-story single-family residence, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and associated development, including a variance for rear yard setback reduction, minor modification for cumulative side yard setback reduction, and site plan review for construction over 18 feet in height

LOCATION:	27545 Pacific Coast Highway, not within the appealable coastal zone 4458-015-019
APN:	4458-015-019
ZONING:	Rural Residential Two-Acre (RR-2)
APPLICANT:	Burdge and Associates Architects, Inc.
OWNER:	James W. Barge Revocable Trust
APPLICATION FILED:	November 7, 2014
CASE PLANNER:	Adrian Fernandez Senior Planner (310) 456-2489, ext. 482 afernandez@malibucity.org

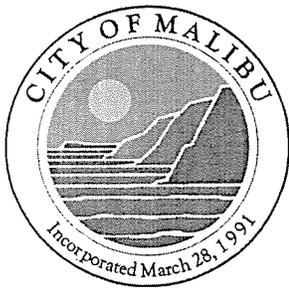
Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15301(l) and 15303(a) and (e) - Demolition of One Single-Family Residence and Accessory Structures, and Construction of a New Single-Family Residence and Accessory Structures. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).





HERON
MAPS

(310) 317-1515
20756 SEABOARD RD.
MALIBU CA 90265



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Christopher Deleau, Planning Manager

Approved by: Bonnie Blue, Planning Director *BB*

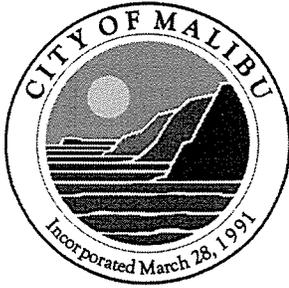
Date prepared: March 10, 2016

Meeting Date: March 21, 2016

Subject: Coastal Development Permit No. 15-010, Lot Line Adjustment No. 15-002, and Minor Modification No. 15-006 - An application for a new, single-family residence with basement, guest house, pool and spa, and associated development

Location: 6708 Wildlife Road, within the appealable coastal zone
APN: 4466-004-039
Zoning: Rural Residential–One Acre (RR-1)
Applicant: Standard LLP
Owner: Wildlife Properties, LLC
Application Filed: February 23, 2015

RECOMMENDED ACTION: Continue this item to the April 4, 2016 Regular Planning Commission meeting.



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner

Reviewed: Bonnie Blue, Planning Director *BB*

Date prepared: March 10, 2016 Meeting date: March 21, 2016

Subject: Coastal Development Permit No. 15-038, Variance Nos. 15-019 and 15-020, Stringline Modification Review No. 16-001, and Offer to Dedicate No. 16-001 - An application for the construction of a new single-family residence and associated development

Location: 21100 Pacific Coast Highway, within the appealable coastal zone

APN: 4450-010-022

Zoning: Multifamily Beachfront (MFBF)

Applicant: Clive Dawson A.I.A. Architecture and Planning

Owner: Blue Daisy, LLC

Application Filed: May 26, 2015

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-33 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 15-038 to allow for the construction of a new 2,354 square foot single-family residence, that includes a garage, rooftop deck with spa and barbeque area, beachfront decks, alternative onsite wastewater treatment system (AOWTS), seawall, view corridors, gates, fencing, hardscape and landscaping, including Variance (VAR) No. 15-019 to allow for construction on slopes steeper than 2.5 to 1, VAR No. 15-020 to allow for the reduction in required onsite parking from four spaces to two enclosed parking spaces, Stringline Modification Review (SMR) No. 16-001 to allow for the use of alternative corner of the residence located to the east of the subject property that is more typical of neighboring development, and Offer to Dedicate (OTD) No. 16-001 to grant a public lateral access easement at the rear of the property, located in the

Multifamily Beachfront (MFBF) zoning district at 21100 Pacific Coast Highway (PCH) (Blue Daisy, LLC).

DISCUSSION: This agenda report provides an overview of the project, summary of the surrounding land uses, description of the proposed project and a summary of staff's analysis of the project's consistency with the applicable provisions of the Malibu Local Coastal Program (LCP) and the California Environmental Quality Act (CEQA). The analysis and findings discussed herein demonstrate that the project is consistent with the LCP.

Project Overview

FIGURE 1



Aerial Photograph of the Subject Property

The scope of the proposed project includes the construction of a new beachfront single-family residence which includes an attached garage, ocean front decks, new AOWTS, retaining walls, seawall hardscaping, and landscaping. The project also includes two variance requests, one for a reduction in the required amount of onsite parking to allow for the elimination of the two unenclosed parking spaces and a second variance for construction on slopes steeper than 2.5 to 1. In addition, the project also include a request for a building stringline modification. The nearest corner of the structure located directly adjacent to the subject property (east) is stepped back while the majority of the building and decks are located further seaward. The resulting stringline for the structure will be representative of surrounding properties.

The subject property was previously developed in 1921 with a 1,158 square foot duplex that was destroyed by fire. The proposed project constitutes a replacement structure requiring a CUP, because the proposed development will result in a larger structure that is taller than the previously existing development. The existing conventional wastewater treatment system did not comply with the current wastewater discharge requirements and as a result an upgrade is required. The upgrade to the AOWTS required the proposed structure to be elevated to meet the required clear space between the bottom of the structure and the AOWTS for ventilation purposes.

The proposed structure will be two-stories and includes a staircase that leads to a rooftop deck. In addition to the rooftop deck that includes a barbeque, patio area, and spa, the project also includes first and second story beachfront decks. The required view corridors will be provided along both the east and west side yards of the parcel and all materials in the view corridor will be visually permeable.

A variance to reduce the amount of required onsite parking has been requested because of the limited size of the allowable building pad. The applicant is proposing a two car garage and no unenclosed parking. Given the width of the property it is not possible to provide two parallel parking spaces without a portion of the required parking being located within the view corridor. In addition, if the proposed structure were further set back to provide two perpendicular unenclosed parking spots and two enclosed parking spaces the structure would extend beyond the structure stringline and the majority of the ground floor would be consumed by parking. Surrounding properties all feature reduced onsite parking due to site constraints.

Because of the existing site topography, an additional variance is requested to allow for construction on slopes in excess of 2.5 to 1. Historically, the property had a slope that extended from the road grade to the ocean below. As part of the previous development, the topography of the site was modified and as a result, manufactured slopes in excess of 2.5 to 1 exist onsite and there is no way to develop the site without construction on these slopes. Table 1 summarizes the characteristics of the property.

Table 1 – Property Data	
Lot Depth	85.45 ft. to mean high tide line
Lot Width	45.35 ft.
Gross Lot Area	2,507 sq. ft.
Area of Street Easements	0 sq. ft.
Area of 1 to 1 Slopes	0 sq. ft.
Net Lot Area	2,507 sq. ft.

Surrounding Land Uses and Project Setting

As outlined in Table 2, the surrounding land uses consist of single-family residential homes within the MFBF zoning district and an open space lot. The residentially developed lots predominantly have two-story homes.

Table 2 – Surrounding Land Uses				
Direction	Address	Parcel Size	Zoning	Land Use
North	3924 Sierks Way	1.67 acres	RR2	Vacant
East	21070 PCH	0.18 acres	MFBF	Residential
South	Pacific Ocean			
West	21106 PCH	.1 acres	MFBF	Vacant

The project site is located within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. However, the subject parcel does not contain Environmentally Sensitive Habitat Area (ESHA) based on the LCP ESHA and Marine Resources Map. The LCP Park Lands Map shows the California Coastal Trail adjacent to the subject parcel.

Project Description

The proposed project includes the following work:

- Construction of a new 2,354 square foot, two-story, single-family residence with an attached garage
 - 1,183 square foot first floor, including 412 square foot garage
 - 1,171 square foot second floor
- AOWTS;
- Planters and landscaping;
- Beachfront decks;
- Rooftop deck;
- Spa;
- Outdoor barbeque area;
- Seawall;
- Outdoor fireplace; and
- OTD No. 16-001 to grant a public lateral access easement across the rear of the property.

The following discretionary requests are included:

1. VAR No. 15-019 to allow for the elimination of two unenclosed parking spaces;
2. VAR No. 15-020 to allow for construction on slopes steeper than 2.5 to 1; and
3. SMR No. 16-001 to modify the building stringline.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and Local Implementation Plan (LIP). The LUP contains programs and policies to implement the Coastal Act in the City of Malibu.

The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a coastal development permit must adhere.

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading and Archaeological / Cultural Resources, Water Quality, and Onsite Wastewater Treatment System (OWTS) and are discussed under the Conformance Analysis section. The nine remaining LIP sections include: 1) Coastal Development Permit findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. These nine sections are discussed under the LIP Findings section. Of these nine, General Coastal Development Permit (including the variance and stringline modification findings), Scenic, Visual and Hillside Resource Protection, Shoreline and Bluff Development, and Hazards findings apply to this project.

Based on the project site, the scope of work, and substantial evidence contained within the record, the ESHA, Native Tree Protection, Transfer of Development Credits, Public Access, and Land Division findings are not applicable or required for the project for the reasons described herein.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, and the City Public Works Department for conformance with the LCP, as well as the Los Angeles County Fire Department (LACFD). The Department Review Sheets are attached hereto as Attachment 3. The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals and policies with the inclusion of the variances and stringline modifications.

Zoning (LIP Chapter 3)

As shown in Table 3, the proposed project complies with LIP Sections 3.5 and 3.6 concerning residential beachfront development standards.

Table 3 – LCP Zoning Conformance			
Development Requirement	Allowed	Proposed	Comments
SETBACKS			
Front yard setback	3 inches	3 inches	Complies
Side yard setback (min. 10% each side)	4 ft., 6 inches	5 ft., 3 inches	Complies
View Corridor (min. 10% each side)	4 ft., 6 inches	5 ft., 3 inches	Complies
Deck Stringline	Nearest Corners	Nearest Corners	Complies
<i>Building Stringline</i>	<i>Nearest Corners</i>	<i>Alternate Point</i>	<i>Stringline Modification</i>
CONSTRUCTION ON SLOPES	<i>3 to1 or flatter</i>	<i>Steeper than 2:5 to 1</i>	<i>Variance</i>
HEIGHT			
Front half of the structure	24 ft. flat roof	24 ft. flat roof	Complies
Rear half of the structure, with deck railing.	25 ft. top of railing	25 ft. top of railing	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE	No Limit	2,354 sq. ft.	Complies
Impermeable Coverage	No Limit	1,698 sq. ft.	Complies
PARKING SPACES	2 enclosed 2 unenclosed	2 enclosed 0 unenclosed	<i>Variance</i>
<i>Retaining Walls</i>	6 ft. (12 in feet combination)	6 ft. (12 in feet combination)	Complies
Fences and Gates			
Front	6 feet (42 inches solid, 30 inches view permeable)	6 feet (42 inches solid, 30 inches view permeable)	Complies
View Corridors	6 feet, 100 percent view permeable	6 feet, 100 percent view permeable	Complies
Sides – landward of building stringline	6 feet	6 feet	Complies

With the inclusion of the two variances and a stringline modification request the proposed single-family residence will comply with the applicable beachfront residential development standards. As discussed throughout this report, the proposed development has been determined to be consistent with all applicable LCP codes, standards, goals, and policies.

Grading (LIP Chapter 8)

The project proposes a total of 169 cubic yards of grading, all of which meets the definition of non-exempt grading. Since the project does not propose non-exempt grading and the grading that will take place is solely for the construction of the residence and installation of the AOWTS, the project conforms to the grading requirements as set forth under LIP Section 8.3, which ensures that new development minimizes the visual and resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards for residential development. Quantities for site preparation are detailed in Table 3.

Table 3 – LCP Grading Conformance						
	Exempt**			Non-Exempt	Remedial	Total
	R&R*	Understructure	Safety***			
Cut	0	82	0	0	0	82
Fill	0	87	0	0	0	87
Total	0	169	0	0	0	169
Import	0	5	0	0	0	5
Export	0	0	0	0	0	0

All quantities listed in cubic yards unless otherwise noted

*R&R= Removal and Re-compaction

**Exempt grading includes all R&R, understructure and safety grading.

***Safety grading is the incremental grading required for Fire Department access (such as turnouts, hammerheads, and turnarounds and any other increases in driveway width above 15 feet required by the LACFD).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. Based on review of the site, which is subject to wave action, and the City’s Cultural Resources Map, improvements to the subject parcel are not expected to have adverse impacts on known cultural resources. Accordingly, no further study is required at this time.

Nevertheless, a condition of approval has been included which states that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department has reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval require that prior to grading permit issuance, final grading and drainage plans incorporating construction-phase erosion control and stormwater pollution prevention, as well as post-construction stormwater management must be approved by the City Public Works Department. With the implementation of these conditions, the project conforms to the Water Quality Protection standards of LIP Chapter 17.

Onsite Wastewater Treatment Systems (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The project includes a new AOWTS, which has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the MMC, and the LCP. This system will consist of a 2,493 gallon MicroSepTec ES-6 EnviroServer treatment tank with an UV disinfection unit. Secondary and tertiary treatment will be required. An operation and maintenance contract and recorded covenant covering such shall be in compliance with the City Environmental Health requirements. Conditions of approval have been included in Planning Commission Resolution No. 16-33 to require continued operation, maintenance and monitoring of onsite facilities.

LIP Findings

A. General Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all CDPs.

Finding A1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

The project has been reviewed for conformance with the LCP by Planning Department staff, the City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff and the City Public Works Department. As discussed herein, based on submitted reports, project plans, visual analysis and detailed site investigation, the proposed project, as conditioned and with the approval of the variances to reduce the amount of required parking and to allow for construction on slopes steeper than 2.5 to 1 and the building stringline modification request, the project conforms to the LCP in that it meets all applicable residential development standards.

Finding A2. The project is located between the first public road and the sea. The project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is located on the ocean side of PCH and does not offer vertical beach access. However, according to the LCP's Public Access Map, there is an existing recorded public vertical access way located at 21202 PCH which is approximately 600 feet west of the subject parcel. Currently, during periods of low tides the public has the ability to walk along the beach directly behind the existing development. The proposed project will not extend as far seaward as existing development and is not expected to interfere with the public's ability to use the beach located at the rear of the property. OTD No. 16-001 is included to grant a public lateral access easement across the rear of the property. Furthermore, the proposed design will be setback 10 feet from the mean high tide line. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

Finding A3. The project is the least environmentally damaging alternative.

1. No Project – The no project alternative would avoid any changes to the subject parcel, leaving it vacant. The project site is designated for residential development. The no project alternative would not accomplish any of the project objectives.
2. Alternative Design – The project objective is for the construction of a single-family residence on a lot that is currently vacant because the previous structure was destroyed by fire. The applicant could propose to rebuild the structure that was previously destroyed. However, this design alternative would not provide view corridors or a new seawall that complies with the seawall stringline requirement of the LIP. The replacement structure would still not comply with the LIP's parking requirements and development would still take place on slopes steeper than 2.5 to 1. While the applicant could propose to replace the development that was destroyed, the preferred project will result in a more efficient wastewater treatment system and provide public views of the ocean. Given the benefits of the proposed/preferred project, the alternative design does not offer any environmental advantages.
3. Proposed Project – The proposed project will allow for the construction of a new single-family residence with associated development that includes a spa, beachfront decks, AOWTS, fences, hardscaping and landscaping. The project also includes a request for a variance to reduce the required onsite parking spaces from four to two enclosed parking spaces. An additional variance is requested to allow for construction on slopes steeper than 2.5 to 1 because of both the existing natural site topography and manufactured slopes that were the

result of previous development. The project also includes a stringline modification request for the building stringline because the nearest corner of the property to the east is recessed and not typical of the remainder of the structure, or the stringline of the neighboring properties. The project, as conditioned and with the inclusion of the variances and stringline modification request, will comply with all applicable requirements of State and local law.

Finding A4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

The project site does not contain Environmentally Sensitive Habitat Area (ESHA) nor is it adjacent to ESHA. The nearest ESHA resource is located at Las Flores Creek, which is approximately 600 feet west of the subject parcel. The proposed project was reviewed by the City Biologist and it was determined that the proposed project is exempt from review by the Environmental Review Board (ERB). Therefore, this finding does not apply.

B. Variance Findings for reduction in the amount of required onsite parking (LIP Section 13.26)

LIP Section 3.14.3 states that each single-family home shall have two unenclosed and two enclosed onsite parking spaces. The proposed structure only proposes two enclosed parking spaces and there will be no unenclosed parking. The project architect demonstrated that if the proposed residence were setback further from PCH it would still not be feasible to provide the additional two unenclosed parking spaces. Given the shallow lot depth it is not possible to provide two enclosed and two unenclosed parking spaces directly in front of the garage door. In addition, because of the narrow lot width of 45.35 feet, two parallel parking spaces would result in a portion of the parking being located within the required view corridors which is prohibited by the LIP (Attachment 3). In addition, given the size of the neighboring lots, it is typical for beachfront residences in the Las Flores Beach area to only provide two unenclosed parking spaces. The findings required by LIP Section 13.26 are made below.

Finding B1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

There are special circumstances and exceptional characteristics such that strict application of the zoning ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. The subject

parcel is proportionally smaller than typical beachfront lots. After the applicable stringlines and setbacks are applied, it is physically not possible to site four 10 by 18 foot parking spaces that are functional. It is common for neighboring properties which were built prior to cityhood to only provide two onsite parking spaces. Approval of the requested variance will allow for the construction of a residential structure to replace the one destroyed by fire and allow for residential development on a previously approved building pad, similar to surrounding properties.

Finding B2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The proposed variance will allow the property to be developed in a manner similar to what previously existed and typical of surrounding development. The project will be consistent with surrounding land uses. The project has been reviewed and approved by City geotechnical staff, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City Public Works Department, and the LACFD for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

Finding B3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

Given the constraints affecting on the subject parcel and the resulting development area, the reduction of the required onsite parking will not constitute a special privilege to the property owner. The resulting development will be similar in size with neighboring properties that also only provide two parking spaces, if any, onsite. The granting of the variance will not constitute a special privilege to the applicant or the property owner.

Finding B4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

As discussed throughout this report, with the inclusion of the subject variance, the additional variance for construction on slopes and the building stringline modification request, the project is consistent with the LCP. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP.

Finding B5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

As proposed, project will not result in any impacts on ESHA or reduce the required ESHA buffer. Therefore; this finding does not apply.

Finding B6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

The proposed variance is not for a deviation of stringline standards; therefore, this finding is not applicable. A stringline modification request is discussed in Section C of this agenda report.

Finding B7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed project is for a single-family residence, which is an allowed use in the MFBF zoning district in which the project is located. The proposed variance is to allow for a reduction in the required onsite parking spaces. This variance does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

Finding B8. The subject site is physically suitable for the proposed variance.

The granting of the variance will allow for the reduction of the required parking spaces and will result in the construction of a residence that is compatible with the surrounding built environment. The average habitable square footage of the surrounding residences is 1,876 square feet, the proposed residence contains 1,942 square feet of habitable area. Based on the submitted technical reports, a single-family residence can be built onsite. By reducing the amount of onsite parking, the property can be developed in a way that provides unobstructed public views via the two view corridors provided. Therefore, the subject site is physically suitable for the proposed variance.

Finding B9. The variance complies with all requirements of state and local law.

The variance complies with all requirements of state and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City departments and agencies.

Finding B10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parklands. Two unenclosed parking spaces will be eliminated, however, enclosed parking will be provided and the project is not expected to impact public parking along PCH.

C. Variance Findings for Construction on Slopes (LIP Section 13.26)

VAR No. 15-019 is proposed to allow for construction on slopes exceeding 2.5 to 1. The application proposes the construction of a new single-family residence to replace the development that was destroyed by a fire. The existing topography contains slopes that are in excess 2.5 to 1. The existing slopes on the subject property are a combination of manufactured slopes and existing natural slopes. Given the small building pad area and the topography of the site as a whole it is not possible to construct a new structure without construction on slopes. The findings required by LIP Section 13.26 are made below.

Finding C1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

There are special circumstances and exceptional characteristics such that strict application of the zoning ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. Previous grading activities on the site resulted in 2 to 1 slopes on and near the building pad. A new foundation system needs to be installed to support the new residence, as well as earth work for the installation of the new AOWTS, which will require construction on slopes steeper than 2.5 to 1. It is not possible to avoid construction on steep slopes and approval of the variance will allow the property to be developed similar to surrounding development.

Finding C2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

In order to develop the property, the applicant must install a new foundation system and AOWTS. The proposed foundation and new AOWTS will meet all of the current development standards. The project will be consistent with surrounding land uses. The project will improve the current site stability conditions. The project has been reviewed and approved by the City Coastal Engineer, City geotechnical staff, City Biologist, City Environmental Health Administrator, City Public Works Department, and the LACFD for

consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

Finding C3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

Installation of both a new foundation and AOWTS on the site is necessary to develop the site according to its zoning classification and comply with building and safety requirements. Nearby properties also contain steep slopes and include foundation and AOWTS components on such slopes. The project proposes development similar to other development in the vicinity. The granting of the variance will not constitute a special privilege to the applicant or the property owner.

Finding C4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

As discussed throughout this report, with the inclusion of the subject variance, the additional variance to reduce the amount of required onsite parking and the building stringline modification request, the project is consistent with the LCP. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP.

Finding C5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

As proposed, project will not result in any impacts on ESHA or reduce the required ESHA buffer. Therefore; this finding does not apply.

Finding C6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

The proposed variance is not for a deviation of stringline standards; therefore, this finding is not applicable.

Finding C7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed project is for a single-family residence, which is an allowed use in the MFBF zoning district in which the project is located. The proposed variance is to allow for construction on slopes steeper than 2.5 to 1 and does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

Finding C8. The subject site is physically suitable for the proposed variance.

The granting of the variance will allow for construction of a residence that is compatible with the surrounding built environment. The implementation of the geotechnical standards specified by the geotechnical consultant has been required as a condition of approval in the resolution. The parcel's topography physically constrains proposed development of the site, but it does not prevent development if standard engineering measures are utilized. Therefore, the subject site is physically suitable for the proposed variance.

Finding C9. The variance complies with all requirements of state and local law.

The variance complies with all requirements of state and local law. Construction of the proposed structure will comply with all building code requirements and will incorporate all recommendations from applicable City departments and agencies.

Finding C10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

The proposed variance does not include any reduction or elimination of public parking for access to the beach, public trails or parklands.

D. Modification Request from LIP Sections 10.4(G) and 3.6(G)(3) – Building Stringline Modification (LIP Section 13.27.5)

The applicant is requesting SMR No. 16-001 from LIP Sections 10.4(G) and 3.6(G)(3) to use an alternative building stringline endpoint, instead of the nearest adjacent corner, on the closest downcoast (east side) property (Attachment 4).

Finding D1. That the project is consistent with policies and provisions of the Malibu LCP.

The project has been reviewed and analyzed for conformance with the LCP. With the inclusion of the SMR, the project is consistent with the policies and provisions of the LCP.

Finding D2. That the project does not adversely affect neighborhood character.

The project will comply with all beachfront development standards, with the inclusion of the SMR for the building stringline. Strict adherence to the stringline requirements would result in a more restrictive landward building setback than surrounding properties on a lot

that is already constrained by a narrow width and steep slopes. The proposed structure will not extend further seaward than the neighboring residences. Granting the SMR request for the modified building stringline will not adversely affect neighborhood character, since it will result in development consistent with neighboring properties (Attachment 4).

Finding D3. The proposed project complies with all applicable requirements of state and local law.

The proposed project has received LCP conformance review from the City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and LACFD. It must also be approved by the City of Malibu Environmental Sustainability Department prior to issuance of building permits. With the inclusion of the variances and stringline modification request, the project complies with all applicable requirements of state and local law.

Finding D4. The development will not be closer to the ocean than a structure of the same type on either adjacent property or a structure used in the stringline determination.

The endpoint proposed with the SMR would allow for construction of a beachfront residence that is in line with the majority of properties along this stretch of PCH, and will maintain the required 10 foot setback from the MHTL as required by the LCP. The use of an alternate point on the structure to the east will result in a stringline that is consistent with that structure and will not intrude further seaward than neighboring properties.

Finding D5. The development will not result in conferring a privilege not enjoyed by an adjacent structure.

The proposed SMR allows for the construction of a residence that is no closer to the MHTL than the neighboring residences. The project plans demonstrate the SMR does not grant the project applicant a more generous setback than enjoyed by neighboring properties.

Finding D6. Strict compliance with the requirements of Section 3.6(G)(3) of the LIP would deprive the property owner of reasonable use of the structure or a use which is enjoyed by one or more adjacent structures.

The stringline as required by the LIP prevents the property owner from developing the property in a similar manner to other structures along PCH. Without the inclusion of the SMR, the property owner would not share a rear building setback that is common with neighboring properties and therefore, the property owner could not enjoy and use their property in a way that is similar to neighboring homes.

Finding D7. The project provides maximum feasible protection to public access, as required by Chapter 12 of the LIP.

The project provides the maximum feasible protection to public access required by LIP Chapter 12 because the seaward edge of the project is over 10 feet landward of the most historical MHTL and entirely on private property. As such, the project provides the maximum feasible protection to public access required by LIP Chapter 12.

E. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, the findings of LIP Section 4.7.6 are not applicable.

F. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

G. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The Scenic, Visual and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The project site is adjacent to PCH, a designated scenic roadway, and is visible from the beach located at the rear of the property, which is an LUP-identified scenic area. The subject parcel is located in an area that contains both developed and undeveloped parcels along PCH. The site's topography descends from PCH to the beach located at the rear of the property. Based on site inspections and story pole photos, when viewing the story poles from PCH, the proposed residence is sited among existing development and therefore is not expected to significantly adversely affect views from PCH. Furthermore, the proposed replacement structure complies with the LIP's protection of public views through the use of view corridors; the previous development did not offer public view corridors. As the project has potential to be visible from PCH and the beach, the findings set forth in LIP Section 6.4 are enumerated and discussed further below.

Finding G1. The project, as proposed with the lighting restrictions included in the accompanying resolution, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

There is no feasible development location on the subject property where development would not have the potential to be visible from PCH, a scenic road or the beach;

therefore, the project has been designed to minimize any adverse or scenic impacts and provide the required view corridors. Furthermore, the site was previously developed with a single-family residence which provided no public views. The project as conditioned will not have significant adverse scenic or visual impacts due to the project design, location or other reasons.

Finding G2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As discussed in Finding G1, as conditioned with the inclusion of lighting, color, and material restrictions, the project will not have significant adverse scenic or visual impacts.

Finding G3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project, as conditioned, is the least environmentally damaging feasible alternative.

Finding G4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As discussed in Finding G1, the project, as conditioned, will result in a less than significant impact on scenic and visual resources.

Finding G5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

As discussed in Finding G1, as conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

H. Transfer of Development Credit (LIP Chapter 7)

According to LIP Section 7.2, transfer of development credits applies to land divisions and multi-family development in specified zones. The proposed project does not include a land division or multi-family development. Therefore, the findings in LIP Chapter 7 do not apply.

I. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards must be included in support of all approvals, denials or conditional approvals of development

located in or near an area subject to these hazards. The project has been analyzed for the hazards listed in LIP Sections 9.2(A)(1-7) by City geotechnical staff, the City Coastal Engineer, City Public Works Department, and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and MMC.

Finding I1. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

City geotechnical staff and the City's Coastal Engineer determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity and the Public Works Department determined that while the subject property is a beachfront property, the proposed structure has been sited above the base floodplain elevation. Based on review of the reports by consulting geologist, Land Phases, Inc. dated February 23, 2015, Mountain Geology, Inc. March 10, 2010, March 9, 2010, January 18, 2010, October 8, 2009, and July 13, 2009, Subsurface Designs Inc. dated July 21, 2015 and March 6, 2015, in addition to the project plans and City geotechnical staff, City Coastal Engineer, and the City Public Works Department approvals, the proposed project, as conditioned, does not have an adverse impact on the subject site or surrounding properties.

The reports conclude that the proposed development is suitable for the site and, if their recommendations are followed, the development will be safe from geologic hazard. Based on review of the project and associated technical submittals, on August 12, 2015, City geotechnical staff approved the project, subject to conditions. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal and drainage. Final plans shall be reviewed and approved by City geotechnical staff prior to the issuance of a grading permit.

Fire Hazard

The entire city limits of Malibu are located within a high fire hazard area. The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the state so that additional personnel and fire-fighting equipment can augment the LACFD.

Nonetheless, a condition of approval has been included in the resolution which requires that the property owner indemnify and hold the City harmless from hazards associated with wildfire. The project, as conditioned, will incorporate all recommendations of City geotechnical staff, City Coastal Engineer, City Public Works Department, and the LACFD.

Finding I2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding I1, the project as designed, conditioned, and approved by City geotechnical staff, City Coastal Engineer, City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

Finding I3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project as designed and conditioned is the least environmentally damaging alternative.

Finding I4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As stated in Finding I1, the project as designed, and conditioned, and approved by City geotechnical staff, City Coastal Engineer, City Public Works Department does not have any significant adverse impacts on the site stability or structural integrity.

Finding I5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Finding I1, no adverse impacts to sensitive resources are anticipated.

J. Shoreline and Bluff Development (LIP Chapter 10)

The project site is located along the shoreline and proposes the development of a new seawall to protect the proposed AOWTS. Therefore, in accordance with LIP Section 10.2, the requirements of LIP Chapter 10 are applicable to the project and the required findings are made as follows.

Finding J1. The project, as proposed, will have no significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

The proposed project includes the construction of a new residence to replace a residence that was destroyed by fire. The foundation of the residence has been designed not to require the protection of a seawall. The seawall that is proposed is sited as far landward as possible to protect the AOWTS. In addition, the proposed

development has been reviewed by the California State Lands Commission and they have asserted no jurisdictional claims regarding the proposed project.

Furthermore, the project also complies with the 10 foot setback from the mean high tide line. With the inclusion of the variances and SMR, the proposed development as designed and conditioned, is not expected to have significant adverse impacts on public access, shoreline sand supply or other resources.

Finding J2. The project, as conditioned, will not have significant adverse impacts on public access, shoreline sand supply or other resources due to required project modifications or other conditions.

As discussed previously in Finding J1, the project as designed, constructed and conditioned, and approved by the City's Coastal Engineer is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

Finding J3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project, as designed, constructed, and conditioned, is the least environmentally damaging alternative.

Finding J4. There are not alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

As stated in Finding J1, as designed, constructed, and conditioned, the project is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources. The proposed development will provide the required 10 foot setback from the mean high tide line to protect public access. In addition, a deed restriction will be required pursuant to LIP Section 10.6(B) regarding future shoreline protection devices. There are no alternative designs that would result in fewer impacts to public access, sand supply or other resources.

Finding J5. The shoreline protective device is designed or conditioned to be sited as far landward as feasible to eliminate or mitigate to the maximum feasible extent adverse impacts on local shoreline sand supply and public access, and there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and it is the least environmentally damaging alternative.

The project does include a new shoreline protection device to protect the required AOWTS. The AOWTS has been sited on the landward portion of the property and as a result the associated seawall has been located as far landward as possible. To

eliminate the need for a seawall the AOWTS would need to be located outside the limits of the protected wave uprush. This is not possible as the wave uprush limits extend to the front property line along Pacific Coast Highway. Given the location of the proposed seawall which is as far landward as possible, it is not expected to impact local shoreline sand supply or public access. The project has been conditioned to include a deed restriction to be recorded that prohibits the future use of a seawall to protect onsite structures with the exception of the AOWTS.

K. Public Access (LIP Chapter 12)

The project is located on the beach on the ocean side of PCH and does not offer vertical beach access. However, according to the LCP Public Access Map, there is an existing recorded public vertical access way located at 21202 PCH which is approximately 600 west of the subject parcel. Currently during periods of low tides, the public has the ability to walk along beach directly behind the existing development. The proposed project will not extend as far seaward as the previously existing development and is not expected to interfere with the public's ability to use the beach located at the rear of the property. In addition, OTD No. 16-001 is included to grant a public lateral access easement across the rear of the property Based on these factors, the project conforms to LIP Chapter 12 and the findings do not apply.

K. Land Division (LIP Chapter 15)

This project does not include a land division; therefore, the findings in LIP Chapter 15 do not apply.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) – New Construction and 15303(e) – new construction of accessory structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: To date, staff has not received any comments on the subject application.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu on February 25, 2016 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 7).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 16-33. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department and appropriate City departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-33
2. Project Plans
3. Parking Exhibit
4. Stringline Exhibit
5. Department Review Sheets
6. Story Pole Pictures
7. Public Hearing Notice

**CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-33**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 15-038 TO ALLOW FOR THE CONSTRUCTION OF A NEW 2,354 SQUARE FOOT SINGLE-FAMILY RESIDENCE, THAT INCLUDES A GARAGE, ROOFTOP DECK WITH SPA AND BARBEQUE AREA, BEACHFRONT DECKS, ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, SEAWALL, VIEW CORRIDORS, GATES, FENCING, HARDSCAPE AND LANDSCAPING, INCLUDING VARIANCE NO. 15-019 TO ALLOW FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, VAR NO. 15-020 TO ALLOW FOR THE REDUCTION IN REQUIRED ONSITE PARKING FROM FOUR SPACES TO TWO ENCLOSED PARKING SPACES, STRINGLINE MODIFICATION REVIEW NO. 16-001 TO ALLOW FOR THE USE OF ALTERNATIVE CORNER OF THE RESIDENCE LOCATED TO THE EAST OF THE SUBJECT PROPERTY THAT IS MORE TYPICAL OF NEIGHBORING DEVELOPMENT, AND OFFER TO DEDICATE NO. 16-001 TO GRANT A PUBLIC LATERAL ACCESS EASEMENT AT THE REAR OF THE PROPERTY, LOCATED IN THE MULTIFAMILY BEACHFRONT ZONING DISTRICT AT 21100 PACIFIC COAST HIGHWAY (BLUE DAISY, LLC)

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals.

- A. On May 26, 2015, an application for Coastal Development Permit (CDP) No. 15-038, Variance (VAR) Nos. 15-019 and 15-020 and Stringline Modification Request (SMR) No. 16-001 was submitted to the Planning Department by applicant, Clive Dawson, A.I.A., Architecture and Planning on behalf of the property owner Blue Daisy, LLC. The application was routed to the City geotechnical staff, City Environmental Health Administrator, City Biologist, City Coastal Engineer, the City Public Works Department, and the Los Angeles County Fire Department (LACFD) for review.
- B. On February 1, 2016, a Notice of Coastal Development Permit Application was posted on the subject property.
- C. On February 25, 2016, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.
- D. On March 1, 2016, story poles were installed on the subject property.
- E. On March 3, 2016, the applicant contacted staff to inform staff that the property owner is willing to grant a lateral public access easement across the rear of the property. Subsequently Offer to

Dedicate (OTD) No. 16-001 was added to the project.

- F. On March 21, 2016, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record.

Section 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to 15303(a) – new construction and 15303(e) – new construction of accessory structures. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Section 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to LIP Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below and approves CDP No. 15-038 to allow for the construction of a new 2,354 square foot single-family residence, garage, spa, new alternative onsite wastewater treatment system (AOWTS), new gate and fencing, view corridors, hardscape and landscaping, VAR No. 15-019 to allow for construction on slopes steeper than 2.5 to 1, VAR No. 15-020 to allow for the reduction in required onsite parking from four spaces to two enclosed parking spaces, SMR No. 16-001 to allow for the use of alternative corner of the residence located to the east of the subject property that is more typical of neighboring development and OTD No. 16-001 to grant a lateral public access easement across the rear of the property, located in the Multifamily Beachfront (MFBF) zoning district at 21100 Pacific Coast Highway (PCH).

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and onsite wastewater treatment requirements. With the inclusion of the proposed variances and stringline modification request, the project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project has been reviewed for conformance with the LCP by Planning Department staff, the City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff and the City Public Works Department. As discussed herein, based on submitted reports, project plans, visual analysis and detailed site investigation, the proposed project, as conditioned and with the approval of the variances to reduce the amount of required parking and to allow for construction on slopes steeper than 2.5 to 1 and the building stringline modification request, the project conforms to the LCP in that it meets all applicable residential development standards..

2. The project is located on the ocean side of PCH and does not offer vertical beach access. However, according to the LCP's Public Access Map, there is an existing recorded public vertical access

way located at 21202 PCH which is approximately 600 west of the subject parcel. Currently, during periods of low tides the public has the ability to walk along the beach directly behind the existing development. The proposed project will not extend as far seaward as existing development and is not expected to interfere with the public's ability to use the beach located at the rear of the property. Furthermore, the proposed design will be setback 10 feet from the mean high tide line and OTD No. 16-001 is included for the granting of a lateral public access easement across the rear of the property. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

3. The project, as proposed, is the least environmentally damaging alternative, and, as conditioned and with the inclusion of the variances and stringline modification request, will comply with all applicable requirements of State and local law

B. Variance Findings for reduction in the amount of required onsite parking (LIP Section 13.26)

1. There are special circumstances and exceptional characteristics such that strict application of the zoning ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. The project architect demonstrated that if the proposed residence were setback further from PCH it would still not be feasible to provide the additional two unenclosed parking spaces. Given the shallow lot depth it is not possible to provide two enclosed and two unenclosed parking spaces directly in front of the garage door. In addition, because of the narrow lot width of 45.35 feet, two parallel parking spaces would result in a portion of the parking being located within the required view corridors which is prohibited by the LIP. In addition, given the size of the neighboring lots, it is typical for beachfront residences in the Las Flores Beach area to only provide two unenclosed parking spaces. Approval of the requested variance will allow for the replacement of an existing residential structure and allow for residential development on a previously approved building pad, similar to surrounding properties.

2. The proposed variance will allow the property to be developed in a manner similar to what previously existed and typical of surrounding development. The project will be consistent with surrounding land uses. The project has been reviewed and approved by City geotechnical staff, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City Public Works Department, and the LACFD for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. Given the constraints affecting the subject parcel and the resulting development area, the reduction of the required onsite parking will not constitute a special privilege to the property owner. The resulting development will be similar in size with neighboring properties that also only provide two parking spaces, if any, onsite. The granting of the variance will not constitute a special privilege to the applicant or the property owner.

4. With the inclusion of the subject variance, the additional variance for construction on slopes and the building stringline modification request, the project is consistent with the LCP. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP.

5. The proposed project is for a single-family residence, which is an allowed use in the MFBB zoning district in which the project is located. The proposed variance is to allow for a reduction in the required onsite parking spaces. This variance does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

6. The granting of the variance will allow for the reduction of the required parking spaces and will result in the construction of a residence that is compatible with the surrounding built environment. The average habitable square footage of the surrounding residences is 1,876 square feet, the proposed residence contains 1,942 square feet of habitable area. Based on the submitted technical reports, a single-family residence can be built onsite. By reducing the amount of onsite parking, the property can be developed in a way that provides unobstructed public views via the two view corridors provided. Therefore, the subject site is physically suitable for the proposed variance.

7. The variance complies with all requirements of state and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City departments and agencies.

8. The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parklands. Two unenclosed parking spaces will be eliminated, however, enclosed parking will be provided and the project is not expected to impact public parking along PCH.

C. Variance Findings for Construction on Slopes (LIP Section 13.26)

1. There are special circumstances and exceptional characteristics such that strict application of the zoning ordinance would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification. The application proposes the construction of a new single-family residence to replace the development that was destroyed by a fire. The existing topography contains slopes that are in excess 2.5 to 1. The existing slopes on the subject property are a combination of manufactured slopes and existing natural slopes. Given the small building pad area and the topography of the site as a whole it is not possible to construct a new structure without construction on slopes and approval of the variance will allow the property to be developed similar to surrounding development.

2. In order to develop the property, the applicant must install a new foundation system and AOWTS. The proposed foundation and new AOWTS will meet all of the current development standards. The project will be consistent with surrounding land uses. The project will improve the current site stability conditions. The project has been reviewed and approved by the City Coastal Engineer, City geotechnical staff, City Biologist, City Environmental Health Administrator, City Public Works Department, and the LACFD for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. Installation of both a new foundation and AOWTS on the site is necessary to develop the site according to its zoning classification and comply with building and safety requirements. Nearby properties also contain steep slopes and include foundation and AOWTS components on such slopes. The project proposes development similar to other development in the vicinity. The granting of the

variance will not constitute a special privilege to the applicant or the property owner.

4. With the inclusion of the subject variance, the additional variance to reduce the amount of required onsite parking and the building stringline modification request, the project is consistent with the LCP. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP.

5. The proposed project is for a single-family residence, which is an allowed use in the MFBF zoning district in which the project is located. The proposed variance is to allow for construction on slopes steeper than 2.5 to 1 and does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

6. The granting of the variance will allow for construction of a residence that is compatible with the surrounding built environment. The implementation of the geotechnical standards specified by the geotechnical consultant has been required as a condition of approval in the resolution. The parcel's topography physically constrains proposed development of the site, but it does not prevent development if standard engineering measures are utilized. Therefore, the subject site is physically suitable for the proposed variance.

7. The variance complies with all requirements of state and local law. Construction of the proposed structure will comply with all building code requirements and will incorporate all recommendations from applicable City departments and agencies.

D. Modification Request from LIP Sections 10.4(G) and 3.6(G)(3) – Building Stringline Modification (LIP Section 13.27.5)

1. The applicant is requesting SMR No. 16-001 from LIP Sections 10.4(G) and 3.6(G)(3) to use an alternative building stringline endpoint, instead of the nearest adjacent corner, on the closest downcoast (east side) property. The project has been reviewed and analyzed for conformance with the LCP. With the inclusion of the SMR, the project is consistent with the policies and provisions of the LCP. In addition, the SMR will not affect OTD No. 16-001 which grants a lateral public access easement across the rear of the property.

2. The project will comply with all beachfront development standards, with the inclusion of the SMR for the building stringline. Strict adherence to the stringline requirements would result in a more restrictive landward building setback than surrounding properties on a lot that is already constrained by a narrow width and steep slopes. The proposed structure will not extend further seaward than the neighboring residences. Granting the SMR request for the modified building stringline will not adversely affect neighborhood character, since it will result in development consistent with neighboring properties.

3. The proposed project has received LCP conformance review from the City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and LACFD. It must also be approved by the City of Malibu Environmental Sustainability Department prior to issuance of building permits. With the inclusion of the variances and stringline modification request, the project complies with all applicable requirements of state and local law.

4. The endpoint proposed with the SMR would allow for construction of a beachfront residence that is in line with the majority of properties along this stretch of PCH, and will maintain the

required 10 foot setback from the MHTL as required by the LCP. The use of an alternate point on the structure to the east will result in a stringline that is consistent with that structure and will not intrude further seaward than neighboring properties.

5. The proposed SMR allows for the construction of a residence that is no closer to the MHTL than the neighboring residences. The project plans demonstrate the SMR does not grant the project applicant a more generous setback than enjoyed by neighboring properties.

6. The stringline as required by the LIP prevents the property owner from developing the property in a similar manner to other structures along PCH. Without the inclusion of the SMR the property owner would not share a rear building setback that is common with neighboring properties and therefore, the property owner could not enjoy and use their property in a way that is similar to neighboring homes.

7. The project provides the maximum feasible protection to public access required by LIP Chapter 12 because the seaward edge of the project is over 10 feet landward of the most historical MHTL and entirely on private property. As such, the project provides the maximum feasible protection to public access required by LIP Chapter 12.

E. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

1. The project site is adjacent to PCH and the beach, which are LUP-identified scenic areas. The subject parcel is located between two developed parcels that share a similar topography. The subject parcel is located in an area that contains both developed and undeveloped parcels along PCH. The site's topography descends from PCH to the beach located at the rear of the property. Based on site inspections and story pole photos, when viewing the story poles from PCH, the proposed residence is sited among existing development and therefore is not expected to significantly adversely affect views from PCH. Furthermore, the proposed replacement structure complies with the LIP's protection of public views through the use of view corridors; the previous development did not offer public view corridors.

2. There is no feasible development location on the subject property where development would not have the potential to be visible from PCH, a scenic road or the beach; therefore, the project has been designed to minimize any adverse or scenic impacts and provide the required view corridors. Furthermore, the site was previously developed with a single-family residence which provided no public views. The project as conditioned will not have significant adverse scenic or visual impacts due to the project design, location or other reasons.

3. As conditioned with the inclusion of lighting, color, and material restrictions, the project will not have significant adverse scenic or visual impacts.

4. The project, as conditioned, is the least environmentally damaging feasible alternative.

5. The project, as conditioned, will result in a less than significant impact on scenic and visual resources.

6. As conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

F. Hazards (LIP Chapter 9)

1. The project consists of the construction of a new single-family residence and associated development. The project will not result in potential adverse impacts on site stability or structural integrity. However; the record concludes the entire city limits of Malibu are located within a high fire hazard area. As such, a condition is included in Section 5 of this resolution that requires the property owner to indemnify and hold the City harmless the City for damage or destruction from wildfire. In addition, the record demonstrates that the project, as proposed and conditioned, will not increase stability of the site or structure integrity from geologic hazards.

2. As conditioned, the project as designed, conditioned, and approved by City geotechnical staff, City Coastal Engineer, City Public Works Department, will not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

3. The project, as conditioned, is the least environmentally damaging feasible alternative.

4. The project as designed, and conditioned, and approved by City geotechnical staff, City Coastal Engineer, City Public Works Department will not have any significant adverse impacts on the site stability or structural integrity.

5. As conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

G. Shoreline and Bluff Development (LIP Chapter 10)

1. The foundation of the residence has been designed not to require the protection of a seawall. The seawall that is proposed is sited as far landward as possible to protect the AOWTS. In addition, the proposed development has been reviewed by the California State Lands Commission and they have asserted no jurisdictional claims regarding the proposed project. Furthermore, the project also complies with the 10 foot setback from the mean high tide line. With the inclusion of the variances and SMR, the proposed development as designed and conditioned, is not expected to have significant adverse impacts on public access, shoreline sand supply or other resources.

2. The project as designed, constructed and conditioned, and approved by the City's Coastal Engineer is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

3. The project, as designed, constructed, and conditioned, is the least environmentally damaging alternative.

4. The project as designed, constructed, and conditioned, the project is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources. The proposed development will provide the required 10 foot setback from the mean high tide line to protect public access. In addition, a deed restriction will be required pursuant to LIP Section 10.6(B) regarding future shoreline protection devices. There are no alternative designs that would result in fewer impacts to public access, sand supply or other resources.

5. The project does include a new shoreline protection device to protect the required AOWTS. The AOWTS has been sited on the landward portion of the property and as a result the associated seawall has been located as far landward as possible. To eliminate the need for a seawall the AOWTS would need to be located outside the limits of the protected wave uprush. This is not possible as the wave uprush limits extend to the front property line along Pacific Coast Highway. Given the location of the proposed seawall which is as far landward as possible, it is not expected to impact local shoreline sand supply or public access. The project has been conditioned to include a deed restriction to be recorded that prohibits the future use of a seawall to protect onsite structures with the exception of the AOWTS

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 15-038, VAR Nos. 15-019 and 15-020, and SMR No. 16-001, subject to the following conditions.

Section 5. Conditions of Approval.

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. Approval of this application is to allow for the following:
 - a. Construction of a new 2,354 square foot, two-story, single-family residence with an attached garage
 - I. 1,183 square foot first floor, including 412 square foot garage
 - II. 1,171 square foot second floor
 - b. AOWTS;
 - c. Planters and landscaping;
 - d. Beachfront decks;
 - e. Rooftop deck;
 - f. Rooftop spa;
 - g. Rooftop outdoor barbeque area;
 - h. Seawall;
 - i. Outdoor fireplace;
 - j. OTD No. 16-001 for the granting of a lateral public access easement across the rear of the property;
 - k. VAR No. 15-019 to allow for the elimination of two unenclosed parking spaces;
 - l. VAR No. 15-020 to allow for construction on slopes steeper than 2.5 to 1; and
 - m. SMR No. 16-001 to modify the building stringline.
3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with

the Planning Department, date-stamped **May 25, 2015**. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 days of this decision and/or prior to issuance of any development permits.
5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.
6. This resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the March 21, 2016 Planning Commission agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.
7. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.
8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Coastal Engineer, City Biologist, City Public Works Department, LACFD, and City Environmental Health Administrator, as applicable. Notwithstanding this review, all required permits shall be secured.
10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code (MMC) and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.
11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.
12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in M.M.C. Section 17.54.040(D)(4)(b) shall be followed.
14. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Geology

15. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.
16. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require amendment of the CDP or a new CDP.

Grading / Drainage

17. This project proposes to construct a new driveway within Caltrans' right-of-way. Prior to the Public Works Department approval of the grading or building permits, the applicant shall obtain encroachment permits from Caltrans for the proposed driveway.
18. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.
19. A Grading and Drainage Plan containing the following information shall be reviewed and approved by the Public Works Department, prior to the issuance of grading permits for the project:
 - a. Public Works Department general notes;
 - b. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
 - c. The grading limits shall include the temporary cuts made for buttresses, and over-excavation for fill slopes shall be shown;
 - d. Private storm drains, and systems greater than 12-inch diameter shall also include a plan

- and profile; and
 - e. Public storm drain modifications shown on the grading plan shall require approval by the Public Works Department prior to the issuance of the grading permit.
20. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMPs shall be submitted to the Public Works Department prior to the issuance of building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlets, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private streets, and any drainage easements.
21. A Wet Weather Erosion and Sediment Control Plan is required, and shall be submitted to the Public Works Department prior to the issuance of grading permits as grading or construction activity is anticipated to occur during the rainy season. The following elements shall be included in this plan:
- a. Locations where concentrated runoff will occur;
 - b. Plans for the stabilization of disturbed areas of the property, landscaping and hardscape, along with the proposed schedule for the installation of protective measures;
 - c. Location and sizing criteria for silt basins, sandbag barriers and silt fencing; and
 - d. Stabilized construction entrance and a monitoring program for the sweeping of material tracked offsite.
22. A local Storm Water Pollution Prevention Plan (SWPPP) shall be submitted for review and approval by the Public Works Department prior to issuance of grading/building permits. This plan shall include:
- a. Designated areas for the storage of construction materials that do not disrupt drainage patterns or subject the material to erosion by site runoff;
 - b. Designated area for the construction portable toilets that separates them from stormwater runoff and limits the potential for upset;
 - c. Designated areas for disposal and recycling facilities for solid waste separated from the site drainage system to prevent the discharge of runoff through the waste; and
 - d. Specific BMPs to prevent erosion and BMPs for sediment control prior to discharge from the property.

Construction / Framing / Shoreline Resource Protection

23. The applicant/property owner shall submit a construction staging plan for approval by the City's Public Works Department and Caltrans prior to issuance of building or grading permits.
24. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.
25. Prior to issuance of a building/demolition permit, an Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction generated by the project.

26. Prior to final building inspection, the applicant shall provide the Environmental Sustainability Department with a WRRP Final Summary Report. The Final Summary Report shall designate all materials that were landfilled or recycled, broken down by material types. The Environmental Sustainability Department shall approve the Final Summary Report.
27. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.
28. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires will be rinsed off prior to leaving the property.
29. No stockpiling of dirt or construction materials shall occur on the beach.
30. Measures to control erosion, runoff, and siltation shall be implemented at the end of each day's work.
31. No machinery shall be allowed in the intertidal zone at any time unless necessary for protection of life and/or property.
32. All construction debris shall be removed from the beach daily and at the completion of development.
33. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the lowest recommended finished floor elevation on the beach side, and the road elevation on the street side and the highest roof member elevation for each half of the building. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning department for review and sign off on framing.

Lighting

34. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
 - a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
 - b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
 - c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
 - d. Lights at entrances as required by the Building Code shall be permitted provided that such

- e. lighting does not exceed 850 lumens;
 - e. Site perimeter lighting shall be prohibited; and
 - f. Outdoor decorative lighting for aesthetic purposes is prohibited.
35. Night lighting for sports courts or other private recreational facilities shall be prohibited.
 36. No lighting of the beach or shoreline shall be allowed.
 37. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property shall not produce an illumination level greater than one foot candle.
 38. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas.

Colors and Materials

39. The project is visible from scenic roads or public viewing areas, and therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
 - a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
 - b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
 - c. All windows shall be comprised of non-glare glass.
40. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Planning Director and clearly indicated on all grading, improvement and/or building plans.

Onsite Wastewater Treatment System

41. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's Onsite Wastewater Treatment regulations including provisions of LIP Section 18.9 related to continued operation, maintenance and monitoring of the AOWTS.
42. Prior to final Environmental Health approval, a final AOWTS plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the Malibu Plumbing Code (MPC) and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The AOWTS

plot plan shall show essential features of the AOWTS and must fit onto an 11 inch by 17 inch sheet leaving a five inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

43. A final design and system specifications shall be submitted as to all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed AOWTS. For all AOWTS, final design drawings and calculations must be signed by a California registered civil engineer, a registered environmental health specialist or a professional geologist who is responsible for the design. The final AOWTS design drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp.
44. Any above-ground equipment associated with the installation of the AOWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.
45. The final design report shall contain the following information (in addition to the items listed above).
 - a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
 - b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
 - c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics;
 - d. All final design drawings shall be submitted with the wet signature and typed name of the

AOWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by the Environmental Health Division). Note: For AOWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department; and

- e. H2O Traffic Rated Slab: Submit plans and structural calculations for review and approval by the Building Safety Division prior to Environmental Health final approval.
46. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department.
47. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.
48. An operations and maintenance manual specified by the AOWTS designer shall be submitted to the City Environmental Health Administrator. This shall be the same operations and maintenance manual submitted to the owner and/or operator of the proposed AOWTS following installation.
49. Prior to final Environmental Health approval, a maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed AOWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.
50. Prior to final Environmental Health approval, a covenant which runs with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive, notice to any future purchaser for value that the AOWTS serving subject property is an alternative method of onsite wastewater disposal pursuant to the City of MPC, Appendix K, Section 10). Said covenant shall be provided by the City of Malibu Environmental Health Administrator and shall be submitted to the City of Malibu with proof of recordation by the Los Angeles County Recorder.
51. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

52. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Biology/Landscaping

53. No landscaping is proposed as part of this project. Should any vegetation with a potential to exceed six feet in height at maturity be planted, the applicant shall submit a landscape plan for review and approval. Furthermore, any landscaping planted within the view corridor, regardless of height shall also require review and approval by the City Biologist.
54. The use of building materials treated with toxic compounds such as, but not limited to, copper arsenate shall be prohibited.

Water Quality/ Water Service

55. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve letter from Los Angeles County Waterworks District No. 29 to the Planning Department indicating the ability of the property to receive adequate water service.

Spa

56. On-site noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).
57. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.
58. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.
- a. Ozonization systems are an acceptable alternative to chlorine. The discharge of clear water from ozonization systems is not permitted to the street;
 - b. Salt water sanitation is an acceptable alternative to chlorine. The discharge of salt water is not permitted to the street; and
 - c. Chlorinated water from pools or spas shall be trucked to a publicly-owned treatment works (POTW) facility for discharge.
59. The discharge of chlorinated and non-chlorinated spa water into streets, storm drains, creeks, canyons, drainage channels, or other locations where it could enter receiving waters is prohibited.
60. A sign stating “It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)” shall be posted in the filtration and/or pumping equipment area for the property.

View Corridor

61. Pursuant to LIP Section 6.5(E)(2)(b) and in order to ensure the protection of scenic and visual resources, the applicant is required to maintain:
 - a. A view corridor a minimum of 5 feet, 3 inches wide adjacent to both the western and eastern property lines extending the length of the property.
 - b. No portion of any structure shall extend into the view corridor above the elevation of the adjacent street.
 - c. Any fencing across the view corridor shall be visually permeable.
 - d. Any landscaping in this area shall include only low-growing species that will not obscure or block bluewater views.
 - e. If at any time the property owner allows the view corridor to become impaired or blocked, it would constitute a violation of the coastal development permit and the Coastal Act and be subject to all civil and criminal remedies.

Deed Restrictions

62. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final Planning approval.
63. The property owner is required to acknowledge, by recordation of a deed restriction, that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards. The property owner shall provide a copy of the recorded document to Planning department staff prior to final planning approval.
64. Prior to final planning approval, the applicant shall be required to execute and record a deed restriction reflecting Lighting conditions. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval for issuance of grading permits.
65. The property owner is required to acknowledge, by the recordation of a deed restriction, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he/she expressly waives any right to such activities that may exist under Coastal Act Section 30235. Said deed restriction shall be submitted to the Planning department for approval prior to recordation. The deed restriction shall also acknowledge that the intended purpose of the shoreline protection structure is solely to protect the septic disposal system and that any future development on the subject site landward of the subject shoreline protection structure including changes to the foundation, major remodels, relocation or upgrade of the septic disposal

system, or demolition and construction of a new structure shall be subject to a requirement that a new coastal development permit be obtained for the shoreline protection structure unless the City determines that such activities are minor in nature or otherwise do not affect the need for a shoreline protection structure.

66. In order to implement the property owner's proposal of an offer to dedicate an easement for lateral public access and passive recreational use along the shoreline as part of this project, the property owner agrees to complete the following prior to final Planning approval: the property owner shall execute and record a document, in a form and content acceptable to the Planning Director and California Coastal Commission (CCC), irrevocably offering to dedicate to a public agency or private association approved by the City and CCC an easement for lateral public access and passive recreational use along the shoreline. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. Such easement shall be located along the entire width of the property from the ambulatory mean high tide line landward to the seaward face of the seawall.

The document shall be recorded free of prior liens which the Planning Director and/or CCC determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and the offer shall be irrevocable for a period of 21 years, such period running from the date of recording. The recording document shall include a formal legal description and graphic depiction, prepared by a licensed surveyor, of both the property owner's entire parcel and the easement area.

Prior to Occupancy

67. Prior to Final Building inspection, the applicant shall provide the Environmental Sustainability Department with a Final Waste Reduction and Recycling Summary Report (Summary Report). The Final Summary Report shall designate all material that were land filled or recycled, broken down by material types. The Environmental Sustainability Department shall approve the final Summary Report.
68. The applicant shall request a final Planning Department inspection prior to final inspection by the City's Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.
69. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Fixed Conditions

70. This coastal development permit shall run with the land and bind all future owners of the property.
71. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Section 6. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 21st day of March 2016.

ROOHI STACK, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Commission’s decision to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-33 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 21st day of March 2016 by the following vote:

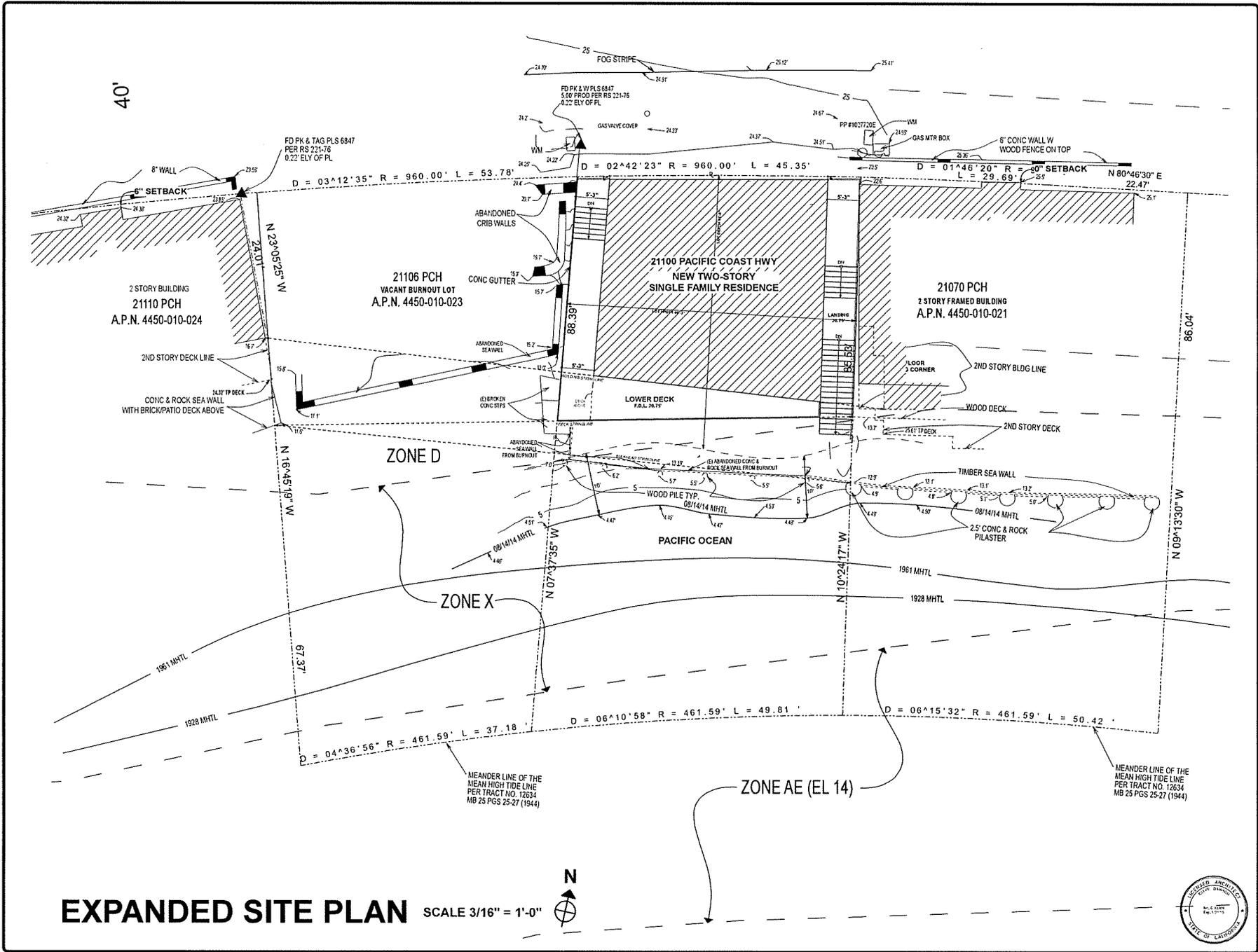
AYES:

NOES:

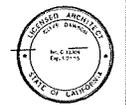
ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary



EXPANDED SITE PLAN SCALE 3/16" = 1'-0"



REVISIONS	BY

PROPOSED SINGLE FAMILY RESIDENCE FOR:
BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

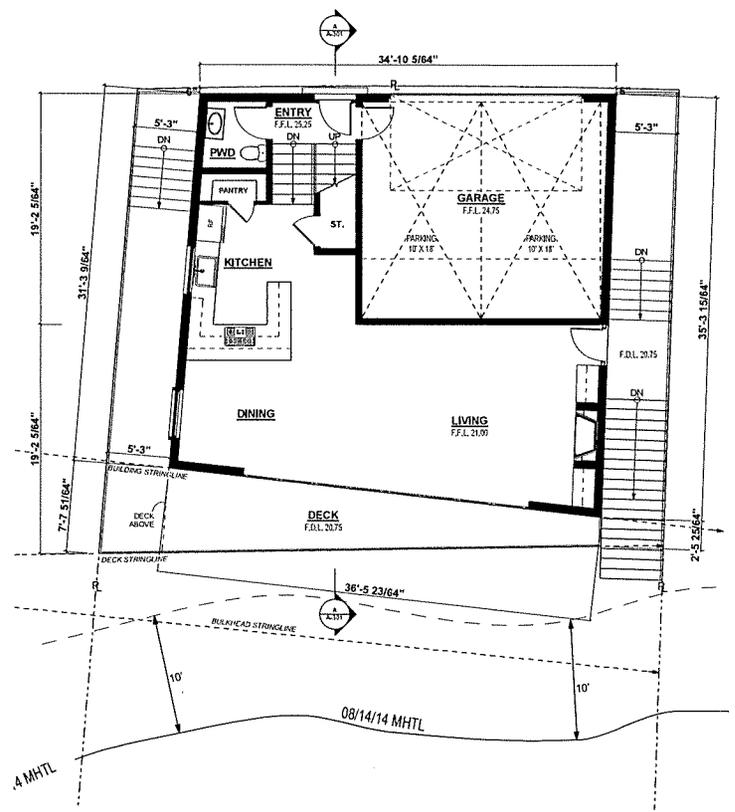
CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.589.1921

DRAWN	EMM
CHECKED	
DATE	MAY 2014
SCALE	3/16" = 1'-0"
JOB NO.	08203-14
SHEET	

A-100A

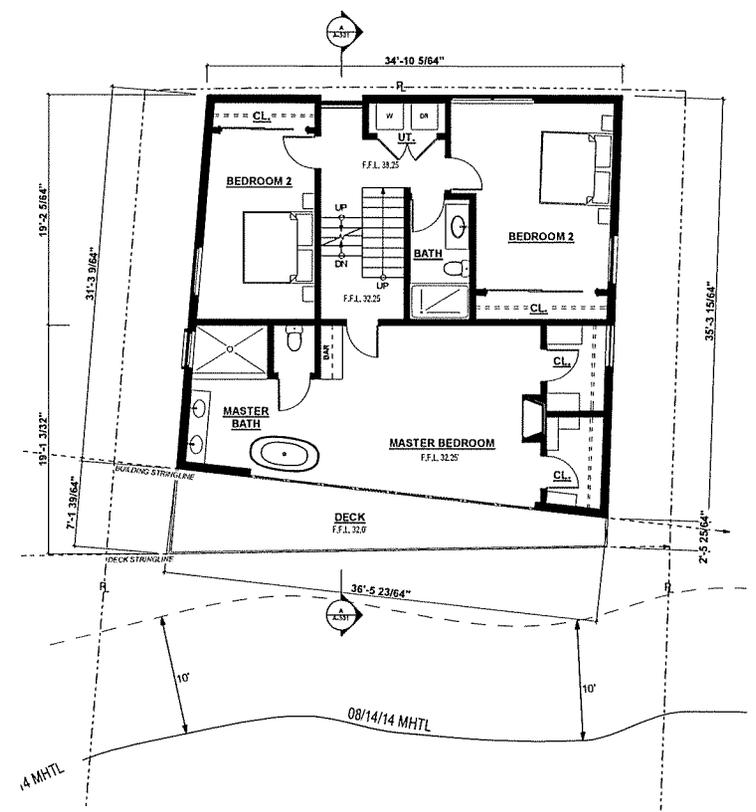
REVISION	BY

PACIFIC COAST HWY



FIRST FLOOR 1,183 SQ. FT.

PACIFIC COAST HWY



SECOND FLOOR 1,171 SQ. FT.

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

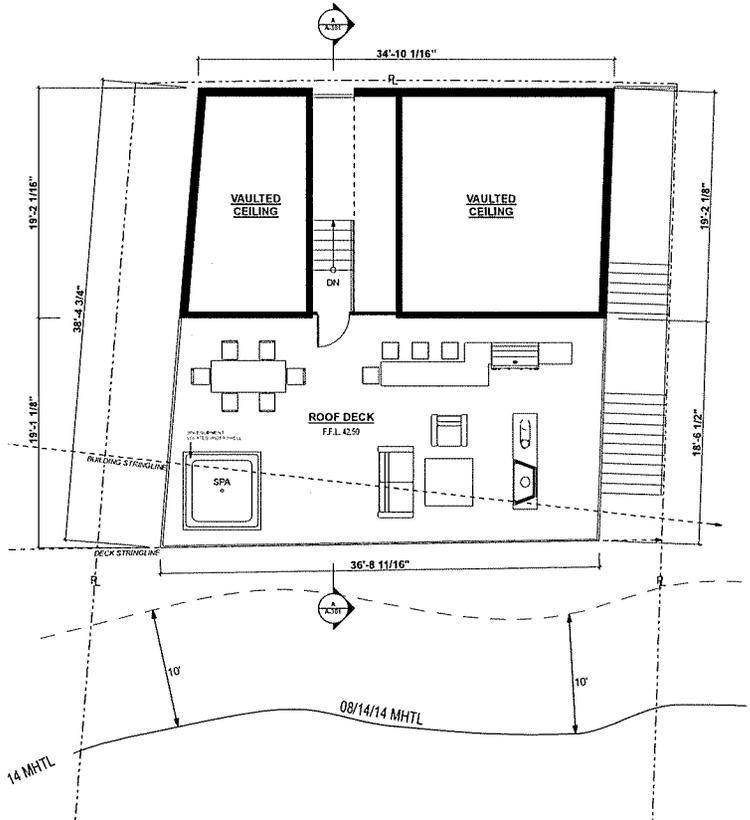
CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.568.1921



DRAWN	
CHKD	
DATE	MAY 2014
SCALE	1/4" = 1'-0"
JOB NO.	03295.14
SHEET	

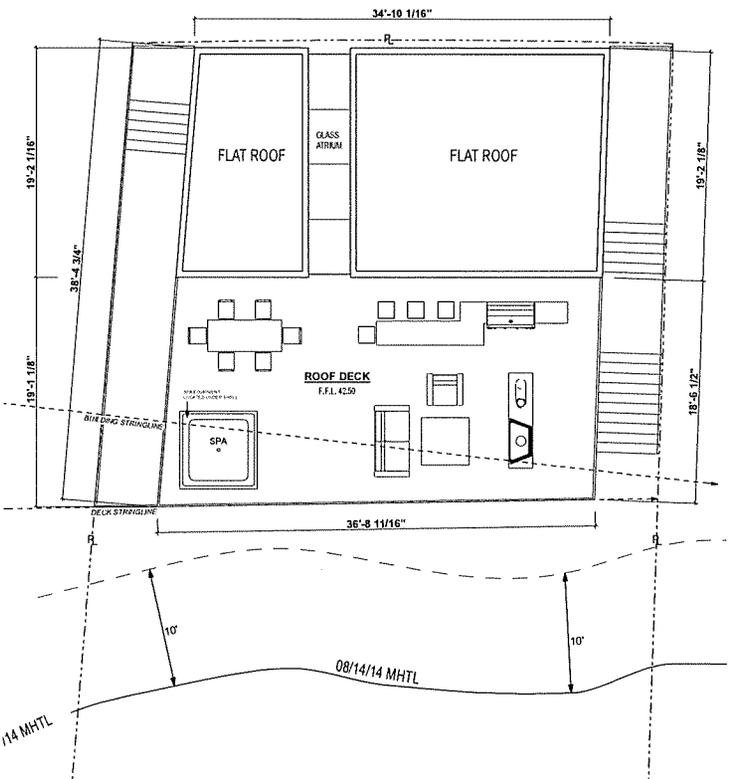
REVISIONS	BY

PACIFIC COAST HWY



ROOF GARDEN 681 SQ. FT.

PACIFIC COAST HWY



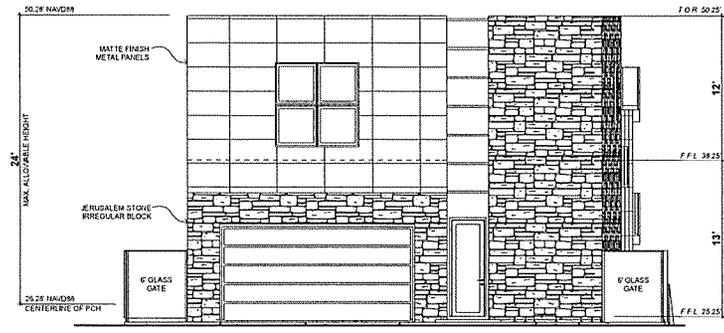
ROOF PLAN

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

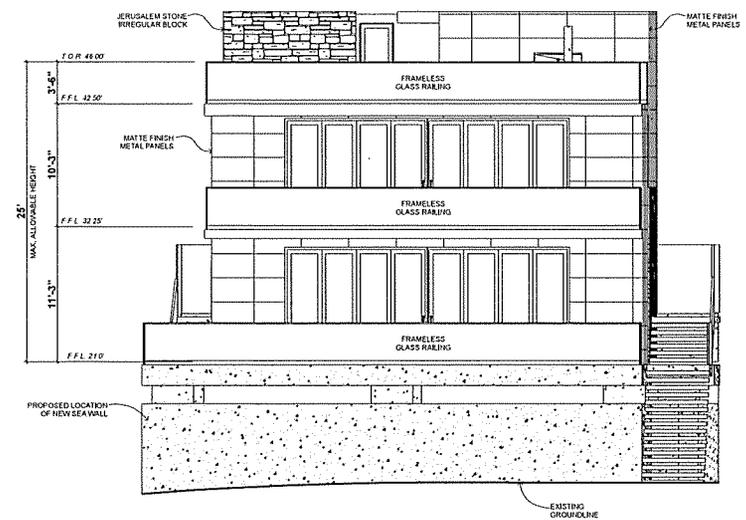
CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.569.1921



DRAWN	ENR
CHECKED	
DATE	MAY 2014
SCALE	1/4" = 1'-0"
JOB NO.	00395-14
SHEET	
A-102	



NORTH ELEVATION



SOUTH ELEVATION

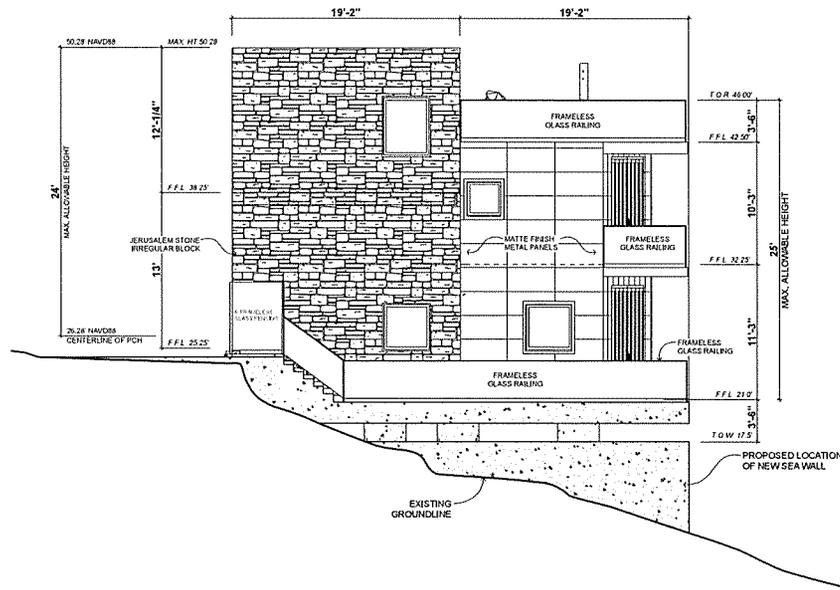
REVISION	BY

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

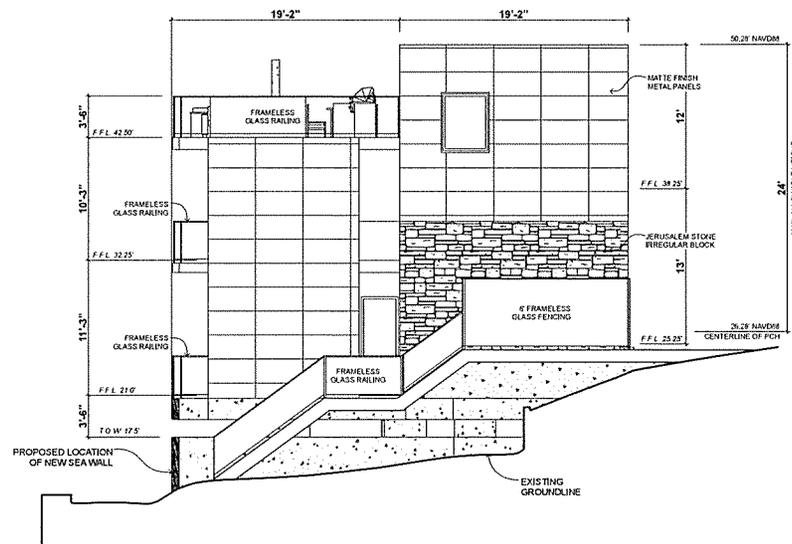
CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.569.1921



DRAWN CDA	CHECKED
DATE MAY 2014	SCALE 1/4" = 1'-0"
208 NO.	03/22-14
SHEET	A-201



WEST ELEVATION



EAST ELEVATION

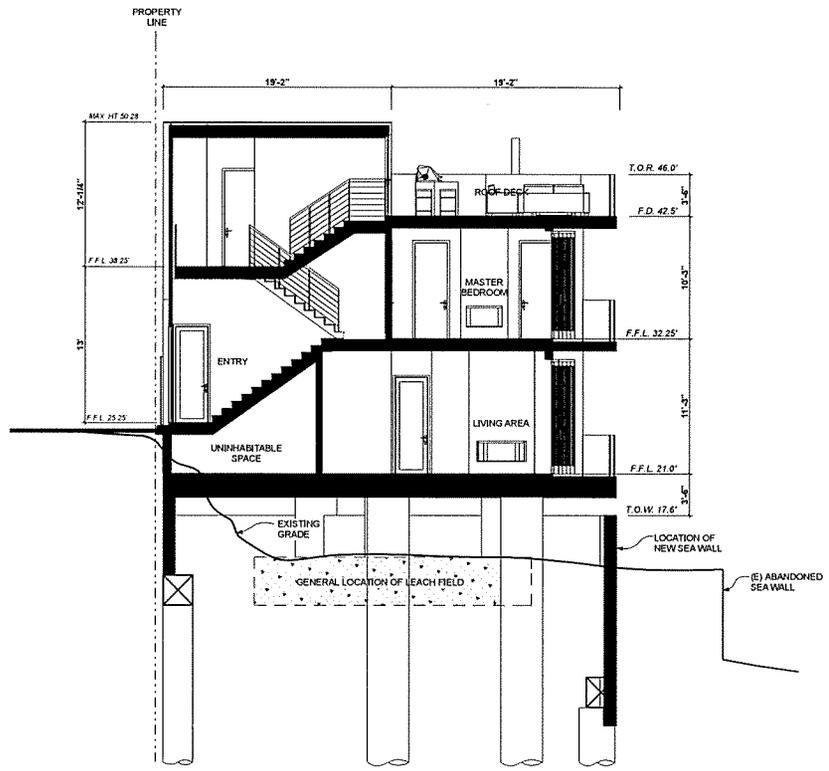


REVISIONS	BY

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.589.1921

DESIGN	
DATE	MAY 2014
SCALE	1/4" = 1'-0"
DATE	03/30/14
PROJECT	
A-202	



SECTION A-A

REVISIONS	BY

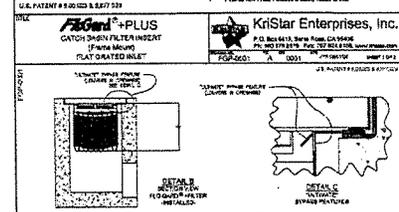
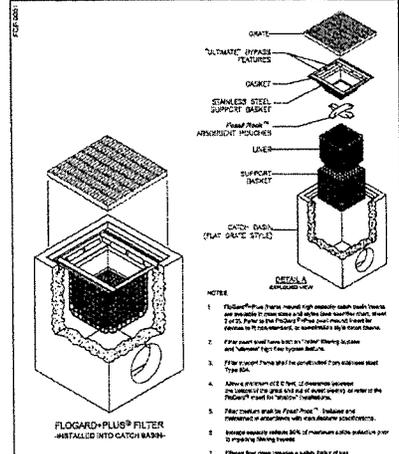
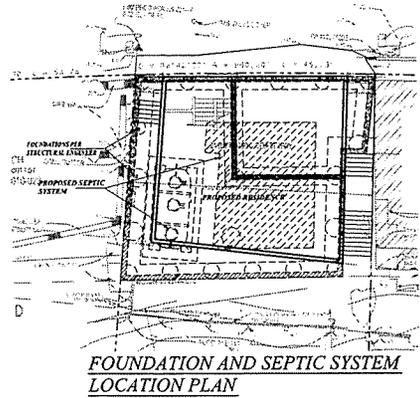
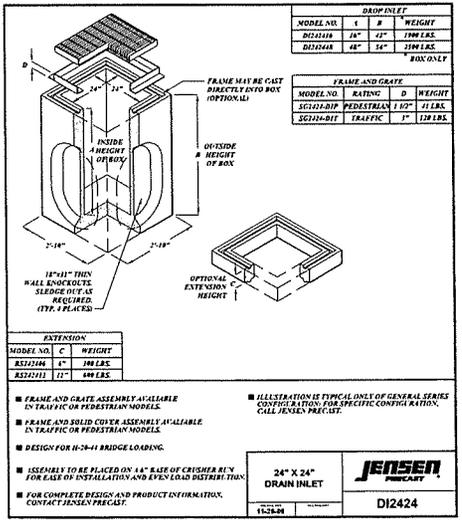
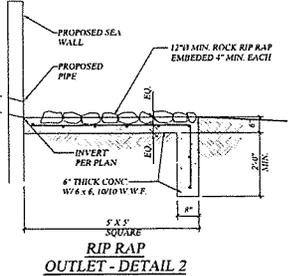
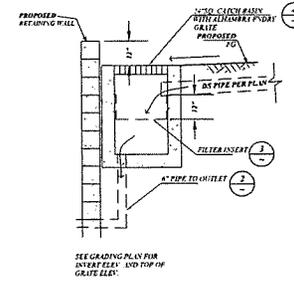
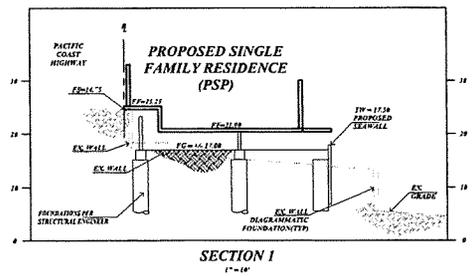
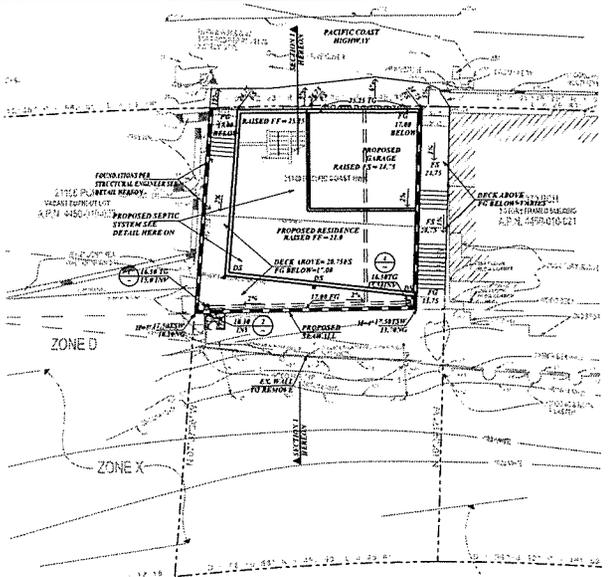
PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
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CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.569.1921

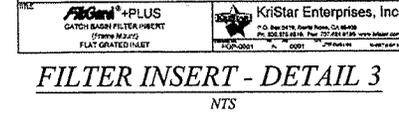


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DATE	
MAY 2014	
SCALE	
1/4" = 1'-0"	
TITLE	
03355.14	
SHEET	

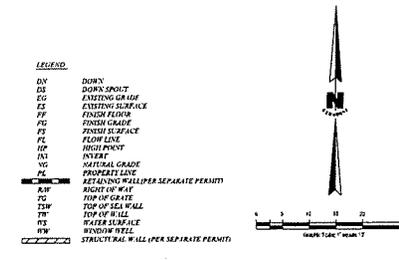
A-301



SPECIFIER CHART										
MODEL NO.	EXTENSION	FRAME AND GRATE								
RS1211H	18"	132"	132"	132"	132"	132"	132"	132"	132"	132"
RS1211L	12"	132"	132"	132"	132"	132"	132"	132"	132"	132"
RS1211	12"	132"	132"	132"	132"	132"	132"	132"	132"	132"



- NOTES:
- THE BUILDING AND EXISTING WALLS ARE PER SEPARATE PERMIT. SEE THE ARCHITECTURAL AND STRUCTURAL PLANS FOR THE STRUCTURAL DESIGN.
 - OWNER AND CONTRACTOR SHALL VERIFY THAT THE UNEXPECTED LEAKS AND DIMENSIONS OF THE PROPOSED STRUCTURES ARE EQUIVALENT TO THE EXISTING AND DIMENSIONS OF THE PROPOSED STRUCTURES SHOWN ON THIS GRADING PLAN BEFORE GRADING COMMENCES.
 - REFER TO THE GEOTECHNICAL REPORT FOR RECOMMENDATIONS ON OVEREXCAVATION AND UNDERPINNING.
 - ALL FINISH GRADES TO HAVE A MINIMUM 2% DRAINAGE (1" PER 50' MINIMUM) TO THE EXISTING AND DIMENSIONS OF THE PROPOSED STRUCTURES SHOWN ON THIS GRADING PLAN.
 - ALL DRAINAGE PIPES TO BE 4" PVC UNLESS AS SHOWN @ 1" MINIMUM SLOPE REQUIRED TO BE PLACED DURING CONSTRUCTION UNDER THE OUTLINE OF THE GEOTECHNICAL ENGINEER. VERIFY WITH ENGINEER TO DETERMINE LOCATION OF ALL TIE RODS AND INLET.
 - ALL DOWNSPOUTS TO THE INTERIOR DRAINAGE SYSTEM PER PLAN.
 - ROOF DRAIN DOWNSPOUTS PER THE ARCHITECTURAL DRAWINGS ARE TO THE 10% SURFACE GRADE SYSTEM PER THIS PLAN.



PREPARED FOR:
CITY OF MALIBU
21100 PACIFIC COAST HWY.
MALIBU, CALIFORNIA 90265

PREPARED BY:
GeoVISTA
1200 California St.
San Francisco, CA 94109
415.774.1234

CITY OF MALIBU
GRADING AND DRAINAGE PLAN
21100 PACIFIC COAST HWY.
SHEET 2 OF 3 JOB No. -GHI1823 DATE: 05/19/15

GENERAL NOTES

1. IN CASE OF EMERGENCY, CALL 911 OR 661-261-1111.

2. TOTAL DISTURBED AREA IS APPROX. 100,000 SQ. FT.

3. A STAFF BY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE CONSTRUCTION PERIOD TO UNLOAD AND STOCKPILE MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED TO CONVENTIONAL METHODS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY SERVICES WHEN MAIN IS IMPAIRED.

4. EROSION CONTROL MEASURES SHOWN ON THIS PLAN MAY BE REMOVED WHEN APPROVED BY THE BUILDING OFFICIAL IF THE TRADING OPERATIONS WILL PROCEED TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.

5. GRADES ARE ADJACENT TO FILL SLOPES LOCATED AT THE SITE. THE PROTECTIVE MATS SHALL BE REMOVED FROM THE TOP OF SLOPES AT THE CONCLUSION OF EACH WORKING DAY. ALL LOOSE SOILS AND DEBRIS THAT MAY CAUSE A POTENTIAL HAZARD TO OFF SITE VISITORS SHALL BE STABILIZED OR REMOVED FROM THE SITE ON A DAILY BASIS.

6. ALL SLOPE AND BERM SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH MAINTENANCE AND BE DISPOSER OF PROPERLY.

7. A SLASH SHALL BE PLACED ON THE SITE WHENEVER THE DEPTH OF WATER IS NOT DEPTER EXCEEDS TWO FEET. THE DEVICES SHALL BE DRAINED OR PUMPED DRY WITHIN 72 HOURS AFTER EACH MAINTENANCE PLANNING AND BRIDGING OF ALL BARRIERS AND DRAINAGE DEVICES SHALL COMPLY WITH THE APPROPRIATE BMP FOR DEMATERING OPERATIONS.

8. THE PLACEMENT OF ADDITIONAL DEVICES TO PREVENT EROSION DAMAGE AND CONTAIN POLLUTANTS WITHIN THE SITE SUBJECT TO THE DISCRETION OF THE FIELD ENGINEER. ADDITIONAL DEVICES AT THESE SITES SHALL BE INSTALLED TO PREVENT EROSION AND OTHER POLLUTANTS ON-SITE.

9. DRILLING SLURRY MAY NOT BE REUSED OR MADE UNAVAILABLE WITHIN THE SITE. THE SLURRY SHALL BE STORED IN CONTAINERS UNTIL THE FOLLOWING YEAR.

10. STORM WATER POLLUTION AND EROSION CONTROL DEVICES ARE TO BE MAINTAINED AS NEEDED. AS THE PROJECT PROGRESSES, THE DESIGN AND PLACEMENT OF THESE DEVICES AT THE APPROPRIATE SITES OF THE FIELD ENGINEER. PLANS REPRESENTING CHANGES MUST BE SUBMITTED FOR APPROVAL BY THE BUILDING OFFICIAL.

11. EXISTING VEGETATION SHOULD BE MAINTAINED TO ELIMINATE THE DISBURGEMENT OF NUTRIENT FROM THE PROJECT SITE AT ALL TIMES.

12. ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON-SITE AND MAY NOT BE TRANSPORTED FROM THE SITE BY STREET PLOW, SWEEP, LAWN MOWER, VEHICLE OR OTHER MEANS.

13. STOCKPILES OF EARTH AND OTHER CONSTRUCTION-RELATED MATERIALS SHALL BE COVERED WITHER FROM BEING TRANSPORTED FROM THE SITE BY FORCES OF WIND OR WATER.

14. FUEL OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.

15. CONCRETE OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RECYCLE CONCRETE WASTE ON-SITE OR TO BE DISPOSED OF AS SOLID WASTE.

16. DEVELOPER/CONTRACTOR ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMP'S AND TO MAINTAIN AND FUNCTION PROPERLY AT ALL TIMES. AFTER ACTUAL PRECIPITATION, A CONSTRUCTION SITE INSPECTION CHECK LIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL. COPIES OF THE SELF-INSPECTION CHECK LIST AND INSPECTION LOGS ARE AVAILABLE FROM REQUEST.

17. TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE REPOSITED INTO A CONTAINER RECEPTACLE TO PREVENT CONTAMINATION OF RUNOFF WATER AND DISPERSAL BY WIND.

18. SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY STREET TRAFFIC. THE CONSTRUCTION ENTRANCE BARRIERS MUST BE STABILIZED SO AS TO PREVENT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITION MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.

19. ANY SLOPES WITH DISTURBED SOILS OR DENVERED OF VEGETATION MUST BE STABILIZED SO AS TO PREVENT EROSION BY WIND AND WATER.

20. AS THE GENERATION OF RECORDS, THESE SELECTED APPROPRIATE BMP'S TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES TO FORM WATER QUALITY. THE PROJECT OWNER AND CONTRACTOR ARE AWARE THAT THE SELECTED BMP'S WILL BE CONTROLLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS.

21. THE PROJECT OWNER OR AUTHORIZED AGENT OF THE OWNER, I CERTIFY THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY SUPERVISION AND THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. I HAVE REVIEWED THE INFORMATION SUBMITTED HEREON AND I HAVE REVIEWED THE INFORMATION SUBMITTED BY THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SUBMITTED IS TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION.

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23. THE FOLLOWING BMP FROM THE "BMP CONSTRUCTION BMP HANDBOOK" MUST BE IMPLEMENTED FOR ALL POSSIBLE ACTIVITIES AS APPLICABLE. SEE ALTERNATE DETAILS FROM THE "STABILIZED CONSTRUCTION ENTRANCE CONSTRUCTION SITE BMP MANUAL" FOR FURTHER INFORMATION. MEASURES MAY BE REQUIRED IF DEEMED APPROPRIATE BY THE BUILDING OFFICIAL.

- EROSION CONTROL**
- EC1 - SCHEDULING
 - EC2 - PRESERVATION OF EXISTING VEGETATION
 - EC3 - HYDRAULIC MELDN
 - EC4 - HYDROSEEDING
 - EC5 - SOIL BINDERS
 - EC6 - STRAW MULCH
 - EC7 - GEOTEXTILES A MATS
 - EC8 - WOOD MULCH
 - EC9 - EARTH DIKES AND DRAINAGE SWALES
 - EC10 - TIE-IN DRAINAGE DEVICES
 - EC11 - SLOPE GRASS
 - EC12 - STREAM BANK STABILIZATION
 - EC13 - POLYMER BLENDS

- TEMPORARY SEDIMENT CONTROL**
- SE1 - SILT FENCE
 - SE2 - SEDIMENT BARRIERS
 - SE3 - SEDIMENT BARRIERS
 - SE4 - CHECK DAM
 - SE5 - FIBER ROLL
 - SE6 - GRAVEL BAG BARRIERS
 - SE7 - STREET CLOSING AND MATS USING
 - SE8 - SAND/SLURRY BARRIERS
 - SE9 - STORM WATER BARRIERS
 - SE10 - STORM DRAIN INLET PROTECTION

- WIND EROSION CONTROL**
- WE1 - WIND EROSION CONTROL
- EQUIPMENT TRACKING CONTROL**
- TC1 - STABILIZED CONSTRUCTION ENTRANCE
 - TC2 - STABILIZED CONSTRUCTION ENTRANCE
 - TC3 - ENTRANCE/EXIT TIRE WASH

- WATER STORAGE/RETENTION MANAGEMENT**
- WS1 - WATER CONSERVATION PRACTICES
 - WS2 - PAVING AND GRADING OPERATIONS
 - WS3 - TEMPORARY TREATMENT
 - WS4 - CLEAR WATER DIVERSION
 - WS5 - DEFLECT CONCRETE OVERLAYMENT
 - WS6 - PORTABLE WATER TREATMENT
 - WS7 - VEHICLE AND EQUIPMENT WASHING
 - WS8 - VEHICLE AND EQUIPMENT MAINTENANCE
 - WS9 - FLEET WASHING TREATMENT
 - WS10 - CONCRETE CURING
 - WS11 - CONCRETE FINISHING
 - WS12 - MATERIAL AND EQUIPMENT USE
 - WS13 - DEMONSTRATION ADJACENT TO WATER
 - WS14 - TEMPORARY MATCH PLANTS

- WASTE MANAGEMENT MATERIAL POLLUTION CONTROL**
- WM1 - MATERIAL DELIVERY AND STORAGE
 - WM2 - MATERIAL USE
 - WM3 - STOCKPILE MANAGEMENT
 - WM4 - SPILL PREVENTION AND CONTROL
 - WM5 - SOLID WASTE MANAGEMENT
 - WM6 - HAZARDOUS WASTE MANAGEMENT
 - WM7 - CONTAMINATION SOIL MANAGEMENT
 - WM8 - CONCRETE WASTE MANAGEMENT
 - WM9 - SANITARY SEPTIC WASTE MANAGEMENT
 - WM10 - LIQUID WASTE MANAGEMENT

ATTACHMENT "A" NOTES

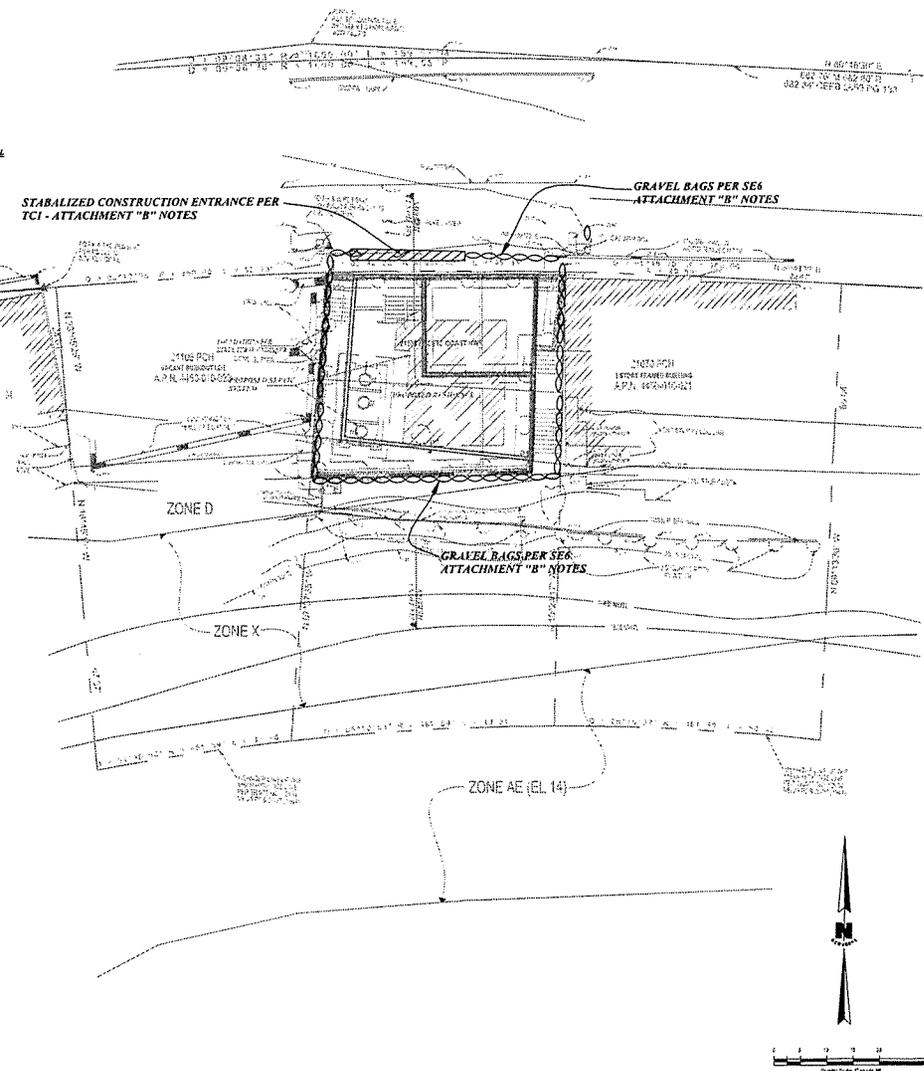
- 1) ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON-SITE AND MAY NOT BE TRANSPORTED FROM THE SITE BY STREET PLOW, SWEEP, LAWN MOWER, VEHICLE OR OTHER MEANS.
- 2) STOCKPILES OF EARTH AND OTHER CONSTRUCTION-RELATED MATERIALS SHALL BE COVERED WITHER FROM BEING TRANSPORTED FROM THE SITE BY FORCES OF WIND OR WATER.
- 3) FUEL OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
- 4) CONCRETE OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RECYCLE CONCRETE WASTE ON-SITE OR TO BE DISPOSED OF AS SOLID WASTE.
- 5) DEVELOPER/CONTRACTOR ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMP'S AND TO MAINTAIN AND FUNCTION PROPERLY AT ALL TIMES. AFTER ACTUAL PRECIPITATION, A CONSTRUCTION SITE INSPECTION CHECK LIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL. COPIES OF THE SELF-INSPECTION CHECK LIST AND INSPECTION LOGS ARE AVAILABLE FROM REQUEST.
- 6) TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE REPOSITED INTO A CONTAINER RECEPTACLE TO PREVENT CONTAMINATION OF RUNOFF WATER AND DISPERSAL BY WIND.
- 7) SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY STREET TRAFFIC. THE CONSTRUCTION ENTRANCE BARRIERS MUST BE STABILIZED SO AS TO PREVENT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITION MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
- 8) ANY SLOPES WITH DISTURBED SOILS OR DENVERED OF VEGETATION MUST BE STABILIZED SO AS TO PREVENT EROSION BY WIND AND WATER.
- 9) AS THE GENERATION OF RECORDS, THESE SELECTED APPROPRIATE BMP'S TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES TO FORM WATER QUALITY. THE PROJECT OWNER AND CONTRACTOR ARE AWARE THAT THE SELECTED BMP'S WILL BE CONTROLLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS.

PRINT NAME: _____ DATE _____
OWNER'S NAME OR AUTHORIZED AGENT

SIGNATURE: _____ DATE _____
OWNER'S NAME OR AUTHORIZED AGENT

OWNER OR AUTHORIZED REPRESENTATIVE (PERMITTED) DATE _____

22. THE PROJECT OWNER OR AUTHORIZED AGENT OF THE OWNER, I CERTIFY THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY SUPERVISION AND THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA. I HAVE REVIEWED THE INFORMATION SUBMITTED HEREON AND I HAVE REVIEWED THE INFORMATION SUBMITTED BY THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SUBMITTED IS TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION. I AM AWARE THAT THE INFORMATION SUBMITTED IS SUBJECT TO PENALTIES FOR FALSIFYING OR OMITTING THE FACTS OR DELIBERATELY CONCEALING OR MISREPRESENTING THE INFORMATION.



PREPARED FOR: CITY OF MALIBU, CALIFORNIA
 FOR THE PROJECT: WET WEATHER EROSION CONTROL PLAN
 21100 PACIFIC COAST HWY.
 SHEET 3 OF 3

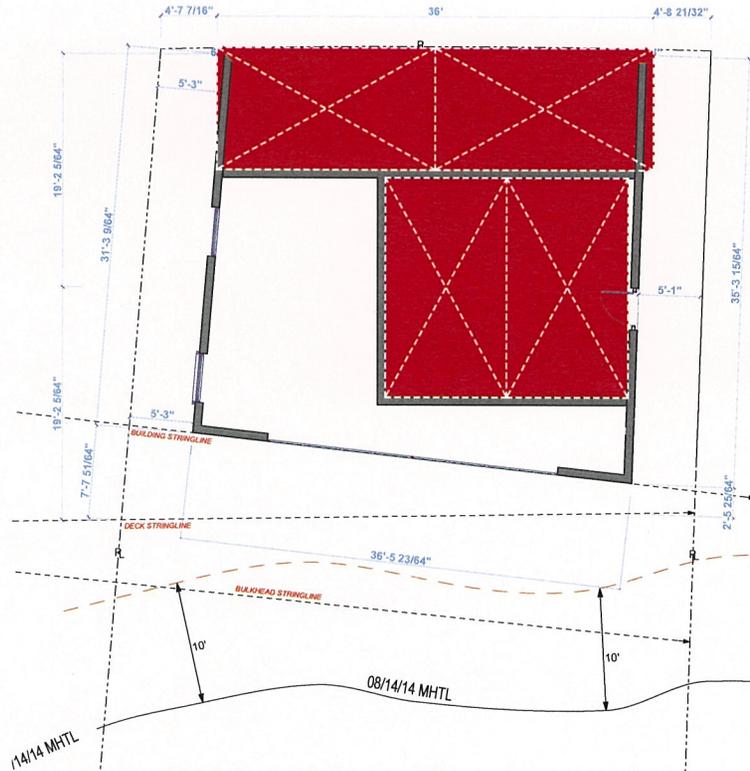
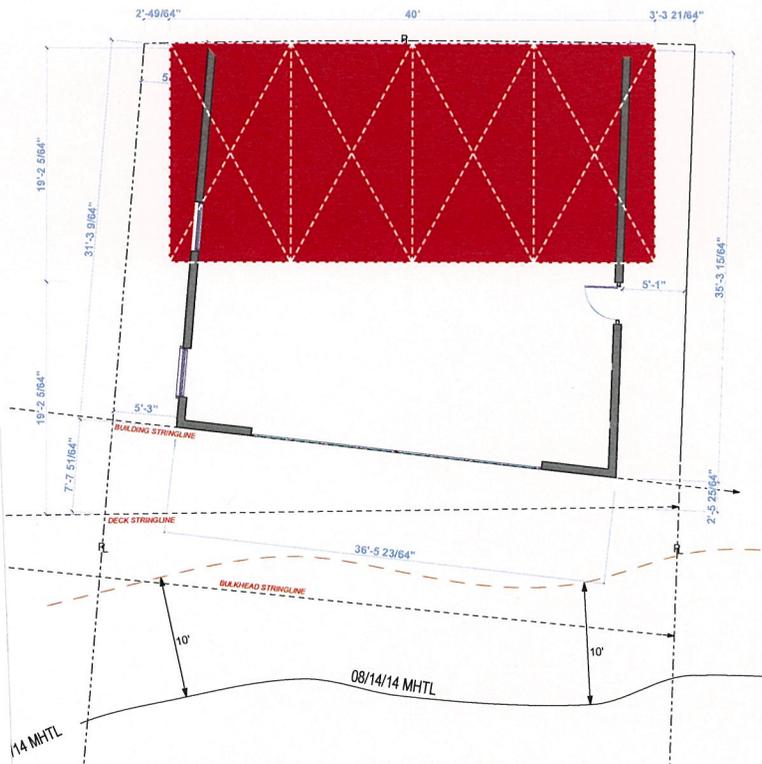
PREPARED BY: GeofWorks
 DATE: 05/19/15

CITY OF MALIBU
 WET WEATHER EROSION CONTROL PLAN
 21100 PACIFIC COAST HWY.
 SHEET 3 OF 3 JOB No. GWH1503 DATE: 05/19/15

EXHIBIT B

PACIFIC COAST HIGHWAY

PACIFIC COAST HIGHWAY



ALTERNATIVE PARKING PLAN A

ALTERNATIVE PARKING PLAN B



ATTACHMENT 3

REVISIONS	BY
JUN 2015	EA

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 BLUE DAISY, LLC
 21100 PACIFIC COAST HWY
 MALIBU, CALIFORNIA 90265

CLIVE DAWSON A.I.A.
 architecture and planning
 28925 Pacific Coast Highway, Malibu, California 90265 310.586.1921



DRAWN	EA
CHECKED	EA
DATE	MAY 2014
SCALE	1/4" = 1'-0"
SHEET	08309 14
SHEET	

EX-B

Stringline Exhibit





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 317-1950 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator DATE: 7/7/15
5/26/2015
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 15-038
JOB ADDRESS: 21100 PACIFIC COAST HWY
APPLICANT / CONTACT: Erin Anderson, Clive Dawson A.I.A. Architecture an
APPLICANT ADDRESS: 28925 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-1921
APPLICANT FAX #: (310) 589-1121
APPLICANT EMAIL: erin@dawsonarchitects.com
PROJECT DESCRIPTION: New Single Family Residence, ocean decks, 2 car
garage, roof garden with spa, new owts, sea wall,
and pile foundations

TO: Malibu Planning Department and/or Applicant
FROM: City of Malibu Environmental Health Reviewer

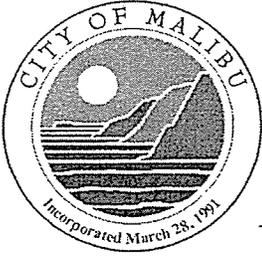
Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Plumbing Code (MPC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: NOT REQUIRED
 REQUIRED (attached hereto) REQUIRED (not attached)

[Signature]
Signature

JULY 13, 2015
Date



City of Malibu

Environmental Health • Environmental Sustainability Department
 23825 Stuart Ranch Road • Malibu, California • 90265-4861
 Phone (310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Erin Anderson, Clive Dawson A.I.A. Architecture and Planning erin@dawsonarchitects.com	
Project Address:	21100 Pacific Coast Highway Malibu, CA 90265	
Planning Case No.:	CDP 15-038	
Project Description:	NSFR, ocean decks, 2 car garage, roof garden with spa, NOWTS, sea wall, piles	
Date of Review:	July 13, 2015	
Reviewer:	Matt Janousek	Signature:
Contact Information:	Phone: (310) 456-2489 x 307	Email: mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Clive Dawson A.I.A. Architecture and Planning submitted to Planning 5-26-2015
Grading Plans:	GeoWorks dated 5-19-2015
OWTS Plan:	Ensitu Engineering dated May 5-13-2015
OWTS Report:	Ensitu Engineering dated May 5-13-2015
Geology Report:	Geotechnical report by Subsurface Design dated 3-6-2015; Addendum VI dated 6-29-2015 Geology report by LandPhases dated 2-23-2015
Miscellaneous:	Structural setback letter by LC Engineering Group dated 6-25-2015 Ventilation report for OWTS by Creative Engineering Group dated 6-24-2015
Previous Reviews:	6-15-2015

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
Plan Check Stage:	<input type="checkbox"/>	APPROVED
	<input checked="" type="checkbox"/>	NOT APPROVED Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	<input type="checkbox"/>	NOT REQUIRED
	<input checked="" type="checkbox"/>	REQUIRED (attached hereto) <input type="checkbox"/> REQUIRED (not attached)

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed AOWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2013 Edition with City of Malibu local amendments (Malibu Municipal Code Section 12.12; hereinafter MPC), and the City of Malibu Local Coastal



Program/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project AOWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review

- 1) **Final AOWTS Plot Plan:** A final plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The AOWTS Plot Plan shall show essential features of the AOWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).
- 2) **Final AOWTS Design Report, Plans, and System Specifications:** A final AOWTS design report and construction drawings with system specifications (four sets) shall be submitted to describe the AOWTS design basis and all components proposed for use in the construction of the AOWTS. All plans and reports must be signed by the California-registered Civil Engineer, Registered Environmental Health Specialist, or Professional Geologist who is responsible for the design. The final AOWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

The final AOWTS design submittal shall contain the following information (in addition to the items listed above).

- a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture schedule, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.
- b. Sewage and effluent pump design calculations.
- c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.
- d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must



include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

- e. All AOWTS design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For AOWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

- 3) **Building Plans:** All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

4) **Architect / Engineer Certification for Reduction in Setbacks to Buildings or Structures:**

All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the onsite wastewater treatment system, and will not adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in Table H 1.7) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect's certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the Engineer must include in his letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check

The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building and Safety prior to Environmental Health final approval. The plans architectural and/or structural plans submitted for Building and Safety plan check must detail



methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/waterproofing plans must show the location of onsite wastewater treatment system components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

- 5) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.
- 6) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.
- 7) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. **Please note only original "wet signature" documents are acceptable.**
- 8) **AOWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. **Please submit a certified copy issued by the Los Angeles County Recorder.**
- 9) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. **Please submit a certified copy issued by the Los Angeles County Recorder.**
- 10) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan shall be submitted.
- 11) **City of Malibu Coastal Engineering Approval:** City of Malibu Coastal Engineering final approval of the AOWTS plan shall be submitted.



- 12) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.
- 13) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.
- 14) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file
Planning Department



21100 PACIFIC COAST HIGHWAY (CDP 15-038)
MALIBU, CA 90265

S.F.D.: 3 Bedrooms/36 Fixture Units (N)
TREATMENT TANK: 2,493 Gallon MicroSepTec ES-6 with UV Disinfection Unit (N)
ACTIVE: 1 - 400 ft² Leach Field (N)
FUTURE: N/A
PERC RATE: Beach Sand Category (1.5 gpcf/d)
DESIGNER: John Yaroslaski, RCE (60149)
REFERENCE: Ensitu Engineering: OWTS report dated 5-26-2015

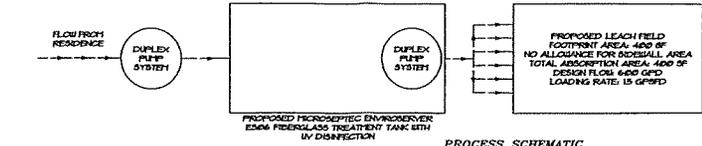
- NOTES:
- This conformance review is for a new 3 bedroom (36 fixture units) single family dwelling. The alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
 - This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
 - This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW

JUL 13 2015

SIGNATURE: *John Yaroslaski*

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



OWTS MAX. DESIGN CAPACITY

COMPONENT	CAPACITY
TREATMENT	600 GPD / 3 BEDROOMS
DISPERAL	100 GPD @ 2 GPCFD / 4 BEDROOMS

THESE PLANS SHOULD BE SENT TO ALL THE DESIGN CONSULTANTS FOR THE ABOVE PROJECT INCLUDING: ARCHITECT, STRUCTURAL ENGINEER, GEOLOGIST, GEOTECHNICAL ENGINEER, COSTAL ENGINEER, CIVIL ENGINEER, AND OTHERS

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
PFL	PROPOSED PUMPED EFFLUENT LINE	2" SCH80 PVC
PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
PAL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC

EQUIPMENT SCHEDULE

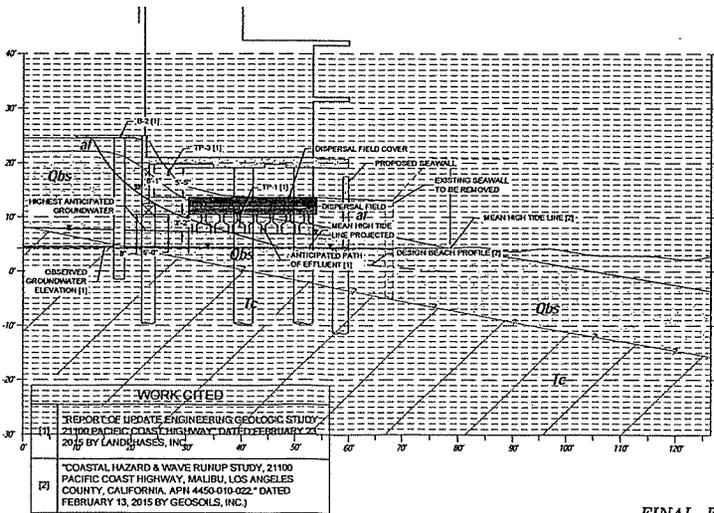
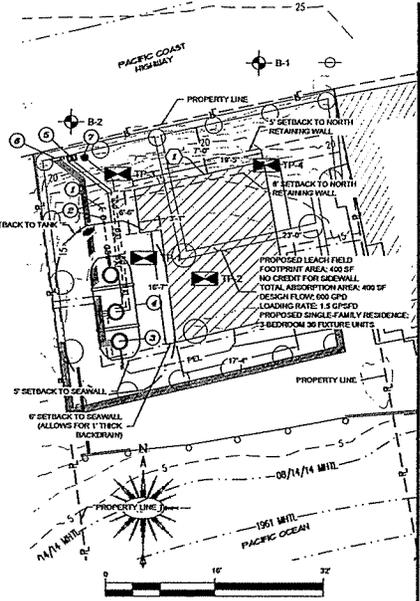
ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1	1	CONNECTION TO BUILDING SEWER	
2	1	GRAVITY CLEAN-OUT	
3	1	DUPLEX PUMP SYSTEM	MICROSEPTIC
4	1	TREATMENT TANK	MICROSEPTIC ES60
5	2	AIR COMPRESSOR	MICROSEPTIC
6	1	REMOTE TELEMETRY CONTROL UNIT	MICROSEPTIC
7	1	TREATMENT UNIT VENT ASSEMBLY (PLUMBED TO ROOF)	ORFENO

LEGEND

- XXXX-X BORING LOCATION (SEE 'REPORT OF UPDATE ENGINEERING GEOLOGIC STUDY 21100 PACIFIC COAST HIGHWAY' DATED FEBRUARY 23, 2015 BY LANDPHASES, INC.)
- XXXX-X BORING LOCATION (SEE 'REPORT OF UPDATE ENGINEERING GEOLOGIC STUDY 21100 PACIFIC COAST HIGHWAY' DATED FEBRUARY 23, 2015 BY LANDPHASES, INC.)

SETBACK REDUCTIONS

COMPONENT	SITE ELEMENT	CODE REQUIREMENT	ACTUAL
DISPERAL FIELD	SITE WALL	6'	7'-0"



- NOTES:
- PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS AN 'OWTS ABANDONMENT PERMIT' SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWTS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REGULATORY REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.
 - EXISTING SEPTIC TANKS REQUIRING REMOVAL SHALL BE PUMPED, CRUSHED AND FILLED WITH LOCAL FILL MATERIAL COMPACTED TO 80% OF ACTIVE DISST. SEWER PIPE SHALL BE DECKED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
 - SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
 - ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
 - A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING, INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM. THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
 - ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION.
 - OWTS WASTEWATER TREATMENT SYSTEM SHALL BE VERIFIED IN ACCORDANCE WITH REQUIREMENTS OF TITLE 28 OF THE LOS ANGELES COUNTY CODE, ADOPTED BY REFERENCE BY THE CITY OF MALIBU.
 - CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION. MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
 - THE OWTS IS SITED AS FAR LANDWARD AS FEASIBLE.

FINAL FOR APPROVAL
ISSUED
13 May 2015

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU ENGINEERING, INC. 100 W. WILSON AVENUE, SUITE 200, MALIBU, CA 90265
Phone: 310.316.1111 Fax: 310.316.1112
www.ensitu.com

REVISIONS

DATE BY

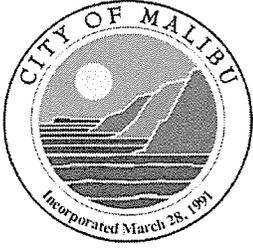
NO.

21100 PACIFIC COAST HIGHWAY PROPOSED AOWTS
AOWTS CONFORMANCE REVIEW PLANS 11X17
MALIBU, CALIFORNIA

DATE: 06/13/2015
DESIGNED BY: JNY
DRAWN BY: JNY
CHECKED BY: JNY

JNY
6019
CIVIL ENGINEER
CALIFORNIA

JOB NO.
210-13
SHEET
1 of 1



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: November 30, 2015	Review Log #: C434	
Site Address: 21100 Pacific Coast Highway	Lat:	Lon:
Lot/Tract/PM #: APN 4450-010-022	Planning #: CDP 15-038	
Applicant: Ms. Erin Anderson, Clive Dawson A.I.A.	BPC/GPC #: N/A	
Phone #: 310-589-1921	Email: erin@dawsonarchitects.com	Planner: R. Mollica
Project Type: Demo Existing SPD, NSFR, NSPD, NOWTS		

Submittal Information

Consultant(s): GeoSoils, Inc.
Report Date(s): 2-13-15, 7-9-15, 9-2-15, 10-15-15, 10-27-15, 11-9-15; 9-15-15 (LC Engineering Group)
Project Plan(s): Submittal (05-26-15)
Previous Reviews: 6-30-15, 8-21-15, 10-8-15 (email); 10-22-15
FEMA SFHA: D/X

Review Findings

Planning Stage

- APPROVED** in **PLANNING** - stage from a coastal engineering perspective. The listed Building Plan-Check Coastal Review Comments shall be addressed prior to Building Plan-Check approval.
- NOT APPROVED** in **PLANNING** - stage from a coastal engineering perspective. The listed Planning Stage Coastal Review Comments shall be addressed prior to Planning-stage approval.

Building Plan-Check Stage

- Awaiting Building plan check submittal.** The listed 'Building Plan-Check Stage Review Comments' may be deferred for Planning Stage approval but shall be addressed prior to Building Plan-Check Stage approval.
- APPROVED** from a coastal engineering perspective.
- NOT APPROVED** from a coastal engineering perspective. Please respond to the listed 'Building Plan-Check Stage Review Comments.'

Remarks:

The referenced plans and reports were reviewed by the City from a coastal engineering perspective relative to the requirements of the following City codes and guidelines:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction, and
- City of Malibu Guidelines for the Preparation of Coastal Engineering Reports and Procedures for Report Submittal. (referred to herein as *Coastal Engineering Report Guidelines*)

The proposed project will include removal of an existing seawall and existing foundations, construction of a new residence, new onsite wastewater treatment system, and new shore protection. The proposed onsite wastewater treatment system (OWTS) is apparently within the wave uprush limit. Accordingly, a seawall (SPD) will be required to provide shore protection for the OWTS. The proposed new residence has a finish floor elevation of 25.25 ft (NAVD88) at the entry and 24.75 ft at the garage along PCH. The proposed lower floor, which steps down from the entry, has a finish floor elevation of 21.0 ft. The proposed new shore protection will have a top of wall elevation of 17.6 ft.

The Coastal Engineering Consultant's response report dated 9-2-15 was reviewed, and in an effort to expedite the process and avoid additional rounds of review at the planning stage, review comments were emailed to the Consultant on October 8, 2015. A coastal engineering report for the adjacent property at 21106 PCH (Pacific Engineering Group, April 29, 2011) was found to be missing from the City's online database, and was forwarded to the Consultant on October 9, 2015 for review and consideration. The reviewers met with the Consultant on October 13, 2015, at which time the Consultant explained differences in results and engineering approach, between his work and the coastal engineering report for the site next door, and also pointed out consistencies between his site-specific work and the findings of the 1994 Army Corps of Engineers Reconnaissance Report for the Malibu/Los Angeles County Coastline. The Consultant formalized his response to the email comments in his report dated October 15, 2015. Questions were posed to the Consultant at a counter meeting on October 20, 2015. Additional review comments were emailed to the Consultant on October 20, 2015, after which the reviewers received additional informal email replies that included rough/informal wave runup analyses that appear to suggest a lower maximum wave runup elevation than the initial submittal. Additional emails were exchanged with the Consultant on October 23 and 26, 2015 and a response report was received on October 27, 2015. The reviewers met with the Consultant again on November 5, 2015 and a revised response report was received on November 9, 2015.

Planning Stage Conditions of Approval:

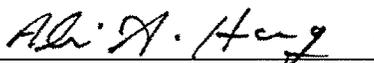
1. The property owner shall comply with the requirements for recorded documents and deed restrictions outlined in Sections 10.6A and 10.6B.1 of the LCP/LIP.

Building Plan Check Stage Coastal Engineering Review Comments:

1. The Project Coastal Engineer shall submit a Shoreline Protection Device Monitoring Program for the proposed shoreline protection device (SPD), per the attached City of Malibu Shoreline Protective Device Monitoring Program Requirements. In addition, the property owner will be required to record a covenant informing any successors-in-interest to the property of these SPD monitoring requirements.
2. The Project Coastal Engineer's recommendations, contained in the coastal engineering report and addenda, shall be incorporated into the plans as notes and details, and referenced on the project structural plans. One set of plans shall be submitted to the coastal engineering review staff for Building Plan Check. Additional review comments may be raised at that time that may require a response. The Project Coastal Engineer shall review, sign and wet-stamp the final building plans.
3. The final design of the proposed seawall (SPD) shall incorporate recommendations provided by the project geotechnical consultant and OWTS consultant. The new SPD shall be designed to include appropriate earth and seepage pressures imposing on the SPD from backfill and proposed OWTS.

4. The final project plans shall show the land and beach contours and profiles that include: storm scour profile, wave uprush limit for the maximum breaking wave showing the landward extent of the uprush limit, and the Mean High Tide line with month and year on plans based on available historical surveys.
5. Provide the proposed elevation of the bottom of the lowest horizontal structural member of the lowest floor, on the project structural plans.
6. The structural engineer should provide written confirmation that the residence foundation is designed without the benefit of the shore protection device or retained soil.
7. The structural engineer should identify wave loading design criteria on the structural plans.
8. The applicant shall submit a coastal engineering fee of \$672 for Coastal Engineering Building Plan Check review.
9. After the initial plan review and corrections have been completed, provide two sets of final bulkhead repair (if applicable), OWTS, and residence plans (**APPROVED BY THE BUILDING SAFETY DIVISION**) incorporating the Project Coastal Engineering Consultant's recommendations and items in this review sheet. Plan sets must be **reviewed, stamped, and manually signed by the Project Coastal Engineering Consultant**. The review must clearly be identified as applying to the entire plan set. **Appointments for final review and approval of the plans may be made by calling or emailing City Coastal Engineering review staff.**

Reviewed by:  November 30, 2015
Michael B. Phipps, PG 5748, CEG 1832 Date
Coastal Engineering Review Consultant (x 307)

Reviewed by:  November 30, 2015
Ali Abdel-Haq, RCE 46989, GE 2308 Date
Coastal Engineering Review Consultant

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.



COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS



GeoDynamics, Inc.

Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants



City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 317-1950 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	August 12, 2015	Review Log #:	3749
Site Address:	21100 Pacific Coast Highway	Planning #:	CDP 15-038
Lot/Tract/PM #:	n/a	BPC/GPC #:	
Applicant/Contact:	Erin Anderson, erin@dawsonarchitects.com	Planner:	Richard Mollica
Contact Phone #:	310-589-1921	Fax #:	
Project Type:	New single-family residential development, onsite wastewater treatment system (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): Land Phases, Inc. (Holt, CEG 2282, CHG 816): 2-23-15
(Current submittal(s) in Bold.) Ref: Mountain Geology, Inc.: 3-10-10, 3-9-10, 1-18-10, 10-8-09, 7-13-09
Subsurface Designs, Inc. (Mahn, RCE 60293): **7-21-15**, 3-6-15,
Ref: 1-19-11, 12-3-10, 8-26-10, 3-11-10, 1-19-10, 7-21-09

Building Plans prepared by Clive Dawson AIA, dated May 2014.
Final OWTS plan prepared by EnSitu Engineering, Inc., dated May 13, 2015.
Grading plans prepared by GeoWorks dated May 19, 2015.

Previous Reviews: 6-19-15, Geotechnical Review Referral Sheet dated 5-26-15; Ref: 2-23-11, 5-13-10, 3-4-10, 1-12-10, Geotechnical Review Referral Sheet dated 12-17-09

Review Findings

Coastal Development Permit Review

- The residential development project is **APPROVED** from a geotechnical perspective.
- The residential development project is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval of the project

Building Plan-Check Stage

- Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.
- APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.
- NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced addendum report was reviewed by the City from a geotechnical perspective. The project comprises constructing a new 2,354 square foot two-story single-family residence and attached garage with a roof deck and spa, decking, retaining walls, a new seawall, and a new OWTS that consists of a treatment tank system and 400 square foot leach field. The design flow is 600 GPD and the loading rate is 1.5 GPSFD. Grading consists of 82 yards of cut and 87 yards of fill under structure with 7 yards of import.

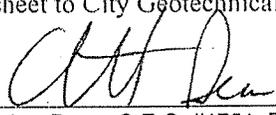
NOTICE: Applicants shall be required to submit all Geotechnical reports for this project as searchable PDF files on a CD. At the time of Building Plan Check application, the Consultant must provide searchable PDF files on a CD to the Building Department for ALL previously submitted reports that have been reviewed by City Geotechnical Staff.

Building Plan-Check Stage Review Comments:

1. On page 2 of the Consultants July 21, 2015 Addendum report, the Consultant states "it is not anticipated that the result would not compromise life or safety of the structure/occupants" (underlines added by reviewer for emphasis). Please clarify that the double negative was not intentional.
2. Please document the method used to adjust the $N_{1(60)}$ values for the overburden fill.
3. The Consultant needs to provide design-level lateral loading recommendations for the northern wall due to liquefaction of the saturated beach sands and lateral spreading of the 17-foot-thick stiff rigid block above the liquefied zone. The active loading suggested may not be sufficient for the anticipated conditions.
4. The homeowners are required to sign, record at the County of Los Angeles Recorder's office, and submit to City geotechnical staff a certified copy of an "Assumption of Risk and Release" for offsite geotechnical hazards prior to permit issuance.
5. The Consultant should work with the structural engineer to ensure that pile head deflections do not induce catastrophic failure of the piles or structure.
6. Please provide on the grading and/or the OWTS plans, the procedures and methods of installation of the OWTS, including excavations for the tanks and leach field, shoring requirements, backfill procedures, design requirements for surcharged structures, and discussions regarding reduced setbacks of the OWTS components to structures.
7. Please provide reduced setback letters from the geotechnical, architectural, and structural consultants regarding the OWTS components and adjacent structures (pile foundations, walls, etc.), as appropriate.
8. Please depict the limits and depths of over-excavation and structural fill to be placed on the grading plan, and cross-sectional view of the proposed building area, as applicable.
9. Include the following note on the building plans: "*The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, depth to groundwater, and a map depicting the locations of the piles*".
10. Two sets of grading, retaining wall, seawall, shoring, OWTS, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by:


Christopher Dean, C.E.G. #1751, Exp. 9-30-16
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

8/12/15
Date

Geotechnical Engineering Review by:


Kenneth Clements, G. E. # 2010, Exp. 6-30-16
Geotechnical Engineering Reviewer (805-563-8909)
Email: kclements@fugro.com

August 12, 2015
Date

This review sheet was prepared by City Geotechnical Staff contracted with Fugro as an agent of the City of Malibu.

FUGRO CONSULTANTS, INC.
4820 McGrath Street, Suite 100
Ventura, California 93003-7778
(805) 650-7000 (Ventura office)
(310) 456-2489, x306 (City of Malibu)





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

TO: Public Works Department

DATE: 5/26/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 15-038
JOB ADDRESS: 21100 PACIFIC COAST HWY
APPLICANT / CONTACT: Erin Anderson, Clive Dawson A.I.A. Architecture an
APPLICANT ADDRESS: 28925 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-1921
APPLICANT FAX #: (310) 589-1121
APPLICANT EMAIL: erin@dawsonarchitects.com
PROJECT DESCRIPTION: New Single Family Residence, ocean decks, 2 car garage, roof garden with spa, new owts, sea wall, and pile foundations

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

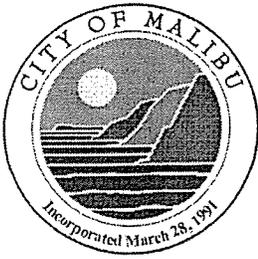
The following items described on the attached memorandum shall be addressed and resubmitted.

The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.

SIGNATURE

DATE

6/19/15



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Jorge Rubalcava, Assist. Civil Engineer

R
E

Date: June 19, 2015

Re: Proposed Conditions of Approval for 21100 Pacific Coast Highway CDP 15-038

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

STREET IMPROVEMENTS

1. This project proposes to construct a new driveway within Caltrans' right-of-way. Prior to the Public Works Department approval of the grading or building permit, the applicant shall obtain encroachment permits from Caltrans for the proposed driveway.

GRADING AND DRAINAGE

2. Grading permits shall not be issued between November 1 and March 31 each year LIP Section 17.2.1. Projects approved for grading permit shall not receive grading permits unless the project can be rough graded before November 1. **A note shall be placed on the project that addresses this condition.**
3. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**
4. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
 - Public Works Department General Notes



- The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
 - The limits of land to be disturbed during project development shall be delineated on the grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
 - The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
 - If the property contains trees that are to be protected they shall be highlighted on the grading plan.
 - If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
 - Private storm drain systems shall be shown on the grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
 - Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.
5. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.
6. The applicant shall label all City/County storm drain inlets within 250 feet from each property line per the City of Malibu's standard label template. A note shall be placed on the project plans that address this condition.

STORMWATER

7. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier



	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANEOUS

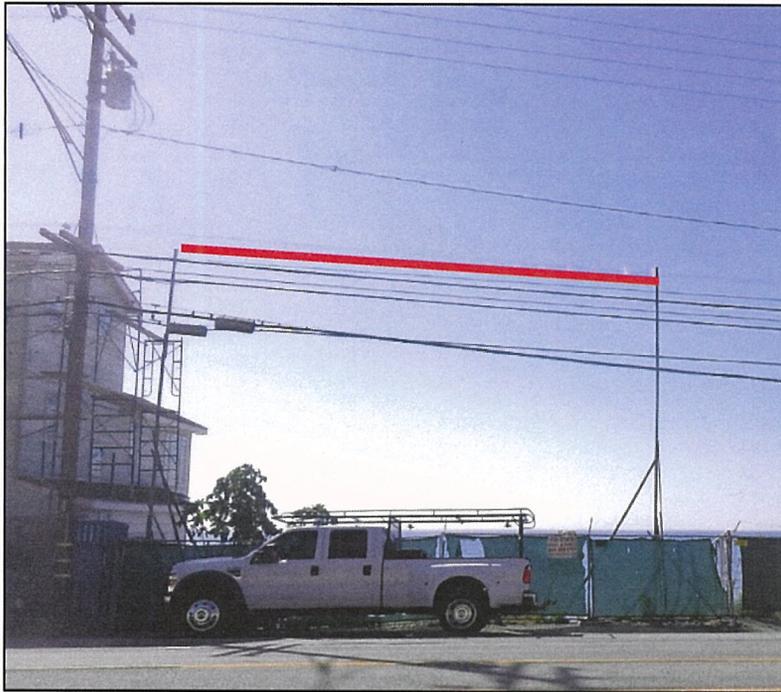
8. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.
9. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:
 - The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
 - There are sufficient BMPs in place to prevent soil erosion; and
 - The discharge does not reach into the MS4 or to the ASBS (including tributaries)

Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating "**It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5).**" The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.



Story Pole Photographs



Existing Driveway Facing the South

Notice Continued...

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures.

Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Commission at any time prior to the beginning of the public hearing.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action for which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planning/forms or in person at City Hall, or by calling (310) 456-2489, extension 245.

COASTAL COMMISSION APPEAL - For projects appealable to the Coastal Commission, an aggrieved person may appeal the Planning Commission's decision to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling 805-585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

If you have questions regarding this notice, please contact Richard Mollica, Senior Planner, at (310) 456-2489, extension 346.

Date: February 25, 2016

By: Bonnie Blue, Planning Director

Notice of Public Hearing



City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Planning Department

City of Malibu

23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489 Fax (310) 456-7650

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **MONDAY, March 21, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.**

COASTAL DEVELOPMENT PERMIT NO. 15-038, VARIANCE NOS. 15-019 AND 15-020, AND STRINGLINE MODIFICATION REVIEW NO. 16-001 - An application to allow for the construction of a new 2,354 square foot single-family residence that includes a garage, roof top deck with spa and barbeque area, beachfront decks, alternative onsite wastewater treatment system, seawall, view corridors, gates, fencing, hardscape and landscaping, including variances to allow for construction on slopes steeper than 2.5 to 1 and to eliminate the two unenclosed parking spaces, and a stringline modification review to allow for the use of an alternative endpoint

LOCATION:	21100 Pacific Coast Highway, within the appealable coastal zone
APN:	4450-010-022
ZONING:	Multi-Family Beachfront (MFBF)
APPLICANT:	Clive Dawson A.I.A. Architecture and Planning
OWNER:	Blue Daisy, LLC
APPLICATION FILED:	May 26, 2015
CASE PLANNER:	Richard Mollica Senior Planner (310) 456-2489, ext. 346 rmollica@malibucity.org

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15303(a) and (e) - New Construction or Conversion of Small Structures. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

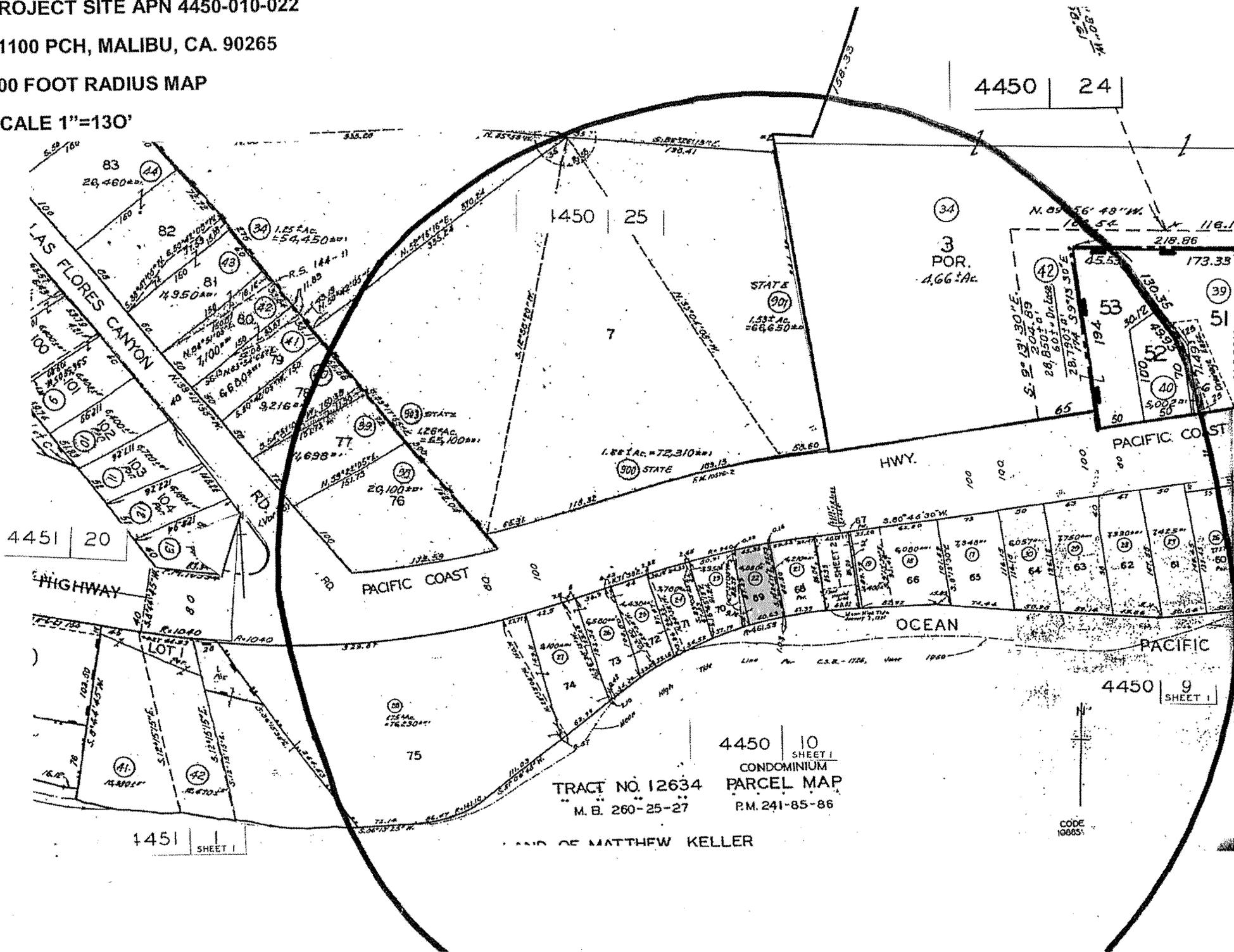


PROJECT SITE APN 4450-010-022

21100 PCH, MALIBU, CA. 90265

500 FOOT RADIUS MAP

SCALE 1"=130'



4450 | 24

TRACT NO. 12634
M.B. 260-25-27

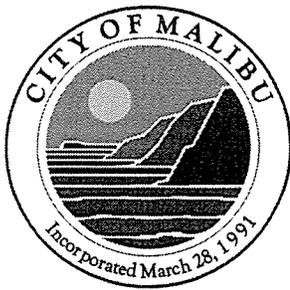
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SHEET 1
CONDOMINIUM
PARCEL MAP
P.M. 241-85-86

LAND OF MATTHEW KELLER

CODE
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1451 | SHEET 1

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SHEET 1



Commission Agenda Report

Planning Commission
Meeting
03-21-16

**Item
6.A.**

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner

Approved by: Bonnie Blue, Planning Director *BB*

Date prepared: March 10, 2016 Meeting Date: March 21, 2016

Subject: Follow-up on Annual Report of Conditional Use Permit No. 13-004 for the Operation of Restaurant Located at 26023 Pacific Coast Highway (Ranch at Solstice Canyon)

RECOMMENDED ACTION: Receive and file, and direct staff to provide an annual report in March 2017.

DISCUSSION: The matter before the Planning Commission is the annual conditional use permit compliance report. As documented in the March 16, 2015, July 6, 2015, and November 2, 2015 agenda reports, the property is currently for sale and the commercial structures are vacant. At the March 16, 2015 meeting, the Planning Commission continued the discussion of the CUP to the July 6, 2015 meeting to allow the restaurant operators time to address the violations of the CUP. However, shortly after the March meeting, the restaurant ceased operation. At the July 6, 2015 Planning Commission meeting the item was continued to the November 2, 2015 meeting. At the November 2, 2015 meeting, the Commission discussed allowing the CUP to remain active to facilitate the sale of the property to a new property owner who will remediate the concerns related to lighting, signage, and the compliance agreement need for a new alternative onsite wastewater treatment system (AOWTS) ¹. The consensus was that revocation of the CUP could discourage a new owner from purchasing the property and thereby prolonging resolution of these issues.

ALTERNATIVES: Since the CUP runs with the land, CUP No. 13-004 remains valid unless action is taken by the Commission to revoke the CUP. The Commission may choose one of these actions.

1. Schedule a hearing to modify the CUP to include requirements regarding the AOWTS. Furthermore, a condition could be added to the CUP that requires the

¹ The compliance agreement is a separate matter from the CUP and was processed through the Environmental Sustainability Department.

installation and final approval of a new AOWTS prior to the opening of any new business on the subject site;

2. Direct staff to schedule a public hearing to consider revocation of the CUP; or
3. Direct staff to provide an annual report in March 2017.

As the property is currently for sale, staff recommends the Commission direct staff to bring this matter back to the Commission in March 2017 as part of the regular annual report on the CUP.