

April 4, 2016 Regular Meeting

1. Agenda

Documents: [PC160404_AGENDA_LINKS.PDF](#)

2. Item 3B1 - Approval Of Minutes

Documents: [PC160404_ITEM3B1.PDF](#)

3. Item 4A - Coastal Development Permit No. 13-040 / 5723 Busch Drive

Documents: [PC160404_ITEM4A.PDF](#)

4. Item 4B - Coastal Development Permit No. 15-010 / 6708 Wildlife Road

Documents: [PC160404_ITEM4B.PDF](#)

5. Item 4C - Zoning Text Amendment No. 16-001 / Amendment To Malibu Municipal Code Title 17 Regulating Formula Retail Stores

Documents: [PC160404_ITEM4C.PDF](#)

6. Item 5A - Coastal Development Permit No. 13-036 / 25157 Malibu Road

Documents: [PC160404_ITEM5A.PDF](#)

7. Item 5B - Coastal Development Permit No. 11-056 / 24157 Malibu Road

Documents: [PC160404_ITEM5B.PDF](#)

8. Item 5C - Coastal Development Permit No. 15-012 / 23033 Pacific Coast Highway

Documents: [PC160404_ITEM5C.PDF](#), [PC160404_ITEM5C_SUPPLEMENTAL.PDF](#)

Malibu Planning Commission
Regular Meeting Agenda
Monday, April 4, 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 25, 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. Approval of Minutes

Recommended Action: Approve the minutes for the March 21, 2016 Regular Planning Commission meeting.

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

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 \(Continued from March 7, 2016\)](#)

Location: 5723 Busch Drive, not within the appealable coastal zone
 APN: 4469-028-006
 Zoning: Rural Residential – Two Acres (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 a date uncertain.

- B. [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 \(Continued from March 21, 2016\)](#)

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 18, 2016 Regular Planning Commission meeting.

- C. [Zoning Text Amendment No. 16-001 – An Amendment to Malibu Municipal Code \(MMC\) Title 17 Regulating Formula Retail Stores \(Continued from March 21, 2016\)](#)

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

5. New Public Hearings

- A. [Coastal Development Permit No. 13-036, Variance No. 13-034, Site Plan Review No. 13-031, Minor Modification Nos. 13-008 and 13-009, and Demolition Permit No. 13-018 – An application for the demolition of an existing one-story residence and construction of a new two-story single-family residence and associated development](#)

Location: 25157 Malibu Road, within the appealable coastal zone
APNs: 4459-012-008 and 4459-012-043
Zoning: Multi-Family (MF)
Applicant: Tim McNamara
Owner: 25157 Malibu Road, LLC
Application Filed: August 7, 2013
Case Planner: Contract Planner Janowicz, 456-2489 ext. 345

Recommended Action: Adopt Planning Commission Resolution No. 16-38 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 13-036 for demolition of the existing residence and construction of a new 2,738 square foot, two-story single-family residence with a 1,000 square foot subterranean garage, a 596 square foot detached second unit, installation of a new alternative onsite wastewater treatment system, and associated development including variance No. 13-034 for construction on slopes steeper than 2.5 to 1, site plan review No. 13-031 for height in excess of 18 feet (up to 28 feet for a pitched roof), minor modification (MM) No. 13-008, for a reduction in the front yard setback, MM No. 13-009 for a reduction in the side yard setback, and Demolition Permit No. 13-018, located in the Multi-Family zoning district at 25157 Malibu Road (25157 Malibu Road, LLC).

B. [Coastal Development Permit No. 11-056 and Site Plan Review Nos. 11-029 and 16-010 - An application for the construction of a new 10,657 square foot, two-story single-family residence and associated development](#)

Location: 24157 Malibu Road, within the appealable coastal zone
APN: 4458-018-010
Zoning: Single-Family Medium (SFM)
Applicant: Kari Kramer
Owners: The Lyn and Laurie Konheim Trust
Application Filed: December 8, 2011
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Continue this item to the April 18, 2016 Regular Planning Commission meeting.

C. [Coastal Development Permit No. 15-012, Site Plan Review No. 15-016, and Conditional Use Permit No. 15-003 – An application for the remodel of an existing motel, the Surfrider motel and associated development, and a conditional use permit to allow for the operation of a motel](#)

Location: 23033 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-019-002
Zoning: Commercial Visitor Serving-1 (CV-1)
Applicant: Burdge and Associates
Tenant: Surfrider Motel
Owner: PCH 23033, LLC
Application Filed: February 27, 2015
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 16-40 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-012 to allow for the remodel of an existing motel, the Surfrider motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system, restriping of the parking lot, landscaping, and associated development including Site Plan Review No. 15-016 for height in excess of 18 feet (up to 22 feet for a flat roof), and Conditional Use Permit No. 15-003 to allow for the operation of a motel in the Commercial Visitor Serving-One zoning district located at 23033 Pacific Coast Highway (PCH 23033, LLC).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Planning Commission Meetings

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
Monday, June 6, 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 25th day of March, 2016.


Kathleen Stecko, Senior Office Assistant



Planning Commission
Meeting
04-04-16

**Item
3.B.1.**

Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

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

Approved by: Bonnie Blue, Planning Director *CO for BB*

Date prepared: March 22, 2016 Meeting Date: April 4, 2016

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the March 21, 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.

ATTACHMENT: March 21, 2016 Regular Planning Commission Meeting

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
MARCH 21, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Stack called the meeting to order at 6:32 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; Christopher Deleau, Planning Manager; Adrian Fernandez, Senior Planner; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Vice Chair Mazza led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved to approve the agenda, continuing Item Nos. 5.A. and 5.C. to the April 4, 2016 Regular Planning Commission meeting. The motion failed due to lack of second.

MOTION Vice Chair Mazza moved to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting, and to move Item No. 5.A. after Item No. 6.A. The motion failed due to lack of second.

MOTION Commissioner Brotman moved to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting. The motion failed due to lack of second.

MOTION Vice Chair Mazza moved and Chair Stack seconded a motion to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting, and to move Item No. 5.A. after Item No. 6.A. The question was called and the motion carried 2-1, Commissioner Brotman dissenting and 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 11, 2016, with the amended agenda properly posted on March 15, 2016.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

Mimi Goh provided information about SoCal Gas regarding their advanced meter system being implemented throughout Southern California.

Derek Sampson further elaborated on the SoCal Gas advanced meter system.

Paul Grisanti expressed the endorsement by the Malibu Chamber of Commerce of the SoCal Gas advance meter project.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Planning Director Blue extended an invitation to the City of Malibu 25th Anniversary event being held on March 28, 2016 and announced the upcoming public hearing on the Coastal Commission's suggested modifications to the trail dedication incentive program and parkland and trails system map scheduled for the April 11, 2016 Regular City Council meeting.

Commissioner Brotman encouraged Planning Commissioners, City Council members, and Malibu school students to read the recently released book by David Randall entitled The King and Queen of Malibu, as the subject matter provides insight into land use.

Vice Chair Mazza added that the author recently spoke at Pepperdine University and he used the Pepperdine digital archive for research in writing the book.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Brotman moved and Vice Chair Mazza 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. 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
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

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- 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: Burdge & 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).

Senior Planner Fernandez 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.

Speakers: Susan Barge and Joseph Lezama.

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

MOTION Commissioner Brotman moved and Chair Stack seconded a motion to 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).

FRIENDLY AMENDMENT

Vice Chair Mazza moved to add a condition requiring wildlife permeable fencing. The amendment was not accepted.

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

- 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.

The item was continued upon approval of the agenda.

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
Owner: 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).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioner Brotman, Vice Chair Mazza, and Chair Stack.

The Commission directed questions to staff.

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

Speakers: Clive Dawson and Alan Ruzicka.

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

ITEM 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)

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

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

Senior Planner Mollica presented the staff report.

The Commission directed questions to staff.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved to allow the conditional use permit to remain in place and direct staff to provide a report in one year. The motion failed due to lack of a second.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to schedule a revocation hearing for Conditional Use Permit No. 13-004 at the first Planning Commission meeting in October. The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

Vice Chair Mazza departed the meeting at 7:32 p.m.

ITEM 5 NEW PUBLIC HEARINGS

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

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

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.

The item was continued to the April 4, 2016 Regular Planning Commission meeting due to lack of quorum.

ADJOURNMENT

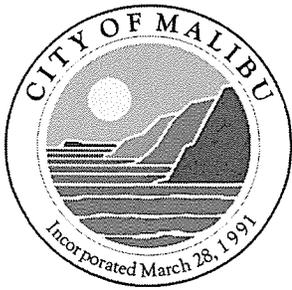
Due to lack of quorum, the meeting was adjourned at 7:34 p.m.

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: Adrian Fernandez, Senior Planner

Approved by: Bonnie Blue, Planning Director *AD for BB*

Date prepared: March 22, 2016 Meeting Date: April 4, 2016

Subject: 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 March 7, 2016)

Location: 5723 Busch Drive, not within the appealable coastal zone

APN: 4469-028-006

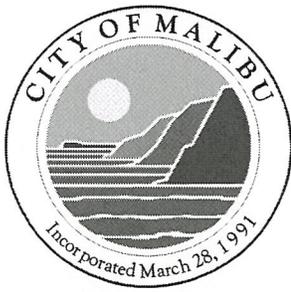
Zoning: Rural Residential–Two Acre (RR-2)

Applicant: Los Angeles County Waterworks District No. 29

Owner: Serra Canyon Co, LTD

Application Filed: August 29, 2013

RECOMMENDED ACTION: Continue this item to a date uncertain.



Commission Agenda Report

Planning Commission
Meeting
04-04-16

**Item
4.B.**

To: Chair Stack and Members of the Planning Commission

Prepared by: Christopher Deleau, Planning Manager *CD*

Approved by: Bonnie Blue, Planning Director *CD for BB*

Date prepared: March 22, 2016

Meeting Date: April 4, 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 (Continued from March 21, 2016)

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 18, 2016 Regular Planning Commission meeting.



Commission Agenda Report

Planning Commission
Meeting
04-04-16
**Item
4.C.**

To: Chair Stack and Members of the Planning Commission

Prepared by: Trevor Rusin, Assistant City Attorney

Approved by: Bonnie Blue, Planning Director *CD for BB*

Date prepared: March 24, 2016

Meeting date: April 4, 2016

Subject: Zoning Text Amendment No. 16-001 – An Amendment to Malibu Municipal Code (MMC) Title 17 Regulating Formula Retail Stores (Continued from March 21, 2016)

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-

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.

approved specific plan requirement was tethered to particular developments.

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/dismissed 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

noted, only 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 April 4, 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 over-abundance 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. The Planning Commission hereby recommends the City Council amend Title 17 of the MMC 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 4th day of April 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 April 4, 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: Jasch Janowicz, Contract Planner

Approved by: Bonnie Blue, Planning Director *CO for BB*

Date prepared: March 24, 2016 Meeting date: April 4, 2016

Subject: Coastal Development Permit No. 13-036, Variance No. 13-034, Site Plan Review No. 13-031, Minor Modification Nos. 13-008 and 13-009, and Demolition Permit No. 13-018 – An application for the demolition of an existing one-story residence and construction of a new two-story single-family residence and associated development

Location: 25157 Malibu Road, within the appealable coastal zone

APNs: 4459-012-008 and 4459-012-043

Zoning: Multi-Family (MF)

Applicant: Tim McNamara

Owner: 25157 Malibu Road, LLC

Application Filed: August 7, 2013

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-38 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 13-036 for demolition of the existing residence and construction of a new 2,738 square foot, two-story single-family residence with a 1,000 square foot subterranean garage, a 596 square foot detached second unit, installation of a new alternative onsite wastewater treatment system, and associated development including variance (VAR) No. 13-034 for construction on slopes steeper than 2.5 to 1, site plan review (SPR) No. 13-031 for height in excess of 18 feet (up to 28 feet for a pitched roof), minor modification (MM) No. 13-008, for a reduction in the front yard setback, MM No. 13-009 for a reduction in the side yard setback, and Demolition Permit No. 13-018, located in the Multi-Family (MF) zoning district at 25157 Malibu Road (25157 Malibu Road, LLC).

DISCUSSION: This agenda report will provide an overview of the proposed project, including a summary of the surrounding land uses and project setting. Next, the report summarizes staff’s analysis of the proposed project’s consistency with applicable provisions of the Malibu Local Coastal Program (LCP) and CEQA.

Project Overview

The subject property is located on the landward side of Malibu Road and includes an unoccupied one-story residence that has been damaged as a result of the Puerco Canyon (Trento) Landslide. The project involves the demolition of the existing residence destroyed by the landslide and includes construction of a two-story, 2,738 square foot single-family residence with a 1,000 square foot subterranean garage, a 596 square foot detached second unit, retaining walls, AOWTS and associated development. The proposed total development square footage (TDSF) is 3,334 square feet and the permitted TDSF is 3,334 square feet.

Summary of Previously Issued Permits

A CDP for the Trento Landslide (CDP No. 12-093) repair was issued by the Malibu Planning Commission on September 8, 2015. The proposed project site is located within the footprint of the landslide repair project. The landslide remediation plans have been reviewed approved and building permits are pending.

Project Setting

The project site is rectangular in shape with approximately 60 feet of frontage on Malibu Road. The rear portions of the lot have been encroached upon by the Puerco Canyon landslide, which have rendered the existing residence unfit to occupy. Historic site disturbances (including the landslide and the previously constructed single-family residence) have established slopes as steep as 1 to 1 in the northern portions of the lot, a relatively flat building pad area in the central portions of the site, and an existing slope fronting Malibu Road, with gradients steeper than 2.5 to 1. Formal landscaping as part of the previously constructed single-family residence exists onsite and therefore no native vegetation is present. An aerial photograph/vicinity map exhibit and site photographs are attached hereto as Attachments 2 and 3.

Table 1 – Property Data (APNs 4458-015-041 and 043)	
Lot Depth	218 feet
Lot Width	60 feet
Gross Lot Area (including driveway easements)	13,185 sq. ft. (0.303 acres)
Area of 1:1 slopes and road easements	0
*Net Lot Area	13,185 sq. ft. (0.303 acres)

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

The subject parcel lies within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. The parcel does not contain

Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA Overlay Map. No planned or developed trails, including offers to dedicate (OTD) trail easements, or parkland, exist on or within the vicinity of the subject parcel as indicated on the City’s LCP Park Lands Map.

Surrounding Land Use

Properties in the immediate area are developed with either single-family residences or multi-family residences. The subject property and the adjacent properties are all zoned Rural Residential-2 (RR-2), and MF. Table 2 outlines the land uses of properties adjacent to the subject parcel.

Table 2 – Surrounding Land Uses				
Direction	Address/Parcel No.	Lot Size	Land Use	Square Footage (Per Assessor)
West	4459-012-009	0.26 acres	Multi-family residence	2,548 SF
East	4459-012-007	0.30 acres	Multi-family residence	2,548 SF
South	N/A	N/A	Malibu Road	N/A
South	4459-015-010	0.15 acres	Single-family residence	2,560 SF
North	4458-015-030	4.76 acres	Single-family residence	5,219 SF

Project Description

The proposed project includes demolition of the existing residence and construction of a new two-story single-family residence and associated development. The proposed TDSF of 3,334 square feet is comprised of the following:

- 2,738 square foot two-story residence;
- 596 square foot detached second unit;
- 1,000 square foot detached subterranean garage beneath second unit with three enclosed parking spaces (exempt from TDSF);

Associated development includes:

- Parking court with two unenclosed parking spaces;
- AOWTS; and
- 280 cubic yards of non-exempt grading.

In addition to the requested CDP, the following discretionary requests are included:

- DP No. 13-031 for demolition of the existing single-family residence;
- MM No. 13-008 for a reduction in the front yard setback;
- MM No. 13-009 for a reduction in the side yard setback;
- SPR No.13-031 to allow construction above 18 feet up to 28 feet in height with a pitched roof; and
- VAR No. 13-034 for construction of slopes steeper than 2.5 to 1.

The proposed vehicular and pedestrian access to the project site is provided by a new permeable concrete parking court along the site's Malibu Road frontage, which provides guest parking and also provides access to the three-car subterranean garage. Stairwells are proposed along both sides of the garage on top of the existing slopes, providing access to the detached second unit and the proposed two-story residence. The proposed stairwells have been reviewed and approved by the Los Angeles County Fire Department (LACFD).

A new AOWTS is proposed within the northern and southern portions of the property. The system design includes a 3,436 gallon treatment tank located within the rear yard of the residence and a 627 square foot subsurface drip dispersal area located beneath the proposed front-yard parking area. The conceptual design has been reviewed and approved by the City's Environmental Health Administrator.

The conceptual grading plan has been reviewed and approved by the City's geotechnical staff. The grading design for the single-family residence includes the construction of a certified building pad, stormwater conveyance infrastructure, and structural shoring along the eastern and western property line, all of which is compatible with the grading proposed as part of the larger landslide remediation grading operation.

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 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 by the Planning Department, as well as the City Environmental Health Administrator, City Public Works Department, City geotechnical staff, City Biologist, LACFD, and Los Angeles County Waterworks District No. 29 (WD29).

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 Systems and are discussed under the *LIP Conformance Section* of this report.

The nine remaining 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. For the reasons described herein, based upon the project site, the scope of work and substantial evidence in the record, only the following three chapters and associated findings are applicable or required for the project: General Coastal Development Permit (including site plan review, variance, and minor modification findings), Hazards, and Shoreline and Bluff Development. Findings are discussed in the *LIP Findings* section.

LIP Conformance Analysis

The proposed project has been reviewed by Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29 for conformance with the LCP. The department review sheets are attached hereto as Attachment 5. The proposed project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies, with the inclusion of VAR No. 13-034, SPR No. 13-031, and Minor Modification Nos. 13-008 and 13-009.

Zoning (LIP Chapter 3)

The proposed project is subject to development and design standards set forth in LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards, with the inclusion of MM Nos. 13-008 and 13-009, SPR No. 13-031 and VAR No. 13-034.

Table 3 – Zoning Conformance (Non-Beachfront)			
Development Requirement	Allowed / Required	Proposed	Comments
SETBACKS			
Front Yard	43.6 feet	22 feet	MM 13-008
Rear Yard	32.7 feet	102.5 feet	Complies
Side Yard (minimum)	6 feet	6 feet	Complies
Side Yard (cumulative)	15 feet	12 feet	MM 13-009
BUILDING HEIGHT	18 feet	28 feet pitched	SPR No. 13-031
ACCESSORY STRUCTURE HEIGHT	18 feet	24 feet flat	SPR No. 13-031
TDSF	3,334 square feet	3,334 square feet	Complies
SUBTERRANEAN GARAGE	1,000 square feet (exempt from TDSF)	1,000 square feet (exempt)	Complies

Table 3 – Zoning Conformance (Non-Beachfront)

Development Requirement	Allowed / Required	Proposed	Comments
TWO-THIRDS RULE	1,684 square feet	1,085 square feet	Complies
PARKING	2 enclosed 2 unenclosed	3 enclosed 2 unenclosed	Complies
IMPERMEABLE COVERAGE	4,615 square feet	3,352 square feet	Complies
CONSTRUCTION ON SLOPES	Flatter than 3 to 1	2.5:1 or flatter	VAR No. 13-034
GRADING	1,000 cubic yards (non-exempt)	280 cubic yards	Complies
FENCE/WALL HEIGHT			
Front Yard			
• Solid	6 feet	6 feet	Complies
Side Yard	6 feet	6 feet	Complies

Grading (LIP Chapter 8)

The proposed building site is surrounded by the existing Puerco Canyon landslide. Therefore, excavation beneath the building area will be required to establish a sufficiently stable building pad and to construct the subterranean garage adjacent to Malibu Road. As shown in Table 4, the proposed project involves non-exempt grading in the amount of 280 cubic yards. 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 Quantities

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	0	260	0	25	0	285
Fill	0	0	0	255	0	255
Total	0	260	0	280	0	540
Import	0	0	0	230	0	0
Export	0	260	0	0	0	30

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. Pursuant to these requirements, staff has reviewed the City of Malibu Cultural Resources Sensitivity Map and determined that the subject parcel has a very low potential for containing any archaeological resources. All work proposed is

within a previously disturbed area of the property. Accordingly, staff has determined that 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, a local storm water pollution prevention plan, final grading and drainage plan, and water quality mitigation 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 City Environmental Health Administrator has reviewed the proposed OWTS and determined that the subject system will meet all applicable requirements. The applicant is required to record a covenant indicating the proper operation and maintenance of the OWTS. 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. 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 proposed project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Geotechnical Consultant, City Public Works Department, and the Los Angeles County Fire Department. The proposed project, as conditioned, conforms to the LCP in that it meets all residential development standards with the inclusion of the site plan review for construction in excess of 18 feet in height, and a minor modification for the reduction in the front yard setback and the side yard setback.

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 site 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, 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 Section 15303, as discussed later in this report. The proposed project would include demolition of the existing residential structure and replacement with a new two-story single-family residential structure, a subterranean garage, second unit, landscaping, and hardscape, all of which are permitted uses within the multi-family (MF) 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 the existing landslide and/or natural resources. The project site is zoned MF, which allows for single-family residential development and the owner's objectives include the construction of a new two-story residence in the neighborhood consisting of one and two-story homes of similar or greater size (see Table 2). Therefore, the no project alternative would not accomplish any of the project objectives and therefore is not feasible.
2. Alternative Location – Alternative locations are not practical due to the configuration of the lot, the size, the existing building pad, and the geologic setback from the future landslide repair and stabilization to the north by others.
3. Alternative Configuration – Alternative configurations were considered. However, due to the nature of the existing landslide and the geology of the site, it was determined that the placement of the pile supported retaining wall, detached garage structure along Malibu Road, and placing the residential structure in the center portions of the site was the most structurally sound configuration.
4. Proposed Project – The project consists of demolition of the existing two-story residence and construction of a new two-story single-family residence and associated development within the existing development area. The immediately surrounding neighborhood along Malibu Road consists of one and two-story single-family residences with apartment buildings over garages consistent with the

multi-family zoning. The proposed minor modification to allow for a reduction to the front and side yard setbacks would maintain similar front and side yard setbacks. The proposed site plan review to allow residential construction above 18 feet in height would establish a residential structure height similar to the existing multi-family uses located immediately to the east and west. Therefore, the proposed residence will have no significant adverse scenic or visual impacts on public views or on the physical environment due to the project location. The variance for on-site grading on slopes steeper than 3:1 is requested in order to allow re-construction of the single-family residence that has been destroyed by the Puerco Canyon landslide in a similar location and provide access from Malibu Road, which is the only feasible point of access given the approved landslide remediation plans. For the reasons stated above, the project, as proposed, is the least environmentally damaging feasible alternative.

Finding A4. If the project is located in or adjacent to an environmentally sensitive habitat area (ESHA) 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 property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board review was not required for the proposed project, and this finding does not apply.

B. Variance for Grading on Slopes Steeper than 3 to 1 (LIP Section 13.26)

The applicant is requesting VAR No. 13-034 from LIP Section 8.3(D), which establishes the maximum grade of cut and fill slopes as 3:1 for the development of structures and open yard areas. The applicant is requesting a variance to allow grading on existing slopes as steep as 1:1 adjacent to Malibu Road. LIP Section 13.26.5 requires that the City make ten findings in the consideration and approval of a variance for construction on slopes exceeding a gradient of 2.5 to 1. The LIP findings also contain the findings required pursuant to MMC Section 17.72.060. Based on the evidence contained in the record, required findings for VAR No. 13-034 are 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 project site and the existing single-family residence has been destroyed by the Puerco Canyon Landslide, which has migrated over the northern half of this property. Pursuant to landslide remediation plans approved by the Planning Commission as part of CDP No. 12-093, no vehicle access to the property can be established along the rear portions of the property due to the proposed topography and slope stability

requirements. This special circumstance prohibits the construction of a driveway and/or garage within the northern (flatter) portions of the site, similar to the multi-family residences constructed on the properties located at 25147 Malibu Road (east) and 25159 Malibu Road (west).

The constraints identified above are such that there is no feasible way to develop this property without approval of the variance and therefore the strict application of the zoning ordinance deprives the property owner from developing the proposed residential project in a location and at a size similar to the adjacent residential projects located at 25147 Malibu Road and 25159 Malibu Road and all other surrounding properties located in the MF zoning district.

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 granting of the variance will not be detrimental to the public's interest, safety, health or welfare because the project will be required to comply with all City standards and conditions of approval applicable to on-site grading. The project must also comply with special conditions, which require the implementation of a sediment and erosion control plan, stormwater pollution and prevention plan, the performance of grading operations in accordance with recommendations provided by the City's geotechnical staff, and the performance of grading operations compatible with the Puerco Canyon landslide repair project. Therefore, the proposed grading plan can be safely accommodated at this site.

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

As previously discussed in Finding B1, the granting of the variance will not constitute a special privilege to the applicant or property owner in that properties in the immediate vicinity have been developed with residential uses of similar size and in similar locations on slopes flatter than 3 to 1.

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 variance will not be contrary to or in conflict with the general provisions and intent, nor the goals, objectives and policies of the LCP and the General Plan. Granting the variance will allow the subject property to be developed in a similar manner to properties in the vicinity and in a location and configuration that will have the least amount of impact on geotechnical/geologic stability. The grading proposed on slopes as steep as 1 to 1 will only involve excavation to the Malibu Road elevation in order to accommodate a level parking surface and entrance into the proposed

subterranean garage. These grading quantities can be safely accommodated and exported from the site upon compliance with all of City's standard conditions of approval.

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 requested variance is not associated with ESHA or ESHA buffer protection standards. Therefore, this finding is not applicable.

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 is not applicable.

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 requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the MF zoning designation. The proposed project is for the development of a new single-family residence, which is permitted in the subject zone.

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

The granting of the variance will allow construction of a new single-family residence that is compatible with the surrounding built environment and the approved landslide remediation project. The project has been reviewed and approved by applicable agencies. Prior to the issuance of a building permit, the project's proposed grading and residential structures will be reviewed and approved for structural integrity and stability. All final recommendations of the applicant's structural and geotechnical engineer, as well as those recommendations of the City Environmental Sustainability Department, the City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and LACFD, will be incorporated into the project.

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 agencies and project consultants.

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.

VAR No. 13-034 does not involve the reduction or elimination of public parking for access to the beach. All required parking for the residential use will be accommodated onsite.

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

The application includes construction of a new single-family residence in excess of 18 feet in height, up to a maximum height of 28 feet for a pitched roof. LIP Section 13.27.5(A) requires that the City make four findings in the consideration and approval of a SPR for construction in excess of the City's base of 18 feet in height, up to a maximum of 28 feet in height for a pitched roof. Two additional findings are required pursuant to MMC Section 17.62.040(D). Based on the evidence contained in the record, the required findings for SPR No. 13-031 are made as follows:

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

The project has been reviewed for all relevant policies and provisions of the LCP. The project applicant filed a request for a story pole waiver given the unique characteristics of the project site. The Planning Director reviewed this request and approved the story pole waiver based upon the following: 1) site renderings show that the proposed residence would not be visible from PCH and the proposed residence is located approximately 90 feet below the residence located at 25126 PCH; 2) the proposed residence would not be visible from the beach due to the existing beach front residential development; 3) the story poles for the proposed residence would be substantially screened by existing vegetation; and 4) the project site is subject to movement due to the landslide and thus was deemed unsafe for story pole installation. The proposed project is consistent with the LCP in that the proposed project is located within the MF zone which allows for residential use and it complies with applicable development standards. The project is also consistent with the MF General Plan land use designation. Based on submitted plans, reports, visual impact analysis, and detailed site investigation, it has been determined that the project is consistent with all applicable policies and provisions of the LCP, with the inclusion of the discretionary applications.

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

The project proposes a two-story single-family residence within an area surrounded by existing single-family and multi-family residences with more than one story. The project's height and bulk will not adversely affect neighborhood character because the residence will be similar in height to other residences and structures in the vicinity. The development will not block private views from the surrounding properties and the project site due to the variation in topography and building pad elevations. The project will not

alter public views from PCH and views from Malibu Road will remain largely unchanged, as the project site and the surrounding properties are currently developed with multi-story residential uses. Therefore, the project 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.

Based on the review of the project plans and the site visit, it was determined that the proposed residential development would not be visible from PCH, which is considered a public scenic viewing area. Other public views (such as views from surrounding trails or the Santa Monica Mountains) would not be impacted due to differences in topography and the existing residential development located along PCH. Views of the project site from Malibu Road would remain largely unchanged, as the existing two-story single-family residence would be replaced with a new two-story residence with access from Malibu Road. The proposed residential structures would be set back from Malibu Road and would be similar in height, scope, and mass as the other developed properties on the street. The proposed residence will blend into the background of the existing neighborhood and the existing slope located immediately to the north. Therefore, the proposed project is not expected to have a significant adverse effect on public views.

Finding C4. The proposed project complies with all applicable requirements of state and local law.

The proposed project will comply with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu. The project has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, WD29, and it complies with the City's non-beachfront residential development policies, inclusive of the proposed site plan review, minor modifications, and variance.

Finding C5. The project is consistent with the city's general plan and local coastal program.

The proposed project is consistent with the LCP and General Plan in that the proposed project is located in an area identified for residential use. The proposed project, as designed and conditioned, is consistent with the General Plan and LCP, inclusive of the proposed site plan review, minor modification, and variance.

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, offshore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in Section 17.40.040(A)(17).

The project does not impact the private views of any nearby residences and it does not impact public views from PCH or Malibu Road. The private residences are located to the east, west, and south of the applicant's property and are screened from view by existing mature side and rear yard vegetation. There are no residences located immediately north of the project site and therefore there are no existing private views over the property from PCH. The existing residences located immediately south of the project site (south of Malibu Road) have views south toward the Pacific Ocean. Therefore, the project will not obstruct visually impressive scenes of the Pacific Ocean, offshore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residences.

D. Minor Modification for a Less than a 50 Percent Reduction of the Required Front Yard Setback (LIP Section 13.27.5)

A minor modification is proposed for a less than 50 percent reduction of the required front yard setback. Instead of the required 43.6-foot front yard setback, the residence is proposed to maintain a 22-foot front yard setback pursuant to LIP Section 3.6(F)(1). Based on the evidence contained in the record, the required findings for MM No. 13-008 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, as designed and conditioned, is consistent with the LCP. The minor modification is requested so that the replacement residence may maintain a front yard setback similar to the existing on-site residence and residences surrounding the project site.

Finding D2. That the project does not adversely affect neighborhood character.

As previously discussed in Finding C2, the proposed project, as designed and conditioned, does not adversely affect neighborhood character. The neighboring properties to the east and west along Malibu Road are developed with one and two-story single-family residences and apartment buildings. The proposed single-family residence is similar in design, square footage, and building footprint allocation when compared to the surrounding properties.

Finding D3. The proposed project complies with all applicable requirements of state and local law.

As previously discussed in Finding C5, the proposed project complies with all applicable requirements of State and local law, inclusive of the proposed site plan review, minor modification, and variance.

E. Minor Modification for a 20 Percent Reduction of the Required Cumulative Side Yard Setback (LIP Section 13.27.5)

A minor modification is proposed for a 20 percent reduction of the required cumulative side yard setback. Instead of the required 15-foot cumulative front yard setback, the residence is proposed to maintain a 12-foot cumulative side yard setback pursuant to LIP Section 3.6(F)(1). Based on the foregoing evidence contained in the record, the required findings for MM No. 13-009 are made as follows.

Finding E1. That the project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Finding A1, the proposed project, as designed and conditioned, is consistent with the LCP. The minor modification is requested so that the replacement residence may maintain a side yard setback similar to the existing on-site residence and residences surrounding the project site.

Finding E2. That the project does not adversely affect neighborhood character.

As previously discussed in Findings C2 and D2, the proposed project, as designed and conditioned, does not adversely affect neighborhood character.

Finding E3. The proposed project complies with all applicable requirements of state and local law.

As previously discussed in Finding C5, the proposed project complies with all applicable requirements of State and local law, inclusive of the proposed site plan review, minor modifications, and variance.

F. Environmentally Sensitive Habitat Area (LIP Chapter 4)

No ESHA is located on the project site. Therefore, LIP Chapter 4 does not apply.

G. 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.

H. 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. The project site would not be visible from PCH, which is considered a public scenic viewing area. Other public views (such as views from surrounding trails or the Santa Monica Mountains) would not be impacted due to differences in topography and the existing residential development located along PCH. The project is not visible from the beach due to the existing beachfront single-family residential development lining the south side of Malibu

Road. The project will not impact views of the Santa Monica Mountains, as it is located at the base of a coastal bluff feature that rises approximately 90 feet above the proposed two-story roofline elevation. Therefore, the five findings set forth in LIP Section 6.4 do not apply.

I. 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.

J. 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 causes the potential to create adverse impacts upon site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and MMC by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and LACFD. The required findings are made as follows:

Finding J1. 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 applicant submitted a series of geologic reports prepared by Robertson Geotechnical, Inc., all of which have been reviewed by the City Geologist for the hazards listed in LIP Sections 9.2(A)(1-7). These reports are on file at City Hall. In these reports, site-specific conditions are evaluated and recommendations are provided to address any pertinent issues. Potential geologic hazards reviewed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, and flood and fire hazards.

The project and its associated site grading are a complementary component of the landslide repair approved by the Planning Commission (CDP No. 12-093). The slope repair will stabilize and reconstruct a portion of the rear yard ascending slope and reconstruct the building pad. Construction of the rear yard slope will improve the factor of safety of the ascending hillside and the retaining elements will improve the factor of safety of the remaining portions of the project site not treated by the regional landslide repair. Based on review of the project plans and the associated geotechnical reports by City geotechnical staff, City Public Works Department, and the City Environmental

Health Administrator, adverse impacts to the project site related to the proposed development are not expected, and the project has been reviewed, conditioned and approved. The project, including the new AOWTS, will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards. In summary, the proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed.

Based on staff's review of the above referenced reports, it has been determined that:

1. The project's proposed grading in concert with the approved slope repair will remediate existing liquefaction/seismically induced settlement hazards;
2. The project site is not located in a tsunami inundation zone;
3. The project's proposed grading in concert with the approved slope repair will sufficiently reduce the hazards caused by the Puerco Canyon landslide;
4. The development site is not located in a Federal Emergency Management Agency (FEMA) identified flood hazard area; and
5. The project site is located within an extreme fire hazard area.

The project geologist concluded the project is feasible from an engineering geologic standpoint and after completion of the proposed grading, the project site will be free from geologic hazards such as landslides, slippage, settlement, and will not have an adverse effect upon the stability of the site or adjacent properties provided their recommendations and those of the project geotechnical engineer are incorporated into the plans and implemented during construction, and the subject property and proposed structures are properly maintained.

Fire Hazard

The entire city limits of Malibu are located within the extreme fire hazard zone. 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 firefighting equipment can augment the LACFD. As such, the proposed project as conditioned will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards. Nonetheless, a condition of approval has been included in this resolution which requires that the property owner indemnify and hold the City harmless against wildfire hazards to the project.

The City geotechnical staff, City Public Works Department and LACFD have reviewed the project and found that there were no substantial risks to life and property related to any of the above hazards provided that their recommendations and those contained in the associated geotechnical reports are incorporated into the project design. In summary, the proposed development is suitable for the intended use provided that the

certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed.

As such, the proposed project will not increase instability of the site or structural integrity from geologic, flood or any other hazards. Final plans shall be reviewed and approved by the City geotechnical staff, the City's Public Works Department, and LACFD prior to the issuance of a building permit.

Finding J2. 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.

The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu. Furthermore, the proposed onsite grading is consistent with the approved Puerco Canyon landslide repair project, which was previously approved by the Planning Commission and thus will ensure that no significant impacts to slope stability will result from geologic, flood or fire hazards.

Finding J3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the proposed project is the least environmentally damaging alternative.

Finding J4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

The proposed project, with the inclusion of the recommended engineering techniques, will meet the appropriate factors of safety. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity.

Finding J5. 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 Findings J1 and J4, the proposed project as designed and conditioned, will have no significant adverse impacts on site stability, structural integrity or sensitive resources. Therefore, no adverse impacts are anticipated to result from hazards or conflict with sensitive resource protection policies contained in the LCP.

K. Shoreline and Bluff Development (LIP Chapter 10)

The Shoreline and Bluff Development chapter governs those CDP applications concerning any parcel of land that may impact the shoreline or coastal bluffs. The

proposed project is not located adjacent to the shoreline and therefore would not contribute to shoreline erosion and would not require the construction of a shoreline protection device. Nevertheless, the project site has been categorized previously as a coastal bluff subject to Chapter 10 standards so the findings below discuss the project's consistency with the goal of minimizing risks and the assurance of structure stability with respect to the coastal bluff slope located above Malibu Road.

The findings of LIP Section 10.3 are made below.

Finding K1. 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 residential structure is located approximately 90 feet below the top of the bluff slope and will involve site grading that is consistent with the approved plans to remediate the Puerco Canyon landslide that is located south of the project site within the coastal bluff. The proposed onsite grading and structural design have been reviewed by the City's geotechnical staff and the required onsite grading and proposed building design would achieve a soil condition determined to be sufficiently stable. The majority of onsite grading will occur within areas with an average slope of 5:1 or flatter. No improvements are proposed that would impede public access to coastal resources along PCH or Malibu Road. Therefore, the project will have no significant adverse impact on shoreline sand supply or public access.

Finding K2. 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 in Finding K1, the project will have no significant adverse impact on shoreline sand supply or public access due to the project modifications.

Finding K3. 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 K4. There are no alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

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

Finding K5. If the development includes a shoreline protective device, that it 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, there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and is the least environmentally damaging alternative.

The project does not include a shoreline protection device and therefore this finding does not apply.

L. Public Access (LIP Chapter 12)

The subject parcel is located inland and away from the Pacific Ocean. Given its location, there are no opportunities for lateral or vertical access to the beach, bluff-top viewing areas, or recreational access. Furthermore, there are no opportunities for a trail as no trails are mapped on or adjacent to the subject parcel as depicted on the LCP Park Lands and LCP Parkland and Trails System maps. Therefore, LIP Chapter 12 does not apply.

M. 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.

N. Demolition Permit (MMC Section 17.70.060)

MMC Chapter 17.70 requires that a demolition permit be issued for projects that result in the demolition of any building or structure. The project proposes the removal of an existing residence. The findings for DP No. 13-018 are made as follows.

Finding N1. 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 have been included to ensure that the project will not create significant adverse environmental impacts. Specifically, conditions regarding Best Management Practices (BMPs) and site grading have been included to manage the effects of the demolition on surrounding properties and on the environment.

Finding N2. A development plan has been approved or the requirement waived by the City.

A CDP application is being processed concurrently with DP No. 13-018. Therefore, approval of the demolition permit is subject to the approval of CDP No. 13-036.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department has found that the proposed project is listed among the classes of projects that have

been determined not to have a significant adverse effect on the environment. Therefore, either project is exempt from the provisions of CEQA according to CEQA Guidelines Section 15301(l)(1) – Existing Facilities and 15303(a),(d), and (e) - New Construction or Conversion of Small Structures. The Planning Department 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).

CORRESPONDENCE: To date, staff has received no correspondence regarding this project.

PUBLIC NOTICE: On March 10, 2016, staff published a Notice of Public Hearing on March 10, 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. 16-38. 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. 16-38
2. Aerial Photograph and Vicinity Map
3. Site Photographs
4. Project Plans
5. Department Review Sheets
6. Public Hearing Notice

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. 16-38**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 13-036, VARIANCE NO. 13-034, SITE PLAN REVIEW NO. 13-031, MINOR MODIFICATION NOS. 13-008 AND 13-009, AND DEMOLITION PERMIT NO. 13-018 FOR THE CONSTRUCTION OF A NEW 2,738 SQUARE FOOT TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 1,000 SQUARE FOOT SUBTERRANEAN GARAGE, A 596 SQUARE FOOT DETACHED SECOND UNIT, INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM (AOWTS), AND ASSOCIATED DEVELOPMENT INCLUDING VARIANCE NO. 13-034 FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, SITE PLAN REVIEW NO. 13-031 FOR HEIGHT IN EXCESS OF 18 FEET (UP TO 28 FEET FOR A PITCHED ROOF), MINOR MODIFICATION NO. 13-008 FOR A REDUCTION IN THE FRONT YARD SETBACK, AND MINOR MODIFICATION NO. 13-009 FOR A REDUCTION IN THE SIDE YARD SETBACK, LOCATED IN THE MULTI-FAMILY ZONING DISTRICT AT 25157 MALIBU ROAD (25157 MALIBU ROAD, LLC)

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

Section 1. Recitals.

A. On August 7, 2013 the applicant submitted the subject application, Coastal Development Permit (CDP) No. 13-036, Variance (VAR) No. 13-034, Site Plan Review (SPR) No.13-031, Minor Modification (MM) Nos. 13-008 and 13-009, and Demolition Permit (DP) No. 13-018. The CDP application was routed to the City Biologist, City Environmental Health Administrator, City Geotechnical Staff, City Public Works Department, the Los Angeles County Fire Department (LACFD), and Los Angeles County Waterworks District No. 29 (WD29) for review.

B. On October 14, 2015, a Notice of CDP Application for CDP No. 14-057 was posted on the subject property.

C. On October 13, 2015, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500-foot radius of the subject property.

E. On February 29, 2016, the project was deemed complete for processing.

F. On March 2, 2016 the Planning Department staff conducted a site visit to inspect the project site and granted a story-pole waiver for the project site due to the existing unstable topography and vegetation which limit the visibility of the story poles, slope stability concerns, and the unsafe condition of the existing single-family residence.

G. On March 10, 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.

H. On April 4, 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 California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposal as described above. The Planning Commission has found that this project is listed among the classes of projects determined to have less than significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15301(l)(1) - Existing Facilities and 15303 (a), (d), and (e) - New Construction. The Planning Commission further determined 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 Sections 13.7(B) and 13.9 of the 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 for CDP No. 13-036, VAR No. 13-034, SPR No. 13-031, MM Nos. 13-008 and 13-009, and DP No. 13-018 to construct a new 2,738 square foot, two-story single-family residence with a 1,000 square foot subterranean garage, a 596 square foot detached second unit, installation of a new alternative onsite wastewater treatment system (AOWTS), and associated development located in the Multi-Family (MF) Zoning District at 25527 Malibu Road.

The project is consistent with the zoning, cultural resources, water quality, and OWTS requirements of the LCP. With the inclusion of the proposed variance, site plan review, and minor modifications, 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 the Planning Department, the City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, LACFD and WD29. The proposed project, as conditioned, conforms to the LCP in that it meets all of the required residential development standards of the MF zoning district, with the inclusion of VAR No. 13-034, SPR No. 13-031, and MM Nos. 13-008 and 13-009.

2. Evidence in the record demonstrates that as conditioned, the project will not result in environmental impacts and has been designed to minimize grading to the greatest extent feasible. Three alternatives were considered to determine which was the least environmentally damaging.

The No Project, Alternative Location, and Alternative Configuration alternatives would not be feasible or practical due to the existing site configuration and the existing landslide. The proposed project will have no significant adverse scenic or visual impacts on public views or on the physical environment due to the project location and the proposed project meets the development policies of the LCP. Therefore, the proposed project is the least environmentally damaging feasible alternative.

B. Variance Findings for Grading on Slopes Steeper than 2.5 to 1 (LIP Section 13.26)

VAR No. 13-034 is requested to allow site grading on slopes steeper than 2.5 to 1, as limited by LIP Section 8.3(D).

1. There are special circumstances and characteristics applicable to the subject property. The project site and the existing single-family residence has been destroyed by the Puerco Canyon Landslide, which has migrated over the northern half of this property. Pursuant to landslide remediation plans approved by the Planning Commission as part of CDP No. 12-093, no vehicle access to the property can be established along the rear portions of the property due to the proposed topography slope stability requirements. This special circumstance prohibits the construction of a driveway and/or garage within the northern (flatter) portions of the site, similar to the multi-family residences constructed on the properties located at 25147 Malibu Road (east) and 25159 Malibu Road (west) and therefore construction of a driveway connecting to Malibu Road is the only feasible access route, necessitating grading on slopes steeper than 2.5 to 1.

2. Evidence in the record demonstrates that the site is physically suitable for the proposed variance and will not be detrimental to the public's interest, safety, health or welfare because project will be required to comply with all City standards and conditions of approval applicable to on-site grading. It is not feasible to develop the project site without the variance.

3. The granting of the variance will not constitute a special privilege to the applicant or property owner in that the subject site's development areas are constrained as to the potential development areas available to accommodate residential development on slopes less than 3 to 1. Properties in the immediate vicinity have been developed with residential uses of similar size and in similar locations and therefore the granting of the variance will not constitute a special privilege.

4. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the MF zoning designation. The proposed project is for the development of a new single-family residence, which is permitted in the zone.

5. The granting of the variance will not be contrary to or in conflict with the general provisions and intent, nor the goals, objectives and policies of the LCP and the General Plan. Granting the variance will allow the subject property to be developed in a similar manner to properties in the vicinity while at the same time maintaining existing views. All non-exempt grading can be safely accommodated and exported from the site after compliance with all of City's standard conditions of approval. Scenic views of the ocean will be protected to the greatest extent feasible by granting the variance request.

6. The granting of the variance will allow construction of a new single-family residence that is compatible with the surrounding built environment.

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

Based on the evidence contained in the record, the Planning Commission makes the required findings for SPR No. 13-031 as follows:

1. The project is consistent with policies and provisions of the Malibu LCP.
2. The project does not adversely affect neighborhood character as it provides similar setbacks, structure size and residential and accessory uses to surrounding properties.
3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP by constructing all structures within the existing building footprint. The proposed residential structures would be set back from Malibu Road and would be similar in height, scope, and mass as the other developed properties on the street. The proposed residence will blend into the background of the existing neighborhood and the existing slope located immediately to the north. Therefore, the proposed project is not expected to have a significant adverse effect on public views.
4. The project will comply with all applicable requirements of state and local law. The project has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City's geotechnical staff, City Public Works Department, LACFD, and WD29 and it meets the City's residential development policies.
5. The project is consistent with the City's General Plan, LCP, Malibu Municipal Code (M.M.C) and City standards in that the project is located in an area designated for residential use and is designed and conditioned in compliance with these regulations.
6. The project does not obstruct visually impressive scenes of the Pacific Ocean, offshore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residence as defined in MMC. The private residences are located to the east, west, and south of the applicant's property and are screened from view by existing mature side and rear yard vegetation. There are no residences located immediately north of the project site and therefore there are no existing private views over the property from PCH. The existing residences located immediately south of the project site (south of Malibu Road) are located at approximately the same elevation and therefore would have views of the southern portion of the property. However, the views from these existing residences would not be substantially altered because the project site and surrounding properties are currently developed with two-story residential uses and their primary views are oriented to the south. Therefore, the project will not obstruct visually impressive scenes of the Pacific Ocean, offshore islands, Santa Monica Mountains, canyons, valleys, or ravines from the main viewing area of any affected principal residences.

D. Minor Modification for a Less than a 50 Percent Reduction of the Required Front Yard Setback (LIP Section 13.27.5)

Based on the evidence contained in the record, the Planning Commission makes the required findings for Minor Modification No. 13-008 as follows:

1. The proposed project, as designed and conditioned, is consistent with the LCP. The minor modification is requested so that the replacement residence may maintain a front yard setback similar to the existing on-site residence and residences surrounding the project site.

2. The proposed project, as designed and conditioned, does not adversely affect neighborhood character. The neighboring properties to the east and west along Malibu Road are developed with one and two story single-family residences with detached apartment buildings above garages. The proposed single-family residence is similar both in use, square footage, and open space allocation when compared to the surrounding properties.

3. The proposed project complies with all applicable requirements of State and local law, inclusive of the proposed site plan review, minor modification, and variance.

E. Minor Modification for a 20 Percent Reduction of the Cumulative Side Yard Setback (LIP Section 13.27.5)

Based on the evidence contained in the record, the Planning Commission makes the required findings for Minor Modification No. 13-009 as follows:

1. The proposed project, as designed and conditioned, is consistent with the LCP. The minor modification is requested so that the replacement residence may maintain a front yard setback similar to the existing on-site residence and residences surrounding the project site.

2. The proposed project, as designed and conditioned, does not adversely affect neighborhood character. The neighboring properties to the east and west along Malibu Road are developed with one and two story single-family residences with detached apartment buildings above garages. The proposed single-family residence is similar both in use, square footage, and open space allocation when compared to the surrounding properties.

3. The proposed project complies with all applicable requirements of State and local law, inclusive of the proposed site plan review, minor modification, and variance.

F. Hazards (LIP Chapter 9)

1. Based on the evidence contained within the record, it has been determined that the project will sufficiently remediate liquefaction/seismically induced settlement hazards; and the project site is not located in a tsunami inundation zone. The project and its associated site grading are a complementary component of the neighborhood landslide repair approved by the Planning Commission (CDP No. 12-093). The slope repair will stabilize and reconstruct a portion of the rear yard ascending slope and reconstruction of the building pad. Construction of the rear yard slope will improve the factor of safety of the ascending hillside and the retaining elements will improve the factor of safety of the remaining portions of the project site not treated by the regional landslide repair.

2. 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.

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

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

5. The proposed project as designed and conditioned, will have no significant adverse impacts on site stability, structural integrity or sensitive resources. Therefore, no adverse impacts are anticipated to result from hazards or conflict with sensitive resource protection policies contained in the LCP.

F. Shoreline and Bluff Development (LIP Chapter 10)

1. The proposed residential structure is located approximately 90 feet below the top of the bluff slope and will involve site grading that is consistent with the approved plans to remediate the Puerco Canyon landslide that is located south of the project site within the coastal bluff. The proposed onsite grading and structural design have been reviewed by the City's geotechnical staff and the required onsite grading and proposed building design would achieve a soil condition determined to be sufficiently stable. The majority of onsite grading will occur within areas with an average slope of 5:1 or flatter. No improvements are proposed that would impede public access to coastal resources along PCH or Malibu Road. Therefore, the project will have no significant adverse impact on shoreline sand supply or public access.

2. 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.

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

4. There are no alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

G. Demolition Permit (MMC Section 17.70.060)

MMC Chapter 17.70 requires that a demolition permit be issued for projects that result in the demolition of any building or structure. The project proposes the removal of an existing residence. The findings for DP No. 13-018 are made as follows.

1. Conditions of approval have been included to ensure that the project will not create significant adverse environmental impacts. Specifically, conditions regarding Best Management Practices (BMPs) and site grading have been included to manage the effects of the demolition on surrounding properties and on the environment.

2. A CDP application is being processed concurrently with DP No. 13-018. Therefore, approval of the demolition permit is subject to the approval of CDP No. 13-036.

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves Coastal Development Permit No. 14-057, Variance No. 15-012, Site Plan Review No. 14-042, Minor Modification Nos. 13-008 and 13-009, and Demolition Permit No. 13-018 subject to the following conditions.

Section 5. 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 construction of the following proposed project:
 - a. 2,738 square foot two-story single-family residence;
 - b. 1,000 square foot detached subterranean garage with two enclosed parking spaces;
 - c. 596 square foot detached second unit;

Additional proposed development:

 - d. Parking court with two unenclosed parking spaces;
 - e. Landscaping and hardscape;
 - f. AOWTS; and
 - g. 280 cubic yards of non-exempt grading.
3. Subsequent submittals for this project shall be in substantial compliance with the plans on file, dated **December 15, 2015** with the Planning Department. The project shall comply with all conditions of approval stipulated in the referral sheets attached to the agenda report for this project. 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 the CDP approved plans, including the sheets described in Condition No. 6, to the Planning Department for consistency review and approval prior to submitting to the City of Malibu Environmental Sustainability Department for 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 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, and the City of Malibu Public Works/Engineering Services Department for an encroachment permit (as applicable).
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 structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Environmental Health Administrator, City Public Works Department, WD 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 MMC and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.
11. The property owner/applicant or their successor must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.
12. 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.
13. 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.

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 and Public Works approval of the final plans, 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 and Public Works 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 Safety Division.

Construction / Framing

24. 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.
25. 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.
26. 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.
27. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.
28. 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 on-site watering and periods of rain in order to minimize surface water contamination; and
 - d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

Public Works

29. The consulting engineer shall sign the final plans prior to the issuance of permits.

Street Improvements

30. Prior to Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City's right-of-way.
31. Several private improvements located within the City's right-of-way, such as (but not limited to) landscaping, railroad ties, fencing shall be removed as part of this project and must be shown on the plans. The applicant shall place notes on the plans identifying the need to remove existing encroachments within the City's right-of-way. Prior to the Public Works Department's approval of a grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the City's right-of-way
32. The applicant shall construct new street improvements by installing new curb and gutter, and relocating the existing catch basins. The new curb and gutter shall be per APWA Standard Plan No. 120-1 (CF=6", W=24") and shall be installed at the existing property line. The height of the new curb may be adjusted for the driveway entrance. The applicant shall remove and replace the existing street pavement section from the proposed edge of gutter to approximately 12-inches from the existing white edge line. The final street section shall be designed and submitted to the Public Works Department for review and approval. The new street section shall be a minimum of 4-inches of asphalt concrete, C2-PG 64-10, and a minimum of 6-inches of processed miscellaneous base. A traffic index of 9 shall be used for the final pavement design. The design and construction shall include a transition to join the existing street improvements. All concrete shall be colored concrete, Davis Colors Yosemite Brown. The relocation of the existing catch basins shall also be shown on the plan set. The applicant shall obtain approval from the County of Los Angeles Flood Control District for the catch basin relocation prior to Public Works approval. The street improvement plans shall be on the City's standard improvement sheets and shall be approved prior to the issuance of any permits. The improvement plan set shall also include a signature from the County of Los Angeles Flood Control District for their approval of the storm drain improvements.

Grading / Drainage / Hydrology

33. Geology and Geotechnical reports shall be submitted with all applications for plan review to the Public Works Department. Approval by City Geotechnical staff shall be provided prior to the final acceptance of the Public Works Department. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.
34. Grading permits shall not be issued between November 1 and March 31 of each year for projects within or adjacent to ESHA and for projects that include grading on slopes greater than 4 to 1 per LIP Section 8.4. 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.

35. 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 LIP, Section 8.3. A note shall be placed on the project that addresses this condition.
36. 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 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 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.
37. 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 BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.
38. 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.
39. Prior to the approval of the drainage plan, the applicant shall relocate Los Angeles County Flood Control District's existing catch basin per APWA Standard Plan No. 300-2 or equivalent. The applicant shall also abandon the existing storm drain easement and create a new easement for the proposed improvements. The applicant shall obtain the easement prior to Public Works approval of any permits.

40. A Wet Weather Erosion and Sediment control plan shall be required for this project if grading or construction activity is anticipated to occur during the rainy season. The following elements shall be included:
 - 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 off site.

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, but not limited to:
 - 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 of portable toilets that separates them from storm water 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 discharge of runoff through the waste.
 - d. Specific BMPs to prevent erosion and BMPs for sediment control prior to discharge from the property.

42. 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 LIP, 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 (BMPs) that have been implemented in the design of the project (See LIP 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.

Water Service

43. 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.

Geology

44. 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.

45. 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 an CDP amendment or a new CDP.

Onsite Wastewater Treatment System

46. 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 onsite facilities.
47. 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).
48. 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 designer must also be a registered OWTS designer with the City of Malibu. The final AOWTS design report and drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).
49. The final AOWTS 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. Provide seepage pit cap depth relative to original and finished grades. 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 OWTS 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 OWTS 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 OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department.
50. 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.
51. All proposed reductions in setback to buildings or structures from the OWTS must be supported by a letter certifying unequivocally from: the project Structural Engineer and project Soils Engineer that the proposed setback reduction will not adversely affect the structural integrity of the OWTS or the structure; and the architect that the reduction in setbacks will not produce a moisture intrusion problem.
52. The following note shall be added to the plan drawings included in 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 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."
53. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.
54. 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.
55. 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.

56. 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 Malibu Plumbing Code, Appendix K, Section 1(i). 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.
57. 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 property does not have 100 percent expansion effluent dispersal area and that the buildings served by the private sewage disposal system may become non-habitable. 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.
58. Final approval by the City geotechnical staff and geotechnical engineer, and City Planning Department shall be submitted to the City Environmental Health Administrator.
59. A final Planning Department approval shall be submitted to the City Environmental Health Administrator.
60. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit. An operating permit fee shall be submitted with the application and a final fee shall be paid for Environmental Health review of the OWTS design and system specifications.

Biology / Landscaping

61. Night lighting from exterior and interior sources shall be minimized to that necessary for public safety.
62. Prior to issuance of building permits, approval of landscape water use by Los Angeles County Waterworks District No. 29 shall be provided to the City.
63. 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 a wall shall be maintained at or below 42 inches in height.
64. Invasive plants species, as determined by the City of Malibu, are prohibited.

65. The landscaping plan shall prohibit the use of building materials treated with toxic compounds such as copper arsenate.

Lighting

66. 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.
67. Exterior lighting shall be minimized and restricted to low intensity features, shielded, and concealed so that no light source is directly visible from public viewing areas. 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 that are directed downward, and use bulbs that do not exceed 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 in accordance with Building Codes shall be permitted provided that such lighting does not exceed 850 lumens;
 - e. Site perimeter lighting shall be prohibited;
 - f. Outdoor decorative lighting for aesthetic purposes is prohibited; and
 - g. Night lighting for sports courts or other private recreational facilities in scenic areas designated for residential use shall be prohibited.
68. 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.
69. Up-lighting of landscaping is prohibited.

Site Specific Conditions

70. No more than one second unit is permitted to exist on the subject property per LIP Section 3.6(N)(1)(b).
71. 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.

Prior to Occupancy

72. Prior to the final building inspection, the applicant shall provide the City Environmental Sustainability Department a Final Waste Reduction and Recycling Summary Report (“Summary Report”). The Summary Report shall designate all materials that were land filled or recycled, broken down by material types. The City Environmental Sustainability

Department shall approve the Summary Report.

73. The applicant shall request a final Planning Department inspection prior to final building inspection by the City Environmental Sustainability Department. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with the approved CDP. 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.
74. Any construction trailer, storage equipment, portable restroom or similar temporary equipment / structures 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

75. Prior to final Planning Department approval, the property owner shall execute and record a deed restriction indemnifying and holding 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

76. This CDP shall run with the land and bind all future owners of the property.
77. 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 4th day of April 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.

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. 16-38 was passed and adopted by the Planning Commission of the City of Malibu at the meeting thereof held on the 4th day of April 2016, by the following vote:

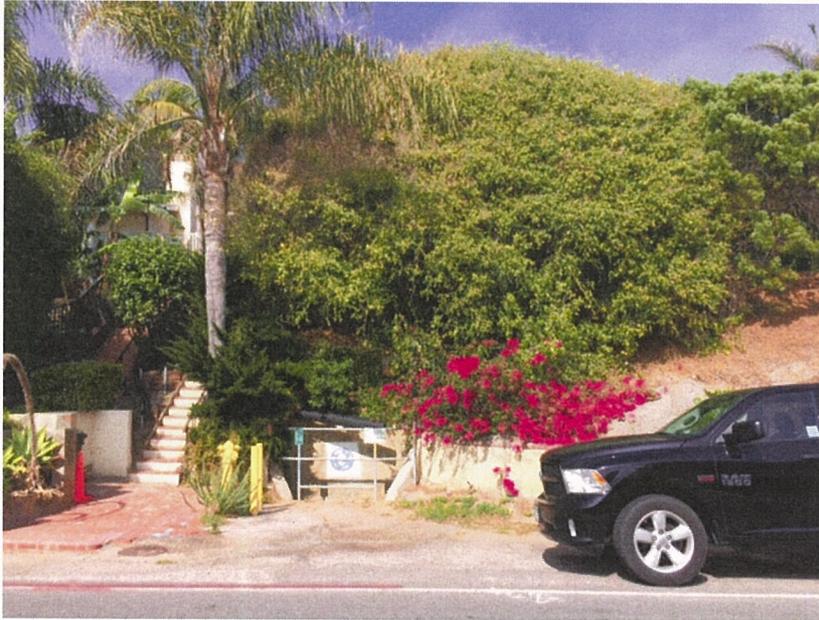
AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

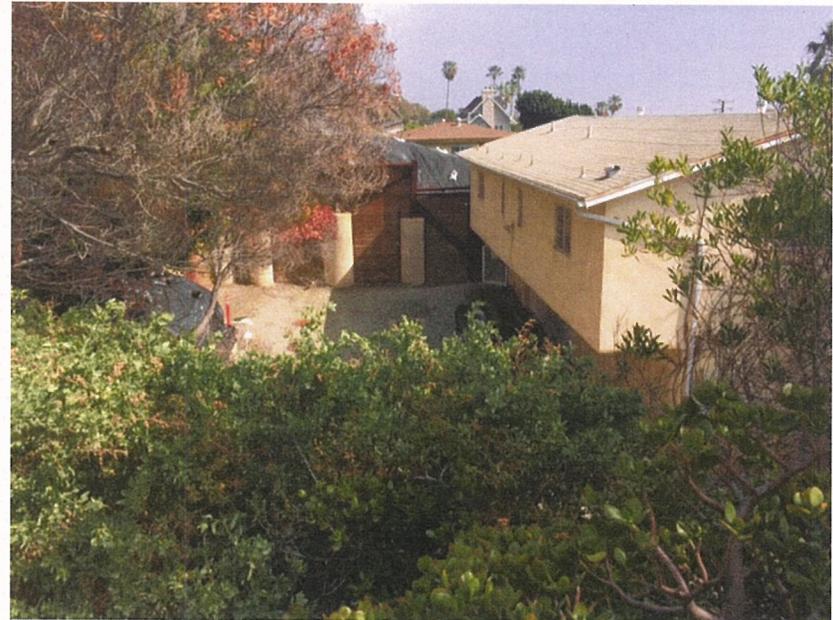


Site Photographs

View of project site from Malibu Road



View east from neighboring property



Site Photographs

View east from Project Site along Malibu Road



View west from Project Site along Malibu Road

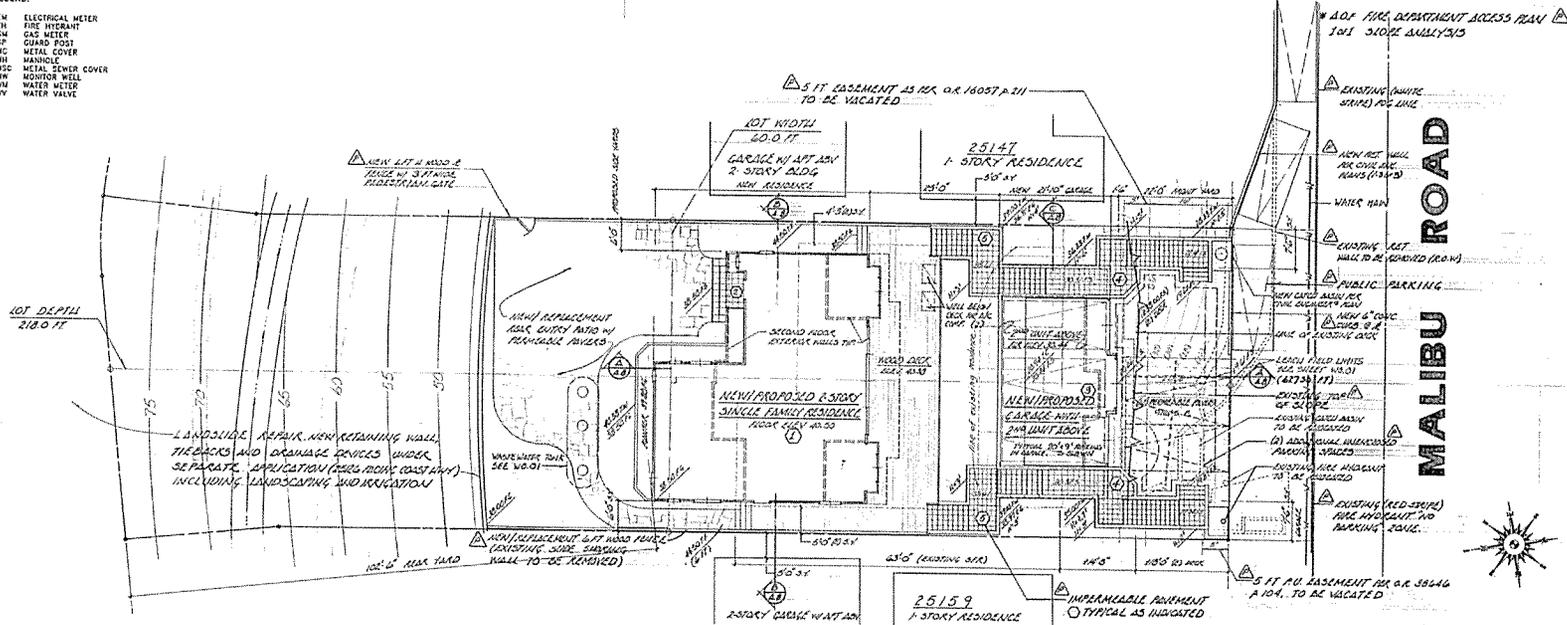


COMMENTS: ESTABLISHED FROM CITY & PRIVATE ENGINEER MONUMENTS.
 BOUNDARIES: NO INFORMATION. NO TITLE REPORT.
 CASHEMENTS: NO INFORMATION. NO TITLE REPORT.
 DATUM: COUNTY ROAD DEPT. BM NO. 27 2424
 ELEVATION = 175.851 NOV 1928 MALIBU QUAD 1960
 CS TRAVERSE MON 10M BELOW TOP CB CTR DIVIDING
 STRIP PACIFIC COAST HWY 2.3M W MALIBU CREEK 0.1MI
 E FURCO GANTON RD BTH 100 LAT
 AREA: AREA OF #25157 = 12,185 SQ. FT. (0.283 ACRES)
 A.P.N.: #25157 4459-012-008

YARD SETBACK CALCULATIONS
 LOT DEPTH 210 FT, LOT WIDTH 60.0 FT

REQUIRED YARDS	PROPOSED YARD
FRONT 150.0 (150.0) 43.6 FT	120.0 FT (MINOR ADJ. 47.5% REDUCED)
REAR 150.0 (150.0) 32.1 FT	102.5 FT (PROPOSED)
SIDE 150.0 (150.0) 18.0 FT	
REAR GARAGE	MINOR ADJ. (REAR SECTION) 120.0 FEET MINUS 6.0 FT. PROPOSED (FOR SETBACKS) MINUS 6.0 FT. PROPOSED
EAST SIDE YARD	25% CUMULATIVE PROVIDED
WEST SIDE YARD	75 FT. PROPOSED
GARAGE / 2ND UNIT	75 FT. PROPOSED
EAST SIDE YARD	70 FT. PROPOSED
WEST SIDE YARD	

LEGEND:
 EM ELECTRICAL METER
 FH FIRE HYDRANT
 CM GAS METER
 GP GUARD POST
 MC METAL COVER
 MH MANHOLE
 MSC METAL SEWER COVER
 MW MONITOR WELL
 WW WATER WELL
 WV WATER VALVE



TWO THIRDS CALCULATION

BUILDING AREA OVER 10 FT / TOTAL 1ST FLOOR AREA
MAIN RESIDENCE
 TOTAL 2ND FLOOR AREA + 2 STORY ENTRY (1,800) / 1ST FLOOR AREA
 1,025 SF + 1,313 SF = 2,338 SF / 2,644 SF = .884
ACCESSORY BUILDING
 TOTAL SECOND UNIT FLOOR AREA / GARAGE
 576 SF / 1,000 SF = .576

IMPERMEABLE LOT COVERAGE

ALLOWABLE COVERAGE: 12,185 SF x .33 = 4,021 SF

RESIDENCE FOOTPRINT	1,684 SF
FRONT/REAR (PORCH) ENTRY/PORCH	58 SF
GARAGE / 2ND UNIT FOOTPRINT	1,000 SF
LANDINGS AND STAIRWAYS (2)	950 SF
UPPER STAIRS AND LANDINGS (2)	260 SF
TOTAL	3,352 SF (27.5%)

PROJECT DESCRIPTION

THE CONSTRUCTION OF A NEW 2 STORY SINGLE FAMILY RESIDENCE AND A NEW DETACHED 3-CAR GARAGE WITH A SECOND STORY SECOND RESIDENTIAL UNIT THIS PROPOSED CONSTRUCTION IS TO REPLACE THE EXISTING LANDSLIDE DAMAGED RESIDENCE AND GARAGE. A NEW REPLACEMENT ON-SITE WASTEWATER DISPOSAL SYSTEM WILL BE INSTALLED WITH THIS PROJECT. THE PROJECT INCLUDES THE DEMOLITION OF THE EXISTING RESIDENCE, RESTORATION OF THE BUILDING PAD AND THE LANDSLIDE REPAIR BY OTHERS.

DISCRETIONARY REQUESTS

- A SITE PLAN REVIEW TO INCREASE THE BASE DISTRICT MINIMUM DEPTH OF 10 FEET TO A MAXIMUM OF 25 FEET FOR THE MAIN RESIDENCE AND A MAXIMUM OF 24 FEET FOR THE GARAGE / SECOND UNIT BUILDING.
- A MINOR MODIFICATION TO REDUCE THE FRONT YARD SETBACK TO 120 FEET IN LIEU OF THE REQUIRED 150 FEET. (A 17.5% REDUCTION)
- A MINOR MODIFICATION TO REDUCE THE REQUIRED SIDE YARD SETBACKS TO PERCENT FROM THE REQUIRED 15 FEET CUMULATIVE TO 12 FEET CUMULATIVE FOR THE MAIN RESIDENCE.
- A VARIANCE FOR CONSTRUCTION OF SIGNES IN EXCESS OF 25 TO 1, FOR THE GARAGE / SECOND UNIT BUILDING AND DRIVEWAY

SHEET INDEX

- 40 SITE DEVELOPMENT PLAN / COVER SHEET
- 41 RESIDENCE - FIRST AND SECOND FLOOR PLANS
- 42 GARAGE / 2ND UNIT FLOOR PLANS
- 43 ARCHITECTURAL FOUNDATION PLAN
- 44 ROOF PLANS
- 45 NORTH AND EAST RESIDENCE ELEVATIONS
- 46 SOUTH AND WEST RESIDENCE ELEVATIONS
- 47 GARAGE / 2ND UNIT BUILDING ELEVATIONS
- 48 BUILDING SECTIONS
- 1-3-3 GRADING, DRAINAGE AND EROSION CONTROL

REVISIONS	BY
12 JULY 2015	TDM
15 AUGUST 15	TDM
15 AUGUST 2015	TDM

DESIGN & PLANNING
TERRY MCNAMARA
TIM MCNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265-4813
 310-456-0570 fax: 310-317-0950

REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 408-445-021008 TRACT 18065 1017

PROJECT SUMMARY

ZONING	MF
APN	4457-02-008
LOT AREA GROSS / NET	12,185 SF (302x)
ALLOWABLE DEVELOPMENT AREA	3,334 SF
PROPOSED DEVELOPMENT AREA	
BUILDING AREA / TDA SUMMARY	
MAIN RESIDENCE	1,684 SF
FIRST FLOOR	1,054 SF
SECOND FLOOR	2,738 SF
TOTAL MAIN RESIDENCE	
GARAGE / SECOND UNIT	
GARAGE (1,000 SF, N/C, SUBORDINATE)	
SECOND FLOOR, 2 ND UNIT	594 SF
PROPOSED TOTAL DEVELOPMENT AREA	3,334 SF

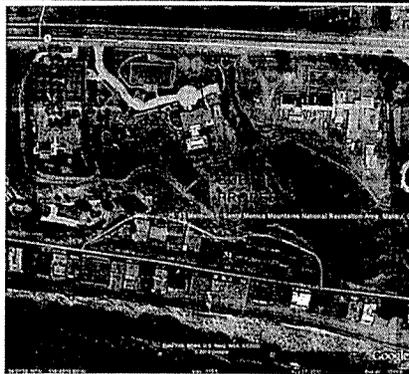
SITE DEVELOPMENT PLAN

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

DRAWN
TERRY MCNAMARA
 CHECKED
TIM MCNAMARA
 DATE
 5/15/2015
 TIME
 10:10
 12/25/15
 12/25/15
 SHEET

A.0

COMMENTS:
 BOUNDARIES-----ESTABLISHED FROM CITY & PRIVATE ENGINEER MONUMENTS.
 EASEMENTS-----NO INFORMATION. NO TITLE REPORT.
 DATING-----LA COUNTY ROAD DEPT. RW NO. 5V 5404
 ELEVATION = 175.851 NGVD 1929 MALIBU QUAD 1940
 CS TRVERSE MON 10M BELOW TOP CN GR DIVISION
 STRIP PACIFIC COAST HWY 2.3MI W MALIBU CREEK 0.1MI
 E PUERTO CANTON RD BWN TWO LAT
 AREA-----AREA OF #25157 = 13,185 SQ. FT. (0.303 ACRES)
 A.P. NO-----#25157, 4459-012-008



LEGEND:
 EM ELECTRICAL METER
 FH FIRE HYDRANT
 GM GAS METER
 GP GUARD POST
 MC METAL COVER
 MW MANHOLE
 MSC METAL SEWER COVER
 MW MONITOR WELL
 WW WATER WALTER
 WV WATER VALVE

BUILDING CODE ANALYSIS

CODE: 2014 LSC AMENDMENTS TO THE 2010 CALIF
 RESIDENTIAL BUILDING, PLUMBING, MECH
 AND ELECTRICAL CODES, 2014 LSC GREEN
 BLDG CODE, 2013 CALIF ENERGY CODE AND
 THE 2014 SEA/CSC, THE 2014 LSC/CSC CODE
 FIRE ZONE VUH45Z
 CONSTRUCTION TYPE V.O. AS NOT SHOWN
 OCCUPANCY/USE R-3/R203 CALIF RES
 BUILDING HEIGHTS RESIDENCE - 2ND FLOOR
 30' 0" MAX - 11117.5 SQUARE
 ALLOWABLE HEIGHTS RESIDENCE, 1ST FLOOR
 30' 0" 1-3 STORES
 GARAGE 40'0"/1 STORY

BUILDING AREA
 CS 500 SQ. FT. FD

MAIN RESIDENCE	2,567 SF
RECONSTRUCT GARAGE w/ GUEST USE, 2ND UNIT	911 SF
	544 SF
TOTALS	4,022 SF

SHEET INDEX

- 40 SITE DEVELOPMENT PLAN/COVER SHEET
- 3 SITE SURVEY
- A1 RESIDENCE - FIRST AND SECOND FLOOR PLANS
- A2 GARAGE, 1ST UNIT FLOOR PLANS
- A3 ARCHITECTURAL FOUNDATION PLAN
- A4 ROOF PLANS
- A5 NORTH AND EAST RESIDENCE ELEVATIONS
- A6 SOUTH AND WEST RESIDENCE ELEVATIONS
- A7 GARAGE, 2ND UNIT BUILDING ELEVATIONS
- A8 BUILDING SECTIONS
- 1-3-03 GRADING, DRAINAGE AND EROSION CONTROL
- 1-1-1 STREET IMPROVEMENT PLAN

REVISIONS

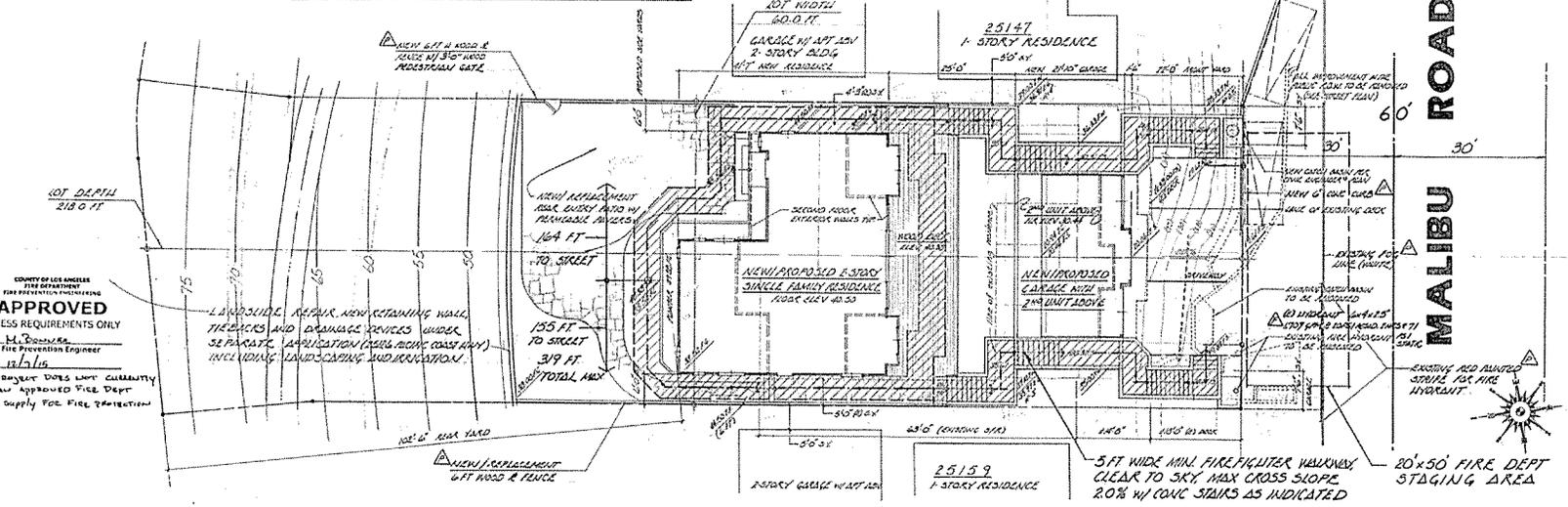
NO.	DATE	BY
1	12/22/15	TMM
2	12/22/15	TMM
3	12/22/15	TMM
4	12/22/15	TMM

DESIGN & PLANNING
TERRY MCNAMARA
TIM MCNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265-4813
 310-456-8570 fax: 310-317-0930

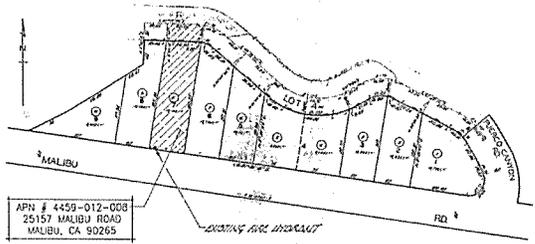
REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 APN 4459-012-008 TRACT 1886 LOT 7

DRAWN
TERRY MCNAMARA
 CHECKED
 5/22/16
 SCALE
 1/8" = 1'-0"
 12/23/17
 SHEET

A.O.F



APPROVED
 ACCESS REQUIREMENTS ONLY
 BY: H. [Signature]
 Fire Prevention Engineer
 Date: 12/16/15
 THIS PROJECT DOES NOT CURRENTLY
 HAVE AN APPROVED FIRE DEPT
 WATER SUPPLY FOR FIRE PROTECTION



APN # 4459-012-008
 25157 MALIBU ROAD
 MALIBU, CA 90265
 TRACT NO 1886
 M.B. 554-12-13
 LAND OF MATTHEW HELLER
 BY THE RANCHO TEJAPANGA MALIBU SECURE
 A.P. 554

PROJECT DESCRIPTION

THE CONSTRUCTION OF A NEW 2 STORY SINGLE FAMILY RESIDENCE AND A NEW DETACHED 3 CAR GARAGE WITH A SECOND STORY SECOND RESIDENTIAL UNIT. THIS PROPOSED CONSTRUCTION IS TO REPLACE THE EXISTING DAMAGED RESIDENCE AND GARAGE. A NEW REPLACEMENT ON-20% WASTE WATER DISPOSAL SYSTEM WILL BE INSTALLED WITH THIS PROJECT. THE PROJECT INCLUDES THE DEMOLITION OF THE EXISTING RESIDENCE, RESTORATION OF THE BUILDING PAD AND THE LANDSIDE REMAIN BY OTHERS.

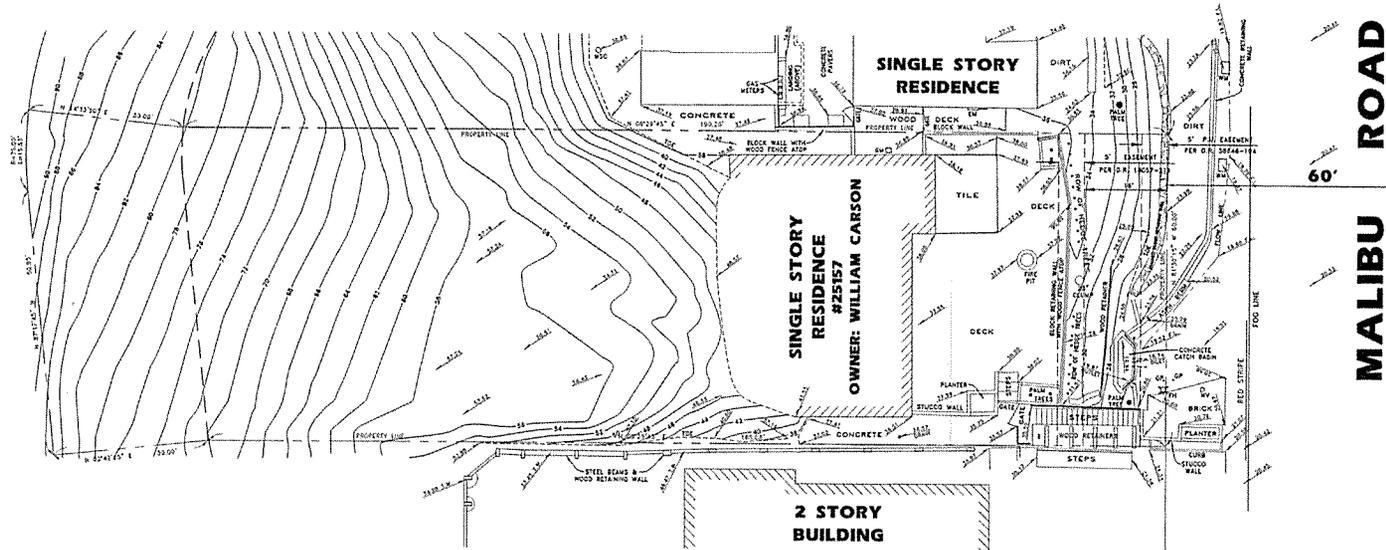
FIRE DEPARTMENT NOTES

- The required fire flow for fire hydrants at this location is 1500 gpm, at 20 psi residual pressure, for a duration of 2 hours over and above maximum daily domestic demand. Fire Code 603.3, County of Los Angeles Fire Department Regulation 6.
 The required fire flow is based on the following calculation:
 Type of construction per the Building Code: Type V0
 Fire flow based on the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of the building: 1500 gpm
 Reduction for fire sprinklers (maximum 50%): (15R or greater) _____ gpm
 Total fire flow required: 1200 gpm
- Provide an approved automatic fire sprinkler system as set forth by Building Code 603 and Fire Code 609. Plans shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation.
 Reason: Residential code & Fire Code 903.1
 Type of fire sprinkler system: 603.3.1.1, 603.3.1.2, 603.3.1.3

PROJECT SUMMARY

APN	MF
4459-02-008	
LOT AREA GROSS/WET	13,185 SF (300x)
ALLOWABLE DEVELOPMENT AREA	3,334 SF
PROPOSED DEVELOPMENT AREA	
BUILDING AREA / FDS SUMMARY	
MAIN RESIDENCE	1,684 SF
FIRST FLOOR	
SECOND FLOOR	1,094 SF
TOTAL MAIN RESIDENCE	2,738 SF
GARAGE / SECOND UNIT	
GARAGE (1,000 SF, N/C, WATER/SHOWER)	596 SF
SECOND FLOOR, 2ND UNIT	
PROPOSED TOTAL DEVELOPMENT AREA	3,334 SF (MCM)

SITE DEVELOPMENT PLAN
 FIRE DEPT ACCESS PLAN
 SCALE: 1/8" = 1'-0"



COMMENTS:

BOUNDARIES-----ESTABLISHED FROM CITY & PRIVATE ENGINEER MONUMENTS.
 EASEMENTS-----PER FIRST AMERICAN TITLE REPORT NO. 4531320 DATED NOV. 7, 2015
 DATUM-----LA COUNTY ROAD DEPT. 5M NO. 07 5468 ELEVATION = 175.851 NGVD 1929 MALIBU QUAD 1960
 CS TRAVERSE MON 100M BELOW TOP CB CR DIVIDING STRIP PACIFIC COAST HWY 2.5MI W MALIBU CREEK 0.1MI E FLECOO CANYON RD 810' TWO LANE
 AREA-----AREA OF #25147 = 12,836 SQ. FT. (0.285 ACRES)
 AREA OF #25157 = 13,185 SQ. FT. (0.303 ACRES)
 A.P.N.-----#25147: 4459-012-007
 #25157: 4459-012-008

LEGEND:

- EM ELECTRICAL METER
- FM FIRE HYDRANT
- OM GAS METER
- GP GUARD POST
- MC METAL COVER
- MS MANHOLE
- MSC METAL SEWER COVER
- MW MONITOR WELL
- WW WATER METER
- WV WATER VALVE



GRIMES SURVEYING & MAPPING, INC.
 5248 HUNTINGTON DRIVE SOUTH LOS ANGELES, CALIFORNIA 90032 (323)223-1011

SURVEY OF:

25157 Malibu Road

SCALE: TO FIT

FILE NO: 2011081

REVISED AND RE-PLOTTED NOV. 13, 2015
 DATES: SURVEYED-OCTOBER 2 & 3, 2012 PLOTTED-FEBRUARY 11, 2013

LEGAL DESCRIPTION:

LOT 7 -- TRACT NO. 18868
 APN: 4459-012-008

MALIBU

CALIFORNIA

SURVEYOR'S SEAL:

David F. Grimes
 DAVID F. GRIMES L.S. 3774



S

REVISIONS	BY
12 JULY 2013	SKM
15 AUGUST 15	SKM

DESIGN & PLANNING
TERRY McNAMARA
TIM McNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265-4813
 310-556-0570 fax: 310-317-0930

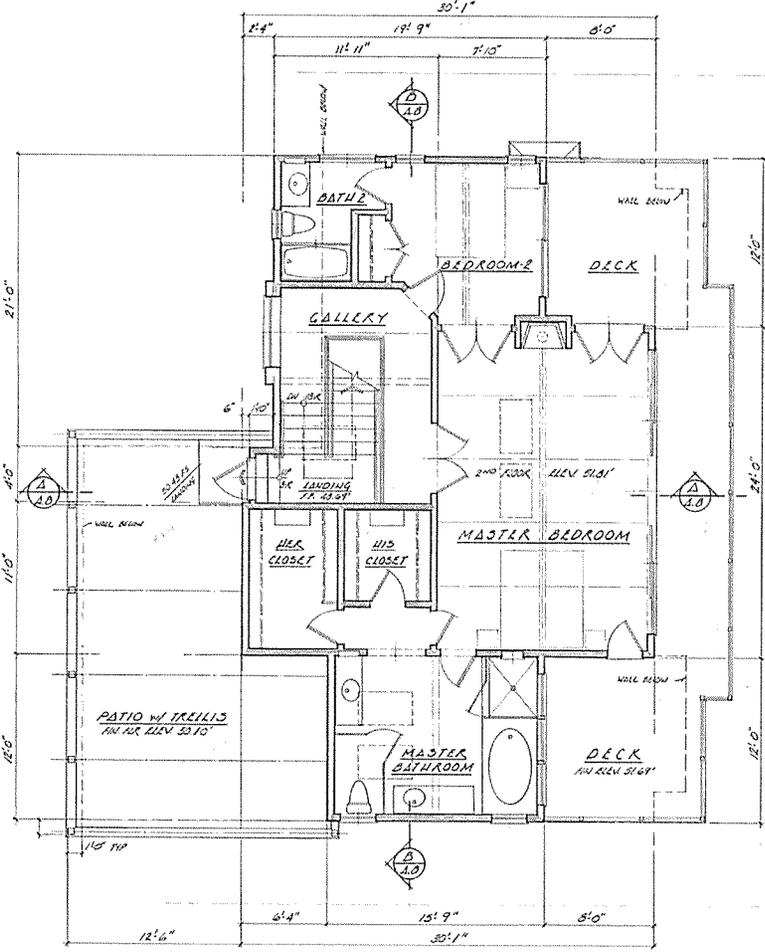
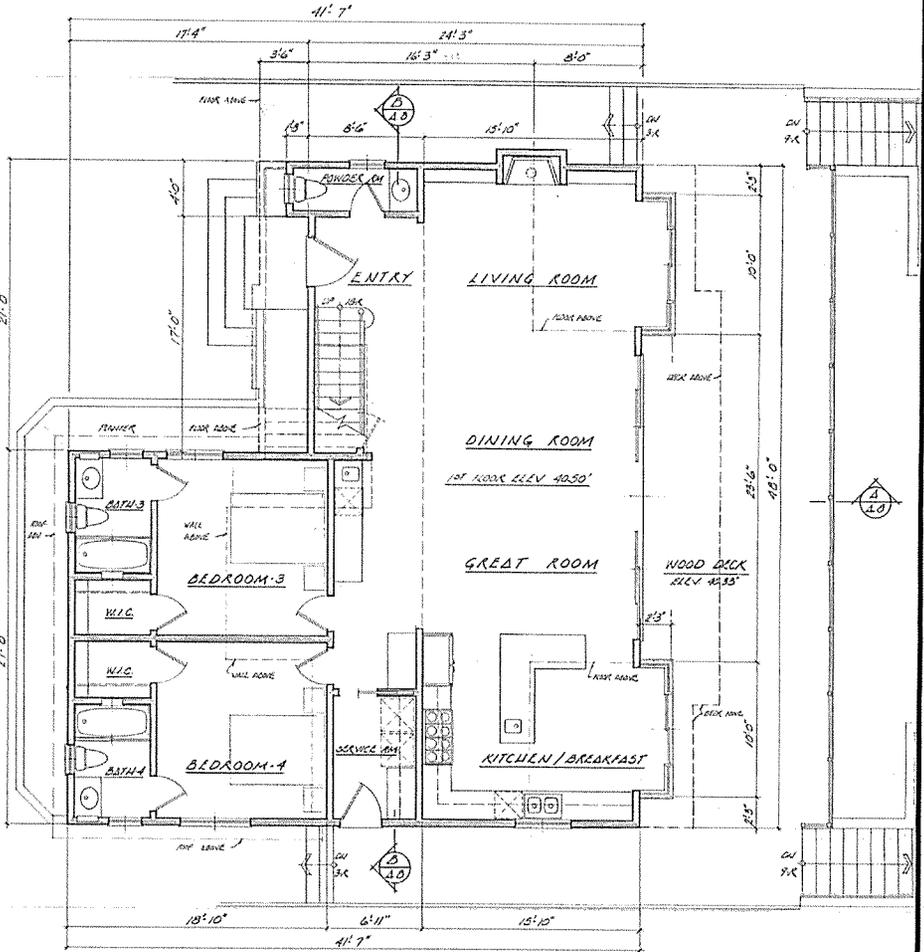
REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 405-469-0126 TRACT 1866 LOTT

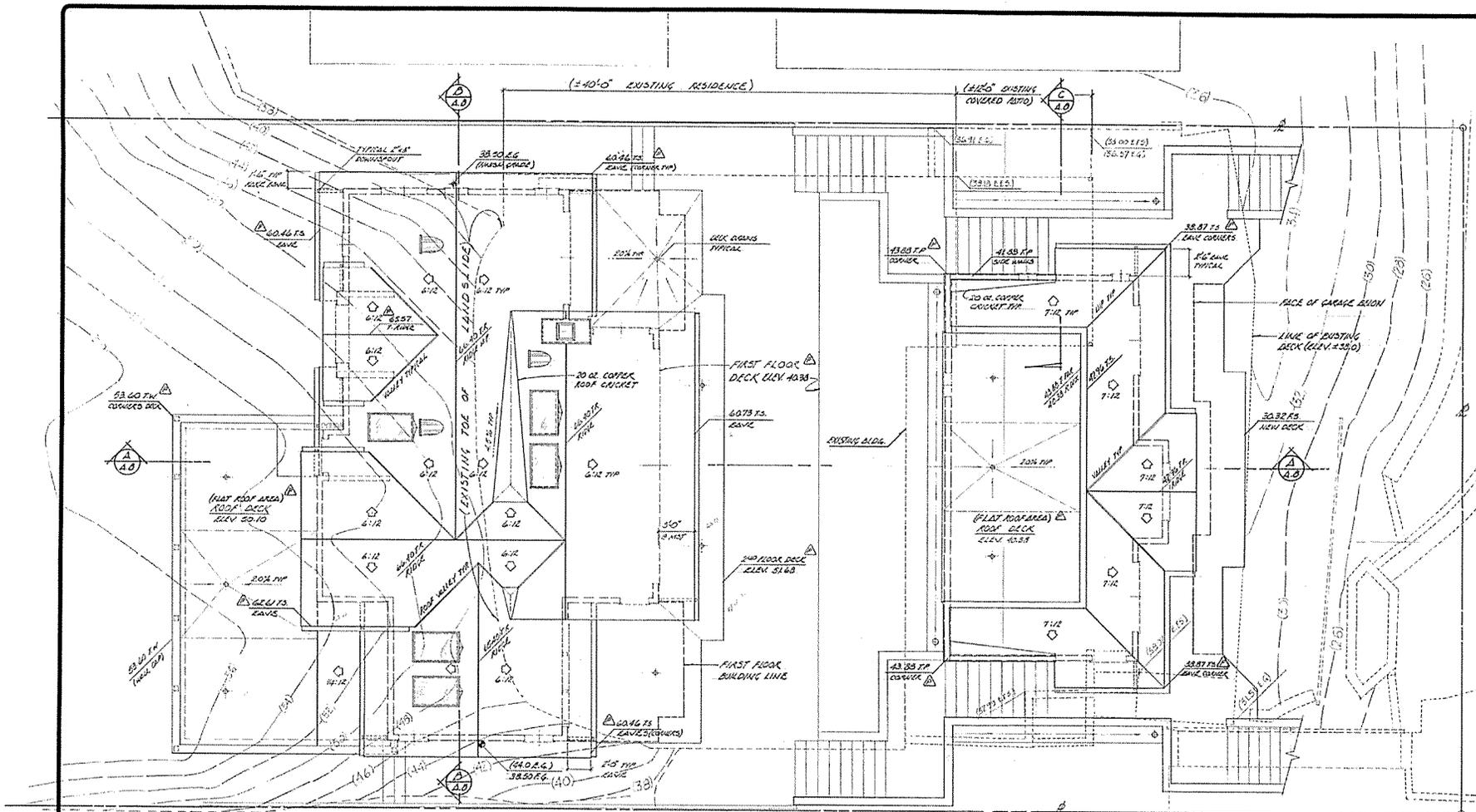
DRAWN TERRY McNAMARA
CHECKED
DATE 13 JUN 2013
SCALE 1/4" = 1'-0"
JOB NO. 12-25157
SHEET

A.1



RESIDENCE

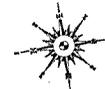




RESIDENCE

GARAGE / 2ND UNIT

• ROOF PLANS •
SCALE: 1/4" = 1'-0"



REVISIONS	BY
1. PLANNING REV	TMM
2. 05/20/15	

DESIGN & PLANNING
TERRY McNAMARA
TIM McNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU, CALIFORNIA 90265-4813
 310-466-9700 FAX: 310-317-0950

REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 APN-459-012-008 TRACT 1868 LOT 7

DRAWN
TERRY McNAMARA
 SHEET NO.
 DATE
 22 MAR 2015
 SCALE
 1/4" = 1'-0"
 JOB NO.
 12 25157
 SHEET

A.4



° EAST ELEVATION °
SCALE: 1/4" = 1'-0"



° NORTH ELEVATION °
SCALE: 1/4" = 1'-0"

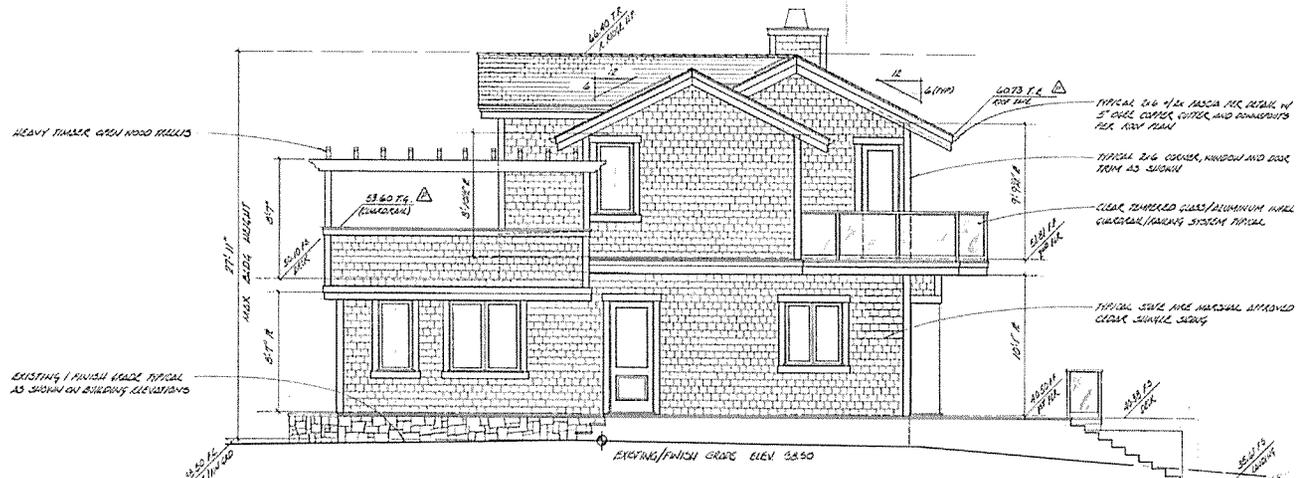
REVISIONS	BY
15 AUGUST 15	TMM
21 JANUARY 16	TMM
02 JULY 16	TMM

DESIGN & PLANNING
TERRY MCNAMARA
TIM MCNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265-4813
 310-456-0570 fax: 310-317-0930

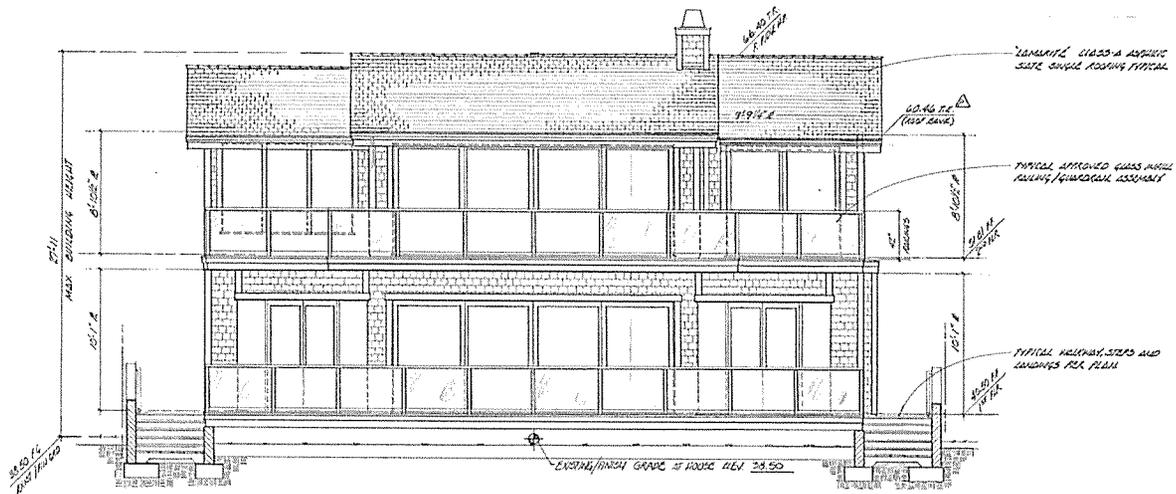
REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 APR-45912508 TRACT 1866 LOT 7

DRAWN
TERRY MCNAMARA
CHECKED
DATE
22 JUL 2015
SCALE
1/4" = 1'-0"
JOB NO.
12 25157
SHEET

A.5



◦ WEST ELEVATION ◦
SCALE: 1/4" = 1'-0"



◦ SOUTH ELEVATION ◦
SCALE: 1/4" = 1'-0"

REVISIONS	BY
15 AUGUST 15	TJM
22 AUGUST 15	TJM

DESIGN & PLANNING
TERRY McNAMARA
TIM McNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265-4813
 310-456-0970 fax: 310-317-0930

REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265-4638
 APN: 449002406 TRACT 1808 LOT 7

DRAWN
TERRY McNAMARA
CHECKED
DATE
22 AUG 2015
SCALE
1/4" = 1'-0"
JOB NO.
15-25157
SHEET

A.6

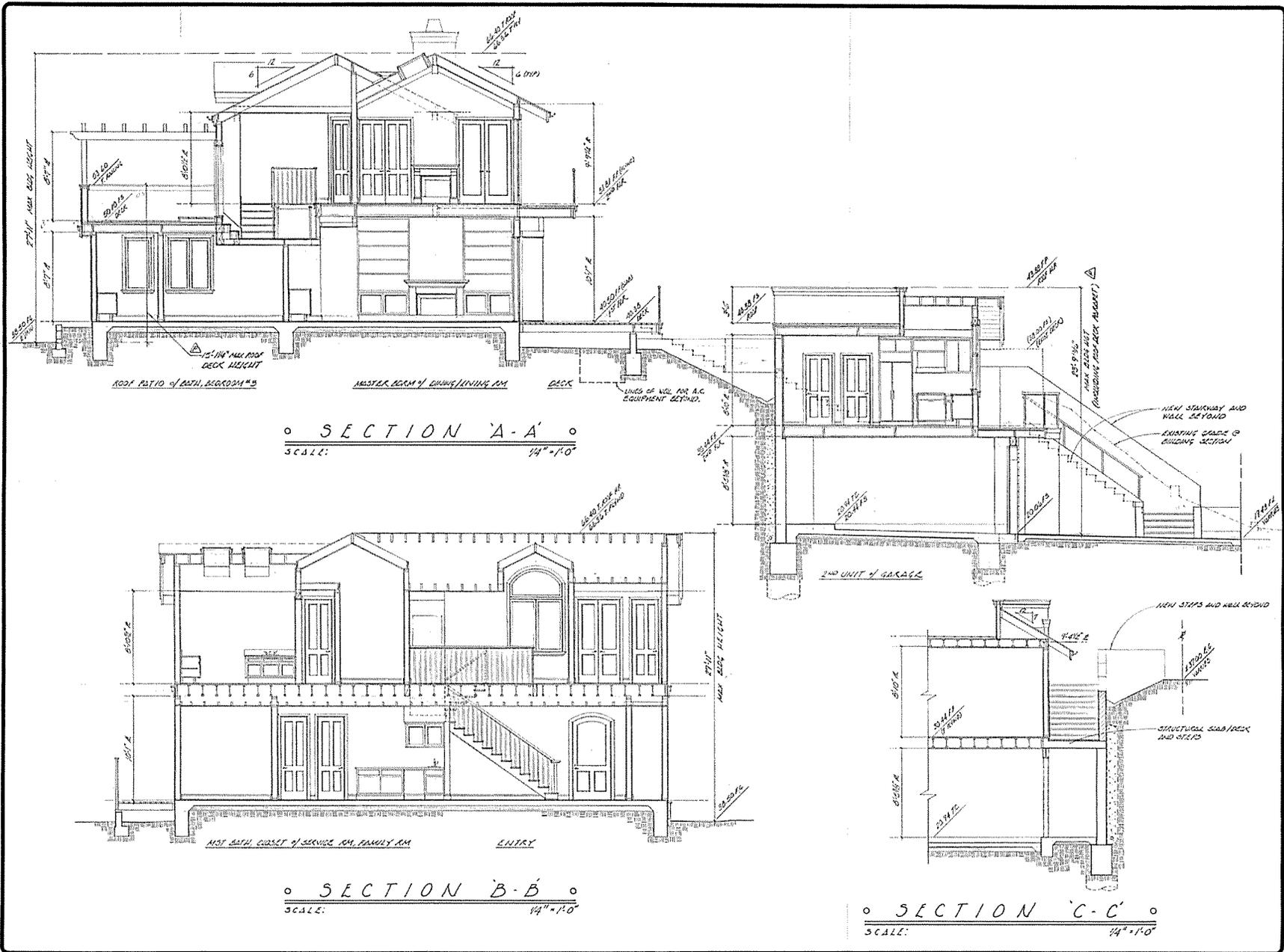
REVISIONS	BY
15 AUGUST 15	EDM
25 SEPTEMBER 15	TAM
OCT 2015	TAM

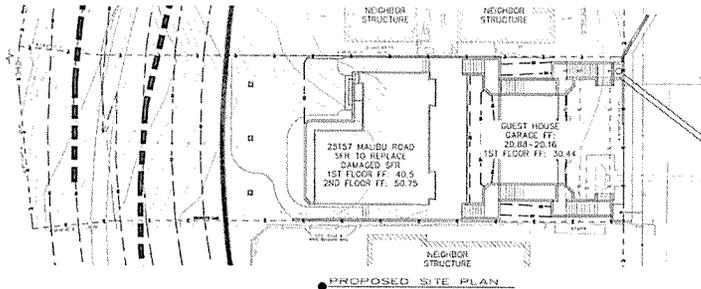
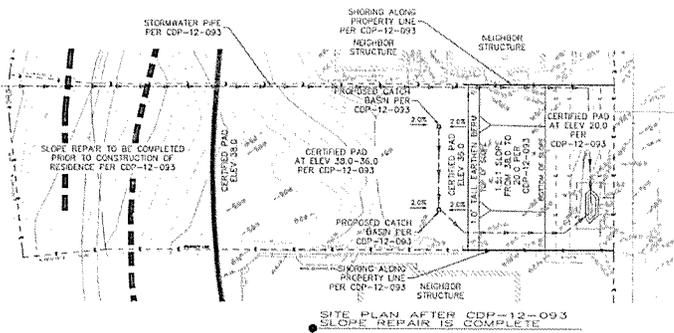
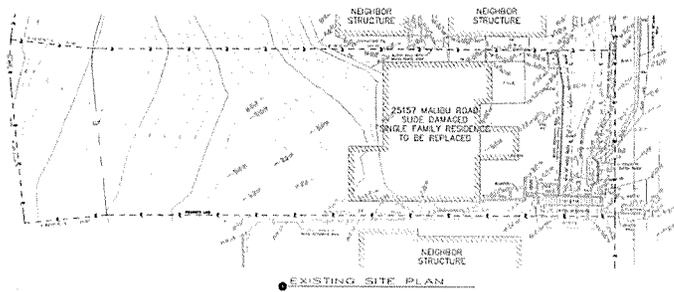
DESIGN & PLANNING
TERRY MCNAMARA
TIM MCNAMARA
 3217 COLONY VIEW CIRCLE
 MALIBU CALIFORNIA 90265.4813
 310-456-0570 FAX: 310-317-0930

REBUILT RESIDENCE
SCOTT & JOAN BLAKE
 25157 MALIBU ROAD
 MALIBU CALIFORNIA 90265.4638
 APN: 459912108 TRACT 1888 LOT 7

DRAWN
 TERRY MCNAMARA
 CHECKED
 DATE
 20 AUG 2015
 SCALE
 1/4" = 1'-0"
 JOB NO.
 12 25157
 SHEET

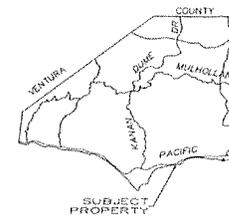
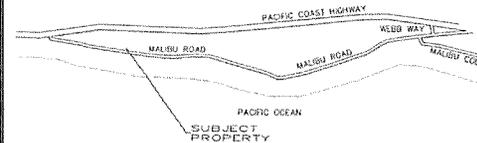
A.8





TOTAL DISTURBED AREA (INCLUDING GRADING, CLEANING, AND LANDSCAPING AREA)	0.2	ACRES
TOTAL EXISTING IMPERVIOUS SURFACE AREA*	7650.0	SGFT
TOTAL PROPOSED IMPERVIOUS AREA	3490.0	SGFT
FLOOD ZONE ON FIRM	D	
BASE FLOOD ELEVATION	NA	FT

*ESTIMATE DUE TO EXISTING SITE BEING BURIED



PROJECT NOTES:

OWNER INFORMATION:
JUNE AND BILL CAREON
2322 MARIPOSA DE CRO
MALIBU, CA 90265

PROJECT INFORMATION:
CONSTRUCTION START DATE: TBD
CONSTRUCTION END DATE: TBD

ALL SURVEY DATA OBTAINED FROM:
SCOTTS 2/3, 2012
GOWLS SURVEYING & MAPPING INC
5249 HUNTINGTON DRIVE SOUTH
LOS ANGELES, CA 90032
PH: 323-223-1011

PERFORMED WITHOUT TITLE REPORT

DATUM: LA COUNTY ROAD DESP. BM NO. 57 5434
ELEVATION = 173.851 NGVD 1929 MALIBU
GRID 1960

APH: 4459-012-008

PROJECT GEOLOGY/GEOTECHNICAL REPORTS:

APRIL 5, 2013
ROBERTSON GEOTECHNICAL INC.
2500 TOWNGATE ROAD, SUITE E
MIRAMonte VILLAGE, CA 91361
PH: 800-373-0007
FX: 800-371-4933

LEGAL DESCRIPTION:
LOT 7 TRACT NO. 18866
APH: 4439-012-008

City of Malibu
2281 Street View Road, Malibu, California 90263-4911
Phone: (310) 475-2887 Fax: (310) 475-2888 www.cityofmalibu.org

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE
PLANS AND DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: 25157 MALIBU ROAD
PROJECT ADDRESS: 25157 MALIBU ROAD

All projects requiring land disturbance which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed on this form. All calculations required to determine the cubic yardages required shall be attached to this form. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and signed by the preparer only.

USE	EXISTING		NEW		TOTAL
	AREA	EXEMPT GRADING	AREA	EXEMPT GRADING	
EXIST	0	0	200	0	200
NEW	0	0	250	0	250
EXIST/NEW	0	0	200	0	400
TOTAL	0	0	450	0	450

All quantities shall be in cubic yards.

FILED: Approved and Recommended - Civil Engineer Robert Robertson
This Certificate is required by the City of Malibu Department of Planning and Building Department. It is a condition of approval for the proposed project that the applicant shall provide a copy of this certificate to the City of Malibu Department of Planning and Building Department. The City of Malibu Department of Planning and Building Department reserves the right to require a primary structure of approval to be provided to the City of Malibu Department of Planning and Building Department. The information on this form shall be true and correct to the best of the preparer's knowledge.

PREPARED BY: TRISHA A. JOSEPH
DATE: 4/15/13

APR 15 2013
CITY OF MALIBU
PLANNING AND BUILDING DEPARTMENT

REVISIONS:
REV. 1 BY: EDATE
DATE: 4/15/13



EXISTING AND PROPOSED SITE PLAN
FOR APPROVAL ONLY - NOT FOR CONSTRUCTION
25157 MALIBU ROAD, MALIBU, CA



JOB # 107-09
DATE: APRIL 2013
DRAWN BY: TAJ
CHECKED BY: TAC
SHEET NUMBER: 1 OF 3

GRADING CALCULATIONS PERFORMED USING AUTOCAD CIVIL 3D BY 3047 BY COMPARING THE PROPOSED SURFACE TO THE POST SLOPE REPAIR SURFACE (SEE PLAN ON 02)



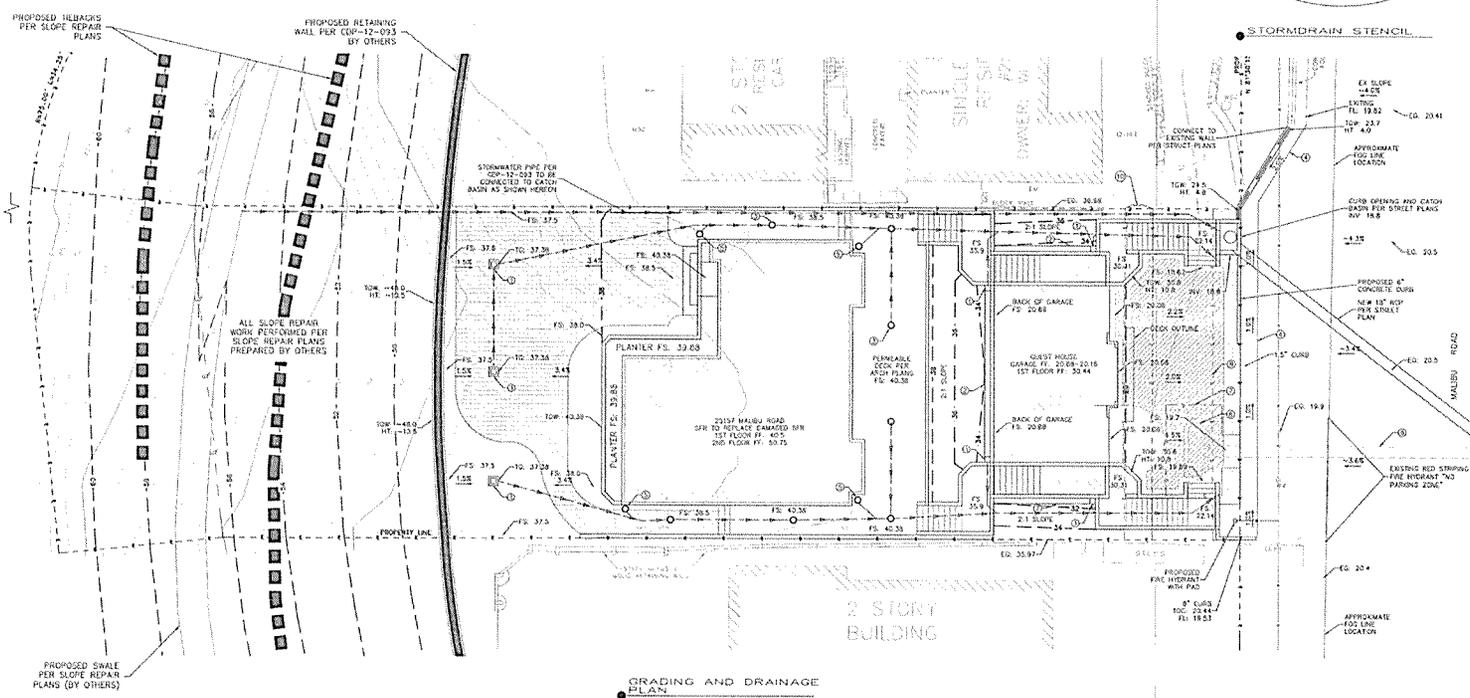
ABBREV.	DESCRIPTION
FF	FINISHED FLOOR ELEVATION
FS	FINISHED SURFACE ELEVATION
TOW	TOP OF WALL ELEVATION
HT	HEIGHT OF WALL FROM FSEL
TO	TOP OF GRATE
EG	EXISTING GRADE ELEVATION
FL	FLOW LINE ELEVATION
SFR	SINGLE FAMILY RESIDENCE
SPPWC	STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION
WW	WASTEWATER

LINE TYPE	DESCRIPTION
---	PROPERTY LINE
---	EXISTING MAJOR CONTOURS
---	EXISTING MINOR CONTOURS
---	PROPOSED CONTOURS
---	PROPOSED SLOPE REPAIR CONTOURS
---	FLOW LINES
---	EASEMENT LINE
---	PROPOSED RETAINING WALL (BY OTHERS)
---	1' X 1' CATCH BASIN
---	6" AREA DRAIN
---	AREA DRAIN CAPTURING ROOF DOWNSPOUT
---	PERMEABLE PAVING PER ARCH PLANS
---	LEACH FIELD PER WW PLANS



#	DESCRIPTION
1	1' x 1' CATCH BASIN
2	1.0' WIDE 0.5" DEEP CONCRETE SWALE 2' MIN SLOPE
3	6" AREA DRAIN (TYPICAL)
4	CONCRETE SWALE PER STREET PLANS
5	ROOF DRAIN DOWNSPOUT DIRECTED TO DRAIN
6	EXISTING MID 622-14 TO BE REPLACED PER STREET PLAN
7	APPROXIMATE LOCATION OF EXISTING EASEMENT FOR MID 622-14 PER COUNTY AS-BUILT PLANS. EXISTING EASEMENT TO BE REPLACED WITH NEW EASEMENT PER STREET PLANS.
8	5.0' EASEMENT TO MARBLEHEAD LAND COMPANY PER O.R. 38648 P. 104, TO BE VACATED. 5.0' EASEMENT TO GENERAL TELEPHONE COMPANY OF CALIFORNIA PER O.R. 17146, P. 355, TO BE VACATED.
9	EXISTING 15" RCP TO BE RELOCATED PER STREET PLANS
10	5.0' EASEMENT TO MALIBU WATER COMPANY PER O.R. 16057 P. 211, TO BE VACATED

GRADING AND DRAINAGE PLAN
 FOR APPROVAL ONLY - NOT FOR CONSTRUCTION
 25157 MALIBU ROAD
 MALIBU, CA



GRADING AND DRAINAGE PLAN

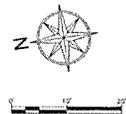
PLANTING AND IRRIGATION NOTES:
 THE PLANTING AND IRRIGATION SYSTEMS SHALL BE INSTALLED AS SOON AS PRACTICAL AFTER ROUGH GRADING. PRIOR TO FINAL APPROVAL OF GRADING AND BEFORE THE RELEASE OF THE GRADING SECURITY, THE PLANTING SHALL BE WELL ESTABLISHED AND GROWING ON THE SLOPES AND THERE SHALL BE EVIDENCE OF AN EFFECTIVE ROENT CONTROL PROGRAM.

SIDEWALK NOTES:
 ALL ROOF DOWNSPOUTS SHALL BE DIRECTLY ROUTED TO A DOWNSPOUT BICIPARTIS STRUCTURE, THE CLOSEST CATCH BASIN OR DRAINAGE SWALE.

ALL STORMWATER APPURTENANCES SHALL BE MENTIONED BEFORE DURING AND AFTER EVERY STAGE TO ENSURE THERE ARE NO MAJOR BLEEDINGS OF THE STORMWATER CONVEYANCE SYSTEM.

SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS) SHALL BE INSTALLED IN ACCORDANCE WITH THE MOST RECENT APPLICABLE PLUMBING CODE.

SOILS ENGINEER NOTES:
 THE ENTIRE SOILS REPORT SHALL BE REVIEWED BY ALL PARTIES INVOLVED WITH THE GRADING ACTIVITIES AND ALL RECOMMENDATIONS MADE IN THE SOILS REPORT SHALL BE CONSIDERED PART OF THE GRADING AND DRAINAGE PLAN.



NO. #	107-09
DATE:	APRIL 2013
DRAWN BY:	TAC
CHECKED BY:	TAC
SHEET NUMBER:	2 of 3

SLOPE ANALYSIS NOTES

THIS SLOPE ANALYSIS IS BASED ON BOTH THE POST SLOPE REPAIR PLAN AND THE EXISTING SURVEY FOR 25157 MALIBU ROAD. THE DELINEATION BETWEEN THE POST SLOPE REPAIR PLAN AND EXISTING SURVEY ARE SHOWN HEREON.

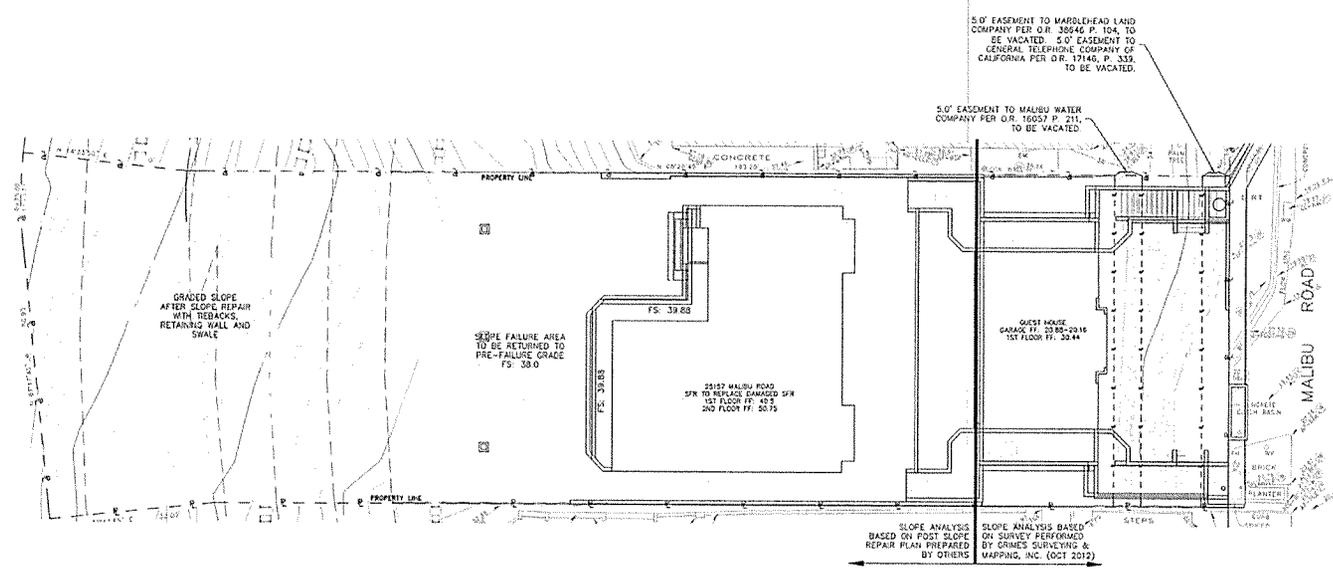
GROSS LOT AREA: 13185 FT²
 NET LOT AREA: 13185 FT²
 *ASSUMING EASEMENTS ARE VACATED.

Slopes Table				
Number	Minimum Slope	Maximum Slope	Color	Area
1	FLAT	5 : 1	□	8017
2	5 : 1	4 : 1	■	3
3	4 : 1	3 : 1	□	19
4	3 : 1	2 1/2 : 1	□	429
5	2 1/2 : 1	1 : 1	□	4717
6	1 : 1	INFINITE	□	0

REVISIONS
 REV. I BY: [DATE]



SLOPE ANALYSIS
 25157 MALIBU ROAD
 MALIBU, CA

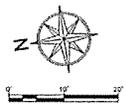


SLOPE ANALYSIS BASED ON POST SLOPE REPAIR PLAN PREPARED BY OTHERS
 SLOPE ANALYSIS BASED ON SURVEY PERFORMED BY CRINES SURVEYING & MAPPING, INC. (OCT 2012)

● SLOPE ANALYSIS



JOB # 107-09
 DATE NOVEMBER 17, 2015
 DRAWN BY: TJM
 CHECKED BY: TAC
 SHEET NUMBER: 1 OF 1





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: 8/7/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-036, SPR 13-031, MM 13-008, MM 13-009, V

JOB ADDRESS: 25157 MALIBU RD

APPLICANT / CONTACT: Tim & Terry McNamara

APPLICANT ADDRESS: 3217 Colony View Circle
Malibu, CA 90265

APPLICANT PHONE #: (310)456-0570

APPLICANT FAX #: (310) 317-0930

APPLICANT EMAIL: _____

PROJECT DESCRIPTION: Demo ESFR, NSFR

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

8.16.13



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Rob DuBoux, Assist. Public Works Director/City Engineer 

Date: August 16, 2013

Re: Proposed Conditions of Approval for CDP 13-036 25157 Malibu Road

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 improvements within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City's right-of-way.
2. Several private improvements located within the City's right-of-way, such as (but not limited to) landscaping, railroad ties, fencing. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant shall place notes on the plans for the removal of existing encroachments within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the City's right-of-way.
3. The applicant shall construct new street improvements by installing new curb and gutter, and relocating the existing catch basins. The new curb and gutter shall be per APWA Standard Plan No. 120-1 (CF=6", W=24") and shall be installed at the existing property line. The height of the new curb may be adjusted for the driveway entrance. The applicant shall remove and replace the existing street pavement section from the proposed edge of gutter to approximately 12-inches from the existing white edge line.. The new street section shall be a minimum of 4-inches of asphalt concrete, C2-PG 64-10, and a minimum

of 6-inches of processed miscellaneous base. The final street section shall be designed and submitted to the Public Works Department for review and approval. A traffic index of 9 shall be used for the final pavement design. The design and construction shall include a transition to join the existing street improvements. All concrete shall be colored concrete, Davis Colors Yosemite Brown. The relocation of the existing catch basins shall also be shown on these plan set. The applicant shall obtain approval from the County of Los Angeles Flood Control District prior to Public Works approval. The street improvement plans shall be on the City's standard improvement sheets and shall be approved prior to the issuance of any permits. The improvement plan set shall include a signature from the County of Los Angeles Flood Control District for their approval of the storm drain improvements.

GRADING AND DRAINAGE

4. Grading permits shall not be issued between November 1 and March 31 each year LCP Section 17.3.1. 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 plans that address this condition.
5. 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.
6. 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.
7. 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.
 8. 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.
 9. Prior to the approval of the drainage plan, the applicant shall relocate Los Angeles County Flood Control District's existing catch basin per APWA Standard Plan No. 300-2 or equivalent. The applicant shall also abandon the existing storm drain easement and create a new easement for the proposed improvements. The applicant shall obtain the easement prior to Public Works approval of any permits.

STORMWATER

10. A Wet Weather Erosion and Sediment control plan is required for this project (grading or construction activity is anticipated to occur during the rainy season). The following elements shall be included:
 - Locations where concentrated runoff will occur.
 - Plans for the stabilization of disturbed areas of the property, landscaping and hardscape, along with the proposed schedule for the installation of protective measures.
 - Location and sizing criteria for silt basins, sandbag barriers, and silt fencing.
 - Stabilized construction entrance and a monitoring program for the sweeping of material tracked off site.
11. 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, but not limited to:
 - Designated areas for the storage of construction materials that do not disrupt drainage patterns or subject the material to erosion by site runoff.
 - Designated area for the construction portable toilets that separates them from storm water runoff and limits the potential for upset.
 - 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.



- Specific BMP's to prevent erosion and BMPs for Sediment control prior to discharge from the property.
12. 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.

MISCELLANOUS

13. Geology and Geotechnical reports shall be submitted with all applications for plan review to the Public Works Department. Approval by Geology and Geotechnical Engineering shall be provided prior to the final acceptance of the Public Works Department. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.
14. WASTE MANAGEMENT FOR CONSTRUCTION SITES - The City of Malibu is required by AB 939 to reduce the flow of wastes to the landfills of Los Angeles and Ventura Counties by 50%. Since this project consists of all new construction, the applicant shall comply with the following conditions:
- 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. Prior to Public Works approval of the final plans, an **Affidavit and Certification** to implement a Waste Reduction and Recycling Plan for the above project types shall be signed by the Owner or Contractor shall be submitted to the Public Works Department. The WRRP shall indicate the agreement of the applicant to divert at least 50% of all construction waste generated by the project.
 - 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.





GAIL FARBER, Director

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

RECEIVED
DEC 15 2015
PLANNING DEPT.

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 21, 2015

IN REPLY PLEASE REFER TO FILE: WW-0

To: Ms. Stephanie Hawner
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265-4861

To: Mr. Tim McNamara
Design & Planning
3217 Colony View Circle
Malibu, CA 90265-4813

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29-MALIBU
WATER SERVICE AVAILABILITY FOR THE PURPOSE OF APPROVAL OF PROPOSED PROJECT
AT THE REQUEST OF:

TIM McNAMARA DATED: OCTOBER 17, 2014

Zone change, CUP/SPR, TTM/TPM, GPA checkboxes

APN: 4459-012-008 RESIDENTIAL/BUSINESS/UNITS/LOTS 1

INQUIRY NO. 1 ; AREA OF PARCEL 0.30 +/- AC.; ZONING:

- Project not within boundaries...
Project applicant has submitted a request for annexation...
Project is located entirely within the boundaries of the District.

The District may require that: (1) various charges/fees be paid by the owner/developer of the property; (2) on-site and off-site water system facilities be installed by a State-licensed contractor retained by the owner/developer and inspected and accepted by the District, using plans prepared by a licensed engineer that are reviewed by the District; or (3) a combination of (1) and (2). Once constructed to the satisfaction of the District, the water system facilities are to be dedicated gratis to the District for subsequent operation and maintenance.

This document is not and cannot be considered in any way a commitment by the District to provide water service to this Project, nor can it be relied upon by third parties as a commitment to provide potable water to the Project. This document was issued in response to the local planning agency as part of the agency review process for the Project. Securing sufficient water supplies is the sole responsibility of the applicant. The District makes no commitment or guarantee that water is reserved for this Project.



City of Malibu

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

FIRE DEPARTMENT REVIEW REFERRAL SHEET

RECEIVED
AUG 14 2015
PLANNING DEPT.

TO: Los Angeles County Fire Department

DATE: 8/7/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-036, SPR 13-031, MM 13-008, MM 13-009, V

JOB ADDRESS: 25157 MALIBU RD

APPLICANT / CONTACT: Tim & Terry McNamara

APPLICANT ADDRESS: 3217 Colony View Circle
Malibu, CA 90265

APPLICANT PHONE #: (310)456-0570

APPLICANT FAX #: (310) 317-0930

PROJECT DESCRIPTION: Demo ESMR, NSFR

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	<u>X</u>
The project DOES NOT require Fire Department Plan Review	_____
The required fire flow for this project is <u>1250</u> gallons per minute at 20 pounds per square inch for a 2 hour duration. (Provide flow information from the water dept.)	<u>X</u>
The project is required to have an interior automatic fire sprinkler system.	<u>X</u>
Final Fuel Modification Plan Approval is required prior to Fire Department Approval	<u>X</u>

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.	<u>X</u>	_____
Required and/or proposed Fire Department Vehicular Turnaround	<u>NA</u>	_____
Required 5 foot wide Fire Department Walking Access (including grade %)	<u>X</u>	_____
Width of proposed driveway/access roadway gates	<u>NA</u>	_____

*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.

SIGNATURE

10/7/13

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

The property is located in an area where there is insufficient local water storage available and/or conveyance capacity to meet the fire flow and duration requirements for new development. To secure a commitment from District 29 to provide water service to the subject property, the property owner must sign an agreement to participate financially in the design and construction of a future water system improvements per Section 1-C-1c of the Rules and Regulations of the Los Angeles County Waterworks Districts and the Marina del Rey Water System.

PART II (A) INFORMATION ON FIRE FLOW AVAILABILITY
(Part II to be completed by Water Purveyor)

The distance from the fire hydrant to the property line is 0 (In front of the property) feet via vehicular access. The fire flow services will be rendered from a 10 inch diameter water main. The hydrant is located on Malibu Rd. (Street)
573 (Feet) West (Direction) of Puerco Canyon Rd. (Nearest Cross - Street)

Under normal operating conditions the fire flow available from this 6 x 4 x 2.5" (Size) hydrant is 1,709 GPM at 20 PSI residual for 2 hours at 71 PSI Static

PART II (B) SPRINKLERED BUILDINGS ONLY

Detector Location:(check one) Above Grade Below Grade Either
Backflow protection required (fire sprinklers/private hydrant): Yes No

Type of Protection Required:(check one)
 Double Check Detector Assembly Reduced Pressure Principal Detector Assembly
 Other _____ Domestic Meter Size 1" Water Meter

PART II (C)

L. A. Co. Waterworks District # 29
Water Purveyor

[Signature]
Signature

12/21/2012
Date

Kirk Allen, Associate Civil Engineer
Title

PART III Conditions for Approval by the Building Department
(To be Completed by Building Department)

The building permit may be issued for single family dwellings when the above information is complete and shows that the following minimum requirements are met and the property is not in the Very High Fire Hazard Severity Zone.

- The water system is capable of delivering at least 1250 GPM at 20 PSI for two hours.
- The distance from the structure to the fire hydrant does not exceed 450 feet via vehicular access.
- The proposed construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY _____ DATE _____ OFFICE _____

~~Information is Considered Valid for Twelve Months~~

Where the water service does not meet the above requirements for approval by the **Building Department, Fire Prevention Division** approval of the site plan will be required before a Building Permit can be issued by the **Building Department.**



City of Malibu

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

GEOTECHNICAL AND HYDROGEOLOGIC REVIEW SHEET

<u>Project Information</u>	
Date: September 21, 2015	Review Log #: 3513
Site Address: 25157 Malibu Road	
Lot/Tract/PM #:	Planning #: CDP 13-036
Applicant/Contact: Michael Barmasse, mbarmasse@gmail.com Tim McNamara, ttmcnamara.tm@gmail.com	BPC/GPC #:
Contact Phone #: 805-216-8095 310-456-0570	Fax#: 310-317-0930 Planner: Stephanie Hawner
Project Type: New single-family residential development, new Onsite Wastewater Treatment System (OWTS)	

<u>Submittal Information</u>	
Consultant(s) / Report	Robertson Geotechnical, Inc. (Robertson, CEG 1001; Irvine, RGE 2891): 8-25-15, 8-18-15, 6-12-15, 8-4-14, 2-5-14, 4-5-13
Date(s): <i>(Current submittal(s) in Bold.)</i>	Robertson Geotechnical, Inc. (Robertson, CEG 1001; Buckley, CHG 55): 12-5-14
	Letter from Joan Blake to the City of Malibu dated September 11, 2015.
	EPD Consultants (Poffenbarger, RCE 69089): 8-26-15, 7-9-15, 5-28-13
	Building plans prepared by Tim and Terry McNamara dated July 12, 2013.
	Street plan prepared by Ahsirt Engineering, Inc. dated June 1, 2015.
	Grading Plans prepared by Ahsirt Engineering, Inc. dated April 2013.
Previous Reviews:	Environmental Health Review Sheet dated August 26, 2015, Geotechnical Review Referral Sheet dated 8-18-15, 12-22-14, 3-5-14, 8-28-13, Environmental Health Reviews for the residential development and landslide repair dated 8-20-13 and 8-27-13, Geotechnical Review Referral Sheet dated 8-8-13

<u>Review Findings</u>	
<u>Coastal Development Permit Review</u>	
<input checked="" type="checkbox"/>	The residential development project is APPROVED from a geotechnical perspective.
<input type="checkbox"/>	The residential development project is NOT APPROVED from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.
<u>Building Plan-Check Stage Review</u>	
<input checked="" type="checkbox"/>	<u>Awaiting Building plan check submittal.</u> 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 geotechnical and hydrogeologic reports, letter from the homeowner, and plans were reviewed by the City from geotechnical and hydrogeologic perspectives.

The project comprises demolishing the remains of a single-family residence severely damaged by an active landslide and constructing a new 2,738 square foot two-story single-family residence and a detached 1,000 square foot subterranean garage with a 596 square foot second-story second unit, flatwork, retaining walls, and grading (200 yards of R & R; 651 yards of cut and 150 yards of fill under structure; 480 yards of cut and 10 yards of fill non-exempt; and 971 yards of export).

The OWTS consists of a treatment tank system and a 627 square foot pressure-dosed drainfield constructed in three zones consisting of engineered sand. A catch basin along Malibu Road will be replaced and the sand zones will be extended across Malibu Road as per the OWTS plans. The loading rate is 1.7 GPSF.

This review was based on the assumption that the proposed remedial grading of the 'neighborhood' landslide will be successfully completed and that the geotechnical engineer of record for the landslide repair so states that the repaired landslide will have post-repair factors of safety in excess of those required by City of Malibu requirements in effect at the time of grading.

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:

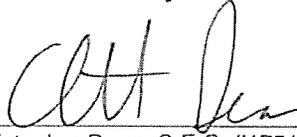
1. The presented values for the native beach sands have horizontal hydraulic conductivity values from the literature of 1-20 ft/d, while the laboratory-derived (ex-situ) textural analysis by EPD Consultants indicated beach sands have a hydraulic conductivity of 49-390 ft/d. The model uses the upper limit of the literature values of horizontal hydraulic conductivity of 20 ft/d for beach sand and 70 ft/d for the emplaced fill. In that the use of a lower K may predict a higher mound elevation, what will be done to ensure the installed sand material has hydraulic properties equal to or coarser than those modeled?
2. Are the aquifer parameters used in the mounding model presented in the June 12 and August 25 reports, which are the same, representative of the initial values or calibration-required adjusted values? If these are the initial values, what are the final, adjusted values used to calibrate the mounding model?
3. The applicant must provide the 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).

4. The Consultant provides a cross-section across the proposed garage/guest unit that shows a 1:1 cut on the eastern property line to the bottom of the fill. Not enough detail has been provided along the eastern and western property lines to evaluate the existing conditions and mitigation measures necessary to assure the safety of the neighboring properties during construction of the new residential development and landslide grading. Please provide east-west cross-sections across the properties that depict the anticipated depths of R & R grading along the eastern and western property lines. Removals as deep as 12-13 feet appear necessary based on Revised Section A. It appears shoring will be required in these areas. Please show the anticipated conditions and provide appropriate recommendations-the safety of the neighboring properties must be maintained. Grading cannot adversely impact neighboring properties.
5. The Consultant provided an additional response to previous review comments regarding recommendations for lateral pressures on retaining walls due to earthquake motions. The Consultant provided stability analysis for static conditions in their April 5, 2013 report. The Consultant's response regarding seismic loading in the February 5, 2014 response report suggested that the addition of seismic loading was unnecessary. Upon further inquiry by the reviewer, the Consultant has provided calculations in their most recent response report that show additional seismic loading of about 37 pcf for a 12-foot high retaining wall. On that basis, the Consultant states that, because the recommended static loading is greater than the seismic component, an additional seismic surcharge need not be added. Interestingly the Consultant is relying on a significant contribution of the soil cohesion by using full cohesion of the existing landslide materials in the active case calculations. The seismic calculations provided indicate that the additional loading will be in the range of 37 pcf. For the north-south return walls this infers that the static loading is only about 8 pcf. This value appears extremely low for creep-prone soils. The Consultant needs to state that there will not be any loss of cohesion in the soil strength parameters due to creep or the Consultant needs to re-consider the distribution of static and seismic loading and provide both static and the seismic loading for all retaining walls that meets the intent of the Code.
6. The following note must appear on the grading and foundation plans: "*Tests shall be performed prior to pouring footings and slabs to evaluate corrosivity of the supporting soils, and foundation and slab plans should be reviewed by the Civil or Structural Engineer and revised, if necessary.*"
7. 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.
8. Recommendations to properly abandon the existing OWTS should be included on the building and grading plans.
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 the residence and garage for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, depth to groundwater (as applicable), and a map depicting the locations of the piles.*"
10. Two sets of final grading, retaining wall, OWTS, garage, 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/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 and Hydrogeologic staff listed below.

Engineering Geology Review by:



9/21/15
Date

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

Geotechnical Engineering Review by:



September 21, 2015
Date

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

Hydrogeologic Review by:



September 21, 2015
Date

Timothy Nicely, C.H.G. # 898, Exp. 1-31-17
Hydrogeologic Reviewer (805-289-3836)
Email: tnicely@fugro.com

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, OWTS, garage, and residence 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.
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.
2. Show the name, address, and phone number of the Geotechnical Consultant(s) on the cover sheet of the Building 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





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: 8/7/2013
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-036, SPR 13-031, MM 13-008, MM 13-009, V
JOB ADDRESS: 25157 MALIBU RD
APPLICANT / CONTACT: Tim & Terry McNamara
APPLICANT ADDRESS: 3217 Colony View Circle
Malibu, CA 90265
APPLICANT PHONE #: (310) 456-0570
APPLICANT FAX #: (310) 317-0930
APPLICANT EMAIL:
PROJECT DESCRIPTION: Demo ESFR, NSFR

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.

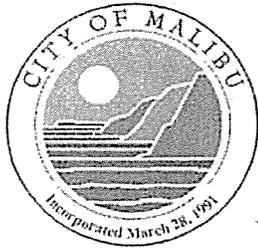
OWTS Plot Plan: NOT REQUIRED
 REQUIRED (attached hereto) REQUIRED (not attached)


Signature

8-26-2013
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.

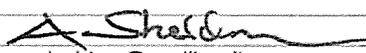


City of Malibu

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)	Tim and Terry McNamara ttmcnamara.tm@gmail.com	
Project Address:	25157 Malibu Road Malibu, California 90265	
Planning Case No.:	CDP 13-036	
Project Description:	Work Plan for Alternative PSDS Design	
Date of Review:	August 26, 2015	
Reviewer:	Andrew Sheldon	Signature: 
Contact Information:	Phone: (310) 456-2489 ext. 364	Email: asheldon@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Architectural Plans submitted to Planning on 8-7-2013
Grading Plans:	Ahsirt Engineering. Storm drain plan submitted to Planning on 8-13-2015
OWTS Plan:	EPD Consultants. OWTS preliminary plan dated 3-15-2015; Rev 3, 7-9-2015
OWTS Report:	EPD Consultants. OWTS preliminary design reports dated 7-9-2015 and 8-26-2015
Geology Report:	Robertson Geotechnical. OWTS supporting geology report dated 8-4-2014, 6-12-2015, and 8-25-2015
Miscellaneous:	none
Previous Reviews:	N/A

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 (during Plan Check), 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.]
- f. The final plans must show all components of the existing OWTS to be abandoned, if there is an existing OWTS.

3) Building Plans: All project architectural plans, grading/drainage plans, and the public storm drain (street) improvement plan shall be submitted for Environmental Health review and approval. These plans must be approved by the Department of Public Works and 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 Public Works Approval:** City of Malibu Public Works Department final approval of the AOWTS plan shall be obtained. Specific conditions by Public Works for the reduced horizontal setback to the public storm drain must be adhered to in the final design of the OWTS and storm drain systems.
- 13) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.
- 14) **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.
- 15) **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





FILE

5/13/14

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: 8/7/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-036, SPR 13-031, MM 13-008, MM 13-009, V

JOB ADDRESS: 25157 MALIBU RD

APPLICANT / CONTACT: Tim & Terry McNamara

APPLICANT ADDRESS: 3217 Colony View Circle
Malibu, CA 90265

APPLICANT PHONE #: (310)456-0570

APPLICANT FAX #: (310) 317-0930

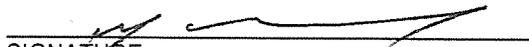
APPLICANT EMAIL:

PROJECT DESCRIPTION: Demo ESRF, NSFR

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 

DATE 5/13/14

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: 25157 Malibu Road
Applicant/Phone: Tim & Terry McNamara/ 310.456.0570
Project Type: Demo ESRF, NSFR
Project Number: CDP 13-036
Project Planner: Stephanie Hawner
Previous Biological Review: Incomplete 10/22/13

REFERENCES: Site Plans, Planting Plan

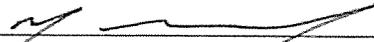
DISCUSSION:

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 newly proposed landscape area totals less than 2,500 square feet.

RECOMMENDATIONS:

1. The project is **APPROVED** with the following conditions:
 - A. 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.
 - B. Invasive plant species, as determined by the City of Malibu, are prohibited.
 - C. 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).
 - D. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as copper arsenate.

2. **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.

Reviewed By:  Date: 5/13/14
Dave Crawford, City Biologist
310-456-2489 ext.227 (City of Malibu); e-mail dcrawford@malibucity.org
Available at Planning Counter Tuesdays 9:00 a.m. to 11:00 a.m.

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 Jasch Janowicz, Contract Planner, at (310) 456-2489, extension 345.

Date: March 10, 2016

By: Bonnie Blue, Planning Director

ATTACHMENT 6

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

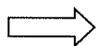
NOTICE OF PUBLIC HEARING

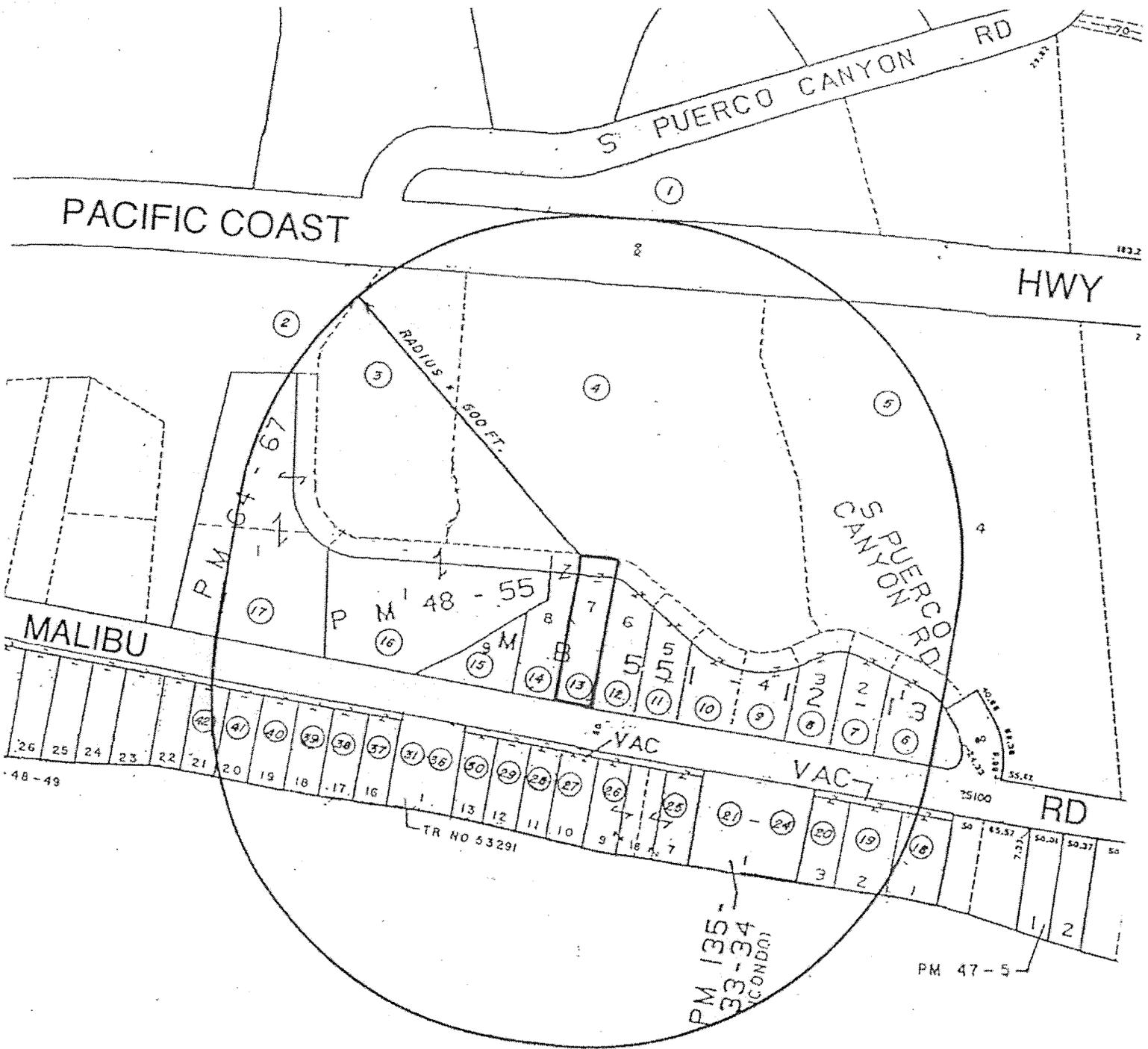
The Malibu Planning Commission will hold a public hearing on **MONDAY, April 4, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.**

COASTAL DEVELOPMENT PERMIT NO. 13-036, VARIANCE NO. 13-034, SITE PLAN REVIEW NO. 13-031, MINOR MODIFICATION NOS. 13-008 AND 13-009, AND DEMOLITION PERMIT NO. 13-018 - An application for the demolition of the existing residence and construction of a new 2,738 square foot, two-story single-family residence with a 1,000 square foot subterranean garage, a 596 square foot detached second unit, installation of a new alternative onsite wastewater treatment system, and associated development including a minor modification for a reduction in the front yard setback, a minor modification for a reduction in the side yard setback, a site plan review for height in excess of 18 feet (up to 28 feet for a pitched roof), and a variance for construction on slopes steeper than 2.5 to 1

LOCATION:	25157 Malibu Road, within the appealable coastal zone
APN:	4459-012-008
ZONING:	Multi-Family Residential (MF)
APPLICANT:	Tim and Terry McNamara
OWNER:	25157 Malibu Road, LLC
APPLICATION FILED:	August 7, 2013
CASE PLANNER:	Jasch Janowicz Contract Planner (310) 456-2489, ext. 345 jjanowicz@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)(1) - Existing Facilities and 15303(a), (d), and (e) - New Construction. 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





Planning Commission
Meeting
04-04-16
**Item
5.B.**

Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner *RM*

Approved by: Bonnie Blue, Planning Director *CO for BB*

Date prepared: March 22, 2016

Meeting Date: April 4, 2016

Subject: Coastal Development Permit No. 11-056 and Site Plan Review Nos. 11-029 and 16-010 - An application for the construction of a new 10,657 square foot, two-story single-family residence and associated development

Location: 24157 Malibu Road, within the appealable coastal zone
APN: 4458-018-010
Zoning: Single-Family Medium (SFM)
Applicant: Kari Kramer
Owner: The Lyn and Laurie Konheim Trust
Application Filed: December 8, 2011

RECOMMENDED ACTION: Continue this item to the April 18, 2016 Regular Planning Commission meeting.



Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner *RM*

Approved by: Bonnie Blue, Planning Director *CD for BB*

Date prepared: March 24, 2016 Meeting date: April 4, 2016

Subject: Coastal Development Permit No. 15-012, Site Plan Review No. 15-016, and Conditional Use Permit No. 15-003 – An application for the remodel of an existing motel, the Surfrider motel and associated development, and a conditional use permit to allow for the operation of a motel

Location: 23033 Pacific Coast Highway, within the appealable coastal zone

APN: 4452-019-002

Zoning Designation: Commercial Visitor Serving-1 (CV-1)

Applicant: Burdge and Associates

Tenant: Surfrider Motel

Property Owner: PCH 23033, LLC

Application Filed: February 27, 2015

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-40 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 15-012 to allow for the remodel of an existing motel, the Surfrider motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system (AOWTS), restriping of the parking lot, landscaping, and associated development including Site Plan Review (SPR) No. 15-016 for height in excess of 18 feet (up to 22 feet for a flat roof), and Conditional Use Permit (CUP) No. 15-003 to allow for the operation of a motel in the Commercial Visitor Serving-One zoning district located at 23033 Pacific Coast Highway (PCH 23033, 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), Malibu Municipal Code (MMC) and CEQA. The analysis and findings discussed herein demonstrate that the project is consistent with the LCP and MMC.

Project Overview

FIGURE 1



Aerial Photograph of the Subject Property

The scope of the proposed project includes the remodel and improvement of an existing motel. The subject property is currently being remodeled under the approval of two over-the-counter permits (OC Nos. 14-263 and 15-154). OC No. 14-263 was issued on December 11, 2014 and allowed for the remodel and replacement of a portion of the existing walls. However, during the course of that work, it became apparent that a CUP would be required as well as a new AOWTS. The motel had been in operation since 1953, however, no CUP could be found in the City's files. The applicant then submitted an application for a CUP and CDP while the remodel was underway. After construction started, a design change to reconfigure the pedestrian paths of travel within the motel was proposed. OC No. 15-154 was approved to supersede OC No. 14-263 and to allow the applicant to convert the pathways on the south face of the building into balconies and install new walkways for both the first and second floors on the north side of the building. In addition, access to the rooms was relocated to the north wall of each room.

The proposed CDP will allow for the completion of the remodel that is underway and the capturing of floor area that was previously used as attic and storage areas and will not be habitable space. To date, the remodel has not resulted in the expansion of the building. The new square footage that will be added to the structure will be for new storage and mechanical areas and the installation of the elevator. The project also

allows for a change in the roofline, construction of a new rooftop deck, installation of a new elevator, vertical platform lift, and AOWTS. The elevator will serve both the first and second floor of the motel. A vertical lift will meet the Americans with Disabilities Access (ADA) required access to the rooftop deck.

As part of the project, the driveway and parking areas will be removed and repaved to allow for the installation of the AOWTS. Currently, the motel has 20 rooms (19 guestrooms and 1 office). Upon completion of the remodel, the number of rooms will not be increased and therefore, the parking need will not be increased. However, since the project maintains the same building envelope and footprint it is not practical to require the lot to be striped with parking spaces that meet the current code requirements. It has been past practice to allow for the remodels of commercial structures and allow for the existing non-conforming parking layout to remain if there is no intensification of the use. In addition, the parking lot could remain in place during this project if a new AOWTS was not included. The replacement of the parking lot is driven by the AOWTS.

The project also includes an application for a CUP to permit the continued operation of motel in the CV-1 zoning district. The Surfrider Motel was constructed in 1953 and has operated as a motel, however, at different times, some units were rented for long term stays. One of the rooms has and will continue to be used to house an onsite manager. However, staff could not find evidence of a previously issued CUP that allowed for the operation of the motel prior to cityhood. The use is considered as a legal non-conforming use and once a CUP is obtained the use will conform to the both the MMC and LCP. Table 1 summarizes the characteristics of the property.

Table 1 – Property Data	
Lot Depth	248 ft.
Lot Width	269 ft.
Gross Lot Area	66,327 sq. ft.
Area of Street Easements	0 sq. ft.
Area of 1 to 1 Slopes	0 sq. ft.
Net Lot Area	66,327 sq. ft.

The City Environmental Health Administrator, City geotechnical staff, City Biologist, City Public Works Department, and the Los Angeles County Fire Department (LACFD) reviewed the subject application and determined it was consistent with applicable local and state provisions (Attachment 3 – Department Review Sheets).

Surrounding Land Uses and Project Setting

As outlined in Table 2, the surrounding land uses consist of single-family residential homes within the single-family medium density and rural residential zoning districts, public open space, and commercial development. The site is separated from existing

residential beachfront development by Pacific Coast Highway.

Table 2 – Surrounding Land Uses				
Direction	Address	Parcel Size	Zoning	Land Use
North	3620 Sweetwater Mesa Rd.	15.74 acres	RR1	Residential
East	4452-019-001	0.71 acres	CV-1	Vacant
South	4452-006-902	5.55 acres	POS	Surfrider Beach
	23038 PCH	0.11 acres	SFM	Residential
	23034 PCH	0.1 acres	SFM	Residential
	23030 PCH	0.1 acres	SFM	Residential
	23022 PCH	0.11 acres	SFM	Residential
West	23017 PCH	0.81 acres	CV-1	Commercial

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 Cross Creek trail located approximately 1,700 feet to the east of the subject property.

Project Description

The proposed project includes the following work:

- Less than 50 percent remodel of the existing motel consisting of:
 - The addition of 193 square feet which consists of mechanical and storage areas;
 - The addition of 164 square feet of mechanical and storage areas to the second floor;
 - The conversion of 764 square feet (new gross floor area) of the second floor attic and storage space to guest room and office area.
- AOWTS;
- Planters and landscaping;
- Two stop elevator;
- Vertical platform lift;
- Repaving of the parking lot and driveways;
- Rooftop deck for guests only; and
- Wet bar area on rooftop deck.

The following discretionary requests are included:

1. CUP No. 15-003 to allow for the continued operation of a 19 room motel; and
2. SPR No. 15-016 to allow for construction in excess of 18 feet up to 22 feet with a pitched roof.

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 SPR and CUP findings), and Scenic, Visual and Hillside Resource Protection.

Based on the project site, the scope of work, and substantial evidence contained within the record, the ESHA, Native Tree Protection, Hazards, Transfer of Development Credits, Public Access, Shoreline and Bluff Development, 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 Environmental Health Administrator, City geotechnical staff, and the City Public Works Department for conformance with the LCP, as well as the 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 SPR and CUP requests.

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	49.61 feet	23.16 feet	Existing non-conforming
Side yard setback (25% cumulative)	67.20 feet	108.29 feet	Complies
Side yard setback (min. 10% one side)	26.88 feet	49.50 feet	Complies
CONSTRUCTION ON SLOPES	3 to1 or flatter	3 to1 or flatter	Complies
HEIGHT			
Existing	29.5 feet – Pitched Roof	29.5 feet – Pitched Roof	Existing non-conforming
New Flat Roof and Deck	24 ft. top of railing/roof	22 ft. top of railing/roof	Complies
Floor Area Ratio	9,948 sq. ft.	6,469 sq. ft.	Complies
Parking Spaces	21 spaces	21 spaces	Complies

With the inclusion of the SPR and CUP requests, the subject development will comply with the applicable non-beachfront commercial 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 does not propose any grading, only minor excavation from the foundation of the elevator and approximately 360 cubic yards of excavation for the installation of the AOWTS. The soil that will be removed as part of the excavation does not qualify as non-exempt grading. Since the project does not propose non-exempt grading, 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 4 – LCP Grading Conformance						
	Exempt**			Non-Exempt	Remedial	Total
	R&R*	Understructure	Safety***			
Cut	0	400	0	0	0	400
Fill	0	0	0	0	0	0
Total	0	400	0	0	0	400
Import	0	0	0	0	0	0
Export	0	400	0	0	0	400

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 December 9, 2014 staff reviewed a Phase 1 archeological report completed by A. George Toren, B.A. and Gwen R. Romani, M.A., RPA for the subject property. Based on review of the site and report it was determined that archeological monitoring will be required during any earthwork or excavation.

Conditions of approval have been included which state 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. In addition, a condition of approval has also been included to require archeological monitoring during any earthwork or excavation on the site.

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 a 6,000 gallon primary treatment tank, 5,000 gallon

equalization tank with duplex pump, a 6,000 gallon SeptiTech M2500DUV secondary nitrification tank, a 11,500 gallon Jenson secondary denitrification tank, and a 1,000 gallon alkalinity feed tank for treatment. An ultra violet disinfection unit will also be incorporated into the system for additional treatment. 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. 16-40 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 Environmental Health Administrator, City geotechnical staff and the City Public Works Department. The project will be able to maintain existing non-conformities since less than 50 percent of the existing walls will be removed as part of this project and past project. 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 SPR and CUP, the project conforms to the LCP and MMC 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 not located on the ocean side of PCH and does not offer public trail or recreation access. However, according to the LCP's Public Access Map, there is an existing recorded public vertical access to the beach located directly across the street at Surfrider Beach. In addition, Malibu Pier is also located within the vicinity of the subject property. Approval of the project will not impact any of the public reaction area located in the vicinity of the project as no work is proposed offsite. 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 as is and current remodel would be completed without the installation of a new AOWTS. In addition, a CUP would not be issued and the site would continue to have a non-conforming use. The project site is designated for motel/commercial development. The no project alternative would not accomplish any of the project objectives or achieve benefits of the new wastewater treatment system upgrade.
2. Alternative Design – The project objective is for the remodel of an existing motel and no changes are proposed to the building footprint with the exception of new storage/mechanical areas and the footprint of the elevator. The applicant could propose to demolish the existing structure and build a new structure. This option would result in drastic site changes because the parking lot would need to be reconfigured to meet current development standards. In addition, new development may result in the need for a variance to allow for the construction of retaining walls on the slope located to the rear of the existing building. Additional building pad area would be required to allow for the expanded parking lot and drive aisles. Furthermore, the new retaining walls may exceed 12 feet in height and may result in visual impacts to PCH, a scenic road. 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 remodel and continued operation of an existing motel which has been in operation since 1953. In addition, the existing structure will be upgraded to include ADA access through remodeled rooms, walkways, installation of an elevator, and vertical platform lift. The rooftop deck will be a new amenity that allows visitors to enjoy views of Surfrider Beach and the Adamson House and Malibu Lagoon, both of which are State Parks. The new AOWTS will provide improved wastewater treatment to the site. The included SPR will allow for modifications to the roof which will not exceed the existing roofline's height and the resulting modifications will comply with the LIP. The CUP will allow for the continued operation of the motel and legalize its operation. The project, as conditioned and with the inclusion of the SPR and CUP, 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 ESHA nor is it adjacent to ESHA. The nearest ESHA resource is located at Malibu Creek, which is approximately 1,400 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. Therefore, this finding does not apply.

B. 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 for the replacement of the existing roof, installation of a new rooftop deck and the construction of an elevator shaft above 18 feet in height. 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. 15-016 are made as follows.

Finding B1. 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 B2. The project does not adversely affect neighborhood character.

Story poles were placed on the subject parcel to demonstrate the elevator shafts potential for aesthetic changes to the neighborhood relative to siting, height and bulk. Staff visited the site after the story poles were installed. In addition, the reconstruction of the roof up to 22 feet in height will not negatively impact the visual aesthetics of the site because the existing roof is in excess of 28 feet. As demonstrated by the story poles and existing development, the project's location, height and bulk is located against a hillside and separated from neighboring development. Therefore, the project, as proposed and conditioned, does not adversely affect neighborhood character.

Finding B3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP.

Planning Department staff visited the subject property after story poles representing the height, location and bulk of the proposed elevator shaft were installed (Attachment 4 – Site Photographs). Based on staff's story pole inspection, staff determined that the elevator shaft will be partially visible from PCH. However, it will be sited at the rear of the existing development and the roofline of the structure is taller than the proposed addition. Furthermore, the reconstruction of the roof, addition of the rooftop deck and the elevator shaft will not substantially alter views of the site from PCH. Furthermore,

the approval of the proposed project is subject to conditions of approval regarding construction materials in order to protect scenic public views. Due to siting, existing landscaping and applicable standard conditions, the proposed remodel will have less than significant adverse public view impacts.

Finding B4. 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 Administrator, 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 B5. The project is consistent with the City's general plan and local coastal program.

As previously discussed in Finding A1, the proposed project, as designed and conditioned, conforms to the LCP and is consistent with the commercial land use designation of the General Plan and LCP. The proposed project is consistent with this designation and other surrounding land uses.

Finding B6. 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).

To date, staff has not received any comments regarding the bulk or mass of the proposed remodel. In addition, given the project location and topography, the resulting structure will not block views of the Pacific Ocean or scenic areas in the vicinity of the project.

Based on staff's inspection of the story poles, review of project plans, staff has determined that the portions of the structure 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).

C. 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.

D. 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.

E. 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 Surfrider beach, Malibu Pier, The Adamson House, and the Malibu Lagoon, all of which are scenic areas. The subject parcel is located in an area that contains primarily developed parcels which are located along PCH. The site's topography ascends from PCH to a very steep hillside at the rear of the property. Based on site inspections and story pole photos, when viewing the story poles from PCH, the subject parcel is located among existing development and therefore is not expected to significantly adversely affect views from PCH or surrounding scenic areas. Furthermore, the proposed remodel complies with the LIP's protection of public views through the use of construction materials and landscaping. As the project has potential to be visible from PCH and surrounding scenic areas, the findings set forth in LIP Section 6.4 are enumerated and discussed further below.

Finding E1. 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 surrounding scenic areas; therefore, the project has been designed to comply with LCP standards and minimizes any adverse or scenic impacts. Furthermore, the site is currently developed with a motel that does not block scenic views in the area. The project as conditioned will not have significant adverse scenic or visual impacts due to the project design, location or other reasons.

Finding E2. 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 E1, as conditioned with the inclusion of lighting, color, and material restrictions, the project will not have significant adverse scenic or visual impacts.

Finding E3. 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 E4. 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 E1, the project, as conditioned, will result in a less than significant impact on scenic and visual resources.

Finding E5. 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 E1, as conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

F. 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.

G. 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, City Public Works Department, and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and MMC. Based on review of the project and site, no geological hazards are present on site. In addition, the fire hazard of the property will not be increased.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City

Public Works Department, City geotechnical staff, WD29, and LACFD. The required findings are made as follows:

Finding G1. 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 determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity since no new excavation or foundation system is proposed. Based on review of the report by consulting geologist, SubSurface Designs, Inc. dated February 5, 2015, 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.

Fire Hazard

The entire city limits of Malibu are within an identified fire hazard zone. The subject property is currently subject to wildfire and development of a residence on the subject property will not increase the site's susceptibility to wildfire. The scope of work proposed as part of this application is not expected to have an impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate building materials will be utilized during construction.

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 firefighting equipment can augment the LACFD. Conditions of approval have been added to this CDP to require compliance with the project's fuel modification plan as approved by the LACFD and all LACFD development standards. As such, the project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wild fire hazards.

The project, as conditioned, will incorporate all recommendations contained in the above cited geotechnical report and conditions required by the City geotechnical staff, City Public Works Department and the LACFD, including foundations, AOWTS and drainage. As such, the proposed project will not increase instability of the site or structural integrity from geologic, flood or any other hazards.

Finding G2. 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 proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications, landscaping or other conditions.

Finding G3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

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

Finding G4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As previously discussed in Findings A3 and I1, there are no feasible alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

Finding G5. 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 proposed project, as designed and conditioned, development is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

H. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located along the shoreline. Therefore, in accordance with LIP Section 10.2, the requirements of LIP Chapter 10 are not applicable to the project and the required findings do not apply.

I. Public Access (LIP Chapter 12)

The project site is not located along the shoreline and does not contain any public trails or access to recreational areas. Therefore, the required findings for LIP Chapter 10 are not applicable to the project.

J. Land Division (LIP Chapter 15)

This project does not include a land division; therefore, the findings in LIP Chapter 15 do not apply.

K. Conditional Use Permit Findings

The applicant is requesting a CUP to allow for the continued operation of a motel which has been in existence since 1953. The property recently changed ownership and the new property owner is proposing upgrades and modifications to the existing structure and as part of the renovation, an application for a CUP was submitted to permit the existing use. Pursuant to MMC Section 17.66.080, the Planning Commission may approve, deny and/or modify an application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The findings to approve the CUP may be made as follows:

Finding K1. The proposed use is one that is conditionally permitted within the subject zone and complies with the intent of all of the applicable provisions of Title 17 of the Malibu Municipal Code.

Pursuant to LIP Section 3.3(J) and MMC Section 17.26.030, motels may be conditionally permitted in the Commercial Visitor Serving-One (CV-1) zoning district. Since the proposed use is for the operation of a motel, a CUP is required. The project has been conditioned to comply with all applicable provisions of the MMC.

Finding K2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

The proposed motel is a visitor serving use and would occupy a building that has been historically operated as a motel. The subject property is located near restaurants, Malibu Pier, Surfrider Beach and two state parks. The proposed motel will be consistent with the existing surrounding land uses. Therefore, the proposed motel use will not impair the integrity and character of the applicable zoning district.

Finding K3. The subject site is physically suitable for the type of land use being proposed.

It has been determined that the subject site is physically suitable for supporting a motel, as the building has historically been used as a motel and all reviewing departments have recommended approval. The new amenities do not intensify the motel use, and the amenities will serve the guests and not the public, consistent with the motel use.

Finding K4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The subject site is currently developed as a two-story, 20 room motel (19 guestrooms and one staff room) and has been in operation since 1953. As previously discussed in Finding K2, existing land uses surrounding the subject property are compatible with the proposed motel. General Plan Section 1.2.1 of the Land Use Element identifies "the stretch of Pacific Coast Highway just west of Carbon Canyon Road through the Civic Center" as the commercial core strip of the City's commercial uses which include retail and service space. Residential development is located upslope from the subject property as well as to the south across PCH. To date, no complaints have been filed with the City regarding the existing motel. Furthermore, ample space and buffers exist so the proposed motel will not interfere with the residential uses in the vicinity. Therefore, the proposed motel is compatible with existing uses surrounding the site.

Finding K5. The proposed use would be compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located.

As previously discussed in Findings K2 and K4, the proposed motel is compatible with existing land uses surrounding the subject property. Existing surrounding land uses are generally developed consistent with applicable zoning designations. Therefore, the proposed motel is compatible with existing and projected lands uses within the applicable zoning designation and surrounding area.

Finding K6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety and the project does not affect solar access or adversely impact existing public and private views, as defined by the staff.

The proposed use will be served by existing utilities. The proposed improvements to the existing structure will not adversely impact surrounding public and private views. The subject site is located directly adjacent to a hillside and properties located behind the motel enjoy an unobstructed ocean view because those properties look over the site at a much higher elevation. The existing envelope of the structure will be slightly modified to include a new rooftop deck and elevator but based on project location and story poles, development will not affect solar access or adversely impact existing public and private views.

Finding K7. There would be adequate provisions for public access to serve the subject proposal.

Pursuant to MMC Section 17.48.030(G), the parking requirements for a motel are one space for each keyed room, plus one space for the average, per-shift number of employees. The motel will offer 19 rooms and will be staffed by 1 employee at all times,

housekeeping service and maintenance will be handled by contracted services that are only onsite when needed. The 14 full size parking spaces are 16 by nine feet and the seven compact spaces are 15 by eight feet. The project proposes 21 spaces (19 spaces for the rooms and two for staff) and therefore, adequate provisions for public access to serve the proposed motel have been made.

Finding K8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the General Plan.

The Malibu General Plan is a policy document that contains policy measures. The specific development standards to implement these policy measures are located in the MMC. The proposed motel is a conditionally permitted use in the CV-1 zoning district and, as conditioned, is consistent with specific development standards in the MMC. Therefore, the proposed motel, as conditioned, is consistent with goals, objectives and policies of the General Plan.

Finding K9. The proposed project complies with all applicable requirements of state and local law.

The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the Los Angeles Regional Water Quality Control Board, and the Los Angeles County Fire Department.

Finding K10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

Motels are conditionally permitted uses in the CV-1 zoning district and as conditioned, the proposed use is continuing a previous motel and will not be detrimental to the public interest, health, safety, convenience, or welfare.

Finding K11. If the project is located in an area determined by the City to be at risk from earth movement, flooding or liquefaction, there is clear and compelling evidence that the proposed development is not at risk from these hazards.

The application involves the remodel and continued operation of a use that has existed prior to cityhood. The only earthwork proposed includes new hardscaping, landscaping and the installation of a new AOWTS. The building footprint and envelope will not change. However, the foundation and structural stability of the structure will be improved to the current code requirements; therefore, there is no new impact related to earth movement, flooding, or liquefaction.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Department has analyzed the proposal as described above. The Planning Department has found that this project is listed among the classes of projects that have been determined to have a less than significant adverse effect on the environment; and therefore, is exempt from the provisions of CEQA. Accordingly, a categorical exemption will be prepared pursuant to CEQA Guidelines Section 15301 - Existing Facilities. The Planning Department has t apply.determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

PUBLIC NOTICE: A Notice of Public Hearing was published in a newspaper of general circulation within Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

CORRESPONDENCE: To date, staff has not received public comments regarding this application.

SUMMARY: The required LCP and CUP findings can be made. 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 is recommending approval of this project subject to the conditions of approval contained in Section 6 (Conditions of Approval) of Planning Commission Resolution No. 16-40. The project has been reviewed and conditionally approved for conformance with the MMC.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-40
2. Project Plans
3. Department Review Sheets
4. Story Pole Photographs
5. Public Hearing Notice

**CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-40**

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. NO. 15-012 TO ALLOW FOR THE REMODEL OF AN EXISTING MOTEL, THE SURFRIDER MOTEL, THE ADDITION OF A ROOF TOP DECK, NEW ELEVATOR, INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, RESTRIPIING OF THE PARKING LOT, LANDSCAPING, AND ASSOCIATED DEVELOPMENT INCLUDING SITE PLAN REVIEW NO. 15-016 FOR HEIGHT IN EXCESS OF 18 FEET (UP TO 22 FEET FOR A FLAT ROOF), AND CONDITIONAL USE PERMIT NO. 15-003 TO ALLOW FOR THE OPERATION OF A MOTEL IN THE COMMERCIAL VISITOR SERVING-ONE DISTRICT LOCATED AT 23033 PACIFIC COAST HIGHWAY (PCH 23033, LLC)

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

Section 1. Recitals.

- A. On February 27, 2014, an application for Coastal Development Permit (CDP) No. 15-021, Conditional Use Permit (CUP) No. 15-003 and Site Plan Review (SPR) No. 15-016 was submitted to the Planning Department by applicant, Burdge and Associates, on behalf of the property owner PCH 23033, LLC. The application was routed to the City geotechnical staff, City Environmental Health Administrator, City Biologist, the City Public Works Department, and the Los Angeles County Fire Department (LACFD) for review.
- B. On January 13, 2015, a Notice of Coastal Development Permit Application was posted on the subject property.
- C. On August 13, 2015, staff visited the site to determine that the proper amount of existing walls remained in place during the remodel that was approved by the over-the-counter approvals. In addition, staff verified that the existing foundation was not altered and new additions were made to the building.
- D. On March 10, 2016, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu.
- E. On March 14, 2016, a Notice of Planning Commission Public Hearing was mailed to all property owners and occupants within a 500-foot radius of the subject property.

- F. In March 2016, story poles were installed on site to reflect the massing of the proposed elevator shaft.
- G. On April 4, 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. 15-012 to allow for the remodel of an existing motel, the Surfrider Motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system, restriping of the parking lot, landscaping, and associated development including SPR No. 15-016 for height in excess of 18 feet (up to 22 feet for a pitched roof), and CUP No. 15-003 to allow for the operation of a motel, located in the Commercial Visitor Serving-One zoning district located at 23033 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 conditional use permit and site plan review, the project, as conditioned, has been determined to be consistent with all applicable LCP and Malibu Municipal Code (MMC), 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 Environmental Health Administrator, City geotechnical staff and the City Public Works Department. The project will be able to maintain existing non-conformities since less than 50 percent of the existing walls will be removed as part of this project and past project. 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 SPR and CUP, the project conforms to the LCP and MMC in that it meets all applicable residential development standards.

2. Evidence in the record demonstrates that as conditioned, the project will not result in biological impacts and has been designed to minimize site disturbance. There is no evidence that an alternative project is the least environmentally damaging alternative, and would substantially lessen any potential significant adverse impacts of the development on the environment.

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

The project requests a site plan review for the construction of a flat roof that is 22 feet tall at its highest point, pursuant to LIP Section 3.6(E)(2).

1. The project site is located along the inland side of PCH, which is a public highway. Story poles were installed in March 2016 to demonstrate that the project is compatible with the rural nature of the surrounding development. The residences surrounding the subject parcel are developed as a mix of single and two-story residential and commercial structures with accessory development and setbacks similar to those proposed in the project. In addition, the project is for the remodel of an existing structure and the footprint of the structure will not change. The project complies with all development standards. Therefore, the project is not anticipated to adversely affect neighborhood character.

2. The project is visible from PCH which is a scenic highway. However, the areas of the development that will be in excess of 18 feet in height will be sighted in-line with existing development that is located onsite. Furthermore, the elevator shaft will be located at the rear of the property because existing development. Given the site's topography and surrounding development and landscaping, the proposed development does not obstruct public views of the ocean. While the structure will be visible from PCH, it will be seen in the foreground of the mountains located behind similar to the surrounding development. Due to the location and design of the project and the implementation of standard conditions of approval, the project is expected to have less than significant impacts to scenic vistas and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

3. The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD.

4. The proposed project with the inclusion of the variance and site plan review is consistent with the LCP in that the proposed project is located in an area that has been identified for residential and commercial uses. The goals and policies of the General Plan identify the area of the subject property as an area for commercial development, and the project is consistent with these goals. The proposed project is consistent with the LCP in that it conforms to the residential land use designation and all applicable development standards

5. Based on the visual impact analysis (story pole placement), staff determined that the proposed development will not result in impacts to neighboring structures bluewater views. The remodeled structure and its additions will be in-line with neighboring development to the east. Views of the surrounding properties are oriented to the south. Based on the visual analysis, as well as site inspections, it is expected that the project will not obstruct visually impressive scenes of the ocean from primary viewing areas of surrounding buildings.

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

1. The project site is adjacent to PCH, , and is visible from Surfrider beach, Malibu Pier, The Adamson House, and the Malibu Lagoon, all of which are LUP-identified scenic areas. The subject parcel is located adjacent to existing commercially developed parcels that share a similar topography. The site's topography ascends from PCH to the base of the hillside located at the rear of the property. When viewing the story poles from PCH, the home will be sited among existing development and therefore is not expected to affect views from PCH.

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 surrounding scenic areas; therefore, the project has been designed to comply with the LCP standards and minimizes any adverse or scenic impacts. Furthermore, the site is currently developed with a motel that does not block scenic views in the area. The project, as conditioned, will not have significant adverse scenic or visual impacts due to the project design, colors, materials, and location or other reasons.

3. 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.

D. Hazards

1. Based on review of project plans, geotechnical reports and addenda, the project geologist concluded the project is feasible from an engineering geologic standpoint, will be free from geologic hazards such as landslides, slippage, settlement, and will not have an adverse effect upon the stability of the site or adjacent properties provided their recommendations and those of the project geotechnical engineer are incorporated into the plans and implemented during construction, and the subject property and proposed structures are properly maintained.

2. The proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications, landscaping or other conditions.

3. The proposed project, as designed and conditioned, is the least environmentally damaging alternative.

4. There are no feasible alternatives that would avoid or substantially lessen impacts on site stability or structural integrity.

5. No adverse impacts to sensitive resources are expected.

E. Conditional Use Permit Findings

1. The applicant is requesting a CUP to allow for the continued operation of a motel which has been in existence since 1953. The property recently changed ownership and the new property owner is proposing upgrades and modifications to the existing structure and as part of the renovation, an application for a CUP was submitted to permit the existing use. Pursuant to LIP Section 3.3(J) and MMC Section 17.26.030, motels may be conditionally permitted in the CV-1 zoning district. Since the proposed use is for the operation of a motel, a CUP is required. The project has been conditioned to comply with all applicable provisions of the MMC.

2. The proposed motel is a visitor-serving use and would occupy a building that has been historically operated as a motel. The subject property is located near restaurants, Malibu Pier, Surfrider Beach and two state parks. The proposed motel will be consistent with the existing surrounding land uses. Therefore, the proposed motel use will not impair the integrity and character of the applicable zoning district.

3. It has been determined that the subject site is physically suitable for supporting a motel, as the building has historically been used as a motel and all reviewing departments have recommended approval. The new amenities do not intensify the use and will only serve the guests and not the public, consistent with the motel use.

4. The subject site is currently developed as a two-story, 20 room motel (19 guestrooms and one staff room) and has been in operation since 1953. The existing land uses surrounding the subject property are compatible with the proposed motel. General Plan Section 1.2.1 of the Land Use Element identifies "the stretch of Pacific Coast Highway just west of Carbon Canyon Road through the Civic Center" as the commercial core strip of the City's commercial uses which include retail and service space. Residential development is located upslope from the subject property as well as to the south across PCH. To date, no complaints have been filed with the City regarding the existing Motel. Furthermore, ample space and buffers exist so the proposed motel will not interfere with the residential uses in the vicinity. Therefore, the proposed motel is compatible with existing uses surrounding the site.

5. The proposed motel is compatible with existing land uses surrounding the subject property. Existing surrounding land uses are generally developed consistent with applicable zoning designations. Therefore, the proposed motel is compatible with existing and projected lands uses within the applicable zoning designation and surrounding area.

6. The proposed use will be served by existing utilities. The proposed improvements to the existing structure will not adversely impact surrounding public and private views. The subject site is located directly adjacent to a hillside and properties located behind the motel enjoy an unobstructed ocean view because those properties look over the site at a much higher elevation. The existing envelope of the structure will be slightly modified to include a new rooftop deck and elevator but based on project location and story poles, development will not affect solar access or adversely impact existing public and private views.

7. Pursuant to MMC Section 17.48.030(G), the parking requirements for a motel are one space for each keyed room, plus one space for the average, per-shift number of employees. The motel will offer 19 rooms and will be staffed by 1 employee at all times, housekeeping service and maintenance

will be handled by contracted services that are only onsite when needed. The 14 full size parking spaces are 16 by nine feet and the seven compact spaces are 15 by eight feet. The project proposes 21 spaces (19 spaces for the rooms and two for staff) and therefore, adequate provisions for public access to serve the proposed motel have been made.

8. The Malibu General Plan is a policy document that contains policy measures. The specific development standards to implement these policy measures are located in the MMC. The proposed motel is a conditionally permitted use in the CV-1 zoning district and, as conditioned, is consistent with specific development standards in the MMC. Therefore, the proposed motel, as conditioned, is consistent with goals, objectives and policies of the General Plan.

9. The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the Los Angeles Regional Water Quality Control Board, and the Los Angeles County Fire Department.

10. Motels are conditionally permitted uses in the CV-1 zoning district and as conditioned, the proposed use is continuing a previous motel and will not be detrimental to the public interest, health, safety, convenience, or welfare.

11. The application involves the remodel and continued operation of a use that has existed prior to cityhood. The only earthwork proposed includes new hardscaping, landscaping and the installation of a new AOWTS. The building footprint and envelope will not change. However, the foundation and structural stability of the structure will be improved to the current code requirements; therefore, there is no new impact related to earth movement, flooding, or liquefaction.

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 15-012, SPR No. 15-016, and CUP No. 15-003 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. Remodel of the existing motel consisting of:
 - i. The addition of 193 square feet which consists of mechanical and storage areas;
 - ii. The addition of 164 square feet of mechanical and storage areas to the second floor;
 - iii. The conversion of 764 square feet of the second floor attic and storage space to guest room and office area.
 - b. AOWTS;
 - c. Planters and landscaping;
 - d. Two stop elevator;
 - e. Vertical platform lift;
 - f. Repaving of the parking lot and driveways;
 - g. Rooftop deck;
 - h. Wet bar area on rooftop deck for guest use only;
 - i. CUP No. 15-003 to allow for the continued operation of a 19 room motel; and
 - j. SPR No. 15-016 to allow for construction in excess of 18 feet up to 28 feet with a pitched roof.
3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, date-stamped **March 18, 2016**. 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 permittee signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein and the property owner signs and records with the Los Angeles County Recorder Office 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 April 4, 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 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 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. Archaeological monitoring by a qualified archaeologist and Chumash Native American representative shall be required for any earth disturbing activities on any of the project Sites to ensure that potentially significant buried cultural resource materials are not inadvertently destroyed during construction. Monitoring shall be required during any permitted action involving physical digging or grading of the area, using mechanical equipment or hand tools, including core sampling, soil borings, work required for placing caissons or footings, planting trees, disking, grubbing, trenching and installation of poles, underground electrical systems, sewers, water mains, or other utilities, or geological/geotechnical testing.
14. Prior to initiation of any construction-related activities, the developer shall have a monitoring agreement in place with a qualified archaeologist and on-call agreement with a qualified paleontologist, prepared to the satisfaction of the City of Malibu Planning Director. The basic agreement shall outline terms, conditions and expectations pertaining to cultural resource aspects of the project including the proper handling and disposition of potential cultural resource aspects of potential cultural resources and human remains
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.

Geology

16. 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.
17. 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

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 storm water runoff and limits the potential for upset; and
 - 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.
 - d. Specific BMPs to prevent erosion and BMPs for sediment control prior to discharge from the property.

Construction/Framing

23. A construction staging plan shall be submitted for review and approval by the Planning Department and Building Safety Division prior to permit issuance.
24. 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.
25. 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.
26. 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 the Planning Department for review and sign off on framing.
27. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

Lighting

28. 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 structure 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.
29. Night lighting for sports courts or other private recreational facilities shall be prohibited.
30. 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.
31. 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

32. 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.
33. 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

34. 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.
35. 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).
36. 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.
37. 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.
38. 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 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.
 - 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.
39. 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.
 40. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.
 41. 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.
 42. 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.

43. 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.
44. The City Geotechnical staff and Geotechnical Engineer's final approval shall be submitted to the City Environmental Health Administrator.
45. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Biology/Landscaping

46. 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 square-feet or more of the existing landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

Water Quality/ Water Service

47. 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.

Motel Operations

48. Operation of the motel shall comply with LCP and MMC standards regarding the operation of motel.
49. The motel shall not utilize the rooftop deck as a restaurant or bar.
50. The parking lot shall not be utilized for offsite parking uses unless a CUP for shared parking is approved.
51. Trash shall not be emptied into outdoor containers during the hours of 11:00 PM to 7:00 AM.
52. The property owner of the motel shall apply for and obtain a sign permit prior to the installation of any signage on the site.
53. The conditions under which this conditional use permit was approved may be modified by the City without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

54. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land.
55. Violation of any of the conditions of approval shall be cause for revocation of the conditional use permit and termination of all rights contained therein.
56. A review of the proposed use and compliance with the conditions of approval shall be conducted by Planning Department staff and reported to the Planning Commission within one year of commencement of operations. Staff will report whether the use is operating in compliance with the Planning Commission's findings and all approved conditions, and whether it recommends initiating proceedings to modify or revoke the permit.
57. The conditional use permit may be revoked if the Planning Commission finds that one or more of the following conditions exists:
 - a. The conditional use permit was obtained in a fraudulent manner.
 - b. One or more of the conditions found within this resolution have not been substantially met.

Deed Restrictions

58. 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.
59. 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.

Prior to Occupancy

60. 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.
61. The applicant shall request a final planning 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.

62. 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

63. This coastal development permit shall run with the land and bind all future owners of the property.
64. 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 4th day of April 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, Ventura, California 93001, 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. 16-40 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 4th day of April 2016 by the following vote:

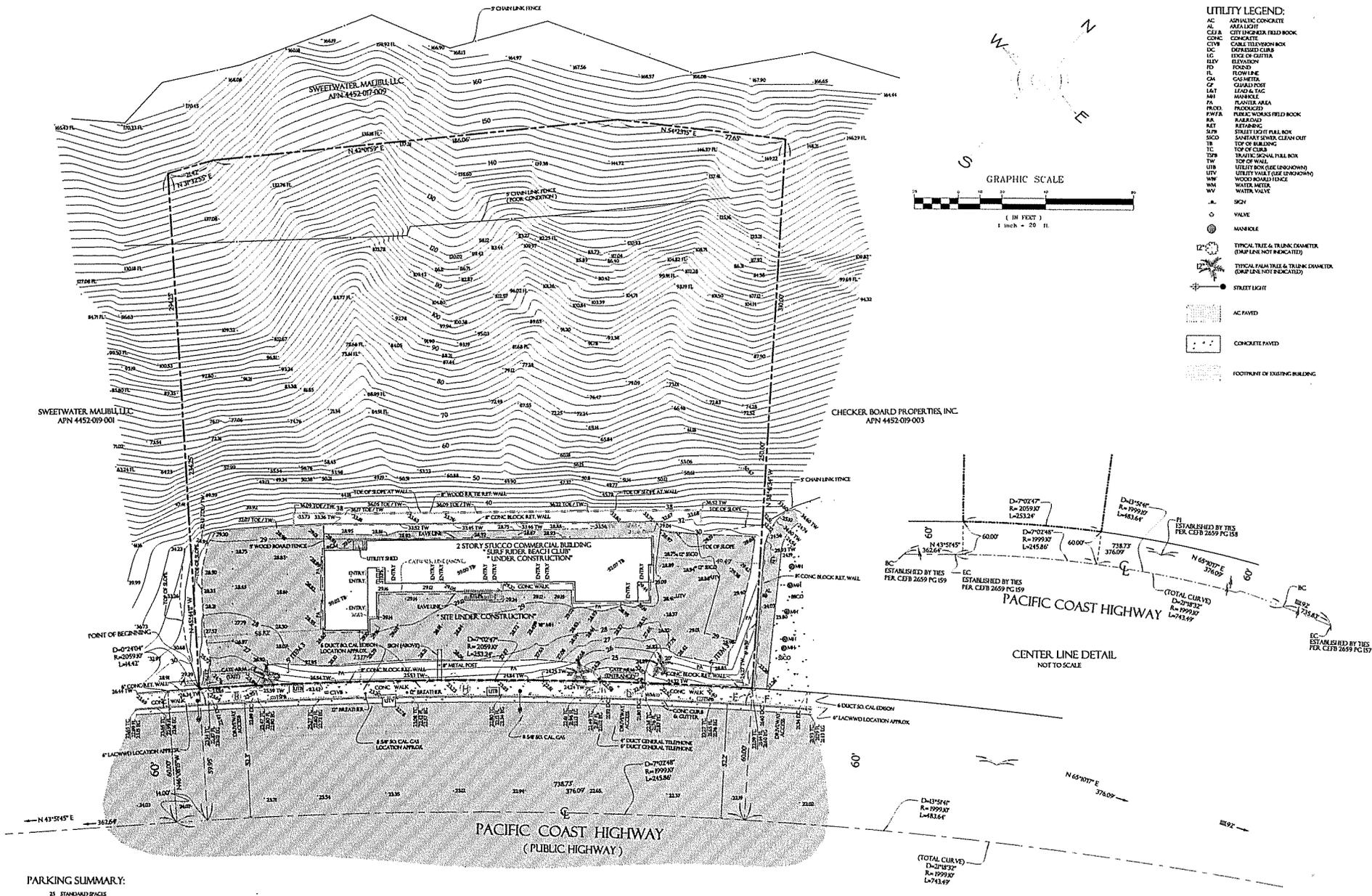
AYES:

NOES:

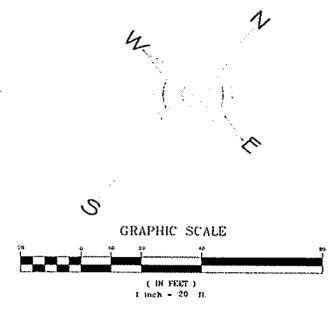
ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary



- UTILITY LEGEND:**
- AC ASPHALT CONCRETE
 - AL AREA LIGHT
 - CEJA CITY ENGINEER FIELD BOOK
 - CONC CONCRETE
 - CTVB CABLE TELEVISION BOX
 - DC DIMENSIONED CURB
 - IC LINE OF CENTER
 - ELEV ELEVATION
 - FD FENCE
 - FL FLOW LINE
 - GA GAS METER
 - GU GUARD POST
 - LEAD L&C LEAD L&C
 - MB MANHOLE
 - MEB MANHOLE
 - PROD PRODUCE
 - PWRB PUBLIC WORKS FIELD BOOK
 - RA ROAD
 - RET RET
 - SLP STREET LIGHT FULL BOX
 - SSCD SANITARY SEWER CLEAN OUT
 - TR TOP OF BUILDING
 - TC TOP OF CURB
 - TSB TRAFFIC SIGNAL TRAIL BOX
 - TRW TRAFFIC SIGNAL TRAIL BOX
 - UBB UTILITY BOX (SEE LOOKDOWN)
 - UTW UTILITY WARE (SEE LOOKDOWN)
 - WB WOOD BOARD WALK
 - WW WATER WALK
 - WV WATER VALVE
- SIGN
 ○ VALVE
 ○ MANHOLE
 ○ TYPICAL TREE & TRUNK DIAMETER (CROWN LINE NOT INDICATED)
 ○ TYPICAL PLANT TREE & TRUNK DIAMETER (CROWN LINE NOT INDICATED)
 ○ STREET LIGHT
 [Pattern] AC PAVED
 [Pattern] CONCRETE PAVED
 [Pattern] FOOTPRINT OF EXISTING BUILDING



PARKING SUMMARY:
25 STANDARD SPACES

PHASE II

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED IN ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

WRITTEN CHANGES SHALL BE MADE ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	05/20/15	CDP SUBMITTAL PHASE B
2	02/01/16	CDP RE-SUBMITTAL PHASE B
3	01/22/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

SURFRIDER

23033 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
STATE OF CALIFORNIA

SHOULDER H. BURDGE
C-16889

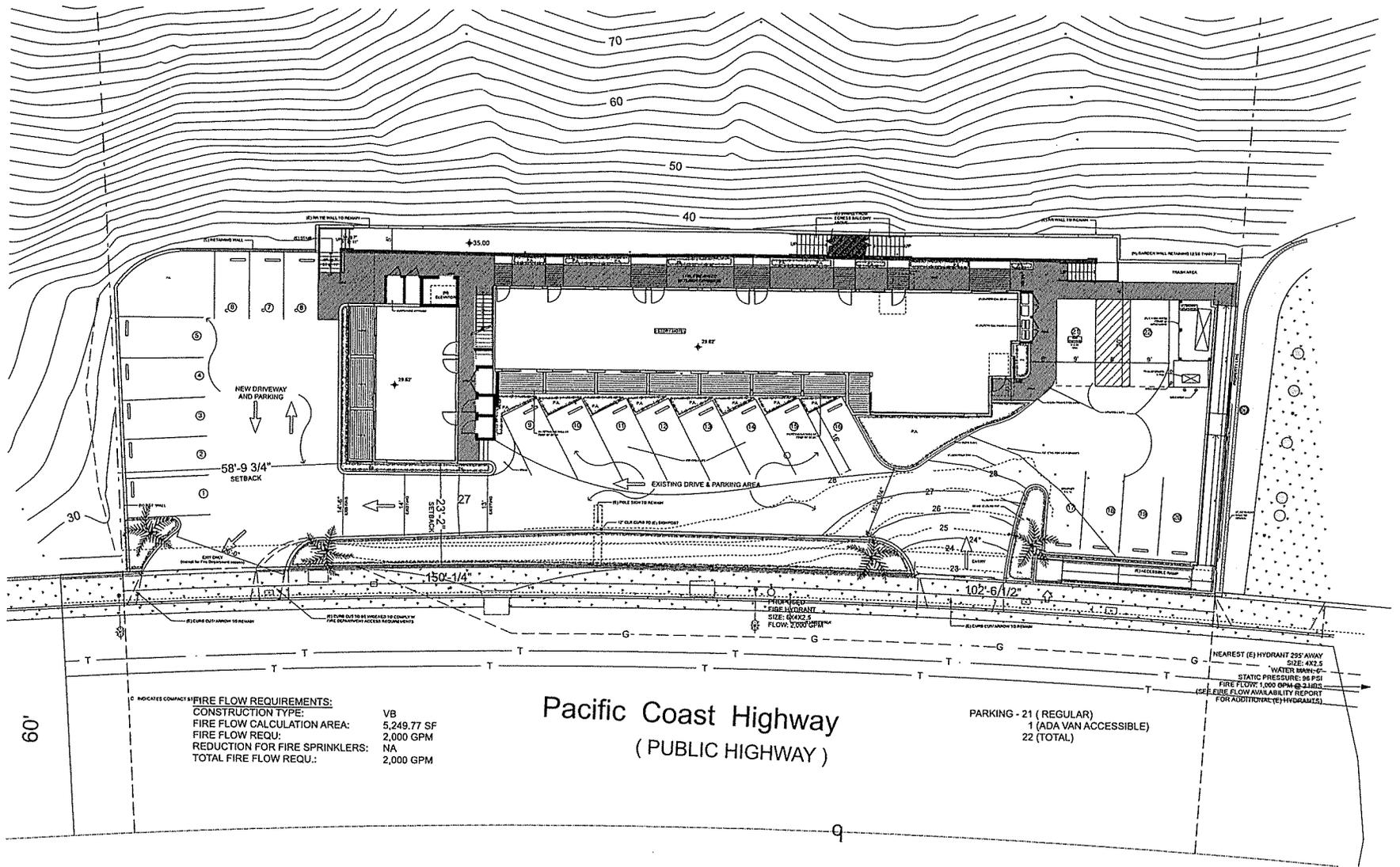
BURDGE & Associates
ARCHITECTS

2325 PACIFIC COAST HWY
MALIBU, CA 90265
TEL: 310-416-5200

480 WASHINGTON AVE
SUITE 200
ACTON, CA 94512
TEL: 530-445-2028

WWW.BURDGE.COM
WWW.BUANA.COM

DESCRIPTION:	DRAWING NO.
SURVEY	T-1.2
PROJECT: SURFRIDER BEACH MOTEL	SCALE: 1/16"=1'-0"
DATE: 01/31/16	DRAWN BY: S.W.B., J.L.W., S.D.



60'

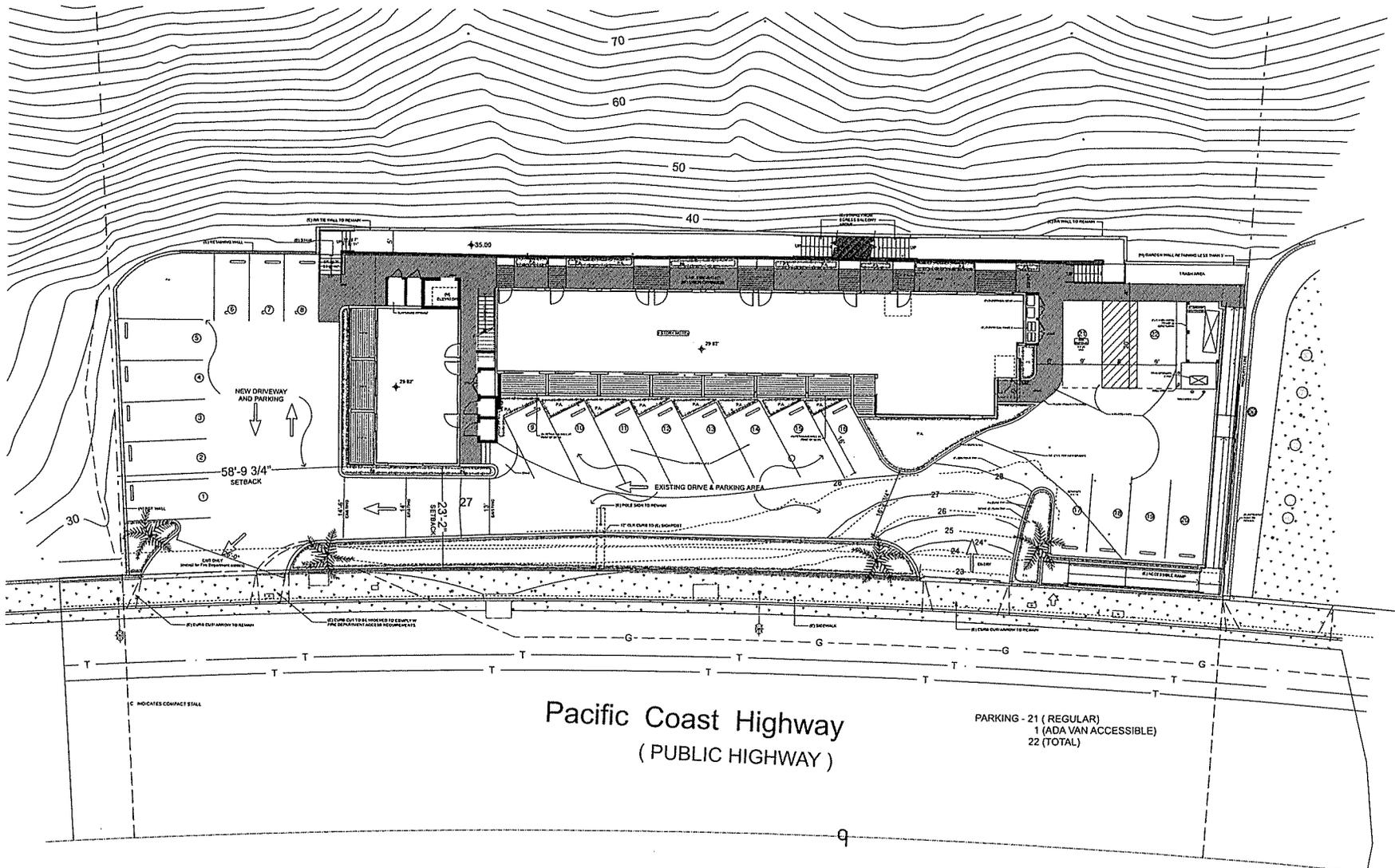
INDICATES COMPACT SITE
FIRE FLOW REQUIREMENTS:
 CONSTRUCTION TYPE: VB
 FIRE FLOW CALCULATION AREA: 5,249.77 SF
 FIRE FLOW REQU: 2,000 GPM
 REDUCTION FOR FIRE SPRINKLERS: NA
 TOTAL FIRE FLOW REQU.: 2,000 GPM

Pacific Coast Highway
 (PUBLIC HIGHWAY)

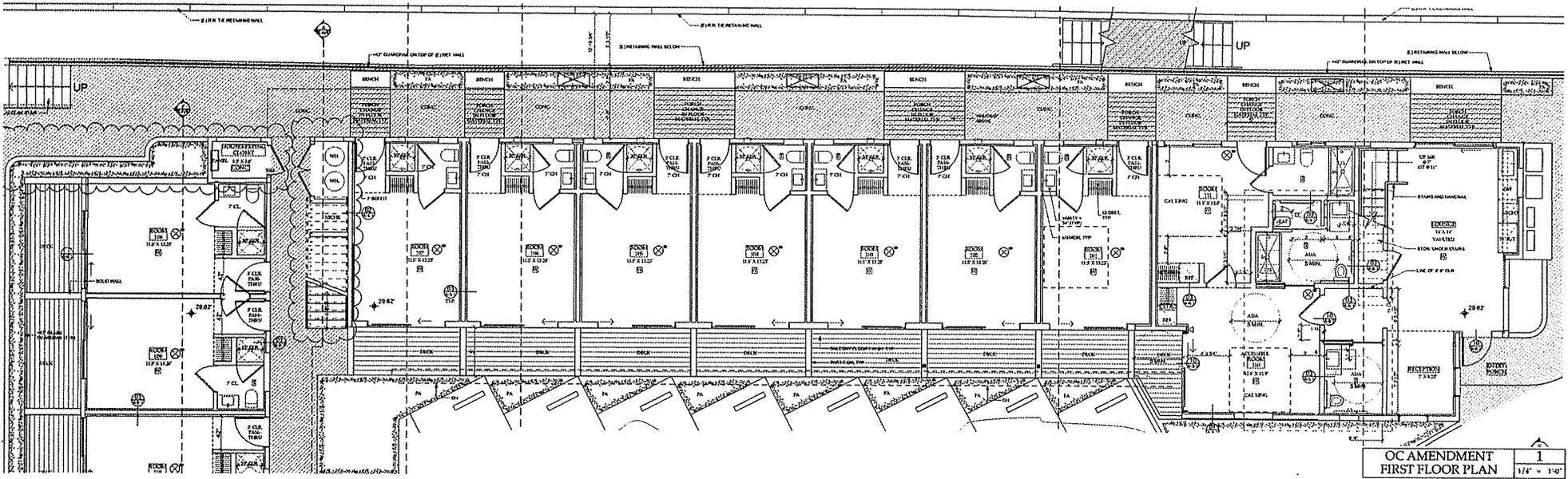
PARKING - 21 (REGULAR)
 1 (ADA VAN ACCESSIBLE)
 22 (TOTAL)

NEAREST (E) HYDRANT 295' AWAY
 SIZE: 4X2.5
 WATER BRANCHING
 STATIC PRESSURE: 96 PSI
 FIRE FLOW: 1,000 GPM @ 2.31 GPM
 SEE FIRE FLOW AVAILABILITY REPORT
 FOR ADDITIONAL (E) HYDRANTS

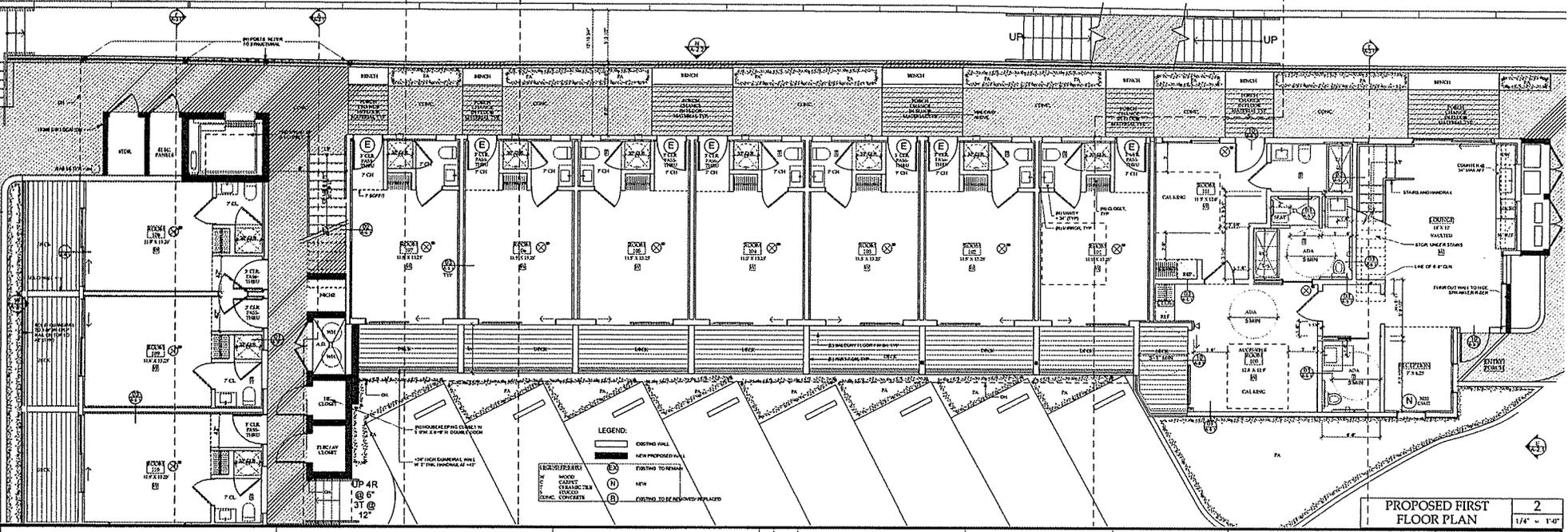
<h2>PHASE II</h2>	THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN AGREEMENT WITH THE ARCHITECT. WRITTEN CONDITIONS SHALL BE VIEWED ON THE JOB SITE. SIGNATURES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/20/15</td> <td>CDP SUBMITTAL PHASE B</td> </tr> <tr> <td>2</td> <td>09/01/15</td> <td>CDP RE-SUBMITTAL PHASE B</td> </tr> <tr> <td>3</td> <td>09/16/15</td> <td>BUILDING AND SAFETY CHECK SET</td> </tr> <tr> <td>4</td> <td>09/27/15</td> <td>REZONING PLANNING SUBMITTAL</td> </tr> </tbody> </table>	NO.	DATE	REVISION	1	08/20/15	CDP SUBMITTAL PHASE B	2	09/01/15	CDP RE-SUBMITTAL PHASE B	3	09/16/15	BUILDING AND SAFETY CHECK SET	4	09/27/15	REZONING PLANNING SUBMITTAL	<p>SURFRIDER</p> <p>23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265</p>		<p>BURDGE & Associates ARCHITECTS</p> <p>22156 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-166-1966</p> <p>ADMINISTRATIVE: INC. 8475 24th ST. REDWOOD CITY, CA 94061 TEL: 650-491-2017</p> <p>WWW: BUJAIA.COM</p>	<p>DESCRIPTION: FIRE DEPARTMENT PLAN</p> <p>DRAWING NO. T-1.3</p> <p>PROJECT: SURFRIDER BEACH MOTEL DATE: 10/16/2014 DRAWN BY: D.W. JALAN, L.W. S.D.</p>
NO.	DATE	REVISION																			
1	08/20/15	CDP SUBMITTAL PHASE B																			
2	09/01/15	CDP RE-SUBMITTAL PHASE B																			
3	09/16/15	BUILDING AND SAFETY CHECK SET																			
4	09/27/15	REZONING PLANNING SUBMITTAL																			



<h2>PHASE II</h2>	<p>THE DIMENSIONS AND SPACING OF CURBS AND THE PROPERTY AND CONTIGUOUS OF THE ADJACENT AND SHALL NOT BE USED ON ANY OTHER PROJECTS WITHOUT THE WRITTEN AGREEMENT WITH THE ARCHITECT.</p> <p>WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY UPON THE COMMENCEMENT OF ANY WORK.</p>	<table border="1"> <thead> <tr> <th>NO</th> <th>DATE</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>PROPOSED CDP SUBMITTAL PHASE II</td> </tr> <tr> <td>2</td> <td></td> <td>REVISED CDP RE-SUBMITTAL PHASE II</td> </tr> <tr> <td>3</td> <td></td> <td>REVISED BUILDING AND SAFETY CHECK SET</td> </tr> <tr> <td>4</td> <td></td> <td>REVISED PLANNING SUBMITTAL</td> </tr> </tbody> </table>	NO	DATE	ISSUE	1		PROPOSED CDP SUBMITTAL PHASE II	2		REVISED CDP RE-SUBMITTAL PHASE II	3		REVISED BUILDING AND SAFETY CHECK SET	4		REVISED PLANNING SUBMITTAL	<h3>SURFRIDER</h3> <p>23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265</p>	 <p>PHILIP H. BURDGE 6-18888 ARCHITECT MALIBU, CALIFORNIA</p>	<h3>BURDGE & Associates</h3> <p>ARCHITECTS</p> <p>1105 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310 458 1999</p> <p>1400 WILSON AVENUE SUITE 200 C MIRAMONTE BEACH TEL: 310 495 3028</p> <p>WWW.BUAIA.COM</p>	<p>DESCRIPTION: SITE PLAN</p> <p>DRAWING NO. A-0.1</p> <p>PROJECT: SUNFRIDER BEACH MOTEL</p> <p>DATE: 01/04/2018</p> <p>DRAWN BY: C.W.P./L.W./E.S.</p> <p>SCALE: 1/8" = 1'-0"</p>
		NO	DATE	ISSUE																	
1		PROPOSED CDP SUBMITTAL PHASE II																			
2		REVISED CDP RE-SUBMITTAL PHASE II																			
3		REVISED BUILDING AND SAFETY CHECK SET																			
4		REVISED PLANNING SUBMITTAL																			



OC AMENDMENT
FIRST FLOOR PLAN 1
1/4" = 1'-0"



PROPOSED FIRST
FLOOR PLAN 2
1/4" = 1'-0"

PHASE II

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED FOR ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

VERTICAL DIMENSIONS SHALL BE VIEWED ON THE JOB SITE. DIMENSIONS SHALL BE SUBJECT TO THE JUDGMENT OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1.	03/20/14	CDP SUBMITTAL PHASE I
2.	03/20/14	CDP PRE-SUBMITTAL PHASE I
3.	01/22/16	BUILDINGS AND SAFETY CHECK SET
4.	02/17/16	PLANNING SUBMITTAL

SURFRIDER

23033 PACIFIC COAST
HIGHWAY
MALIBU,
CA 90265



BURDGE & Associates
ARCHITECTS

21209 PACIFIC COAST HWY
MALIBU, CA 90265
TEL: 310-316-3605

3000 CALIFORNIA AVE
SUITE 200 C
WESTLAKE, CA 91361
TEL: 310-499-3230

WWW.BURDGE.COM

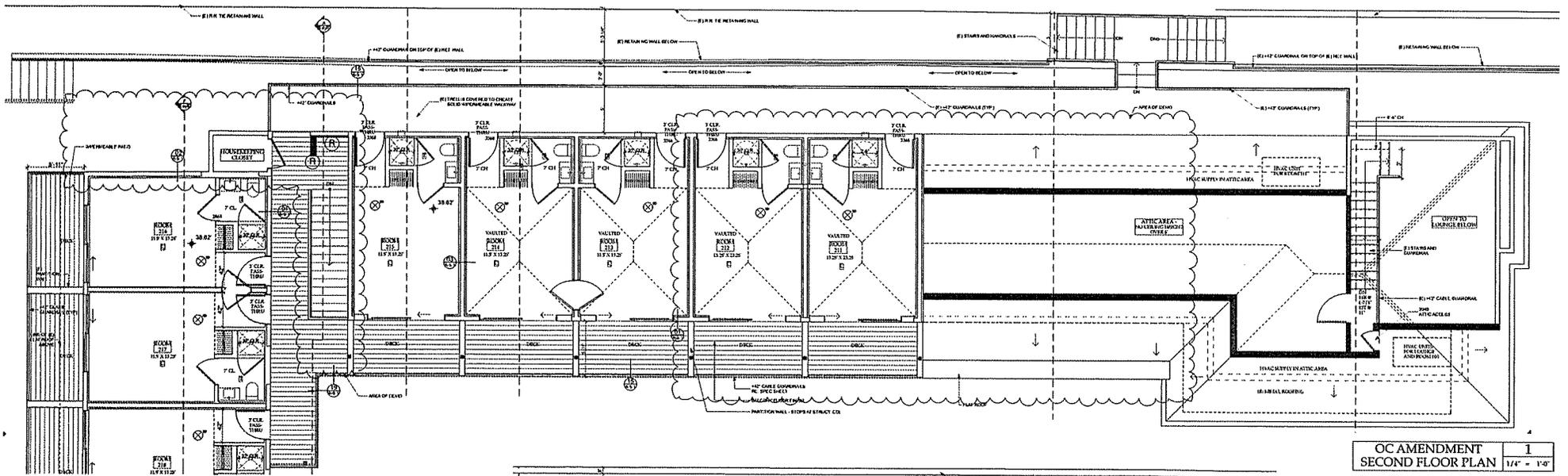
DESCRIPTION:
DEMO/PROPOSED FIRST FLOOR PLANS

DRAWING NO:
A-1.1

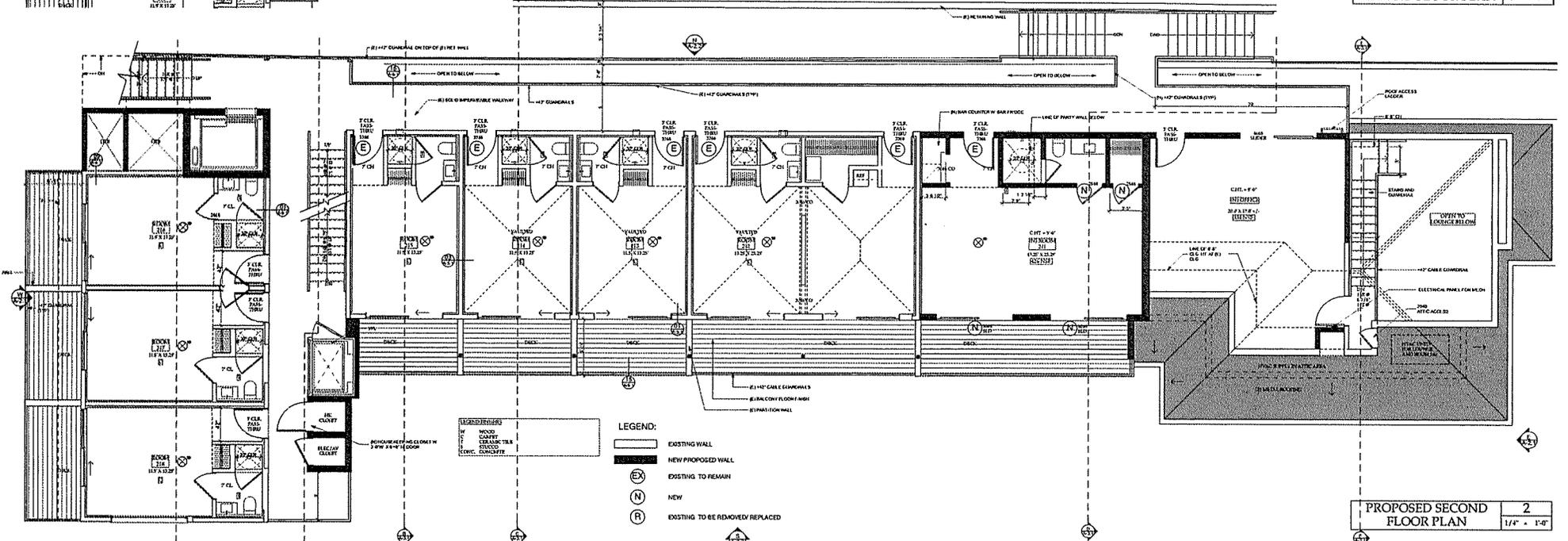
PROJECT: SURFRIDER BEACH MOTEL

DATE: Feb. 04th. 2014

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



OC AMENDMENT
SECOND FLOOR PLAN 1
1/4" = 1'-0"



PROPOSED SECOND
FLOOR PLAN 2
1/4" = 1'-0"

PHASE II

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. DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	10/20/16	COP SUBMITTAL PHASE I
2	10/20/16	COP RE-SUBMITTAL PHASE I
3	01/02/17	BUILDING AND SAFETY CHECK SET
4	02/27/18	PLANNING SUBMITTAL

SURFRIDER

23033 PACIFIC COAST
HIGHWAY
MALIBU,
CA 90265



BURDGE & Associates
ARCHITECTS

23033 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL: 310-224-1828

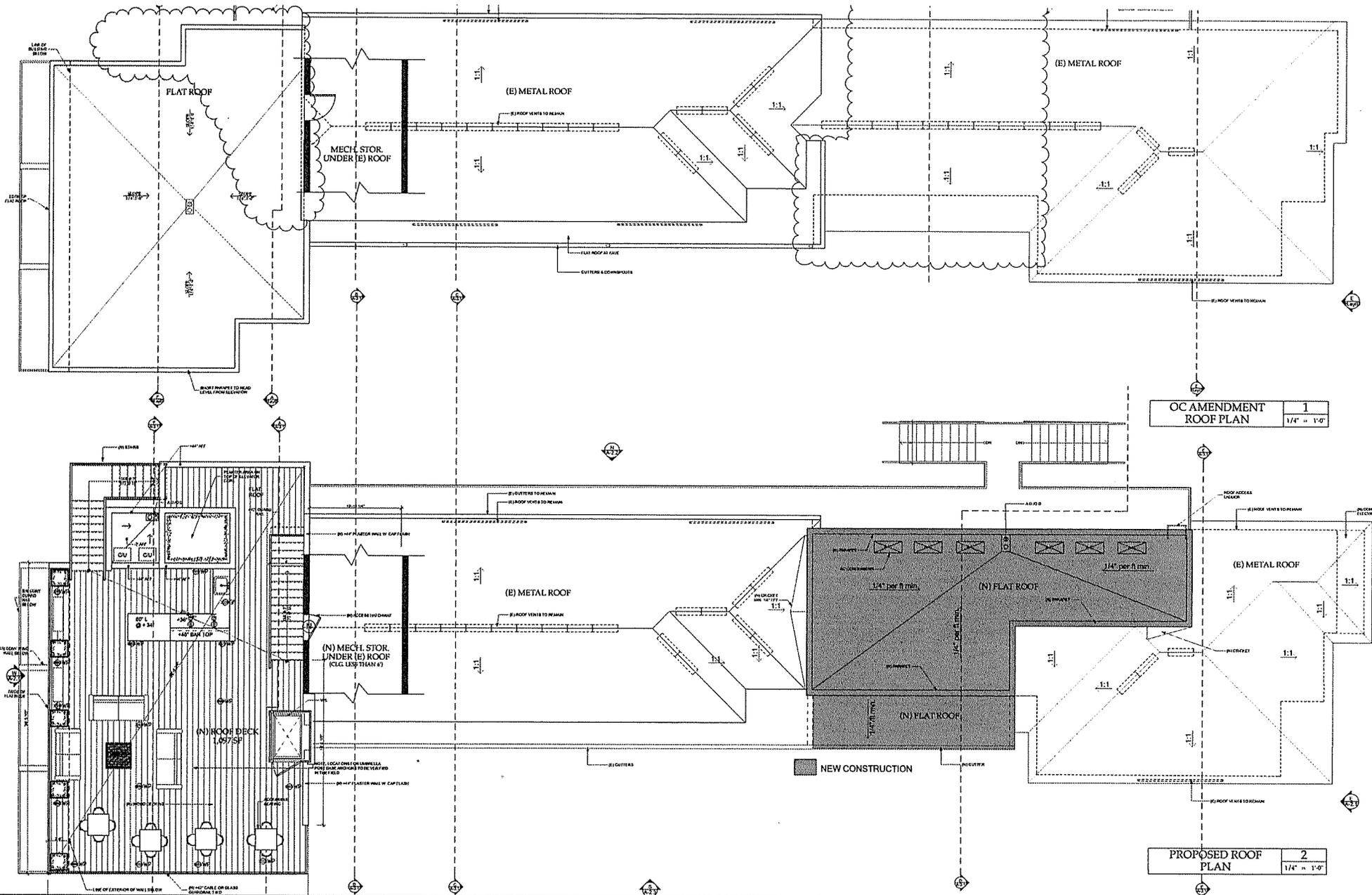
400 BOLDWIN AVENUE
NETUN, CA 90640
TEL: 562-491-3228

PROJECT: SURFRIDER BEACH MOTEL
DATE: FEB 28, 2018
DRAWN BY: D.W.B., J.L.W., S.D.

DESCRIPTION:
DEMO/PROPOSED
SECOND FLOOR PLANS

DRAWING NO:
A-1.2

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



OC AMENDMENT ROOF PLAN 1
1/4" = 1'-0"

PROPOSED ROOF PLAN 2
1/4" = 1'-0"

PHASE II

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WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DIMENSIONERS SHALL BE RESPONSIBLE TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1.	05/29/15	CDP SUBMITTAL PHASE I
2.	05/11/15	CDP RE-SUBMITTAL PHASE I
3.	01/22/16	BUILDING AND SAFETY CHECK SET
4.	03/17/16	PLANNING SUBMITTAL

SURFRIDER

23033 PACIFIC COAST HIGHWAY
MALIBU, CA 90265



BURDGE & Associates
ARCHITECTS

1520 PACIFIC COAST HWY
MALIBU, CA 90265
TEL: 310-456-5800

400 INDUSTRIAL AVE.
SUITE 204-C
MIRAMAR, CA 92457
TEL: 310-495-3020

WWW.BURDGE.COM

DESCRIPTION:
DEMO/PROPOSED ROOF PLAN

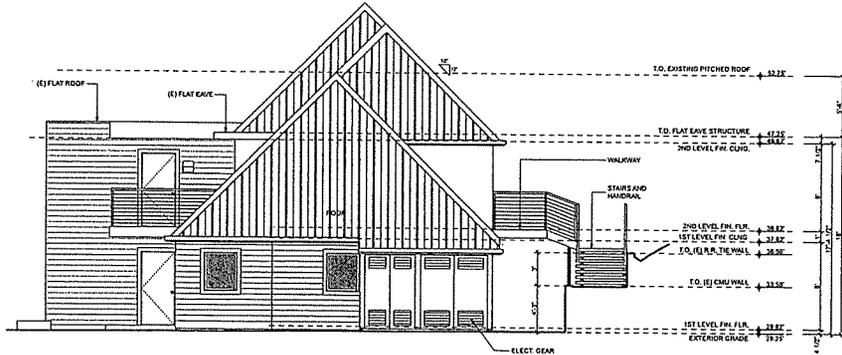
DRAWING NO:
A-1.3

PROJECT: SURFRIDER BEACH MOTEL

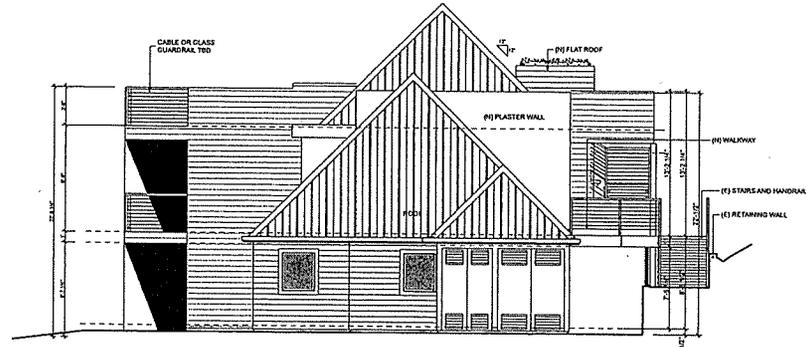
DATE: Final Date: 01/13/16

DRAWN BY: G.W.S., J.L.L., L.W., B.D.

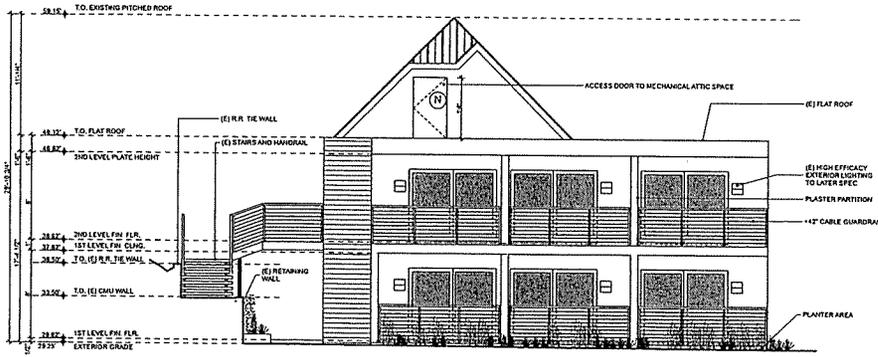
SCALE: 1/4" = 1'-0"



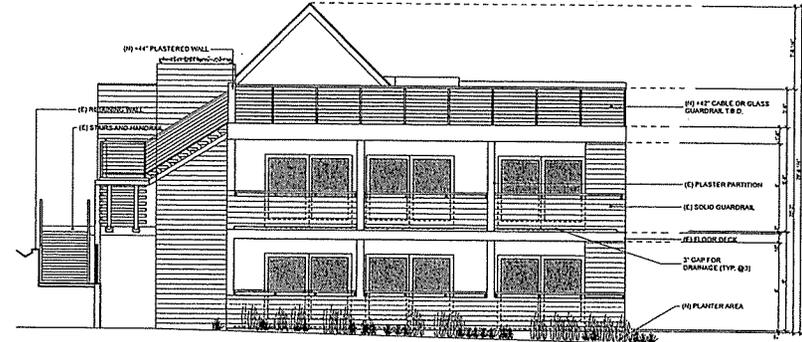
OC AMENDMENT 2
EAST ELEVATION 1/4" = 1'-0"



PROPOSED EAST ELEVATION 1
1/4" = 1'-0"



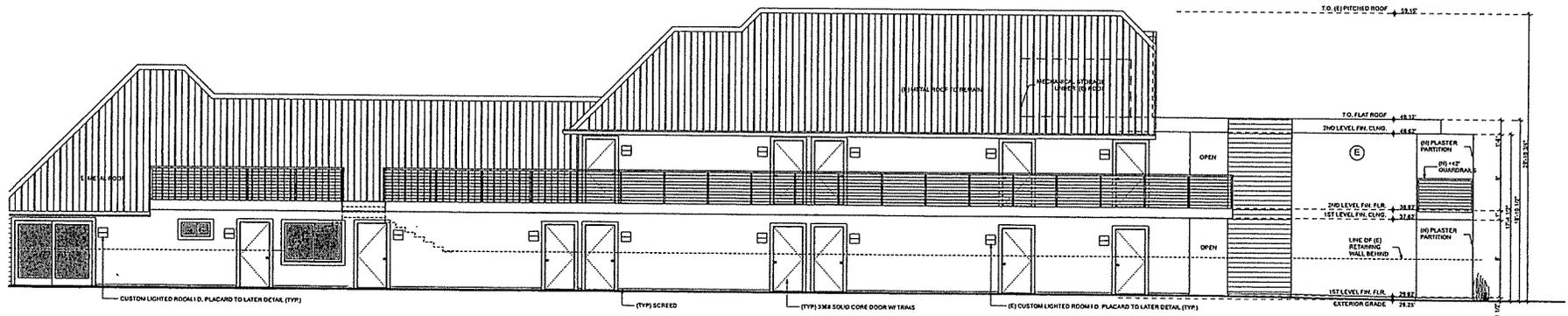
OC AMENDMENT 4
WEST ELEVATION 1/4" = 1'-0"



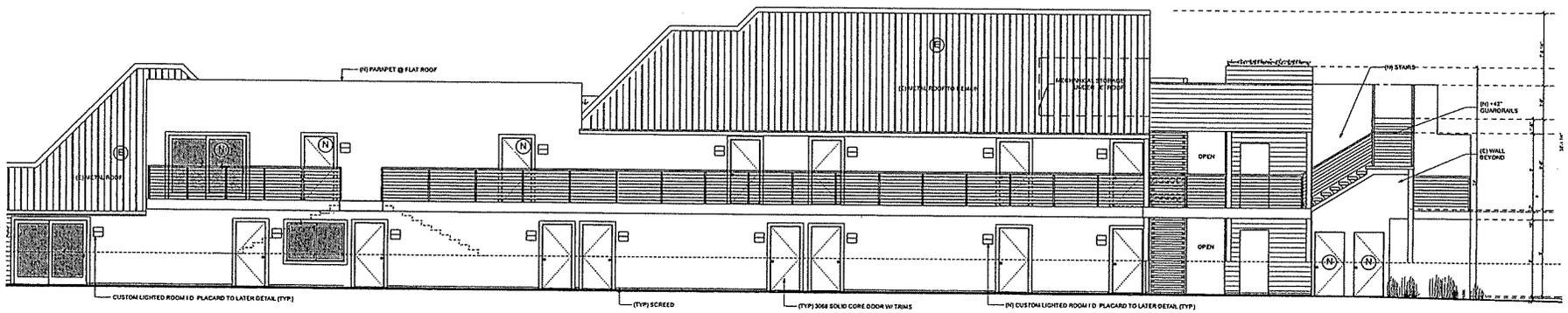
PROPOSED WEST ELEVATION 3
1/4" = 1'-0"

- LEGEND:
- (E) EXISTING TO REMAIN
 - (N) NEW
 - (R) EXISTING TO BE REMOVED/RELOCATED

PHASE II	THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED BY ANY OTHER PERSONS WITHOUT THE WRITTEN AGREEMENT WITH THE ARCHITECT.	NO DATE ISSUE	SURFRIDER	LICENSED ARCHITECT STATE OF CALIFORNIA BRUCE W. BURDGE C-16888 118801	BURDGE & Associates ARCHITECTS	2203 PACIFIC COAST HWY MALIBU, CA 90265 TEL: 310-464-1996	DESCRIPTION: DEMO/PROPOSED ELEVATIONS EAST & WEST
	WRITTEN ORAL AGREEMENTS SHALL BE WRITTEN BY THE JOB SITE. DISCREPANCIES SHALL BE RESOLVED TO THE SATISFACTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.	1 2020/10 CDP SUBMITTAL PHASE B 2 2020/10 CDP NE SUBMITTAL PHASE B 3 2021/01 BUILDING AND SAFETY CHECK SET 4 2021/01 PLANNING SUBMITTAL					
WWW: WWW.BUJIA.COM		PROJECT: SURFRIDER BEACH MOTEL		DATE: FEBRUARY 2022		SCALE: 1/4" = 1'-0"	
MALIBU SUN VALLEY		32033 PACIFIC COAST HIGHWAY MALIBU, CA 90265		DRAWN BY: C.W.R.A.L.L.M., S.D.			



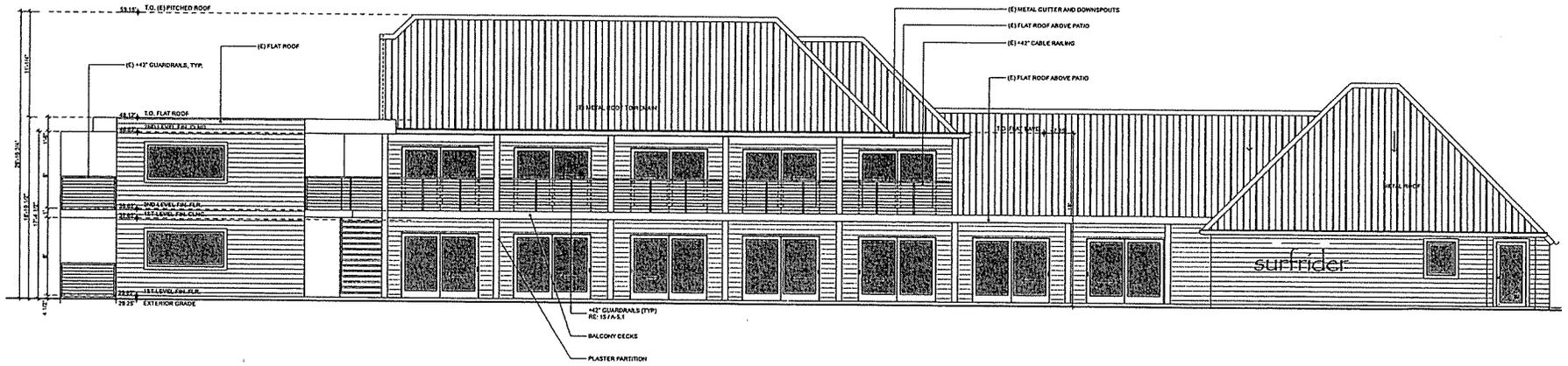
OC AMENDMENT
NORTH ELEVATION 1
1/4" = 1'-0"



PROPOSED NORTH
ELEVATION 2
1/4" = 1'-0"

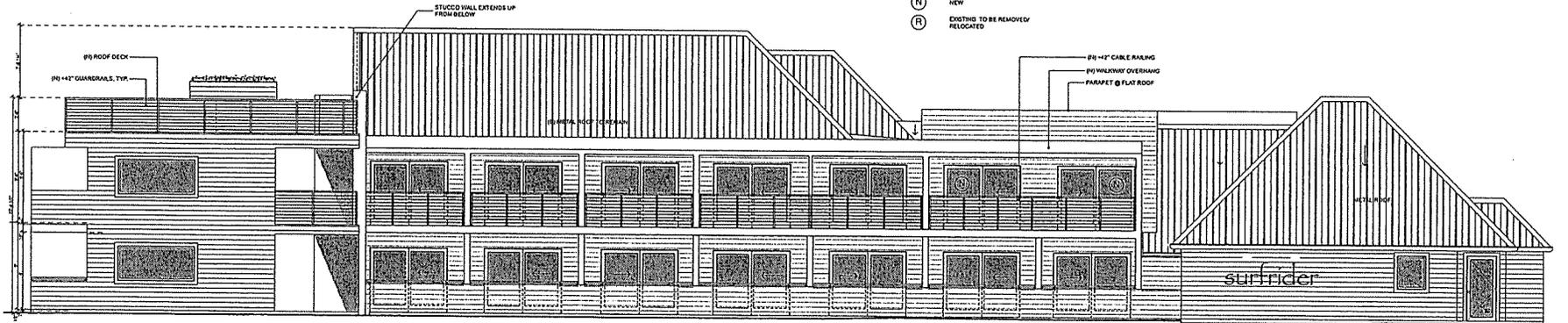
LEGEND:
 (E) EXISTING TO REMAIN
 (N) NEW
 (R) EXISTING TO BE REMOVED/
 RELOCATED

<h2 style="margin: 0;">PHASE II</h2>	<p>THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED BY ANY OTHER PERSON WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.</p> <p>WRITTEN PERMISSIONS SHALL BE OBTAINED BY THE ARCHITECT AND SHALL BE OBTAINED TO THE EXTENT OF THE ARCHITECT'S PRACTICE TO THE COMPLETION OF THE PROJECT.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>3/20/21 CCIP SUBMITTAL PHASE II</td> </tr> <tr> <td>2</td> <td></td> <td>3/20/21 CCIP RE-SUBMITTAL PHASE II</td> </tr> <tr> <td>3</td> <td></td> <td>3/20/21 BUILDING AND SAFETY CHECK SET</td> </tr> <tr> <td>4</td> <td></td> <td>3/20/21 PLANNING SUBMITTAL</td> </tr> </tbody> </table>	NO.	DATE	ISSUE	1		3/20/21 CCIP SUBMITTAL PHASE II	2		3/20/21 CCIP RE-SUBMITTAL PHASE II	3		3/20/21 BUILDING AND SAFETY CHECK SET	4		3/20/21 PLANNING SUBMITTAL	<p>SURFRIDER</p> <p>23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265</p>	<p>REGISTERED ARCHITECT STATE OF CALIFORNIA</p> <p>NUMBER: 110888 C-118888 EXPIRES: 12/31/2021</p>	<p>BURDGE & Associates ARCHITECTS</p> <p>11716 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-316-1888</p> <p>360 WASHINGTON AVE. SUITE 204 E POTOMAC, GEORGIA TEL: 770-485-2028</p> <p>WWW.BUWAIA.COM</p>	<p>DESCRIPTION: DEMO/PROPOSED ELEVATIONS NORTH</p> <p>DRAWING NO. A-2.2</p> <p>PROJECT: SURFRIDER BEACH MOTEL DATE: 01/28/2021 DRAWN BY: D.W. ALLEN, L.A.S.D.</p> <p>SCALE: 1/4" = 1'-0"</p>
NO.	DATE	ISSUE																			
1		3/20/21 CCIP SUBMITTAL PHASE II																			
2		3/20/21 CCIP RE-SUBMITTAL PHASE II																			
3		3/20/21 BUILDING AND SAFETY CHECK SET																			
4		3/20/21 PLANNING SUBMITTAL																			



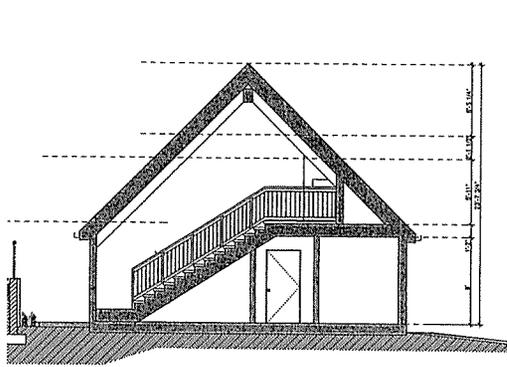
OC AMENDMENT SOUTH ELEVATION 1
1/4" = 1'-0"

LEGEND:
 (E) EXISTING TO REMAIN
 (N) NEW
 (R) EXISTING TO BE REMOVED/RELOCATED

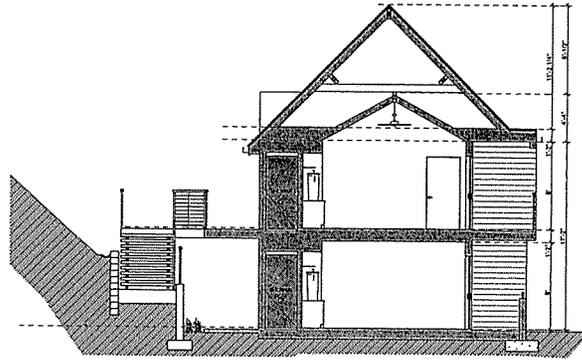


PROPOSED SOUTH ELEVATION 2
1/4" = 1'-0"

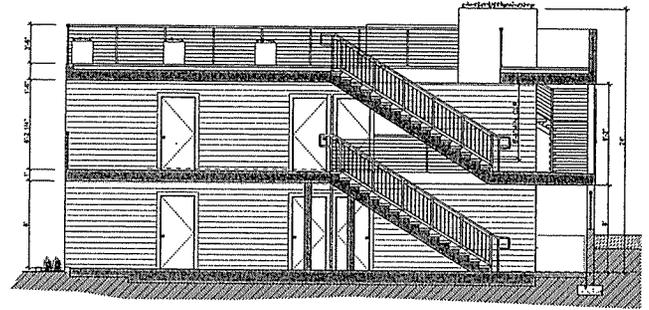
PHASE II	THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE REPRODUCED OR OTHER WISE USED WITHOUT THE WRITTEN AGREEMENT WITH THE ARCHITECT. WRITTEN DIMENSIONS SHALL BE WRITTEN ON THE JOB SITE. DISCREPANCIES SHALL BE RESOLVED TO THE FAVOR OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO</th> <th style="width: 15%;">DATE</th> <th style="width: 80%;">ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>20170116 CDD SUBMITTAL PHASE I</td> </tr> <tr> <td>2</td> <td></td> <td>20170116 CDD RE-SUBMITTAL PHASE I</td> </tr> <tr> <td>3</td> <td></td> <td>20170116 BUILDING AND SAFETY CHECK SET</td> </tr> <tr> <td>4</td> <td></td> <td>20170116 PLANNING SUBMITTAL</td> </tr> </tbody> </table>	NO	DATE	ISSUE	1		20170116 CDD SUBMITTAL PHASE I	2		20170116 CDD RE-SUBMITTAL PHASE I	3		20170116 BUILDING AND SAFETY CHECK SET	4		20170116 PLANNING SUBMITTAL	SURFRIDER 23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265		BURDGE & Associates ARCHITECTS <small>MALIBU SUN VALLEY</small> WWW.BUJAA.COM	2370 PACIFIC COAST HWY MALIBU, CA 90265 TEL 310 466 1888 BURDGE & ASSOCIATES INC. SUITE 204 E 8270 S.W. GREENWAY TULSA, OK 74108 PROJECT: SURFRIDER BEACH MODEL DATE: 27th Dec 2018 DRAWN BY: D.V. JAVELIN, LVS, ES.	DESCRIPTION: DEMO/PROPOSED ELEVATIONS SOUTH DRAWING NO. A-2.3 SCALE:
NO	DATE	ISSUE																				
1		20170116 CDD SUBMITTAL PHASE I																				
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3		20170116 BUILDING AND SAFETY CHECK SET																				
4		20170116 PLANNING SUBMITTAL																				



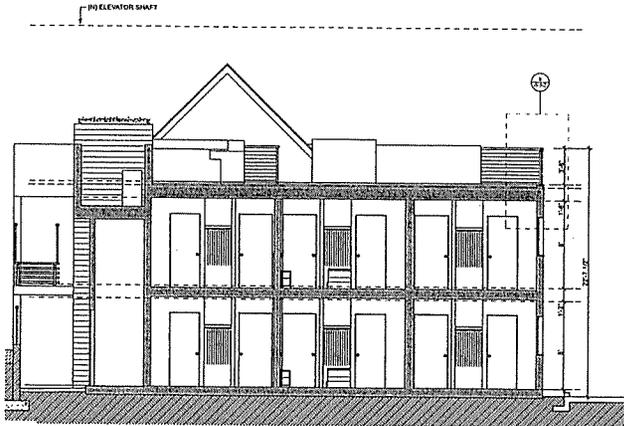
SECTION E 5
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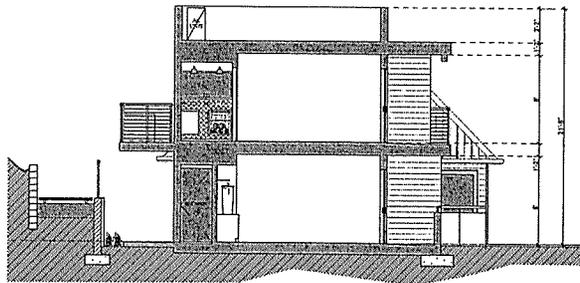
SECTION C 3
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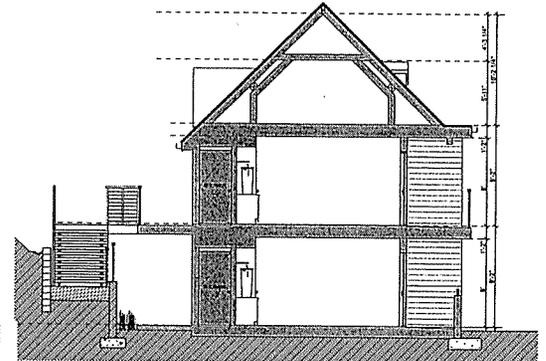
SECTION A 1
1/4" = 1'-0"



SECTION F 6
1/4" = 1'-0"



SECTION D 4
1/4" = 1'-0"



SECTION B 2
1/4" = 1'-0"

<p>PHASE II</p>	<p>THE DRAWINGS AND SPECIFICATIONS AND THE PROPERTY AND CONTENTS OF THE ARCHITECT AND SHALL NOT BE USED IN ANY OTHER WORK EXCEPT AS SPECIFICALLY AGREED UPON WITH THE ARCHITECT.</p> <p>WRITTEN AMENDMENTS SHALL BE VIEWED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>03/20/15</td> <td>CDP SUBMITTAL PHASE II</td> </tr> <tr> <td>2</td> <td>03/27/15</td> <td>CDP RE SUBMITTAL PHASE II</td> </tr> <tr> <td>3</td> <td>03/27/15</td> <td>BUILDING AND SAFETY CHECK SET</td> </tr> <tr> <td>4</td> <td>03/27/15</td> <td>PLANNING SUBMITTAL</td> </tr> </tbody> </table>	NO.	DATE	ISSUE	1	03/20/15	CDP SUBMITTAL PHASE II	2	03/27/15	CDP RE SUBMITTAL PHASE II	3	03/27/15	BUILDING AND SAFETY CHECK SET	4	03/27/15	PLANNING SUBMITTAL	<p>SURFRIDER</p> <p>23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265</p>		<p>BURDGE & Associates ARCHITECTS</p> <p>23033 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-356-2800</p> <p>400 WASHINGTON AVE SUITE 204 C MALIBU, CA 90262 TEL: 248-445-2018</p> <p>WWW.BUAI.COM</p>	<table border="1"> <thead> <tr> <th>DESCRIPTION:</th> <th>DRAWING NO.</th> </tr> </thead> <tbody> <tr> <td>PROPOSED SECTIONS</td> <td>A-3.1</td> </tr> </tbody> </table> <p>PROJECT: SURFRIDER BEACH MOTEL DATE: 04/20/15 SCALE: 1/4" = 1'-0"</p>	DESCRIPTION:	DRAWING NO.	PROPOSED SECTIONS	A-3.1
		NO.	DATE	ISSUE																					
1	03/20/15	CDP SUBMITTAL PHASE II																							
2	03/27/15	CDP RE SUBMITTAL PHASE II																							
3	03/27/15	BUILDING AND SAFETY CHECK SET																							
4	03/27/15	PLANNING SUBMITTAL																							
DESCRIPTION:	DRAWING NO.																								
PROPOSED SECTIONS	A-3.1																								
<p>DATE: 04/20/15 DRAWN BY: D.W.P., L.L.M., E.S.</p>																									



APPLICANT

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: 2/27/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: CUP 15-003, CDP 15-012, SPR 15-016, VAR 15-006

JOB ADDRESS: 23033 PACIFIC COAST HWY

APPLICANT / CONTACT: Joseph Lezama, Burdge and Associates

APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265

APPLICANT PHONE #: (310) 456-5905

APPLICANT FAX #: (310) 456-2467

APPLICANT EMAIL: joseph@buaia.com

PROJECT DESCRIPTION: (N)AOTS, CUP for Inn, remodel, new elevator, new
decks, roof line alteration, new kitchen

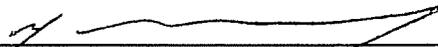
TO: Malibu Planning Division and/or Applicant

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

4/28/15
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

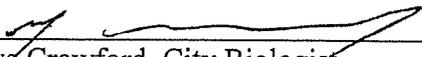
BIOLOGICAL REVIEW

Site Address: 23033 Pacific Coast Highway
Applicant/Phone: Joseph Lezama/ 310.456.5905
Project Type: NOWTS, CUP for Inn, remodel, new elevator, new decks, roof line alteration, new kitchen
Project Number: CDP 15-012
Project Planner: Richard Mollica

REFERENCES: OWTS plans, site plans

RECOMMENDATIONS:

1. The project is **APPROVED** with the following conditions:
 - A. 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: 4/28/15
Dave Crawford, City Biologist
310-456-2489 ext.227 (City of Malibu); e-mail dcrawford@malibucity.org



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: 2/27/2015

FROM: City of Malibu Planning Department

PROJECT NUMBER: CUP 15-003, CDP 15-012, SPR 15-016, VAR 15-006

JOB ADDRESS: 23033 PACIFIC COAST HWY

APPLICANT / CONTACT: Joseph Lezama, Burdge and Associates

APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265

APPLICANT PHONE #: (310) 456-5905

APPLICANT FAX #: (310) 456-2467

APPLICANT EMAIL: joseph@buaia.com

PROJECT DESCRIPTION: Conditional Use Permit for Inn, New AOWTS,
Remodel including new elevator, new decks, roof
line alteration, and new kitchen

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.

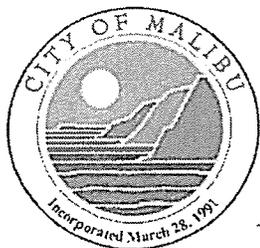
Conformance Review Incomplete for the City of Malibu LCP/LIP and MPC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

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

Signature

Date

NOVEMBER 10, 2015



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:	23033 Pacific Coast Highway Malibu, California 90265	
Planning Case No.:	CDP 15-012	
Project Description:	Conditional Use Permit for Inn, New AOWTS, Remodel including new elevator, new decks, roof line alteration, and new kitchen	
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 Burdge & Associates submitted to Planning 5-30-2015; Site Pakn received by Planning 11-5-2015
Grading Plans:	
OWTS Plan:	EPD Consultants: OWTS preliminary plan dated 9-9-2014 (Rev 3.: 6-3-2015)
OWTS Report:	EPD Consultants: OWTS preliminary design report dated 2-25-2015; TI report dated 4-17-2015; Cumulative analysis report dated 6-3-2015; Add. I report dated 7-14-2015; Add. II report dated 10-16-2015; Reduction in setback report dated 10-30-2015
Geology Report:	Subsurface Designs: Limited geology and soils report dated 2-6-2015; Limited soil evaluation report dated 2-5-2015; Supp. 1 setback reduction letter dated 11-5-2015
Miscellaneous:	Tetra Tech: OWTS Preliminary Plan review dated 10-14-2015
Previous Reviews:	3-30 2015, 8-26-2015

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 (as applicable).
- 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.]
- f. Address all conditions listed in the Tetra Tech OWTS Preliminary Plan review letter dated 10-14-2015.
- 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) **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.
- 6) **Traffic Rated Slab Plan:** 3 Sets of full size Traffic Rated Slab Plans designed and certified by a California State Licensed Engineer shall be approved by the City of Malibu Environmental Sustainability Department for the protection of the onsite wastewater treatment system.
- 7) **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 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).

- 8) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.
- 9) **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.
- 10) **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.**
- 11) **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.**



- 12) **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.**
- 13) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan shall be submitted.
- 14) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.
- 15) **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.
- 16) **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



SURFRIDER INN
23033 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

(CDP 15-012)

HOTEL: 20 Guest Rooms (E)
PRIMARY SEPTIC TANK: 6,000 Gallon (N)
EQUALIZATION TANK: 5,000 Gallon w/ Duplex Pump (N)
TREATMENT TANK: 6,000 Gallon SeptiTech M2500DUV Secondary Nitrification Tank (N)
11,500 Gallon Jensen Secondary Denitrification Tank (N)
1,000 gallon Alkalinity Feed Tank (N)
DISINFECTION: Ultraviolet (UV) Disinfection Unit (N)
ACTIVE: 1 - 1,860 ft² Drainfield w/ 3' Extra Rock (N)
FUTURE: N/A
PERC RATE: Sand Category
DESIGNER: Kevin Poffenbarger (RCE 69089)
REFERENCE: EPD Consultants: OWTS preliminary design report dated 2-25-2015; TI report dated 4-17-2015; Cumulative analysis report dated 6-3-2015; Add. I report dated 7-14-2015; Add. II report dated 10-16-2015; Reduction in setback report dated 10-30-2015
Subsurface Designs: Limited geology and soils report dated 2-6-2015; Limited soil evaluation report dated 2-5-2015; Supp. 1 setback reduction letter dated 11-5-2015

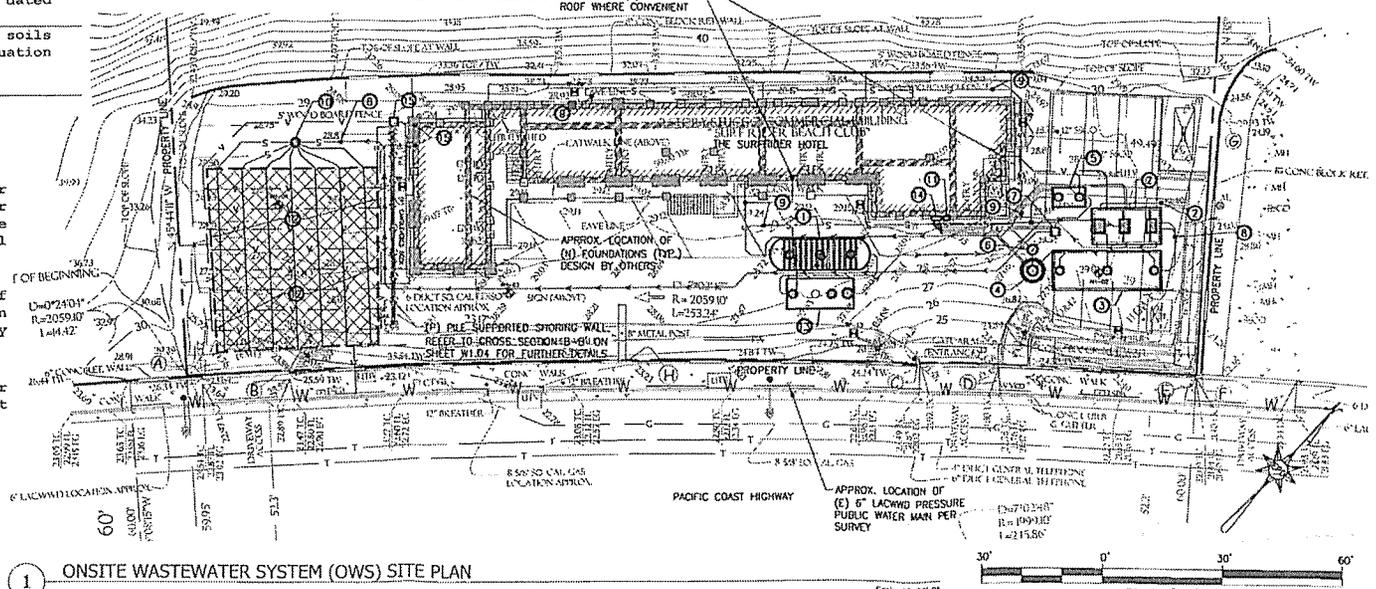
NOTES:

1. THESE PLANS ARE ACCURATE FOR PROPOSED ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
2. ALTA/ACSM LAND TITLE SURVEY PROVIDED BY ACOBELLUS & ASSOCIATES, INC., DATED JUNE 18, 2014. ARCHITECTURAL PLANS PROVIDED BY BURDGE & ASSOCIATES ARCHITECTS, DATED AUGUST 4, 2015. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLANS AND PROVIDED IN NGVD29 DATUM.
3. ALL BORINGS (AH-DX) AND TEST FITS (TP-XX) ARE APPROXIMATE LOCATIONS PER THE SUBSURFACE DESIGNS INC. GEOLOGIC MAP, DATED SEPTEMBER 2015.
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.

APPROX. LOCATION OF (P) VENT TO ROOF. ARCHITECT AND CONTRACTOR TO DETERMINE LOCATION OF (P) VENT ON ROOF WHERE CONVENIENT.



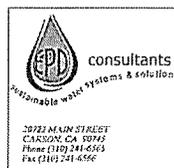
KEYNOTES		
①	PST-1	(N) PRIMARY SEPTIC TANK 1: NEW CONTAINMENT SOLUTIONS MODEL SWT G-6 8'0", 8,000-GALLON SINGLE WALL FRP DENITR PRIMARY SEPTIC TANK.
②	SNT-1	(N) SECONDARY NITRIFICATION TANK 1: NEW SEPTITECH M25000 DENITR PROCESSOR IN 17'-1"(L)x9'-1"(W)x10'-10"(D) CUSTOM JENSEN PRECAST 6,000-GALLON CONCRETE TANK PROVIDED IN PACKAGED SYSTEM BY SEPTITECH WITH DUPLEX EFFLUENT PUMPS.
③	SDT-1	(N) SECONDARY DENITRIFICATION TANK 1: NEW JENSEN PRECAST 11,500-GALLON CONCRETE TANK, CUSTOM WITH ENR TECHNOLOGIES, LLC DENITRIFICATION UPFLOW SYSTEM.
④	EPT-1	(N) EFFLUENT PUMP TANK 1: NEW JENSEN PRECAST 5' 1.0. x 7' DEEP CONCRETE TANK WITH DUPLEX EFFLUENT PUMPS IN PUMP VAULT.
⑤	AFS-1	(N) ALKALINITY FEED TANK 1: NEW JENSEN PRECAST 1,000-GALLON CONCRETE TANK W/ MIXER AND SEWAGE PUMP.
⑥	UV-1	(N) ULTRAVIOLET DISINFECTION 1: NEW AQUA AZUL ULTRAVIOLET DISINFECTION UNIT.
⑦	SOVB-1	(N) SOLENOID VALVE BOX 1: TWO (2) SOLENOID VALVES W/ CHECK VALVES TO DB-1 & AFS-1.
⑧	PG	(N) PRESSURE TO GRAVITY CLEANOUT (TYP. OF 2).
⑨	CG	(N) GRAVITY CLEANOUT TO GRADE.
⑩	DB-1	(N) DISTRIBUTION BOX 1: NEW JENSEN PRECAST CONCRETE BOX TO DISPERSAL SYSTEM.
⑪	CP-1	(N) CONTROL PANEL 1: NEW CUSTOM TELEMETRY CONTROL PANEL FOR SNT-1.
⑫	LF-1	(N) LEACH FIELD 1: NEW 1,860 SF. GRAVITY LEACH FIELD IN 8 ZONES WITH 3-FT OF TOTAL ROCK. INSTALL AIR COIL SYSTEM FLUSH LINE UNDER ROCK. LEACH FIELD AND ALL COMPONENTS SHALL BE H-20 TRAFFIC RATED WITH GEGRID REINFORCEMENT OVER LEACH FIELD ROCK AND SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM DESIGNED BY OTHERS.
⑬	EQT-1	(N) EQUALIZATION TANK 1: NEW JENSEN PRECAST 5,000-GALLON CONCRETE TANK W/ DUPLEX SEWAGE PUMPS.
⑭	CP-2	(N) CONTROL PANEL 2: NEW CUSTOM TELEMETRY CONTROL PANEL.
⑮	VFA-1	(N) VENT FAN ASSEMBLY 1: VENT FAN ASSEMBLY FOR LEACH FIELD SUPPLEMENTAL MECHANICAL VENTILATION SYSTEM.

NOTES:

1. This approval is for renovation of the onsite wastewater treatment system. The new alternative onsite wastewater treatment system shown conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This approval 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 wastewater treatment.
3. This approval 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
NOV 10 2015
SIGNATURE: *Math Frank*
THIS IS NOT A FINAL APPROVAL
IS REQUIRED FOR THE ASSISTANCE OF ANY
PARTY

1 ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN



NO.	REVISIONS:	DATE:	BY:
4	MODIFY OWS	9/16/15	CB
5	ADD FUTURE LEACH FIELD	10/15/15	CB
6	ADD SHORING WALL	10/27/15	CB

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN		
PROJECT: 23033 PACIFIC COAST HIGHWAY MALIBU, CA 90265		
DATE: 9/9/14	SCALE: AS SHOWN	DRAWN BY: CB

PROJECT NO. R198
DRAWING NO. W0.01
SHEET 1 OF 1 SHEETS



City of Malibu

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

FIRE DEPARTMENT REVIEW REFERRAL SHEET

5/20/15
~~2/27/2015~~

TO: Los Angeles County Fire Department

DATE: ~~2/27/2015~~

FROM: City of Malibu Planning Department

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

X

The project DOES NOT require Fire Department Plan Review

The required fire flow for this project is 2000 gallons per minute at 20 pounds per square inch for a 2 hour duration. (Provide flow information from the water dept.)

HYDRANT
REQUIRED

The project is required to have an interior automatic fire sprinkler system.

X

Final Fuel Modification Plan Approval is required prior to Fire Department Approval

NA

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

Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project.

App'd N/app'd

X

Required and/or proposed Fire Department Vehicular Turnaround

NA

Required 5 foot wide Fire Department Walking Access (including grade %)

X

Width of proposed driveway/access roadway gates

X

*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.

M. BONURA

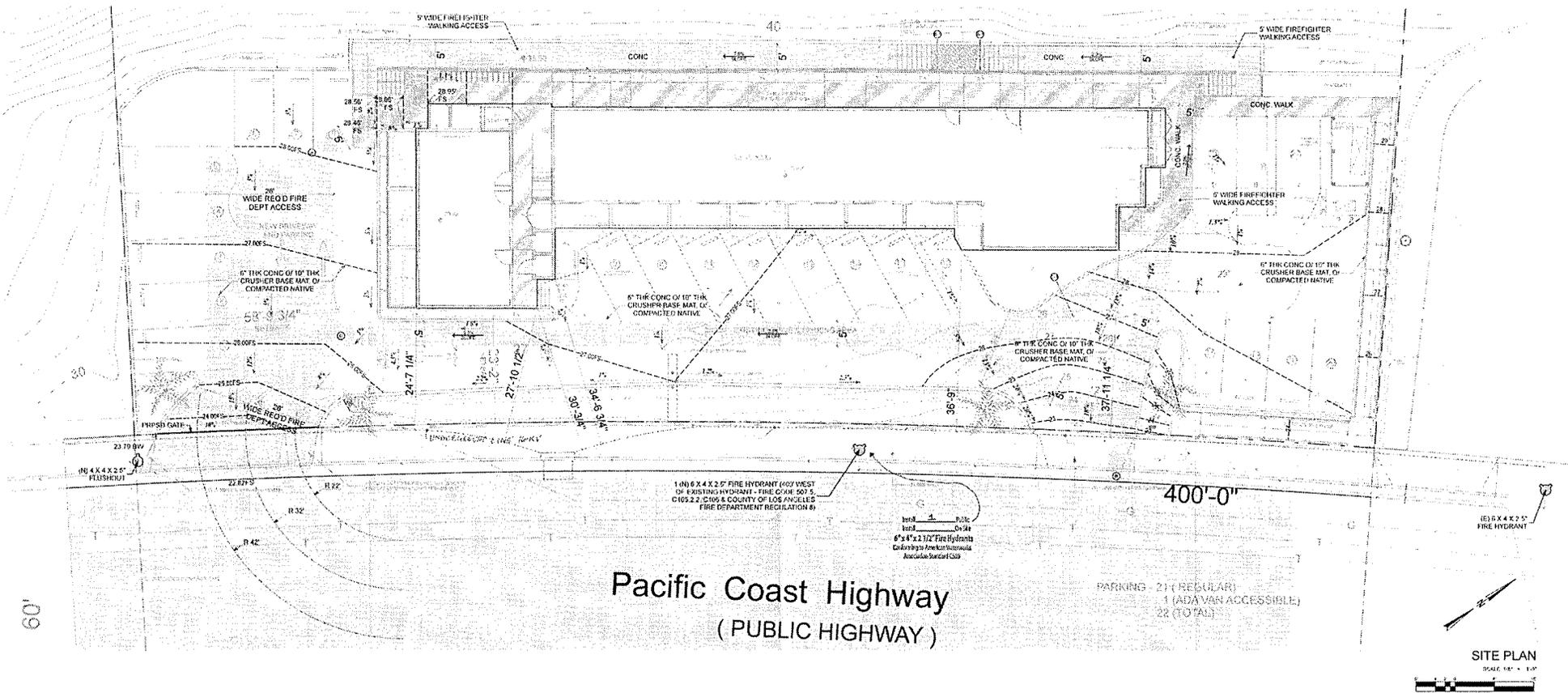
2/18/16

SIGNATURE

DATE

23033 PACIFIC COAST HWY

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



Pacific Coast Highway (PUBLIC HIGHWAY)

- FIRE DEPARTMENT NOTES**
1. PROVIDE A MINIMUM UNOBSTRUCTED WIDTH OF 20 FEET EXCEPT FOR APPROVED SECURITY GATES IN ACCORDANCE WITH SECTION 903.6.4.4. UNOBSTRUCTED VERTICAL CLEARANCE CLEAR TO SKY FIRE DEPARTMENT VEHICULAR ACCESS TO WITHIN 100 FEET OF ALL PORTIONS OF THE EXTERIOR BUILDING WALLS. FIRE CODE 503.2.1
 2. DEAD END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED FIRE DEPARTMENT TURNAROUND. FIRE CODE 503.2.5
 3. 100' IN MINIMUM VEHICULAR ACCESS ROADS SHALL BE PROVIDED WITH A 32 FOOT CENTERLINE TURNING RADIUS. FIRE CODE 503.2.4
 4. THE GRADIENT OF FIRE DEPARTMENT VEHICLE ACCESS ROADS SHALL NOT EXCEED 15% UNLESS APPROVED BY THE FIRE CODE OFFICIAL. FIRE CODE 503.2.7
 5. A MINIMUM 5 FOOT WIDE APPROVED FIRE FIGHTER ACCESS WALKWAY LEADING FROM THE FIRE APPARATUS ACCESS ROAD TO THE BUILDING EXTERIOR OPENINGS SHALL BE PROVIDED FOR FIRE FIGHTING AND RESCUE PURPOSES. FIRE CODE 504.1
 6. GRADE BRISKS SHALL NOT EXCEED THE MAXIMUM ANGLE OF APPROACH OR DEPARTURE FOR FIRE DEPARTMENT APPARATUS.
 7. THE INSPECTION, HYDROSTATIC TEST AND FLUSHING OF THE FIRE SPRINKLER PIPING SHALL BE WITNESSED BY AN AUTHORIZED FIRE DEPARTMENT REPRESENTATIVE. FIRE CODE 903.6
 8. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
 9. FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS IN ACCORDANCE WITH THE DEPARTMENT'S ALL WEATHER ACCESS REQUIREMENTS. FIRE CODE 503.2.3
 10. STRUCTURES AND OUTDOOR STORAGE UNDERNEATH HIGH VOLTAGE TRANSMISSION LINES (66 KILOVOLTS OR GREATER) SHALL COMPLY WITH FIRE CODE 310.9 AND COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 27. ANY PROPOSED CONSTRUCTION OR LAND USE WITHIN 100 FEET OF THE DRIP LINE OF HIGH VOLTAGE TRANSMISSION LINES SHALL BE SUBJECT TO REVIEW BY THE FIRE MARSHAL.

11. ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2" 1/2" BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD 1001, OF APPROXIMATE EQUAL, AND SHALL BE INSTALLED IN ACCORDANCE WITH THE COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION B

12. ALL REQUIRE PUBLIC FIRE HYDRANTS SHALL BE INSTALLED, TESTED AND ACCEPTED PRIOR TO BEGINNING CONSTRUCTION. FIRE CODE 501.4

FIRE FLOW AVAILABILITY

13. BE DURING THE FLOW OF FIRE 1 HYDRANT AT THIS LOCATION IS 2000 GPM AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HOURS OVER AND ABOVE MAXIMUM ONLY DOMESTIC DEMAND. FIRE CODE 501.3 AND APPENDIX D

14. THE REQUIRED FIRE FLOWS BASED ON THE FOLLOWING CALCULATION

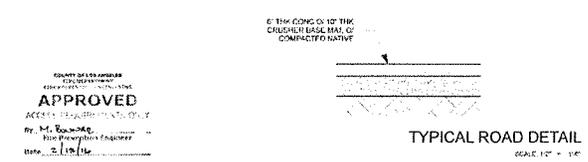
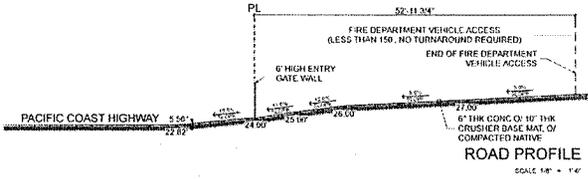
TYPE OF CONSTRUCTION PER THE BUILDING CODE: TYPE VB
 FIRE FLOW CALCULATION AREA: 2,380 SQ. FT.
 FIRE FLOW BASED ON THE FIRE FLOW CALCULATION AREA: 250 GPM
 REDUCTION FOR FIRE SPRINKLERS (MAXIMUM 50%): 250 GPM
 TOTAL FIRE FLOW REQUIRED: 2,000 GPM

FIRE FIGHTER WALKING ACCESS HOSE PULL DISTANCE

A A1 = 150' B B1 = 150'
 B C = 120' C C1 = 150'

FIRE DEPT. LEGEND

----- FIRE DEPT. VEHICULAR AND WALKING ACCESS



<h2>PHASE II</h2>	THE DRAWINGS AND SPECIFICATIONS ON THIS SHEET ARE THE PROPERTY OF BURDGE & ASSOCIATES ARCHITECTS. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BURDGE & ASSOCIATES ARCHITECTS.	NO. DATE ISSUE 1. 05/20/21 02 CON-SUBMITTAL PHASE II 2. 12/01/21 03P-RE-SUBMITTAL PHASE II 3. 02/01/22 04 FIRE DEPARTMENT SET FOR SUBMITTAL PHASE II PROJECT: FIRE DEPARTMENT AND ENVIRONMENTAL PHASE II	<h2>SURFRIDER</h2> <p>23033 PACIFIC COAST HIGHWAY MALIBU CA 90265</p>	<p>APPROVED</p> <p>AGENCY: SURFRIDER BEACH MASTER PLAN</p> <p>By: M. Burdge, Licensed Professional Engineer</p> <p>Date: 2/1/22</p>	<p>LICENSED ARCHITECT STATE OF CALIFORNIA</p> <p>BURDGE & Associates ARCHITECTS</p> <p>17000 S. SURFRIDER BEACH MASTER PLAN MALIBU, CALIFORNIA 90265</p>	<p>DESCRIPTION: FIRE DEPARTMENT PLAN AND NOTES</p> <p>DRAWING NO: A-0.2</p> <p>PROJECT: SURFRIDER BEACH MASTER PLAN</p> <p>DATE: FEBRUARY 2022</p> <p>SCALE: AS SHOWN</p>
	<p>PHASE II</p>	<p>NO. DATE ISSUE</p>	<p>PROJECT: FIRE DEPARTMENT AND ENVIRONMENTAL PHASE II</p>	<p>23033 PACIFIC COAST HIGHWAY MALIBU CA 90265</p>	<p>APPROVED</p>	<p>DESCRIPTION: FIRE DEPARTMENT PLAN AND NOTES</p>



City of Malibu

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

GEOTECHNICAL REVIEW SHEET

<u>Project Information</u>					
Date:	April 22, 2015	Review Log #:	3716		
Site Address:	23033 Pacific Coast Highway				
Lot/Tract/PM #:		Planning #:	CDP 15-012 CUP 15-003		
Applicant/Contact:	Ryan Levis, ryan@buaia.com	BPC/GPC #:			
Contact Phone #:	310-456-5905	Fax #:	310-456-2467	Planner:	Richard Mollica
Project Type:	Remodel and foundation upgrade for the Surfrider Beach Inn				

<u>Submittal Information</u>	
Consultant(s)/Report Date(s):	SubSurface Designs, Inc. (Triebold, CEG 1796; Mahn, RCE 60293): <i>(Current submittal(s) in Bold.)</i> 2-5-15
	EPD Consultants (Poffenbarger, RCE 69089): 2-25-15
	Building plans prepared by Burdge & Associates Architects dated March 25, 2015.
	Onsite Wastewater Treatment & Dispersal System plans prepared by EPD Consultants dated February 24, 2015.
Previous Reviews:	3-24-15 (for Onsite Wastewater Treatment System), Geotechnical Review Referral Sheet dated 3-2-15

<u>Review Findings</u>	
<u>Coastal Development Permit Review</u>	
<input checked="" type="checkbox"/>	The remodel and foundation upgrade are <u>APPROVED</u> from a geotechnical perspective.
<input type="checkbox"/>	The remodel and foundation upgrade are <u>NOT APPROVED</u> from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval of the OWTS.
<u>Building Plan-Check Stage Review</u>	
<input checked="" type="checkbox"/>	The remodel and foundation upgrade are <u>APPROVED</u> from a geotechnical perspective, with the following conditions.
<input type="checkbox"/>	<u>NOT APPROVED</u> 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 report and plans were reviewed by the City from a geotechnical perspective. Based upon the submitted information, the project comprises remodeling the existing Surfrider Beach Inn and upgrading the foundation system with underpinning pads.

The project also includes, under separate review, abandoning the existing OWTS and constructing a new OWTS consisting of a treatment tank system and a 2,750 square foot gravity leach field in 8 zones with 3' of total rock. Any earth fill, colluvial, and non-beach sand soils encountered will be removed and replaced within

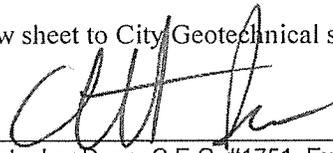
5-foot horizontal of the proposed leach field with a combination of washed pea gravel and engineered sand per the final plans and specifications to a depth to where natural beach deposits are exposed. The peak design daily flow rate is 2,700 GPD and the average design daily flow rate is 1,800 GPD. The peak design dispersal loading rate is 0.98 GPD/SF and the average design dispersal loading rate is 0.65 GPD/SF.

Building Plan Check Review Conditions:

1. The owners need to sign, record at the Los Angeles County Recorder’s office, and submit to City geotechnical staff a certified copy of an “Assumption of Risk and Release” (ARR) for geotechnical hazards prior to permit issuance.
2. Two sets of final remodel and foundation upgrade plans (**APPROVED BY BUILDING AND SAFETY AND 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 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.

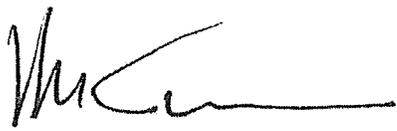
Engineering Geology Review by:



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

Date 4/22/15

Geotechnical Engineering Review by:



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

Date April 22, 2015

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

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HYDROGEOLOGIC AND GEOTECHNICAL REVIEW SHEET

Project Information

Date: November 4, 2015	Review Log #: 3716
Site Address: 23033 Pacific Coast Highway	Planning #: CDP 15-012 CUP 15-003
Lot/Tract/PM #:	BPC/GPC #:
Applicant/Contact: Joseph Lezama, joseph@buaia.com	Planner: Richard Mollica
Contact Phone #: 310-456-5905	Fax #: 310-456-2467
Project Type: New onsite wastewater treatment system (OWTS) for the Surfrider Beach Inn	

Submittal Information

Consultant(s)/Report Date(s): SubSurface Designs, Inc. (Triebold, CEG 1796; Mahn, RCE 60293): **9-30-15, 2-5-15**
(Current submittal(s) in **Bold.**)
EPD Consultants (Poffenbarger, RCE 69089): **10-30-15, 6-3-15, 2-25-15**

Onsite Wastewater Treatment & Dispersal System plans prepared by EPD Consultants dated October 27, 2015.

Previous Reviews: 3-24-15, Geotechnical Review Referral Sheet dated 3-2-15

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 of the OWTS.

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 geotechnical, cumulative impact analyses, and reduced setback reports and OWTS plans were reviewed by the City from a geotechnical perspective. The project comprises abandoning the existing OWTS and constructing a new OWTS consisting of a treatment tank system and a 1,860 square foot gravity leach field in 7 zones with 3' of total rock. Any earth fill, colluvial, and non-beach sand soils

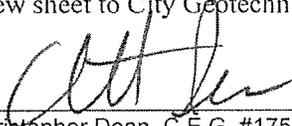
encountered will be removed and replaced within 5-foot horizontal of the proposed leach field with a combination of washed pea gravel and engineered sand per the final plans and specifications to a depth to where natural beach deposits are exposed. The peak design daily flow rate is 2,500 GPD and the average design daily flow rate is 1,800 GPD. The peak design dispersal loading rate is 1.34 GPD/SF and the average design dispersal loading rate is 0.97 GPD/SF.

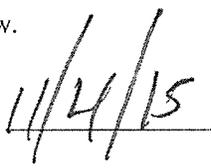
Building Plan Check Review Comments:

1. Procedures to properly abandon the existing OWTS shall be included as notes on the plans.
2. Two sets of final shoring and OWTS plans (**APPROVED BY BUILDING AND SAFETY AND 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 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.**

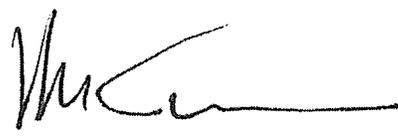
Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by:


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



Geotechnical Engineering Review by:


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

November 4, 2015

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 shoring and OWTS plans, incorporating the 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 Geotechnical Consultant(s) on the cover sheet of the Building 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 proposed retaining wall shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Geotechnical Consultant's recommendations.
5. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Project Geotechnical Consultant, on the Plans.



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: 2/27/2015
FROM: City of Malibu Planning Department

PROJECT NUMBER: CUP 15-003, CDP 15-012, SPR 15-016, VAR 15-006
JOB ADDRESS: 23033 PACIFIC COAST HWY
APPLICANT / CONTACT: Joseph Lezama, Burdge and Associates
APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 456-5905
APPLICANT FAX #: (310) 456-2467
APPLICANT EMAIL: joseph@buaia.com
PROJECT DESCRIPTION: (N)AOTS, CUP for Inn, remodel, new elevator, new decks, roof line alteration, new kitchen

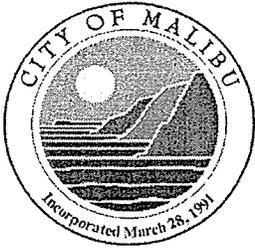
TO: Malibu Planning Department and/or Applicant
FROM: Public Works Department

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



City of Malibu

MEMORANDUM

To: Planning Department

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

Date: March 18, 2015

Re: Proposed Conditions of Approval for 23033 Pacific Coast Highway CDP 15-012

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

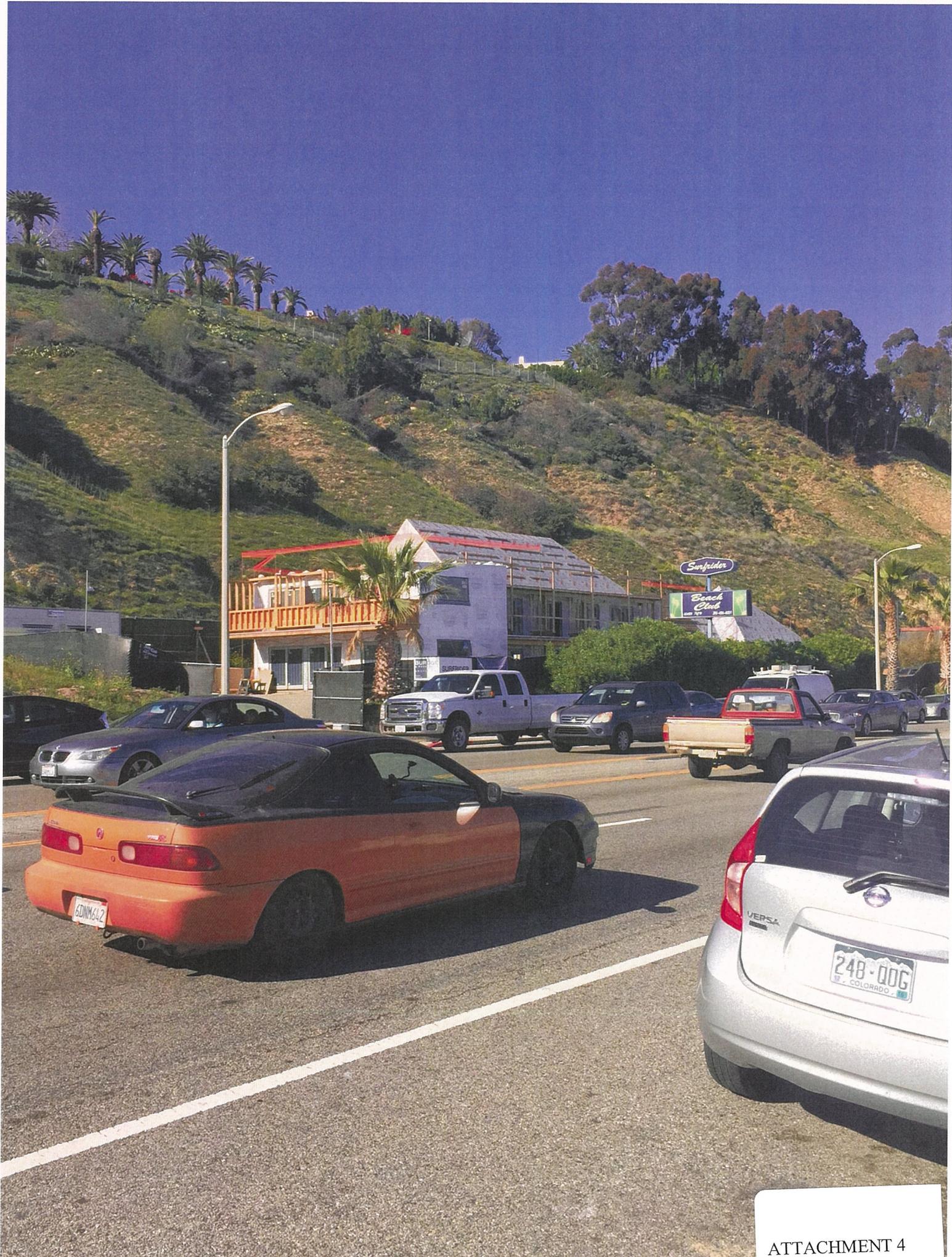
1. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

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.





ATTACHMENT 4





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StuccoWrap

TYVEK
Tyvek
StuccoWrap

Surfrider

Beach Club
EST. 1964 310-824-6557

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SicoWrap

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Call 1-800-44-TYVE



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: March 14, 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, April 4, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.**

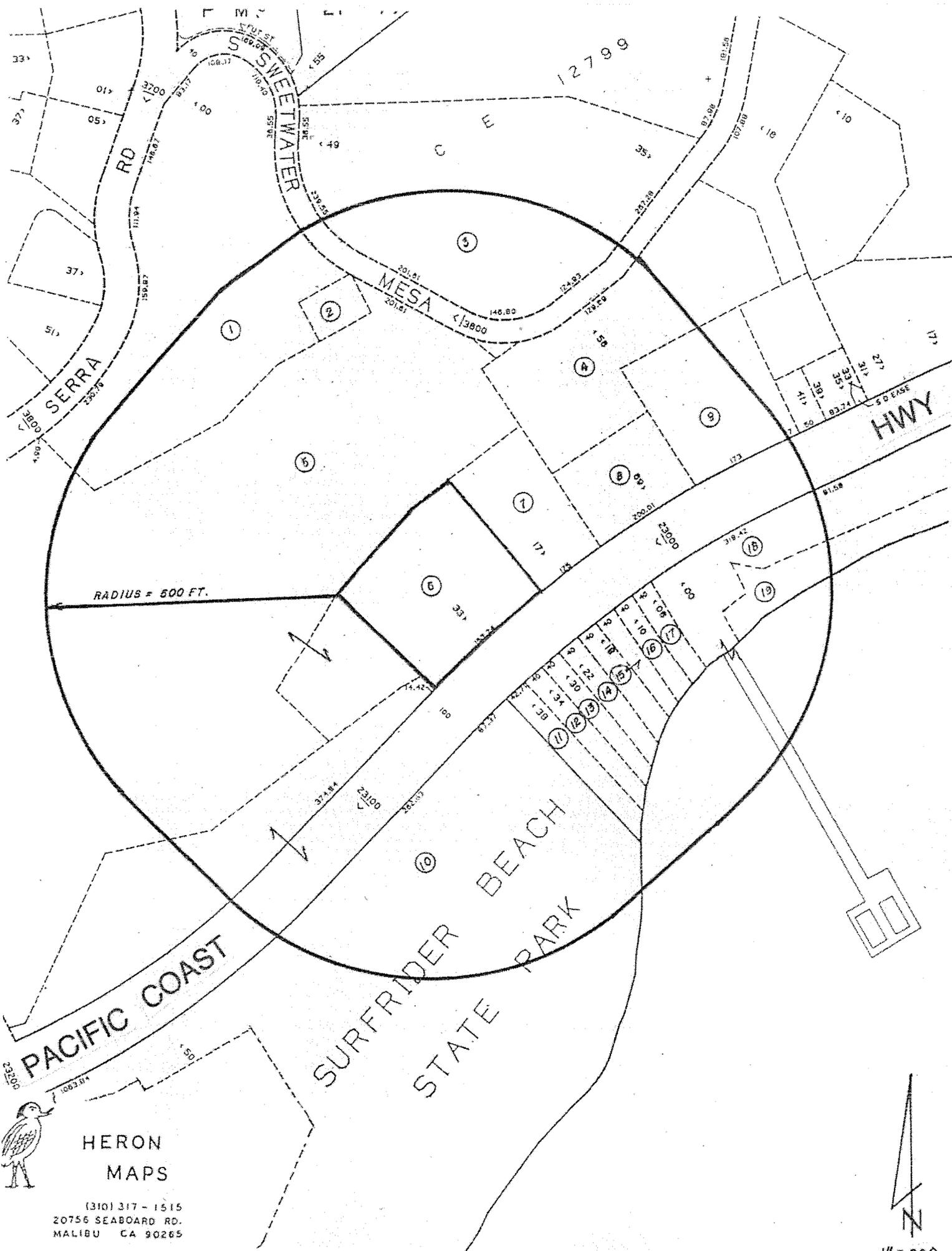
COASTAL DEVELOPMENT PERMIT NO. 15-012, SITE PLAN REVIEW NO. 15-016, AND CONDITIONAL USE PERMIT NO. 15-003

- An application for the remodel of an existing motel, the Surfrider motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system, restriping of the parking lot, landscaping, and associated development including a site plan review for height in excess of 18 feet (up to 28 feet for a pitched roof), and a conditional use permit to allow for the operation of a motel

LOCATION:	23033 Pacific Coast Highway, within the appealable coastal zone
APN:	4452-019-002
ZONING:	Community Visitor-Serving One (CV-1)
APPLICANT:	Burdge and Associates
TENANT:	Surfrider
OWNER:	PCH 23033, LLC
APPLICATION FILED:	February 27, 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 15301(a) and (e) - Existing Facilities. 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).



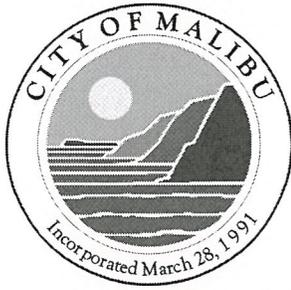


HERON
MAPS

(310) 317 - 1515
20756 SEABOARD RD.
MALIBU CA 90265



1" = 200'



Supplemental Commission Agenda Report

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner *RM*

Approved by: Bonnie Blue, Planning Director *CD For BB*

Date prepared: March 31, 2016 Meeting date: April 4, 2016

Subject: Coastal Development Permit No. 15-012, Site Plan Review No. 15-016, and Conditional Use Permit No. 15-003 – An application for the remodel of an existing motel, the Surfrider Motel, and associated development, and a conditional use permit to allow for the operation of a motel

Location: 23033 Pacific Coast Highway, within the appealable coastal zone

APN: 4452-019-002

Zoning Designation: Commercial Visitor Serving-1 (CV-1)

Applicant: Burdge and Associates

Tenant: Surfrider Motel

Property Owner: PCH 23033, LLC

Application Filed: February 27, 2015

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-40 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-012 to allow for the remodel of an existing motel, the Surfrider Motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system, restriping of the parking lot, landscaping, and associated development including Site Plan Review No. 15-016 for height in excess of 18 feet (up to 24 feet for a flat roof), and Conditional Use Permit No. 15-003 to allow for the operation of a motel in the Commercial Visitor Serving-One zoning district located at 23033 Pacific Coast Highway (PCH 23033, LLC).

DISCUSSION: After distribution of the agenda report for the subject application, staff was contacted by the applicant who provided additional clarification regarding the scope of the project. Below is a discussion of the additional information related to the proposed project.

Parking

In the agenda report, staff identified 21 parking spaces. However, that number does not include the additional Americans with Disabilities Access (ADA) parking space. With the inclusion of this additional space, the total number of parking spaces is 22.

Number of Rooms

The existing manager's office is proposed to be converted into an additional guest room. However, when determining the room count in this area, staff identified what is proposed as two rooms, as one room. The agenda report for the project identifies the motel as containing 19 guest rooms plus a staff room, when the project proposes 20 guest rooms, plus a staff room. The room that was counted as one room has a wall and doorway which can divide the room into two. These two rooms provide flexibility in their use to meet the needs of the guests. However, the creation of the additional room can be accommodated by the onsite parking and alternative onsite wastewater system that is proposed. Furthermore, since the area for the additional room is currently under the existing roof area, no new gross floor area is being added to the building.

Height

In the agenda report, the height of the proposed railing for the deck and the height of the elevator shaft was 22 feet. Since the distribution of the agenda report, the plans have been revised to show the roof height elevation to be 24 feet for both the elevator shaft and the deck railing. There is a possibility that when the project is reviewed in plan check that the originally proposed railing which at its highest point was 22 feet tall may need to be increased in height for safety concerns. In addition, there is a proposed planter on the roof of the elevator to provide a green roof. The story poles have been modified and reviewed by staff. It has been determined that the site plan review findings for the project still apply and negative impacts from the proposed development are not expected.

Below is the current scope of work for the proposed application:

- a. Remodel of the existing motel consisting of:
 - i. The addition of 193 square feet which consists of mechanical and storage areas;
 - ii. The addition of 164 square feet of mechanical and storage areas to the second floor;

- iii. The conversion of 764 square feet of the second floor attic and storage space to guest room and office area; and
 - iv. Total number of rooms will be 20 guest rooms plus one staff room.
- b. AOWTS;
 - c. Planters and landscaping;
 - d. Two stop elevator;
 - e. Vertical platform lift;
 - f. Repaving of the parking lot and driveways, 22 spaces will be provided as part of this project;
 - g. Rooftop deck;
 - h. Wet bar area on rooftop deck for guest use only;
 - i. Conditional Use Permit No. 15-003 to allow for the continued operation of a 20 guest room motel; and
 - j. Site Plan Review No. 15-016 to allow for construction in excess of 18 feet up to 24 feet with a flat roof.

CORRESPONDENCE: On March 24, 2016, staff received correspondence (Attachment 3) from the property owner regarding the ability to enter the plan check process prior to the project being approved by the Planning Commission. Staff has contacted the applicant to inform them that since the project is already scheduled to be heard by the Planning Commission, the concurrent plan check submittal request would not be appropriate.

ATTACHMENTS:

1. Revised Planning Commission Resolution No. 16-40
2. Project Plans
3. Correspondence

**CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-40**

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. NO. 15-012 TO ALLOW FOR THE REMODEL OF AN EXISTING MOTEL, THE SURFRIDER MOTEL, THE ADDITION OF A ROOF TOP DECK, NEW ELEVATOR, INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, RESTRIPIING OF THE PARKING LOT, LANDSCAPING, AND ASSOCIATED DEVELOPMENT INCLUDING SITE PLAN REVIEW NO. 15-016 FOR HEIGHT IN EXCESS OF 18 FEET (UP TO 24 FEET FOR A FLAT ROOF), AND CONDITIONAL USE PERMIT NO. 15-003 TO ALLOW FOR THE OPERATION OF A MOTEL IN THE COMMERCIAL VISITOR SERVING-ONE DISTRICT LOCATED AT 23033 PACIFIC COAST HIGHWAY (PCH 23033, LLC)

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

Section 1. Recitals.

- A. On February 27, 2014, an application for Coastal Development Permit (CDP) No. 15-021, Conditional Use Permit (CUP) No. 15-003 and Site Plan Review (SPR) No. 15-016 was submitted to the Planning Department by applicant, Burdge and Associates, on behalf of the property owner PCH 23033, LLC. The application was routed to the City geotechnical staff, City Environmental Health Administrator, City Biologist, the City Public Works Department, and the Los Angeles County Fire Department (LACFD) for review.
- B. On January 13, 2015, a Notice of Coastal Development Permit Application was posted on the subject property.
- C. On August 13, 2015, staff visited the site to determine that the proper amount of existing walls remained in place during the remodel that was approved by the over-the-counter approvals. In addition, staff verified that the existing foundation was not altered and new additions were made to the building.
- D. On March 10, 2016, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu.
- E. On March 14, 2016, a Notice of Planning Commission Public Hearing was mailed to all property owners and occupants within a 500-foot radius of the subject property.

- F. In March 2016, story poles were installed on site to reflect the massing of the proposed elevator shaft.
- G. On March 30, 2016, the story poles were revised to show a proposed height of 24 feet to accommodate additional height that maybe necessary to install a second floor deck railing that meets the building code requirements.
- H. On March 31, 2016, a Supplemental Agenda Report and updated resolution were distributed to address the change in height, discrepancy in the number of guest rooms, and the additional parking space.
- I. On April 4, 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. 15-012 to allow for the remodel of an existing motel, the Surfriider Motel, the addition of a roof top deck, new elevator, installation of a new alternative onsite wastewater treatment system, restriping of the parking lot, landscaping, and associated development including SPR No. 15-016 for height in excess of 18 feet (up to 24 feet for a pitched roof), and CUP No. 15-003 to allow for the operation of a motel, located in the Commercial Visitor Serving-One zoning district located at 23033 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 conditional use permit and site plan review, the project, as conditioned, has been determined to be consistent with all applicable LCP and Malibu Municipal Code (MMC), 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 Environmental Health Administrator, City geotechnical staff and the City Public Works Department. The project will be able to maintain existing non-conformities since less than

50 percent of the existing walls will be removed as part of this project and past project. 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 SPR and CUP, the project conforms to the LCP and MMC in that it meets all applicable residential development standards.

2. Evidence in the record demonstrates that as conditioned, the project will not result in biological impacts and has been designed to minimize site disturbance. There is no evidence that an alternative project is the least environmentally damaging alternative, and would substantially lessen any potential significant adverse impacts of the development on the environment.

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

The project requests a site plan review for the construction of a flat roof that is 24 feet tall at its highest point, pursuant to LIP Section 3.6(E)(2).

1. The project site is located along the inland side of PCH, which is a public highway. Story poles were installed in March 2016 to demonstrate that the project is compatible with the rural nature of the surrounding development. The residences surrounding the subject parcel are developed as a mix of single and two-story residential and commercial structures with accessory development and setbacks similar to those proposed in the project. In addition, the project is for the remodel of an existing structure and the footprint of the structure will not change. The project complies with all development standards. Therefore, the project is not anticipated to adversely affect neighborhood character.

2. The project is visible from PCH which is a scenic highway. However, the areas of the development that will be in excess of 18 feet in height will be sighted in-line with existing development that is located onsite. Furthermore, the elevator shaft will be located at the rear of the property because existing development. Given the site's topography and surrounding development and landscaping, the proposed development does not obstruct public views of the ocean. While the structure will be visible from PCH, it will be seen in the foreground of the mountains located behind similar to the surrounding development. Due to the location and design of the project and the implementation of standard conditions of approval, the project is expected to have less than significant impacts to scenic vistas and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

3. The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD.

4. The proposed project with the inclusion of the variance and site plan review is consistent with the LCP in that the proposed project is located in an area that has been identified for residential and commercial uses. The goals and policies of the General Plan identify the area of the subject property as an area for commercial development, and the project is consistent with these goals. The proposed project is consistent with the LCP in that it conforms to the residential land use designation and all applicable development standards

5. Based on the visual impact analysis (story pole placement), staff determined that the proposed development will not result in impacts to neighboring structures bluewater views. The remodeled structure and its additions will be in-line with neighboring development to the east. Views of

the surrounding properties are oriented to the south. Based on the visual analysis, as well as site inspections, it is expected that the project will not obstruct visually impressive scenes of the ocean from primary viewing areas of surrounding buildings.

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

1. The project site is adjacent to PCH, and is visible from Surfrider beach, Malibu Pier, The Adamson House, and the Malibu Lagoon, all of which are LUP-identified scenic areas. The subject parcel is located adjacent to existing commercially developed parcels that share a similar topography. The site's topography ascends from PCH to the base of the hillside located at the rear of the property. When viewing the story poles from PCH, the home will be sited among existing development and therefore is not expected to affect views from PCH.

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 surrounding scenic areas; therefore, the project has been designed to comply with the LCP standards and minimizes any adverse or scenic impacts. Furthermore, the site is currently developed with a motel that does not block scenic views in the area. The project, as conditioned, will not have significant adverse scenic or visual impacts due to the project design, colors, materials, and location or other reasons.

3. 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.

D. Hazards

1. Based on review of project plans, geotechnical reports and addenda, the project geologist concluded the project is feasible from an engineering geologic standpoint, will be free from geologic hazards such as landslides, slippage, settlement, and will not have an adverse effect upon the stability of the site or adjacent properties provided their recommendations and those of the project geotechnical engineer are incorporated into the plans and implemented during construction, and the subject property and proposed structures are properly maintained.

2. The proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications, landscaping or other conditions.

3. The proposed project, as designed and conditioned, is the least environmentally damaging alternative.

4. There are no feasible alternatives that would avoid or substantially lessen impacts on site stability or structural integrity.

5. No adverse impacts to sensitive resources are expected.

E. Conditional Use Permit Findings

1. The applicant is requesting a CUP to allow for the continued operation of a motel which has been in existence since 1953. The property recently changed ownership and the new property owner is proposing upgrades and modifications to the existing structure and as part of the renovation, an application for a CUP was submitted to permit the existing use. Pursuant to LIP Section 3.3(J) and MMC Section 17.26.030, motels may be conditionally permitted in the CV-1 zoning district. Since the proposed use is for the operation of a motel, a CUP is required. The project has been conditioned to comply with all applicable provisions of the MMC.

2. The proposed motel is a visitor-serving use and would occupy a building that has been historically operated as a motel. The subject property is located near restaurants, Malibu Pier, Surfrider Beach and two state parks. The proposed motel will be consistent with the existing surrounding land uses. Therefore, the proposed motel use will not impair the integrity and character of the applicable zoning district.

3. It has been determined that the subject site is physically suitable for supporting a motel, as the building has historically been used as a motel and all reviewing departments have recommended approval. The new amenities do not intensify the use and will only serve the guests and not the public, consistent with the motel use.

4. The subject site is currently developed as a two-story, 21 room motel (20 guest rooms and one staff room) and has been in operation since 1953. The existing land uses surrounding the subject property are compatible with the proposed motel. General Plan Section 1.2.1 of the Land Use Element identifies "the stretch of Pacific Coast Highway just west of Carbon Canyon Road through the Civic Center" as the commercial core strip of the City's commercial uses which include retail and service space. Residential development is located upslope from the subject property as well as to the south across PCH. To date, no complaints have been filed with the City regarding the existing motel. Furthermore, ample space and buffers exist so the proposed motel will not interfere with the residential uses in the vicinity. Therefore, the proposed motel is compatible with existing uses surrounding the site.

5. The proposed motel is compatible with existing land uses surrounding the subject property. Existing surrounding land uses are generally developed consistent with applicable zoning designations. Therefore, the proposed motel is compatible with existing and projected lands uses within the applicable zoning designation and surrounding area.

6. The proposed use will be served by existing utilities. The proposed improvements to the existing structure will not adversely impact surrounding public and private views. The subject site is located directly adjacent to a hillside and properties located behind the motel enjoy an unobstructed ocean view because those properties look over the site at a much higher elevation. The existing envelope of the structure will be slightly modified to include a new rooftop deck and elevator but based on project location and story poles, development will not affect solar access or adversely impact existing public and private views.

7. Pursuant to MMC Section 17.48.030(G), the parking requirements for a motel are one space for each keyed room, plus one space for the average, per-shift number of employees. The motel will offer 20 guest rooms, plus one staff room and will be staffed by 1 employee at all times, housekeeping service and maintenance will be handled by contracted services that are only onsite when needed. The 14 full size parking spaces are 16 by nine feet and the seven compact spaces are 15 by eight feet. In addition, there is one ADA parking space. The project proposes 22 spaces (20 spaces for the guest rooms and two for staff) and therefore, adequate provisions for public access to serve the proposed motel have been made.

8. The Malibu General Plan is a policy document that contains policy measures. The specific development standards to implement these policy measures are located in the MMC. The proposed motel is a conditionally permitted use in the CV-1 zoning district and, as conditioned, is consistent with specific development standards in the MMC. Therefore, the proposed motel, as conditioned, is consistent with goals, objectives and policies of the General Plan.

9. The proposed project will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the Los Angeles Regional Water Quality Control Board, and the Los Angeles County Fire Department.

10. Motels are conditionally permitted uses in the CV-1 zoning district and as conditioned, the proposed use is continuing a previous motel and will not be detrimental to the public interest, health, safety, convenience, or welfare.

11. The application involves the remodel and continued operation of a use that has existed prior to cityhood. The only earthwork proposed includes new hardscaping, landscaping and the installation of a new AOWTS. The building footprint and envelope will not change. However, the foundation and structural stability of the structure will be improved to the current code requirements; therefore, there is no new impact related to earth movement, flooding, or liquefaction.

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 15-012, SPR No. 15-016, and CUP No. 15-003 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. Remodel of the existing motel consisting of:
 - i. The addition of 193 square feet which consists of mechanical and storage areas;
 - ii. The addition of 164 square feet of mechanical and storage areas to the second floor;
 - iii. The conversion of 764 square feet of the second floor attic and storage space to guest room and office area; and
 - iv. Total number of rooms will be 20 guest rooms plus one staff room.
 - b. AOWTS;
 - c. Planters and landscaping;
 - d. Two stop elevator;
 - e. Vertical platform lift;
 - f. Repaving of the parking lot and driveways, 22 spaces will be provided as part of this project;
 - g. Rooftop deck;
 - h. Wet bar area on rooftop deck for guest use only;
 - i. CUP No. 15-003 to allow for the continued operation of a 20 guest room motel; and
 - j. SPR No. 15-016 to allow for construction in excess of 18 feet up to 24 feet with a flat roof.
3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, date-stamped **March 29, 2016**. 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 permittee signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein and the property owner signs and records with the Los Angeles County Recorder Office 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 April 4, 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 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 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. Archaeological monitoring by a qualified archaeologist and Chumash Native American representative shall be required for any earth disturbing activities on any of the project Sites to ensure that potentially significant buried cultural resource materials are not inadvertently destroyed during construction. Monitoring shall be required during any permitted action involving physical digging or grading of the area, using mechanical equipment or hand tools, including core sampling, soil borings, work required for placing caissons or footings, planting trees, disking, grubbing, trenching and installation of poles, underground electrical systems, sewers, water mains, or other utilities, or geological/geotechnical testing.
14. Prior to initiation of any construction-related activities, the developer shall have a monitoring agreement in place with a qualified archaeologist and on-call agreement with a qualified paleontologist, prepared to the satisfaction of the City of Malibu Planning Director. The basic agreement shall outline terms, conditions and expectations pertaining to cultural resource aspects of the project including the proper handling and disposition of potential cultural resource aspects of potential cultural resources and human remains

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.

Geology

16. 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.
17. 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

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 storm water runoff and limits the potential for upset; and
 - 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.
 - d. Specific BMPs to prevent erosion and BMPs for sediment control prior to discharge from the property.

Construction/Framing

23. A construction staging plan shall be submitted for review and approval by the Planning Department and Building Safety Division prior to permit issuance.

24. 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.

25. 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.

26. 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 the Planning Department for review and sign off on framing.

27. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

Lighting

28. 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 structure 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.
29. Night lighting for sports courts or other private recreational facilities shall be prohibited.
30. 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.
31. 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

32. 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.

33. 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

34. 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.
35. 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).
36. 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.
37. 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.
38. 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 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.
 - 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.
39. 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.
40. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

41. 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.
42. 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.
43. 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.
44. The City Geotechnical staff and Geotechnical Engineer's final approval shall be submitted to the City Environmental Health Administrator.
45. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

Biology/Landscaping

46. 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 square-feet or more of the existing landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

Water Quality/ Water Service

47. 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.

Motel Operations

48. Operation of the motel shall comply with LCP and MMC standards regarding the operation of motel.
49. The motel shall not utilize the rooftop deck as a restaurant or bar.
50. The parking lot shall not be utilized for offsite parking uses unless a CUP for shared parking is approved.

51. Trash shall not be emptied into outdoor containers during the hours of 11:00 PM to 7:00 AM.
52. The property owner of the motel shall apply for and obtain a sign permit prior to the installation of any signage on the site.
53. The conditions under which this conditional use permit was approved may be modified by the City without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.
54. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land.
55. Violation of any of the conditions of approval shall be cause for revocation of the conditional use permit and termination of all rights contained therein.
56. A review of the proposed use and compliance with the conditions of approval shall be conducted by Planning Department staff and reported to the Planning Commission within one year of commencement of operations. Staff will report whether the use is operating in compliance with the Planning Commission's findings and all approved conditions, and whether it recommends initiating proceedings to modify or revoke the permit.
57. The conditional use permit may be revoked if the Planning Commission finds that one or more of the following conditions exists:
 - a. The conditional use permit was obtained in a fraudulent manner.
 - b. One or more of the conditions found within this resolution have not been substantially met.

Deed Restrictions

58. 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.
59. 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.

Prior to Occupancy

60. 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.

61. The applicant shall request a final planning 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.
62. 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

63. This coastal development permit shall run with the land and bind all future owners of the property.
64. 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 4th day of April 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, Ventura, California 93001, 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. 16-40 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 4th day of April 2016 by the following vote:

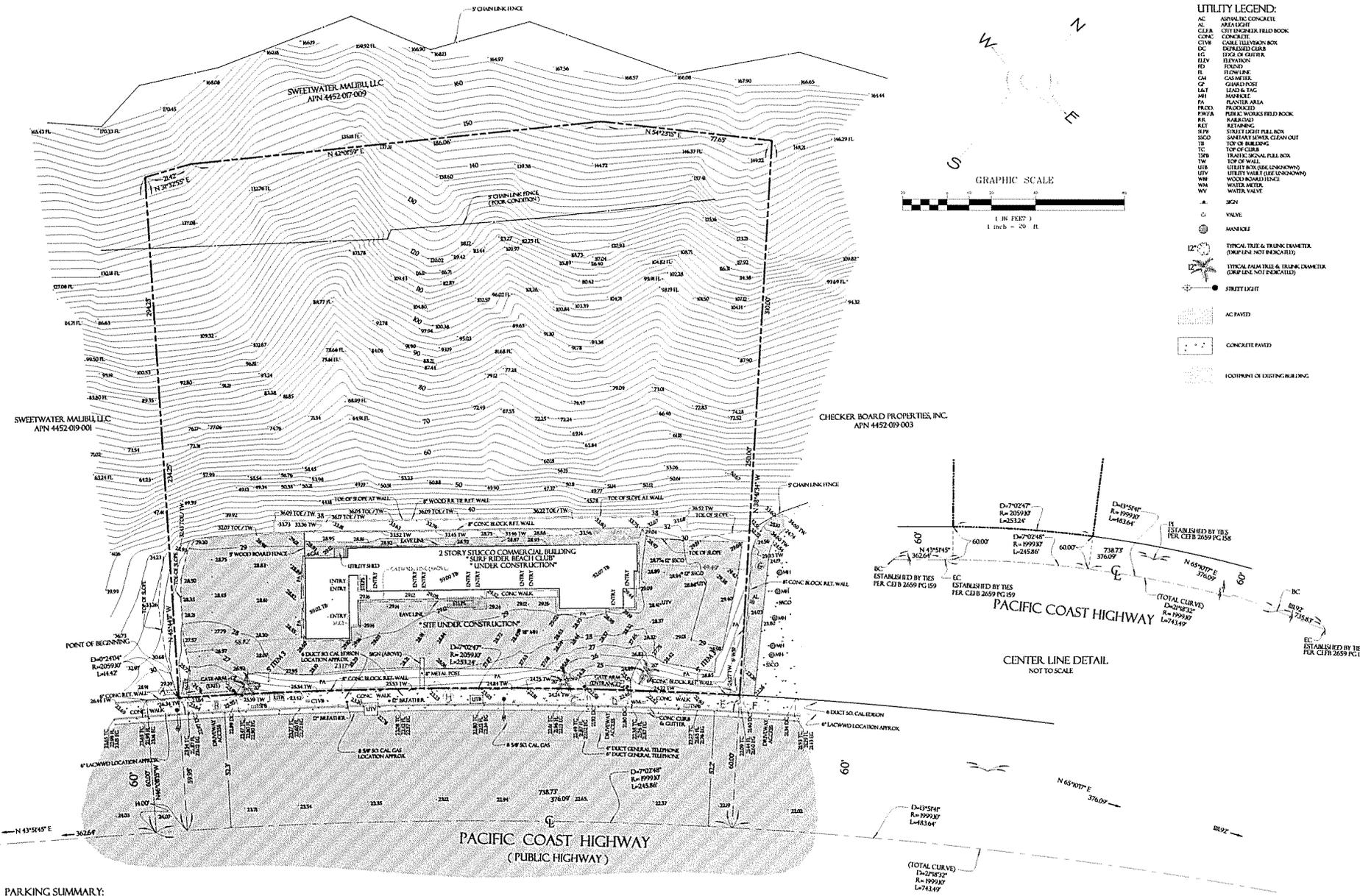
AYES:

NOES:

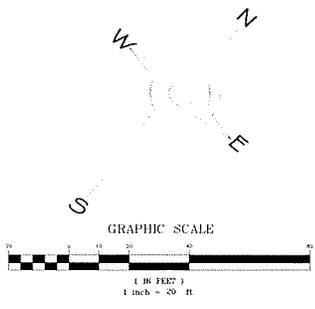
ABSTAIN:

ABSENT:

KATHLEEN STECKO, Recording Secretary



- UTILITY LEGEND:**
- AC ASPHALT CONCRETE
 - AL ALUMINUM
 - CLD CITY ENGINEER FIELD BOOK
 - CONC CONCRETE
 - CONV CONCRETE
 - DC DEEPENED CURB
 - EG EDGE OF CURB
 - EL ELEVATION
 - FD FLOWLINE
 - FL FLOWLINE
 - GA GAS METER
 - GM GROUND MOUNT
 - L&T LEAD & TAG
 - MH MANHOLE
 - PA PLASTER AREA
 - PROJ PROPOSED
 - PWFA PUBLIC WORKS FIELD BOOK
 - R&R REPAIR
 - RET RETAINING
 - SCD STREET LIGHT FULL BOX
 - SCSD STREET LIGHT FULL BOX
 - SAW SAWHAY BEAM CLEAN OUT
 - TOP OF BUILDING
 - TC TOP OF CURB
 - TW TOP OF WALL
 - UTV UTILITY VALVE (SEE LEGEND)
 - W&E WOODS AND ENGINEERING
 - WM WATER METER
 - WV WATER VALVE



PARKING SUMMARY:
25 STANDARD SPACES

PHASE II

THE DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BURDGE & ASSOCIATES ARCHITECTS.

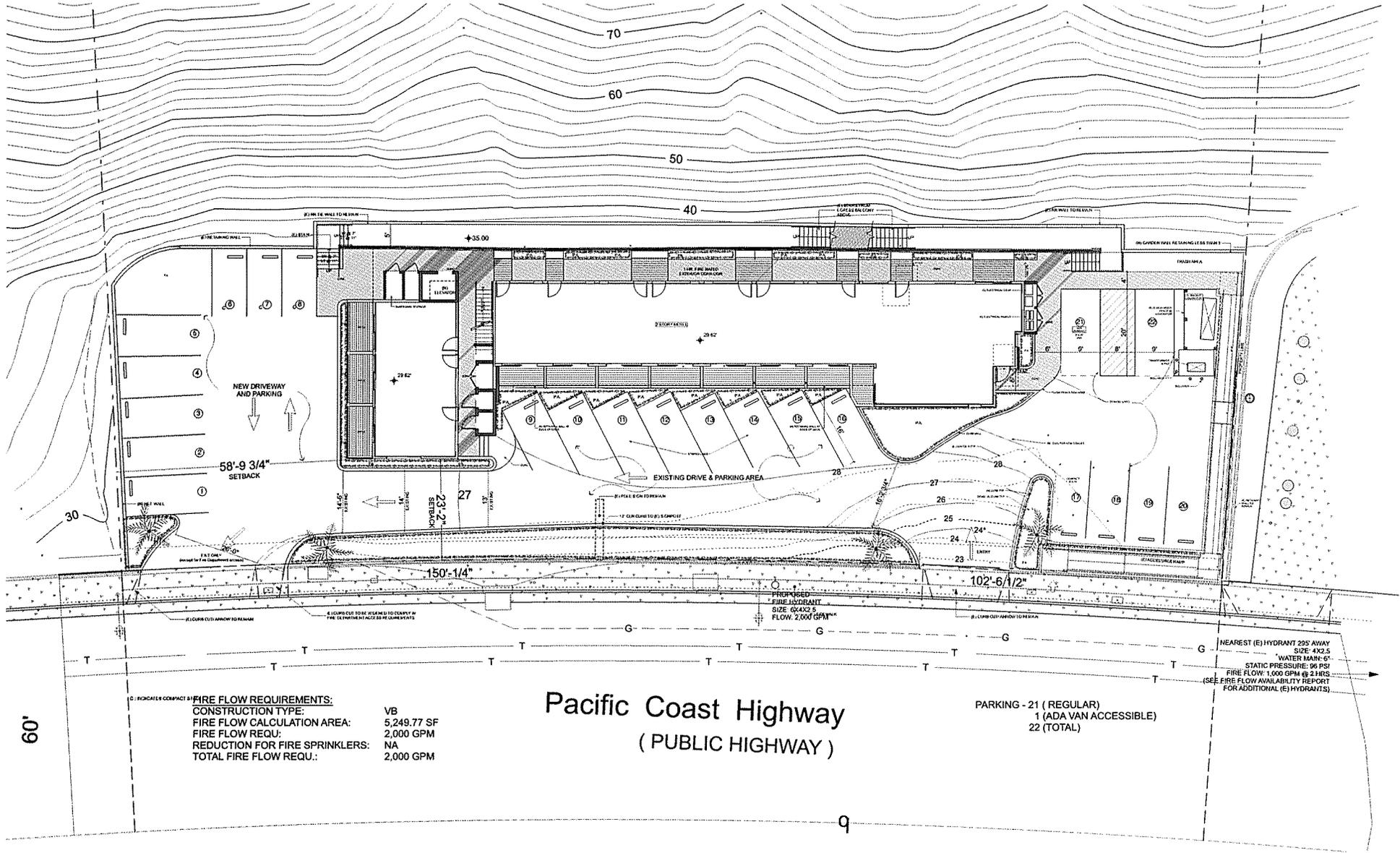
NO.	DATE	ISSUE
1	05/20/15	CDP SUBMITTAL PHASE II
2	10/01/15	CDP RE-SUBMITTAL PHASE II
3	01/20/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16629
PLANNING
1000013

BURDGE & Associates
ARCHITECTS
23033 PACIFIC COAST HWY
MALIBU, CA 90265
TEL: 310-556-5900
FAX: 310-556-5901
1000013

DESCRIPTION:
SURVEY
T-1.2
DRAWING NO.
PROJECT: SURFRIDER BEACH HOTEL
DATE: 02/24/16
SCALE: 1/4" = 1'-0"



FIRE FLOW REQUIREMENTS:
 CONSTRUCTION TYPE: VB
 FIRE FLOW CALCULATION AREA: 5,249.77 SF
 FIRE FLOW REQU: 2,000 GPM
 REDUCTION FOR FIRE SPRINKLERS: NA
 TOTAL FIRE FLOW REQU.: 2,000 GPM

**Pacific Coast Highway
 (PUBLIC HIGHWAY)**

PARKING - 21 (REGULAR)
 1 (ADA VAN ACCESSIBLE)
 22 (TOTAL)

NEAREST (E) HYDRANT 225' AWAY
 SIZE: 4X2.5
 WATER MARK: 6"
 STATIC PRESSURE: 96 PSI
 FIRE FLOW: 1,000 GPM @ 2 HRS
 FIRE FLOW AVAILABILITY REPORT
 FOR ADDITIONAL (E) HYDRANTS

PHASE II

THE OWNER AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED IN ANY OTHER WORK WITHOUT WRITTEN AGREEMENT WITH THE ARCHITECT.
 WITHOUT DIMENSIONS TO BE VIEWED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

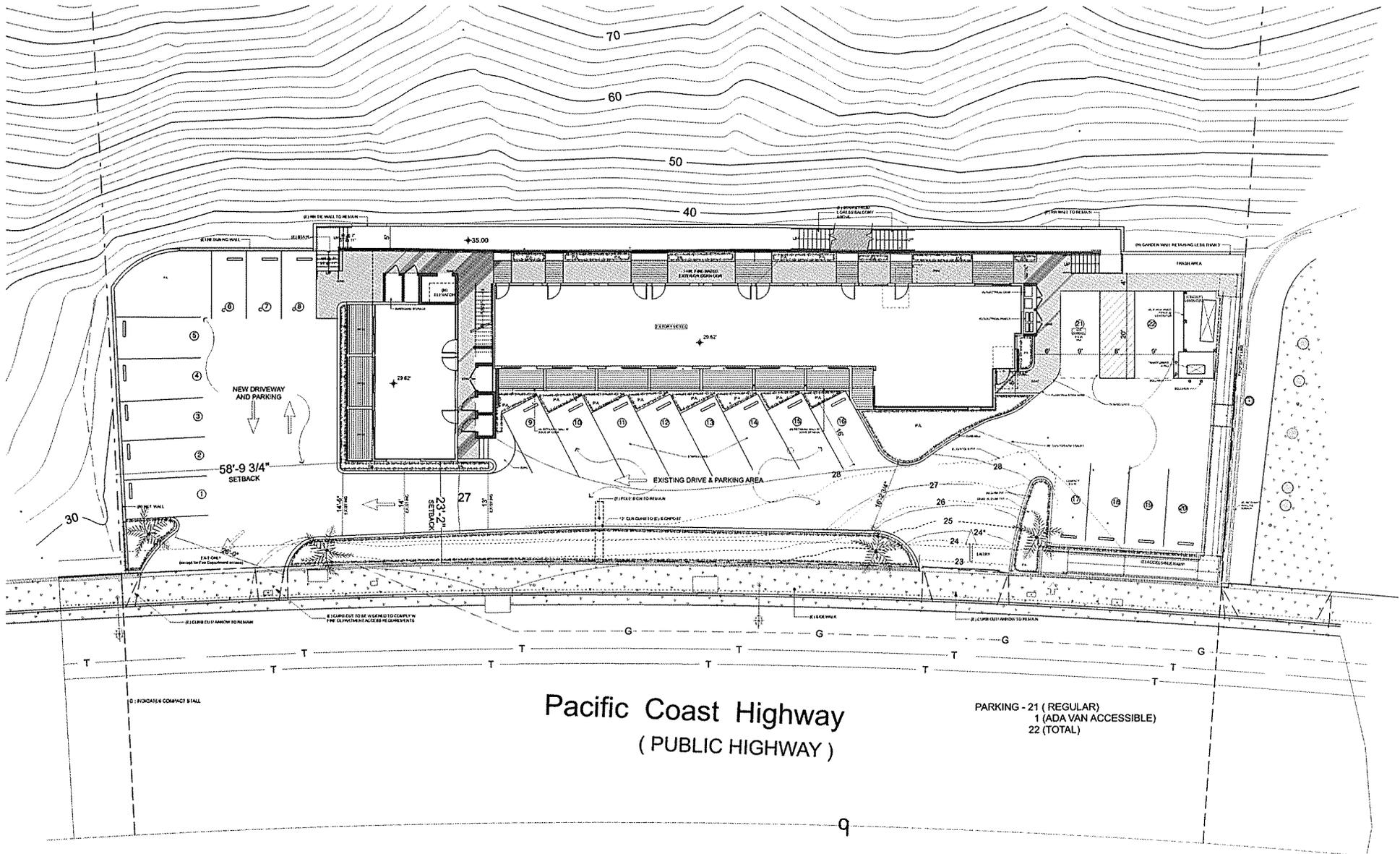
NO	DATE	ISSUE
1	10/01/15	CDP SUBMITTAL PHASE II
2	12/01/15	CDP RE-SUBMITTAL PHASE II
3	01/02/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

SURFRIDER
 23033 PACIFIC COAST
 HIGHWAY
 MALIBU,
 CA 90265
 WWW.SURFRIDER.COM



BURDGE & Associates
 ARCHITECTS
 1705 ANGELO COAST HWY
 SAN RAFAEL, CA 94903
 TEL: 378-558-5056
 1440 16TH AVENUE
 SUITE 204
 SAN RAFAEL, CA 94903
 TEL: 378-241-3039
 WWW.BURDGE.COM

DESCRIPTION:	
FIRE DEPARTMENT PLAN	
DRAWING NO.	T-1.3
PROJECT: SURFRIDER BEACH MOTEL	
DATE: 02/17/16	SCALE:
DRAWN BY: DWB P.L.L.W. S.D.	



Pacific Coast Highway
(PUBLIC HIGHWAY)

PARKING - 21 (REGULAR)
1 (ADA VAN ACCESSIBLE)
22 (TOTAL)

PHASE II

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.

VERTICAL DIMENSIONS SHALL BE VIEWED ON THE FACE UNLESS OTHERWISE SHOWN. REVISIONS TO BE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

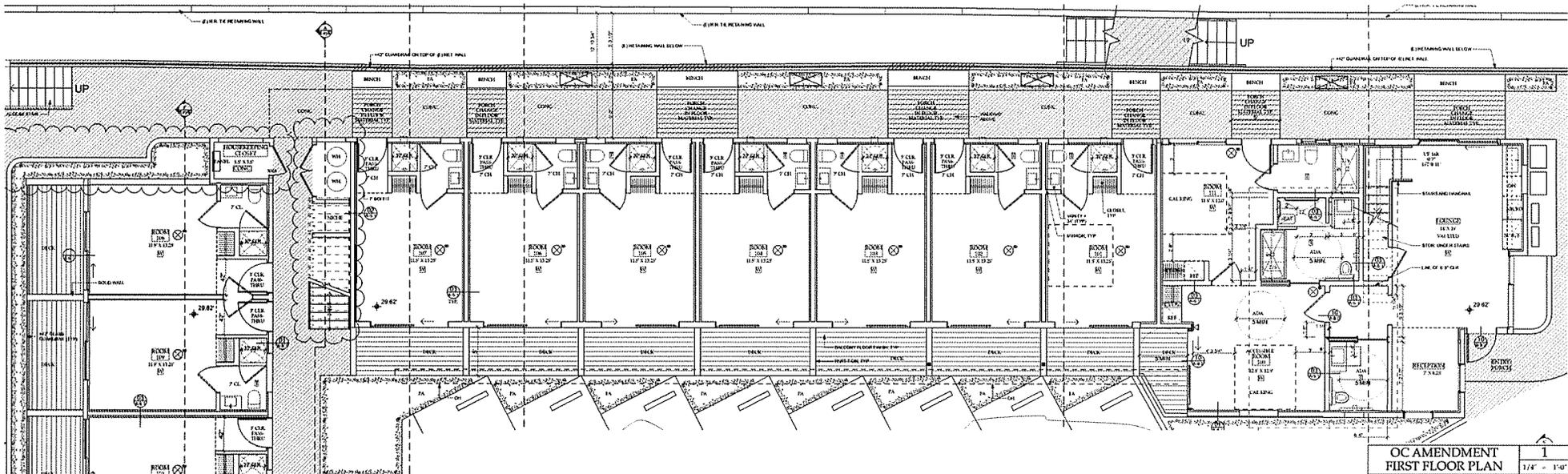
NO.	DATE	ISSUE
1.	16/02/16	CDP SUBMITTAL PHASE 1
2.	12/01/16	CDP AC SUBMITTAL PHASE 1
3.	21/02/16	BUILDING AND SAFETY CHECK SET
4.	22/12/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST
HIGHWAY
MALIBU,
CA 90265

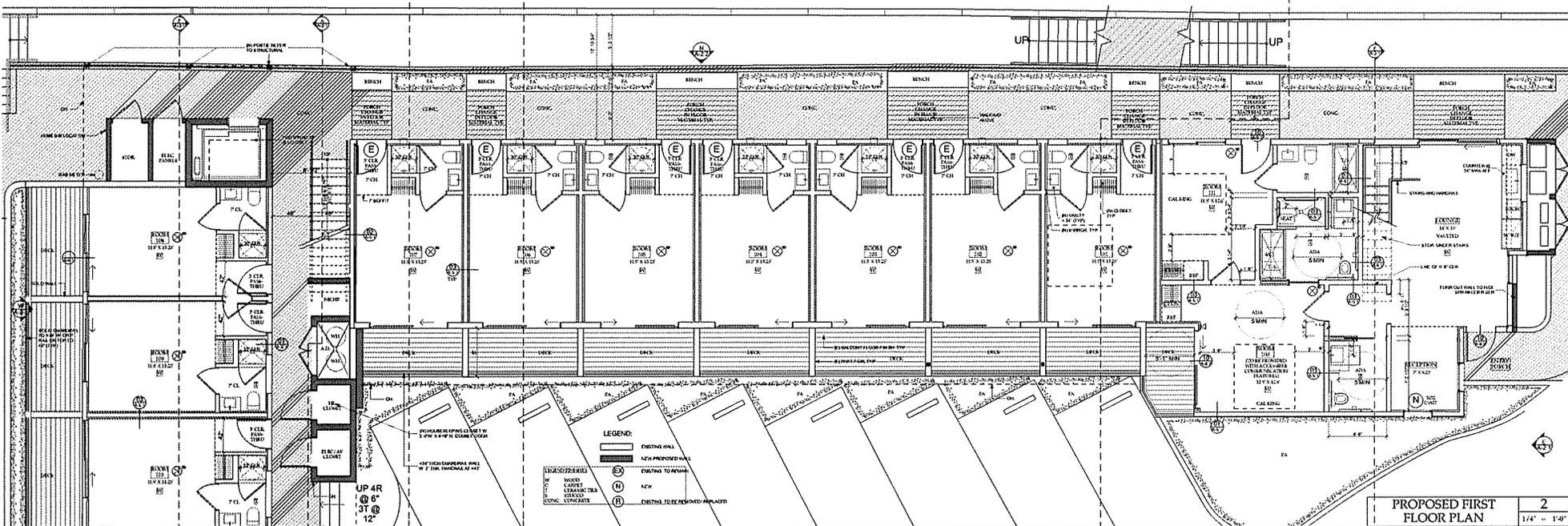


BURDGE & Associates
ARCHITECTS
3400 VAN COTTEN AVE.
SUITE 204C
SANTA MONICA, CA 90403
TEL: 310-315-5070
WWW.BUAIA.COM

DESCRIPTION: SITE PLAN	DRAWING NO. A-0.1
PROJECT: SURFRIDER BEACH MOTEL	SCALE: 1/8" = 1' - 0"
DATE: 16/02/2016	DRAWN BY: LINDA M. LEE, R.D.



OC AMENDMENT
FIRST FLOOR PLAN 1
1/4" = 1'-0"



PROPOSED FIRST
FLOOR PLAN 2
1/4" = 1'-0"

PHASE II

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WRITTEN DIMENSIONS SHALL BE VIEWED ON THE JOB SITE. DIMENSIONS SHALL BE MEASURED TO THE CENTERLINE OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

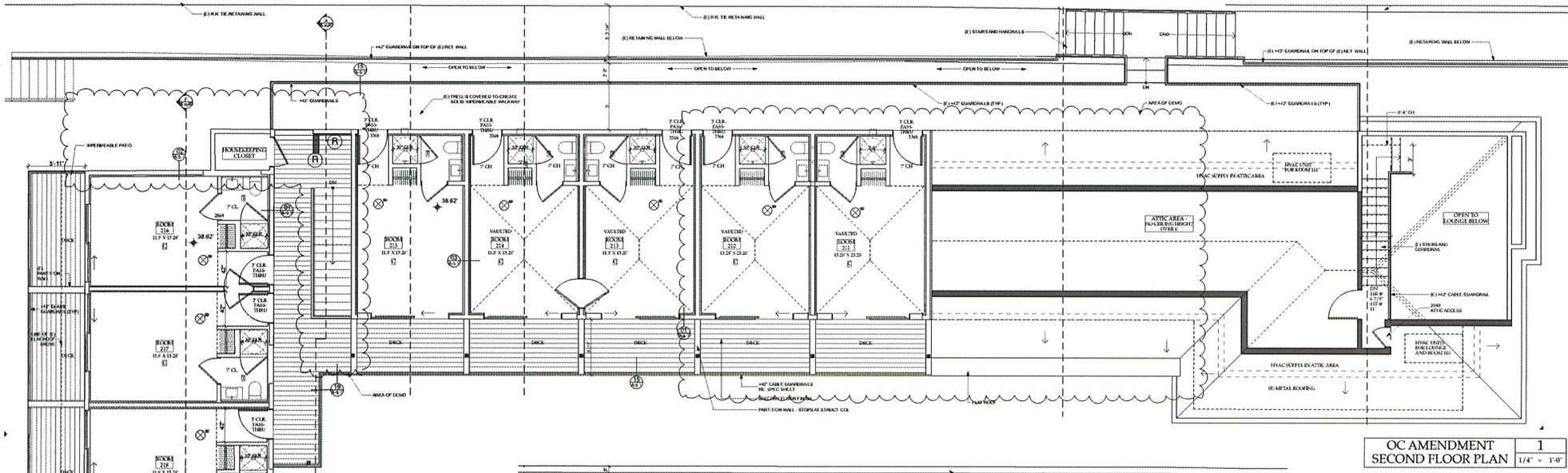
NO.	DATE	ISSUE
1	06/20/16	CDP SUBMITTAL PHASE I
2	03/01/16	CDP RE-SUBMITTAL PHASE I
3	01/22/16	BUILDING AND SAFETY CHECK SET
4	02/27/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST
HIGHWAY
MALIBU
CA 90265

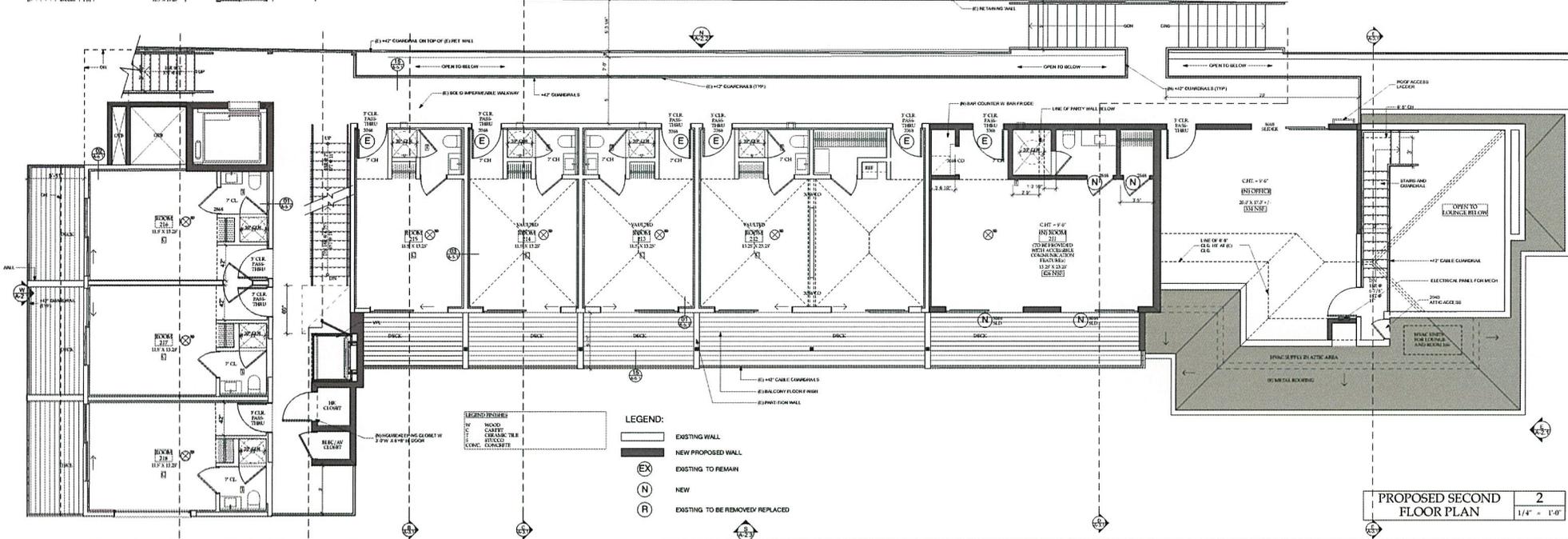
LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-10889
REACTIVE
STATE OF CALIFORNIA

BURDGE & Associates
ARCHITECTS
1500 SANDHILL AVE
SUITE 200
MILPITAS, CA 95035
TEL: 408-955-6277
WWW.BUAIA.COM

DESCRIPTION:
DEMO/PROPOSED FIRST FLOOR PLANS
DRAWING NO. **A-1.1**
PROJECT: SURFRIDER BEACH HOTEL
DATE: 01/20/16
SCALE: 1/4" = 1'-0"



OC AMENDMENT
SECOND FLOOR PLAN 1
1/4" = 1'-0"



PROPOSED SECOND
FLOOR PLAN 2
1/4" = 1'-0"

PHASE II

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WRITTEN DIMENSIONS SHALL BE SHOWN ON THE JOB SITE. DISCREPANCIES SHALL BE EXPEDITED TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	06/20/15	CDP SUBMITTAL PHASE II
2	09/01/15	CDP RE-SUBMITTAL PHASE II
3	01/29/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST
HIGHWAY
MALIBU
CA 90265

REGISTERED ARCHITECT
STATE OF CALIFORNIA
DOUGLAS W. BURDGE
D-18889

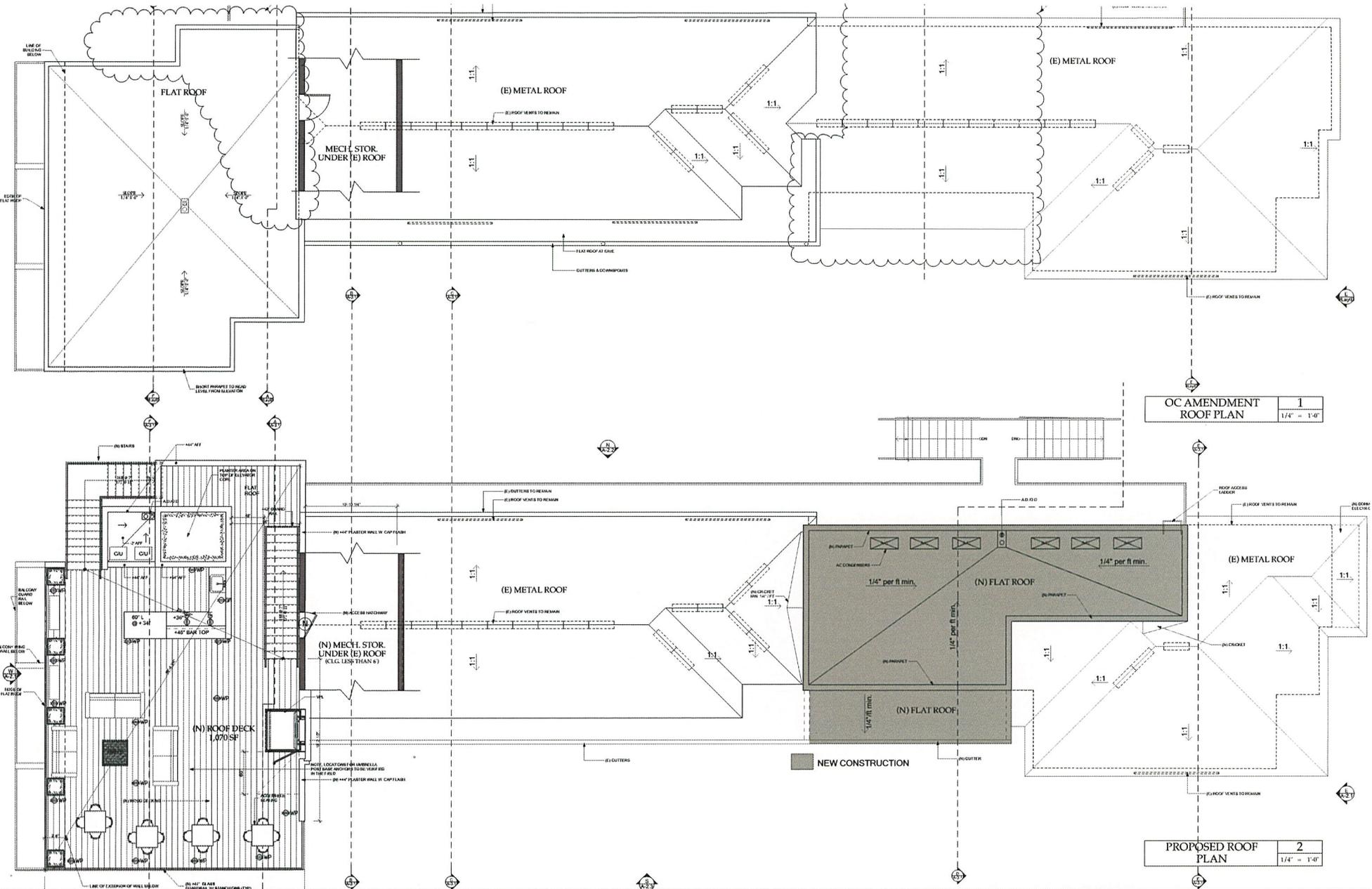
BURDGE & Associates
ARCHITECTS
23033 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL: 310-458-1800

DESCRIPTION:
DEMO/PROPOSED
SECOND FLOOR PLANS

DRAWING NO.
A-1.2

PROJECT: SURFRIDER BEACH MOTEL
DATE: 02/16/16
SCALE: 1/4" = 1'-0"

WWW.BUAIA.COM



OC AMENDMENT ROOF PLAN 1
1/4" = 1'-0"

PROPOSED ROOF PLAN 2
1/4" = 1'-0"

PHASE II

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WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE RESOLVED TO THE FAVOR OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1.	05/20/15	CDP SUBMITTAL PHASE II
2.	03/01/15	CDP PRE-SUBMITTAL PHASE II
3.	01/22/16	BUILDING AND SAFETY CHECK SET
4.	02/17/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST
HIGHWAY
MALIBU,
CA 90265



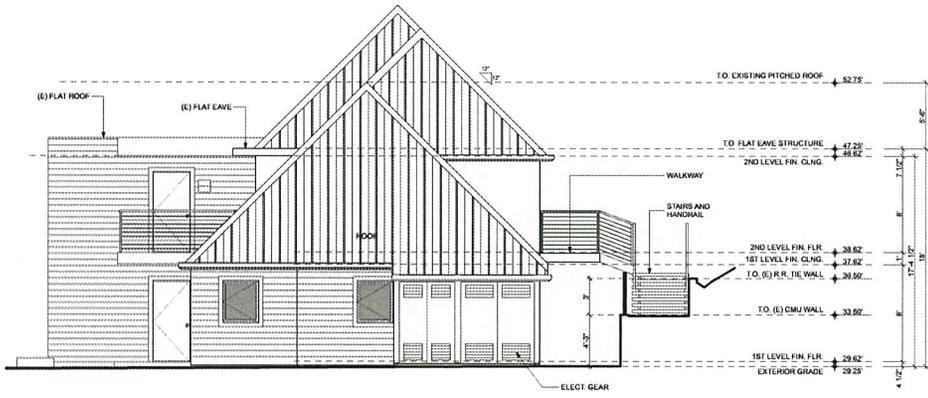
BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM

DESCRIPTION:
DEMO/PROPOSED ROOF PLAN

DRAWING NO. **A-1.3**

PROJECT: SURFRIDER BEACH MOTEL
DATE: FROM DATE: 02/20/16
DRAWN BY: TD.WE./J.L.L./L.W./E.D.

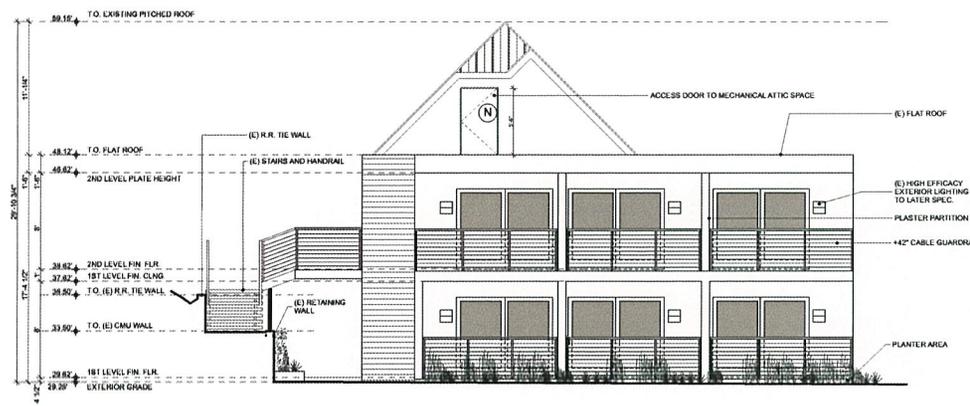
SCALE: 1/4" = 1'-0"



OC AMENDMENT EAST ELEVATION 2
1/4" = 1'-0"



PROPOSED EAST ELEVATION 1
1/4" = 1'-0"



OC AMENDMENT WEST ELEVATION 4
1/4" = 1'-0"



PROPOSED WEST ELEVATION 3
1/4" = 1'-0"

- LEGEND:
- (E) EXISTING TO REMAIN
 - (N) NEW
 - (R) EXISTING TO BE REMOVED/RELOCATED

PHASE II

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WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE RESOLVED TO THE FAVOR OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

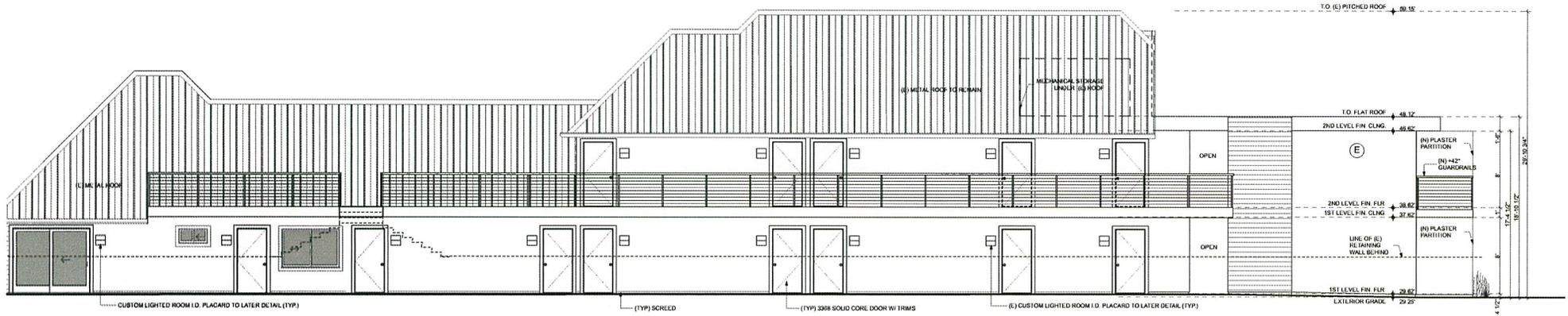
NO.	DATE	ISSUE
1	05/20/15	CDP SUBMITTAL PHASE I
2	10/01/15	CDP RE-SUBMITTAL PHASE I
3	01/29/16	BUILDING AND SAFETY CHECK SET
4	09/17/16	PLANNING SUBMITTAL

SURFRIDER
23033 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

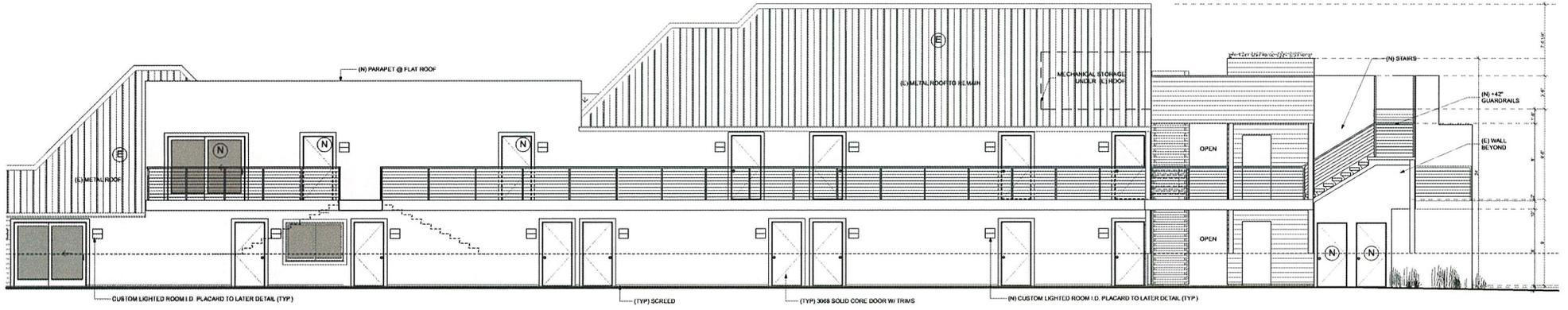
LICENSED ARCHITECT
STATE OF CALIFORNIA
DONALD W. BURDGE
C-10899
RESIDUAL 1/0001/1

BURDGE & Associates
ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM

DESCRIPTION:
DEMO/PROPOSED ELEVATIONS EAST & WEST
DRAWING NO. **A-2.1**
PROJECT: SURFRIDER BEACH MOTEL
DATE: 09/17/16
DRAWN BY: D.W.B., L.W., R.D.



OC AMENDMENT
NORTH ELEVATION 1
1/4" = 1'-0"



PROPOSED NORTH
ELEVATION 2
1/4" = 1'-0"

- LEGEND:
- (E) EXISTING TO REMAIN
 - (N) NEW
 - (R) EXISTING TO BE REMOVED/
RELOCATED

PHASE II

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WRITTEN DIMENSIONS SHALL BE VIEWED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	05/20/15	CDP SUBMITTAL PHASE II
2	10/01/15	CDP RE-SUBMITTAL PHASE II
3	01/22/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

SURFRIDER

23033 PACIFIC COAST
HIGHWAY
MALIBU,
CA 90265

LICENSED ARCHITECT
STATE OF CALIFORNIA

DOUGLAS W. BURDGE
C-18888
RESIDUAL
1/2000/1

BURDGE & Associates
ARCHITECTS

230 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL: 310-258-5876

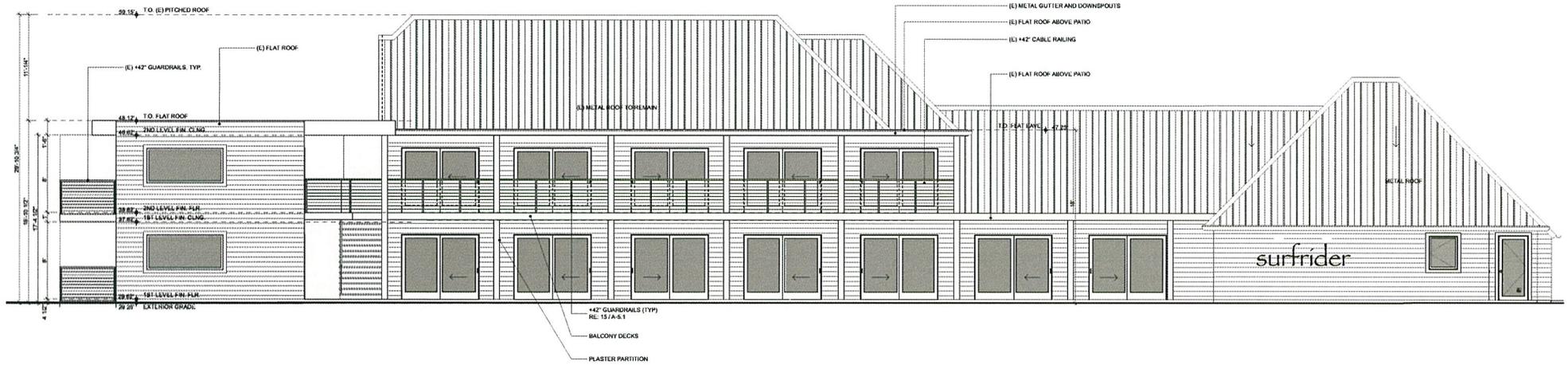
230 PACIFIC COAST HWY.
SUITE 204C
MALIBU, CA 90265
TEL: 310-258-5876

PROJECT: SURFRIDER BEACH MOTEL
DATE: 02/29/16
DRAWN BY: C.W.E. J.L.W. S.D.

DESCRIPTION:
DEMO/PROPOSED
ELEVATIONS NORTH

DRAWING NO.
A-2.2

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



OC AMENDMENT SOUTH ELEVATION 1
1/4" = 1'-0"

LEGEND:
 (E) EXISTING TO REMAIN
 (N) NEW
 (R) EXISTING TO BE REMOVED/RELOCATED



PROPOSED SOUTH ELEVATION 2
1/4" = 1'-0"

PHASE II

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 WRITTEN DIMENSIONS SHALL BE VIEWED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1	05/20/15	CDP SUBMITTAL PHASE I
2	12/01/15	CDP RE-SUBMITTAL PHASE I
3	01/29/16	BUILDING AND SAFETY CHECK SET
4	02/17/16	PLANNING SUBMITTAL

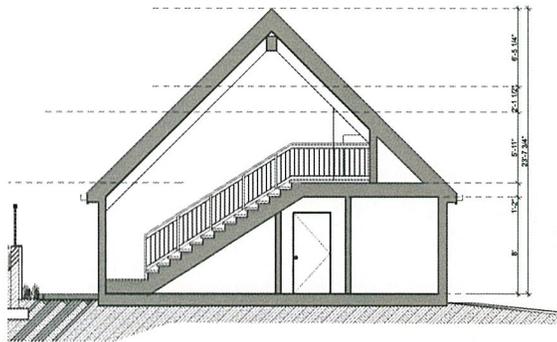
SURFRIDER

23033 PACIFIC COAST
 HIGHWAY
 MALIBU,
 CA 90265

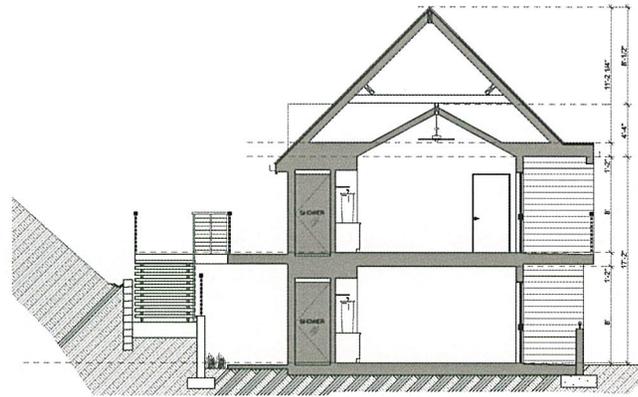


BURDGE & Associates
 ARCHITECTS
 MALIBU SUN VALLEY

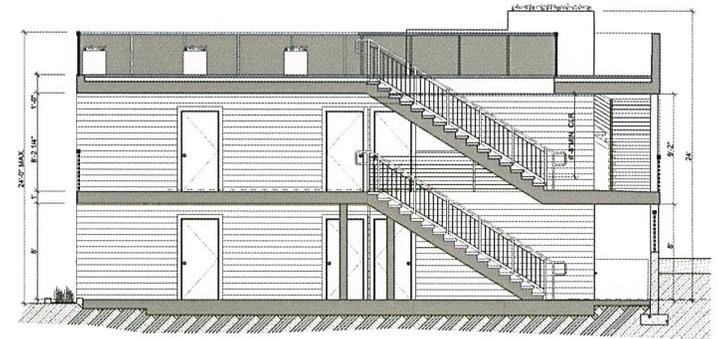
21224 AVONDALE COAST HWY MALIBU, CA 90265 TEL: 310-458-3835 456 GARDEN GROVE AVE. SUITE 204 C MALIBU, CA 90265 TEL: 209-451-3320	DESCRIPTION: DEMO/PROPOSED ELEVATIONS SOUTH DRAWING NO. A-2.3
PROJECT: SURFRIDER BEACH MOTEL DATE: 01/29/16 DRAWN BY: D.W.B., J.L.W., S.S.	SCALE:



SECTION E	5
	1/4" = 1'-0"



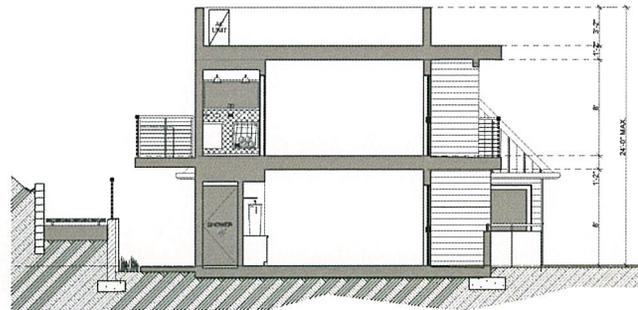
SECTION C	3
	1/4" = 1'-0"



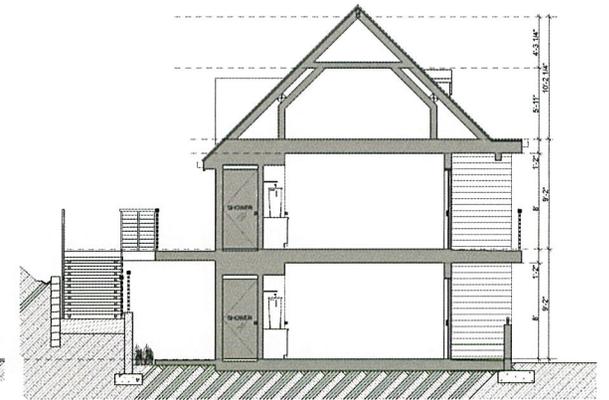
SECTION A	1
	1/4" = 1'-0"



SECTION F	6
	1/4" = 1'-0"



SECTION D	4
	1/4" = 1'-0"



SECTION B	2
	1/4" = 1'-0"

PHASE II

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. DISCREPANCIES SHALL BE RESOLVED TO THE FAVOR OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO.	DATE	ISSUE
1.	05/20/15	CDP SUBMITTAL PHASE II
2.	12/01/15	CDP RE-SUBMITTAL PHASE II
3.	01/22/16	BUILDING AND SAFETY CHECK SET
4.	02/17/16	PLANNING SUBMITTAL

SURFRIDER
 23033 PACIFIC COAST
 HIGHWAY
 MALIBU,
 CA 90265



BURDGE & Associates
 ARCHITECTS
 4300 WILSON AVENUE
 SUITE 200
 REDWOOD CITY, CA 94063
 TEL: 650-451-9200

DESCRIPTION:
 PROPOSED SECTIONS

DRAWING NO.
A-3.1

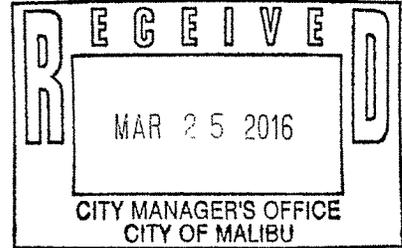
PROJECT: SURFRIDER BEACH MOTEL
 DATE: Final Date: 02/29/16
 DRAWN BY: D.W.B., J.L.L., W.S., E.S.

PCH 23033 LLC
70 North 8th Street
Brooklyn, NY 11249

RECEIVED
MAR 28 2016
PLANNING DEPT.

March 24, 2016

City of Malibu
Attn.: Jim Thorsen - City Manager
Richard Mollica
23825 Stuart Ranch Road
Malibu, CA 90265



Re.: The Surfrider Hotel
23033 Pacific Coast Highway
Malibu, CA 90265

As the owner of the Surfrider Hotel, located at 23033 Pacific Coast Highway, I am writing you to request that our project be granted the ability to enter into Building Plan Check early by way of a Concurrent Submittal with your Planning Department.

We began processing the permits for the proposed renovation of this Hotel on February 27, 2015. The objective of our project is to bring this building, that was originally constructed in 1953, into compliance with as many current codes as possible by making modern and efficient updates. These updates will take a lot of effort and a very substantial financial investment. In particular, we will be installing a fire suppression sprinkler system throughout the entire building and investing over \$700,000 in a new state of the art septic system. Updates like these will not only make the Surfrider Hotel the safest and most up to date renovated building in Malibu but will also restore this building's original use as one of the most iconic locations in Malibu.

We are working around the clock to expedite our construction and everything is being managed in the most efficient way so that no time is lost on our side. The ability to open the Surfrider Hotel as soon as possible is becoming integral to the success of this project. At this point every additional day that the project is delayed is a day taken from our business's operation and a day's worth of Transient Occupancy Tax Revenue lost. With that being said, and similar to the way that we were allowed to enter into Building Plan Check early for our septic system, we are formally requesting clearance to enter into Building Plan Check early by way of a Concurrent Submittal of the renovation portion of our project.

In closing, I appreciate your attention to this request, and I really hope the City of Malibu will be willing to work with us in the most expeditious way so that we both can achieve the goals we have for the Surfrider Hotel.

Kind regards.

PCH 23033 LLC

Alessandro Zampedri

Date Received 3-28-16 Time 3:30 pm
Planning Commission meeting of 4-4-16
Agenda Item No. 5C
Total No. of Pages 1

CC: Planning Commission, PD, PM, Recording
Secretary, Reference Binder, File

cc: AM, PL, ESD