September 19, 2016 Regular Meeting

1. Agenda

   Documents:

   PC160919_AGENDA_AMENDED (LINKS).PDF

2. Item 3A1 - General Plan Consistency Finding Proposed Vacation Public Right-Of-Way Easement / 3849 Rambla Pacifico

   Documents:

   PC160919_ITEM3A1.PDF

3. Item 3B1 - Approval Of Minutes

   Documents:

   PC160919_ITEM3B1.PDF

4. Item 3B2 - Extension Of Coastal Development Permit No. 06-105 / 31801 Pacific Coast Highway

   Documents:

   PC160919_ITEM3B2.PDF

5. Item 3B3 - Administrative Coastal Development Permit No. 13-014 / 28465 Via Acero Street

   Documents:

   PC160919_ITEM3B3.PDF
   PC160919_ITEM3B3_SUPPLEMENTAL.PDF

6. Item 3B4 - Trancas Field Acquisition Conformance With General Plan / 6155 Trancas Canyon Road And 30999 Pacific Coast Highway

   Documents:

   PC160919_ITEM3B4.PDF

7. Item 4A - Coastal Development Permit No. 14-028 / 31438 Broad Beach Road

   Documents:

   PC160919_ITEM4A.PDF

8. Item 4B - Wireless Telecommunications Facility No. 16-001 / 29970.5 Harvester Road

   Documents:

PC160919_ITEM4B.PDF

9. Item 5A - Coastal Development Permit No. 14-003 / 25306 Malibu Road

   Documents:

   PC160919_ITEM5A.PDF

10. Item 5B - Local Coastal Program Amendment No. 16-003 / 5603 And 5699 Tuna Canyon Road, 19005 And 19319 Pacific Coast Highway

    Documents:

    PC160919_ITEM5B.PDF

11. Item 5C - Conditional Use Permit Amendment No. 15-007 / 23670 Pacific Coast Highway

    Documents:

    PC160919_ITEM5C.PDF
    PC160919_ITEM5C_SUPPLEMENTAL.PDF

Amended[1] Malibu Planning Commission
Regular Meeting Agenda

Monday, September 19, 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 – September 9, 2016: *Amended Agenda posted on September 14, 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

1. General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement (Continued from September 6, 2016)

Location: *3849 Rambla Pacifico*
APN: *4451-022-007*
Easement Holder: *City of Malibu*
Applicant: *Neil Strum*

Recommended Action: Adopt Planning Commission Resolution No. 16-49 finding the vacation of a portion of the public road easement along Rambla Pacifico to be consistent with the General Plan and that this action is exempt from the California Environmental Quality Act, located in the Multi-Family zoning district at 3849 Rambla Pacifico Road.

1 *See Added Agenda Item No. 3.A.1.*

B. New Items

1. Approval of Minutes

Recommended Action: Approve the minutes for the September 6, 2016 Regular Planning Commission meeting.

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

2. Extension of Coastal Development Permit No. 06-105, Variance Nos. 09-008 and 09-009, and Site Plan Review No. 06-091 – A request to extend the Planning Commission's approval of an application for the construction of a new single-family residence and development

Location: 31801 Pacific Coast Highway
APN: 4470-008-018
Owner: Villa Rivolo, LLC
Case Planner: Associate Planner Contreras, 456-2489 ext. 265

Recommended Action: Adopt Planning Commission Resolution No. 16-71 granting a one-year extension of Coastal Development Permit No. 06-105, Variance Nos. 09-008 and 09-009, and Site Plan Review No. 06-091, an application for the construction of a new single-family residence and associated development in the Rural Residential Ten-Acre zoning district located at 31801 Pacific Coast Highway (Villa Rivolo, LLC).

3. Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005 – An application to construct a new single-family residence and development

Location: 28465 Via Acero Street, not within the appealable coastal zone
APN: 4467-033-014
Owner: Thilo Kuther
Case Planner: Associate Planner Contreras, 456-2489 ext. 265

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005.

4. Trancas Field Acquisition Conformance with General Plan (APN 440-012-045)

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

Recommended Action: Adopt Planning Commission Resolution No. 16-78 finding the acquisition of the Trancas Field property for park, recreation or open space purposes conforms with the City of Malibu General Plan, and that this action is exempt from the California Environmental Quality Act (CEQA) located in the Rural Residential-Five Acre (RR-5) zoning district at 6155 Trancas Canyon Road and 30999 Pacific Coast Highway (APN 440-012-045).

4. Continued Public Hearings

A. Coastal Development Permit No. 14-028, and Variance Nos. 14-012 and 15-013 - An application for the construction of a new beachfront single-family residence, accessory structure, and associated development (Continued from September 6, 2016)

Location:	31438 Broad Beach Road, within the appealable coastal zone
APN:	4470-017-065
Owner:	Ben Lingo
Case Planner:	Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 16-73 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-028, an application for the construction of a new 7,237 square foot single-family residence with attached garage, pool, spa, and roof deck on a beachfront lot and removal of an existing rock revetment, including Variance (VAR) No. 14-012 for construction on slopes and VAR No. 15-013 for construction of a shoreline protection device to allow for the continued protection of an existing slope and surrounding properties located in the Single-Family Medium Density zoning district at 31438 Broad Beach Road (Lingo).

B. Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 – An application for the installation of a new wireless telecommunications facility within the public right-of-way (Continued from September 6, 2016)

Location:	29970.5 Harvester Road
Nearest APN:	4469-013-021
Owner:	City of Malibu Public Right-of-Way
Applicant:	Carver Chiu of Crown Castle NG West, Inc.
Case Planner:	Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Continue this item to the October 5, 2016 Regular Planning Commission meeting.

5. New Public Hearings

A. Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, and Minor Modification No. 15-016 – An application for a new single-family beachfront residence and associated development

Location:	25306 Malibu Road, within the appealable coastal zone
APN:	4459-016-013
Owner:	Chambers Creek, LLC
Case Planner:	Associate Planner Colvard, 456-2489 ext. 234

Recommended Action: Adopt Planning Commission Resolution No. 16-74 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-003, for the construction of a new 5,094 square foot, two-story, single-family beachfront residence with attached garage, decks, return wall, retaining walls, installation of a new alternative onsite wastewater treatment system, and removal of existing timber walls, Variance (VAR) No. 16-010 for the installation of a new bulkhead sited seaward of the shoreline protection device stringline,

VAR No. 16-023 for construction on slopes steeper than 2.5 to 1, and Minor Modification No. 15-016 for a reduced front yard setback located in the Multi-Family Beachfront zoning district at 25306 Malibu Road (Chamber Creek, LLC).

B. Local Coastal Program Amendment No. 16-003 – An application to change land use and zoning designations of four contiguous parcels from Public Open Space (POS) and Rural Residential-Forty Acre to Rural Residential-Twenty Acre

Location:	5603 and 5699 Tuna Canyon Road, 19005 and 19319 Pacific Coast Highway
APN:	4449-009-001, 4449-009-002, 4449-009-003, and 4449-009-004
Applicant:	City of Malibu
Owner:	Canyon Vineyard Estates I, LLC
Case Planner:	Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Continue this item to a date uncertain.

C. Conditional Use Permit Amendment No. 15-007 and Administrative Plan Review 15-058 – An application to amend Conditional Use Permit No. 08-009 and to allow for the expansion of the existing convenience market and garage bays at an existing service station (Chevron)

Location:	23670 Pacific Coast Highway
APN:	4458-019-009
Owner:	KW Partnership L.P.
Tenant:	Ben Pouldar, Malibu Petroleum Inc.
Case Planner:	Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 16-77 approving Conditional Use Permit Amendment No. 15-007 to amend to Conditional Use Permit No. 08-009 and approving Administrative Plan Review No. 15-058 to allow for a 689 square foot expansion of the existing convenience market and garage bays at an existing service station in the Commercial General zoning district located at 23670 Pacific Coast Highway, at the corner of Pacific Coast Highway and Webb Way (Chevron / KW Partnership L.P.).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Planning Commission Meetings

Wednesday, October 5, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, October 17, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, November 7, 2016	6:30 p.m.	Regular Planning Commission Meeting	City Hall Council Chambers
Monday, November 21, 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 Craig George at (310) 456-2489, ext. 229. 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 14th day of September 2016.

Kathleen Stecko

Kathleen Stecko, Senior Office Assistant

Commission Agenda Report

Planning Commission Meeting 09-19-16

Item 3.A.1.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Robert DuBoux, Assistant Public Works Director/City Engineer

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 13, 2016 Meeting Date: September 19, 2016

Subject: General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement (Continued from September 6, 2016)

Location:	3849 Rambla Pacifico
APN:	4451-022-007
Easement Holder:	City of Malibu
Applicant:	Neil Strum

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-49 (Attachment A) finding the vacation of a portion of the public road easement along Rambla Pacifico to be consistent with the General Plan and that this action is exempt from the California Environmental Quality Act, located in the Multi-Family zoning district at 3849 Rambla Pacifico Road.

DISCUSSION: The item before the Planning Commission is a request from applicant, Neil Strum, for the City of Malibu to vacate a portion of the Rambla Pacifico public street easement. This matter was previously discussed by the Planning Commission on August 1, 2016 (Attachment B – Planning Commission Agenda Report). At the August 1, 2016 Planning Commission meeting the Planning Commission requested that staff provide an exhibit depicting the proposed area to be vacated in relation to the surrounding site conditions.

Pursuant to the Commission's direction, staff prepared a revised exhibit to Resolution 16-49 which shows the existing roadway, lot lines, water main, and the area to be vacated. As demonstrated by the exhibit, the area that is proposed to be vacated does not extend into the existing paved portion of the roadway, and currently contains a portion of the residence, landscaping, a driveway and hardscape. Furthermore, a width of 60 feet of the roadway will remain consistent with the most recent street vacation which took place at the property located directly to the north of the subject property.

ATTACHMENTS:

A. Resolution No. 16-49 and Exhibit A
B. August 1, 2016 Planning Commission Agenda Report

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE VACATION OF A PORTION OF A PUBLIC STREET AND HIGHWAY EASEMENT ALONG RAMBLA PACIFICO AND FINDING IT CONSISTENT WITH THE GENERAL PLAN AND THAT THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT LOCATED IN THE MULTI-FAMILY ZONING DISTRICT AT 3849 RAMBLA PACIFICO ROAD

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On November 16, 2015, a request was submitted by Neil Strum to consider the vacating a portion of a public street easement along Rambla Pacifico. The portion of the Rambla Pacifico easement proposed to be vacated is part of a larger segment of Rambla Pacifico that was closed due to landslide activity in the area. The portion of the road easement is the western 30 foot portion of the right-of-way fronting the parcel addressed 3849 Rambla Pacifico. The area is to allow for future development due to the severe topographic constraints of the lot.

B. The City does not anticipate that the easement area proposed to be vacated will be required for street or highway purposes in the future. Accordingly, the proposed vacation will be compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan.

SECTION 2. Environmental Review.

The question answered in this Resolution is limited to whether the vacation of a portion of a street easement along Rambla Pacifico Road conforms to the General Plan. The Planning Commission has analyzed that question as described herein. As a matter of common sense, evaluating whether the vacation of a portion of the easement by the City conforms to the General Plan does not have an effect on the environment as this analysis itself will not lead to any changes to the property. 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. The Planning Commission determined that there is no possibility the project will have a significant effect on the environment and accordingly, the exemption set forth in Section 1506 1(b)(3) applies.

SECTION 3. Finding of Consistency with the General Plan.

The Planning Commission of the City of Malibu, pursuant to the provisions of Government Code Section 65402 and Division 9, Part 3, Chapter 4 of the Streets and Highways Code, hereby finds that the proposed vacation of that portion of Rambla Pacifico described and depicted in Attachment 2 of the associated agenda report to this resolution is consistent with the City of Malibu General Plan.

SECTION 4. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September 2016.

JOHN MAZZA, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

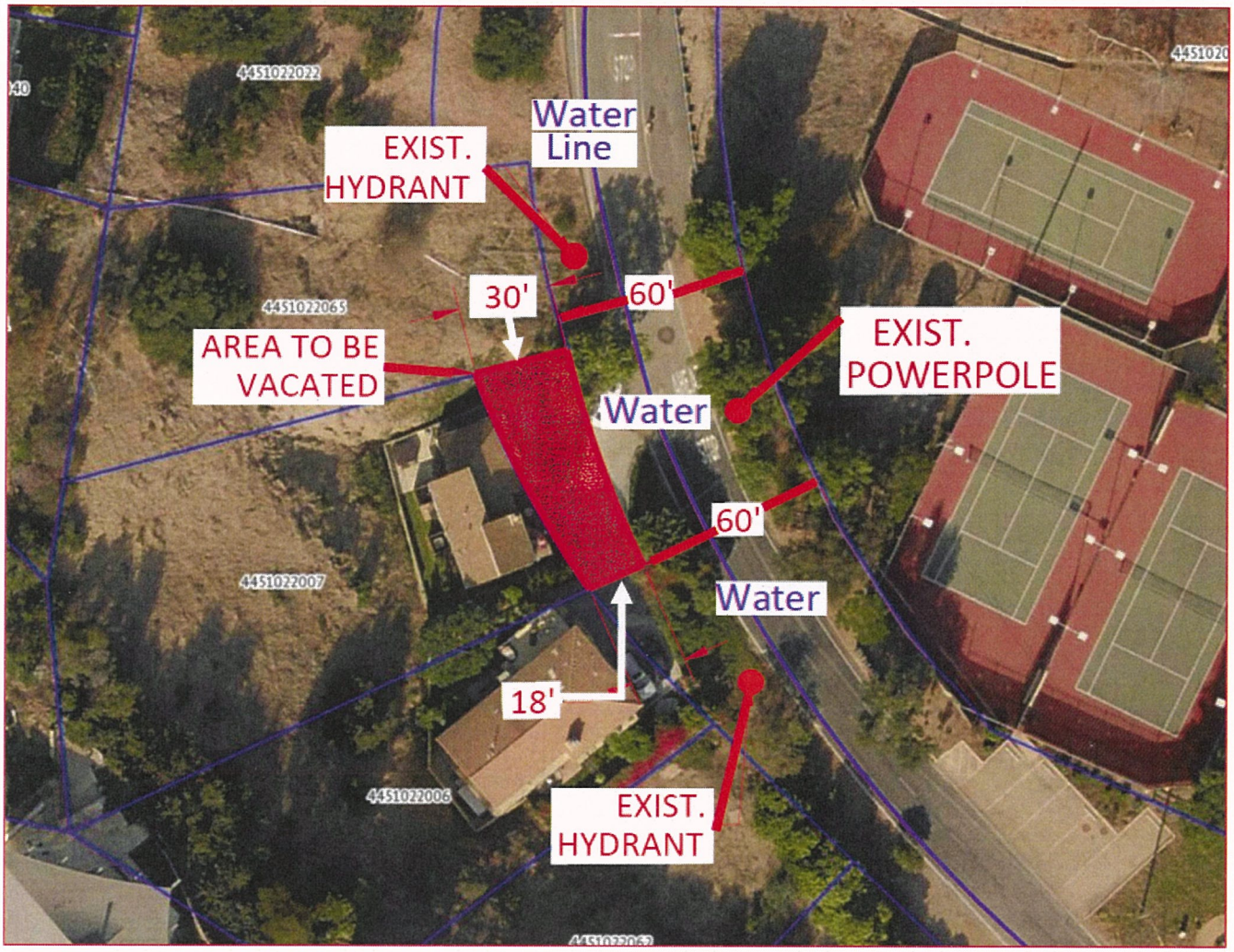
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-49 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 19th day of September 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

EXHIBIT A

3849 Rambla Pacifico



Commission Agenda Report

Planning Commission Meeting
08-01-16
Item 3.B.1.

To: Chair Stack and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner RM

Reviewed by: Robert DuBoux, Assistant Public Works Director/City Engineer

Approved by: Bonnie Blue, Planning Director

Date prepared: July 21, 2016 Meeting Date: August 1, 2016

Subject: General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement

Location:	3849 Rambla Pacifico
APN:	4451-022-007
Easement Holder:	City of Malibu
Applicant:	Neil Strum

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-49 (Attachment 1) finding the vacation of a portion of the public road easement along Rambla Pacifico to be consistent with the General Plan.

DISCUSSION: The applicant, Neil Strum, has submitted a request that the City of Malibu vacate a portion of the Rambla Pacifico public street easement. The applicant has cited that the width of the right-of-way adjacent to his property (3849 Rambla Pacifico) impacts existing private structures and improvements on the two neighboring lots. The uphill slope from the edge of the existing pavement through the subject property is steeper than 3 to 1. The width of the existing pavement is approximately 26 feet wide. Any further widening of the paved road within the western portion of the right-of-way would require significant landform alteration of the sloped area as well as retaining walls. If necessary, there is adequate room on the other side of the Rambla Pacifico right-of-way easement to widen the road 10 feet without the need for retaining walls.

The applicant has requested that the westerly 30 feet or more of the Rambla Pacifico alignment, be vacated along the frontage of 3849 Rambla Pacifico. The proposed vacation will keep the roadway pavement within the right-of-way and will also serve to remove encroachments of the applicant's lot from the right-of-way.

General Plan Consistency Finding

Pursuant to Government Code Section 65402, "If the proposed vacation of a street, highway, or public service easement is within an area for which a general plan is adopted by a local agency, the legislative body of the public entity shall consider the general plan prior to vacating the street, highway, or public service easement". As such, the Planning Commission must consider whether the proposed vacation is consistent with the City's General Plan. The request for vacation for a portion of the road easement would then be taken to the City Council for consideration in accordance with the Streets and Highways Code.

The City is currently responsible for the maintenance of the street easement. The Public Works Department has confirmed that it does not anticipate that the street easement area proposed to be vacated will be required for street or highway purposes in the future.

Accordingly, staff has determined that the proposed vacation will be compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan.

SUMMARY: The required finding can be made that the proposed right-of-way vacation is consistent with the General Plan. Based on the analysis contained in this report, staff recommends that the Planning Commission find the request to be in conformity with the General Plan for vacation of a portion of Rambla Pacifico adjacent to 3849 Rambla Pacifico and report the findings to the City Council.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-49
2. Rambla Road Realignment Exhibit
3. Aerial Photograph

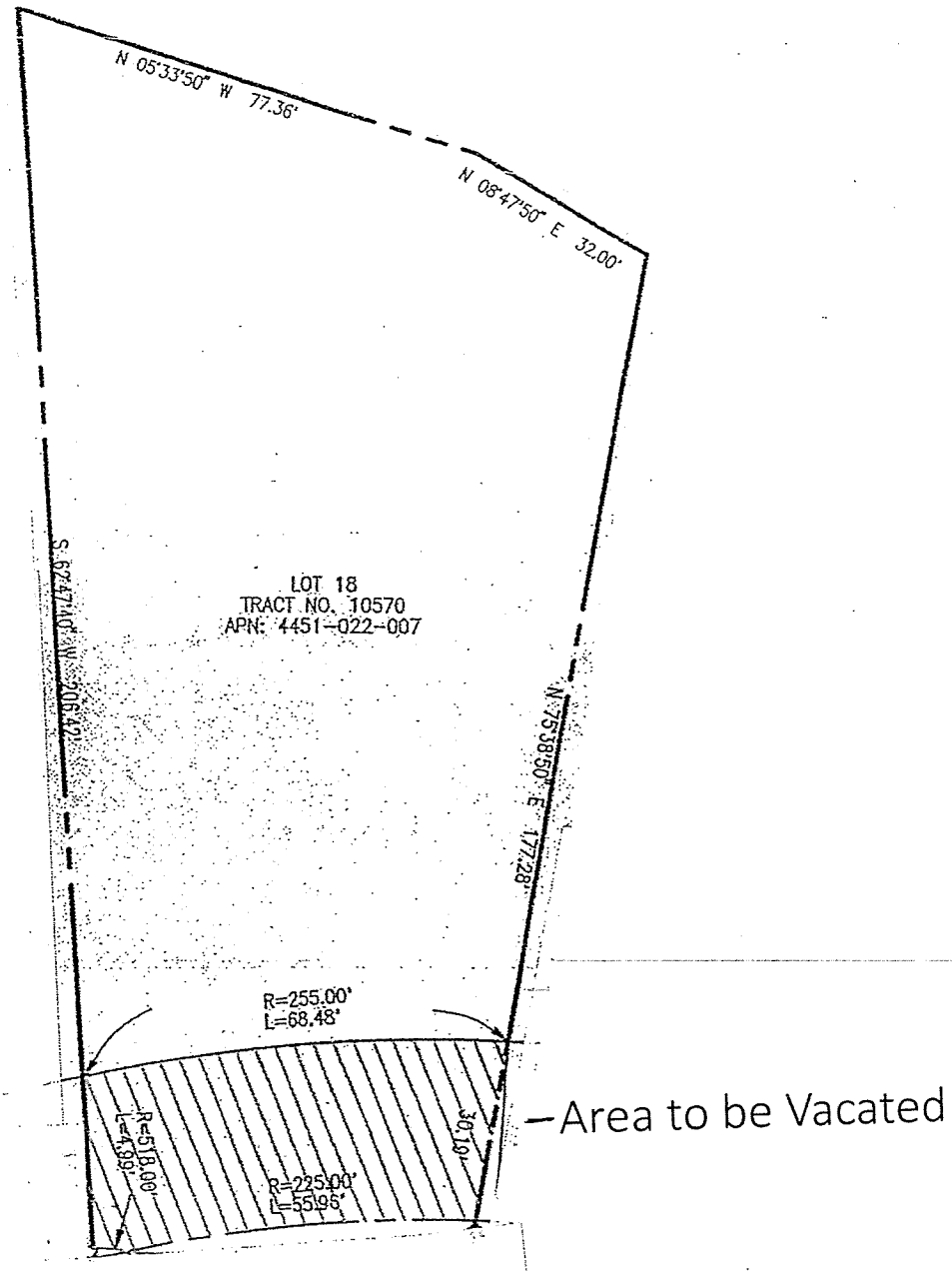
Copies of all related documents are available at City Hall during regular business hours.

ATTACHMENT 1

Planning Commission Resolution 16-49

See Attachment A of the September 19, 2016 Planning Commission Agenda Report Item 3.A.1.

EXHIBIT B

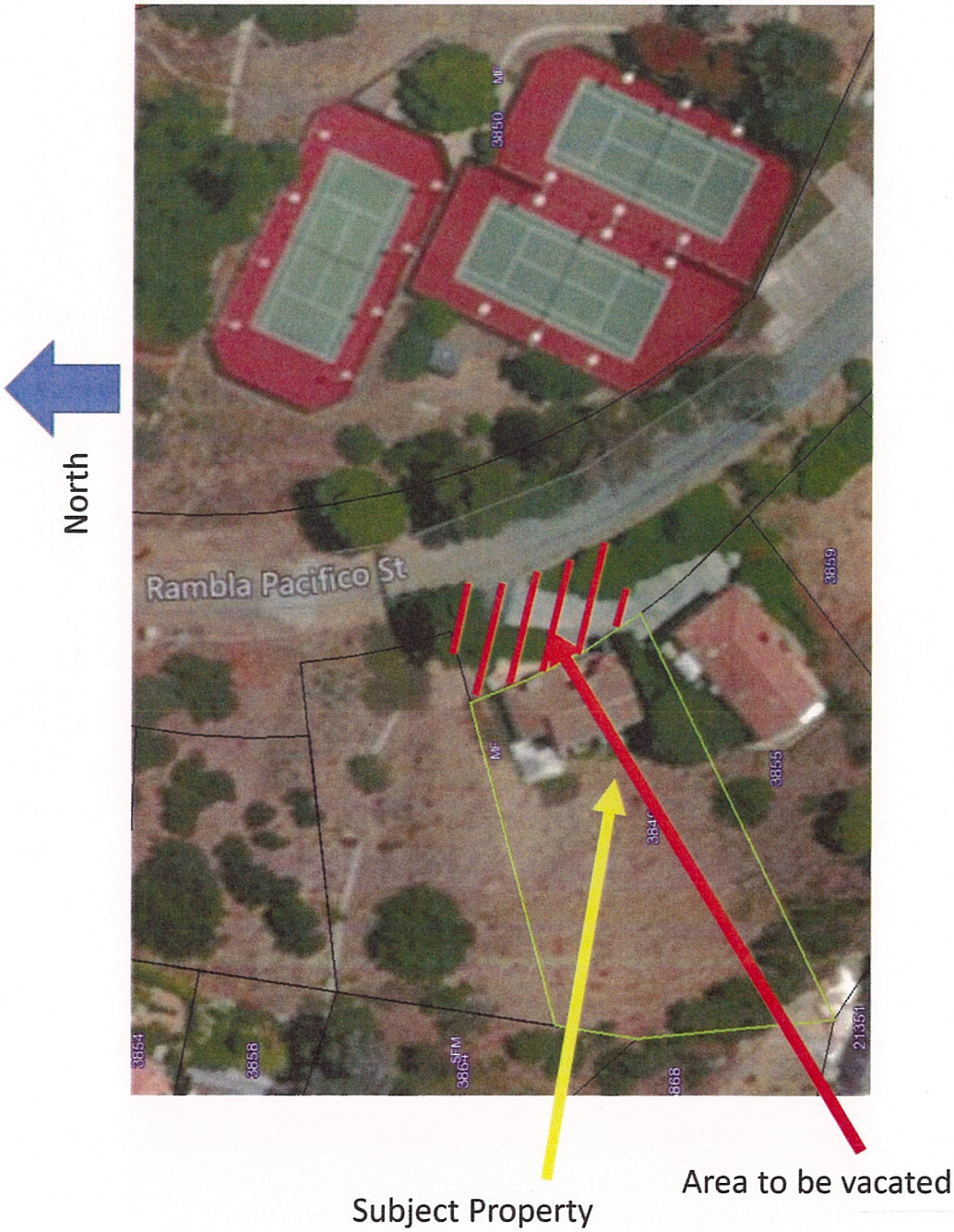


PREPARED FOR:

3849 RAMBLA PACIFICO STREET
MALIBU, CA 90265

ATTACHMENT 2

Aerial Photograph



Commission Agenda Report

Planning Commission Meeting
09-19-16
Item 3.B.1.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Kathleen Stecko, Senior Office Assistant

Approved by: Bonnie Blue, Planning Director

Date prepared: September 7, 2016 Meeting Date: September 19, 2016

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the September 6, 2016 Regular Planning Commission meeting.

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

ATTACHMENT: September 6, 2016 Regular Planning Commission Meeting

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

CALL TO ORDER

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

ROLL CALL

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

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

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Lisa Soghor, Assistant City Manager; Stephanie Hawner, Senior Planner; Richard Mollica, Senior Planner; Jessica Colvard, Associate Planner; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Stack led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

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

APPROVAL OF AGENDA

MOTION Commissioner Pierson moved and Commissioner Brotman seconded a motion to approve the agenda, continuing Item Nos. 3.A.1. and 5.A. to a date uncertain and Item Nos. 4.A. and 4.B. to the September 19, 2016 Regular Planning Commission meeting. The motion carried 5-0.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

None.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Planning Director Blue introduced Assistant City Manager Lisa Soghor to the Commission.

The Commission welcomed Assistant City Manager Soghor and invited her to address the Commission; in response she provided information on her background.

Commissioner Pierson announced the Surfaid International fundraising event.

Chair Mazza announced a screening of The Maltese Falcon at the Adamson House in honor of the 75th anniversary of the film.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.B.1., 3.B.2., and 3.B.3. were pulled for discussion by Commissioner Pierson.

MOTION Vice Chair Jennings moved and Commissioner Pierson seconded a motion to approve the Consent Calendar. The motion carried 5-0.

The Consent Calendar consisted of the following items:

B. New Items

4. Administrative Coastal Development Permit Amendment No. 16-004 – An application to construct a new 570 square-foot, single-story, 12-foot high second dwelling unit
   Location: 28981 Cliffside Drive, within the appealable coastal zone
   APN: 4466-010-001
   Owners: Edward and Melissa Akkaway
   Case Planner: Senior Planner Hawner, 456-2489 ext. 276
   Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit Amendment No. 16-004.
5. Approval of Minutes
   Recommended Action: Approve the minutes for the August 15, 2016 Regular Planning Commission meeting.
   Staff contact: Planning Director Blue, 456-2489 ext. 258

A. Previously Discussed Items

1. General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement (Continued from August 1, 2016)
   Location: 3849 Rambla Pacifico
   APN: 4451-022-007
   Easement Holder: City of Malibu
   Applicant: Neil Strum
   Case Planner: Senior Planner Mollica, 456-2489 ext. 346
   Recommended Action: Continue this item to a date uncertain.

   The item was continued to a date uncertain upon approval of the agenda.

   Chair Mazza requested information be provided on waterlines and boundaries on the property located at 3849 Rambla Pacifico when Item No. 3.A.1. is discussed at a future meeting.

In response to Chair Mazza, Planning Director Blue stated the item is expected to be heard at the September 19, 2016 Regular Planning Commission meeting and the report will contain the requested information.

The following items were pulled from the Consent Calendar for individual consideration:

B. New Items

1. Extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004 – A request to extend the Planning Commission's approval of an application for the construction of a new single-family residence and associated development

Location: 30015 Andromeda Lane
APN: 4469-004-027
Owners: Anatoly Shamison
Case Planner: Senior Planner Hawner, 456-2489 ext. 276
Recommended Action: Adopt Planning Commission Resolution No. 16-70 granting a one-year extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004, an application for the construction of a new single-family residence and associated development in the Rural Residential-Five Acre zoning district located at 30015 Andromeda Lane (Shamison).

Senior Planner Hawner presented the staff report.

Disclosures: None.

The Commission directed questions to staff.

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

Speaker(s): None.

As there were no speakers present, Chair Mazza closed the public comment. No further discussion occurred.

MOTION Commissioner Brotman moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 16-70 granting a one-year extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004, an application for the construction of a new single-family residence and associated development in the Rural Residential-Five Acre zoning district located at 30015 Andromeda Lane (Shamison). The motion carried 5-0.

2. Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067 – An application to construct a new single-family residence and associated development

Location: 6075 Murphy Way, not within the appealable coastal zone
APN: 4467-004-013
Owner: Daniel Thompson
Case Planner: Senior Planner Hawner, 456-2489 ext. 276
Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067.

Senior Planner Hawner presented the staff report.

Disclosures: Chair Mazza.

The Commission directed questions to staff.

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

Speaker: Vitus Matare.

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

The Commission directed questions to Vitus Matare.

MOTION Commissioner Stack moved and Commissioner Pierson seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067. The motion carried 5-0.

3. Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020 – An application for an addition and remodel of an existing single-family residence and associated development

Location: 29201 Larkspur Lane, not within the appealable coastal zone
APN: 4468-009-019
Owners: Raju and Madelene Shah
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020.

Commissioner Stack recused herself due to the proximity of her residence being within 500 feet of the project site and left the dais at 6:51 p.m.

Associate Planner Colvard presented the staff report.

Disclosures: Commissioner Pierson and Chair Mazza.

The Commission directed questions to staff.

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

Speaker: Christopher Sorensen.

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

The Commission directed questions to staff and Christopher Sorensen.

MOTION Commissioner Pierson moved and Commissioner Brotman seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020. The motion carried 4-0, Commissioner Stack absent.

Commissioner Stack returned to the dais at 7:04 p.m.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 14-028 and Variance Nos. 14-012 and 15-013 - An application for the construction of a new beachfront single-family residence, accessory structure, and associated development (Continued from August 15, 2016)

Location: 31438 Broad Beach Road, within the appealable coastal zone
APN: 4470-017-065
Owner: Ben Lingo
Case Planner: Senior Planner Mollica, 456-2489 ext. 346
Recommended Action: Continue the item to the September 19, 2016 Regular Planning Commission meeting.

The item was continued to the September 19, 2016 Regular Planning Commission meeting upon approval of the agenda.

B. Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 – An application for the installation of a new wireless telecommunications facility within the public right-of-way (Continued from August 15, 2016)

Location: 29970.5 Harvester Road
Nearest APN: 4469-013-021

Owner: City of Malibu Public Right-of-Way
Applicant: Carver Chiu of Crown Castle NG West, Inc.
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482
Recommended Action: Continue the item to the September 19, 2016 Regular Planning Commission meeting.

The item was continued to the September 19, 2016 Regular Planning Commission meeting upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, and Minor Modification No. 15-016 – An application for a new single-family beachfront residence and associated development
Location: 25306 Malibu Road, within the appealable coastal zone
APN: 4459-016-013
Owner: Chambers Creek, LLC
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Continue the item to a date uncertain.

The item was continued to a date uncertain upon approval of the agenda.

B. Coastal Development Permit Amendment No. 16-001 and Extension No. 16-022 - An application to amend Coastal Development Permit No. 12-074 to modify the design of a previously approved pool and spa to include a recreation room underneath and to extend the approval of the previously issued permit for an additional year
Location: 6015 Murphy Way, not within the appealable coastal zone
APN: 4467-004-034
Owner: Dahlia Toberoff
Case Planner: Senior Planner Mollica, 456-2489 ext. 346
Recommended Action: Adopt Planning Commission Resolution No. 16-76 approving Coastal Development Permit Amendment No. 16-001 to amend Coastal Development Permit (CDP) No. 12-074 to allow for the modification of a previously approved pool and spa to include a recreation and equipment room underneath and granting a one-year extension of CDP No. 12-074 and Site Plan Review No. 12-068 previously approved to allow for new accessory development at an existing single-family residence in the Rural Residential-Ten Acre zoning district located at 6015 Murphy Way (Toberoff).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioner Brotman and Chair Mazza.
The Commission directed questions to staff.

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

Speaker(s): None.

As there were no speakers present, Chair Mazza closed the public hearing. No further discussion occurred.

MOTION Commissioner Stack moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 16-76, as amended: 1) approving Coastal Development Permit Amendment No. 16-001 to amend Coastal Development Permit (CDP) No. 12-074 to allow for the modification of a previously approved pool and spa to include a recreation and equipment room underneath and granting a one-year extension of CDP No. 12-074 and Site Plan Review No. 12-068 previously approved to allow for new accessory development at an existing single-family residence in the Rural Residential-Ten Acre zoning district located at 6015 Murphy Way (Toberoff); 2) adding a condition requiring the applicant/property owner to provide a pre-construction assessment of the existing condition of Winding Way to the subject parcel, be responsible for repairs of any damage to the road that may result during the construction phase of the proposed project, and submit a post-construction assessment of the road; and 3) adding a condition to state: "Upon completion of rough grading for the recreation and equipment room pad, an elevation survey shall be submitted to the Planning Department demonstrating an elevation consistent with a finished floor elevation of 572 feet based on the benchmark referenced on the October 21, 2015 survey completed by Civil Engineering and Land Surveying. In no event shall the height of the recreation room and pool exceed 18 feet in height from existing grade. In the event that finished grade is lower than existing grade, finished grade shall be used for the height measurement."

The Commission discussed the motion.

The question was called and the motion carried 4-1, Vice Chair Jennings dissenting.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 7:23 p.m., Commissioner Stack moved and Vice Chair Jennings seconded a motion to adjourn the meeting. The motion carried 5-0.

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

_____
JOHN MAZZA, Chair

ATTEST:

_____
KATHLEEN STECKO, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
09-19-16
Item 3.B.2.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Carlos Contreras, Associate Planner CC

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 7, 2016 Meeting Date: September 19, 2016

Subject: Extension of Coastal Development Permit No. 06-105, Variance Nos. 09-008 and 09-009, and Site Plan Review No. 06-091 – A request to extend the Planning Commission's approval of an application for the construction of a new single-family residence and associated development

Location: 31801 Pacific Coast Highway
APN: 4470-008-018
Owner: Villa Rivolo, LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-71 (Attachment 1) granting a one-year extension of Coastal Development Permit (CDP) No. 06-105, Variance Nos. 09-008 and 09-009, and Site Plan Review No. 06-091, an application for the construction of a new single-family residence and associated development in the Rural Residential Ten-Acre zoning district located at 31801 Pacific Coast Highway (Villa Rivolo, LLC).

DISCUSSION: On September 21, 2010, the Planning Commission adopted Resolution No. 10-89, approving the subject application. Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, Condition of Approval No. 6 in Planning Commission Resolution No. 10-89 states that the CDP and associated requests shall expire if the project has not commenced within two years after final City action. Extension to the permit may be granted by the approving authority for due cause. The item before the Commission is an extension request by the applicant. A complete project chronology of the project, including scope of work and approvals, can be found in Planning Commission Resolution No 16-71.

The subject CDP was originally approved on September 21, 2010, has been extended three times previously, and is currently set to expire on September 21, 2016. A bank took over the property from the original owner in 2011. The current owner acquired the property from the bank in 2014. Between 2014 and 2016, the current owner has sought to redesign the project from its approved design through the substantial conformance process with administrative approval by the Director. On July 25, 2016, the applicant submitted a fourth extension request for two years to ensure a valid CDP remains in place while the project is redesigned to better suit the current owner's needs while fulfilling the requirements and remaining in substantial conformance or to allow time for a CDP amendment to be submitted and processed.

It is the practice of the Planning Commission to grant a one-year time extension after the first extension which would extend the approval to September 21, 2017. Staff recommends a one-year extension to allow time for the applicant to submit for a CDP amendment or prepare plans for plan check that are in substantial conformance with the approved project.

CONCLUSION: The project conditions, and the zoning ordinance under which the approval was issued, have not significantly changed. Upon the Planning Commission's approval of the time extension request, the approval set forth in Planning Commission Resolution No. 10-89 shall remain valid for an additional one-year term. The expiration date of this approval would then be September 21, 2017. All conditions of approval in Planning Commission Resolution No. 10-89 will remain in effect.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-71
2. Time Extension Request
3. Public Hearing Notice

Copies of all previously issued resolutions relating to the project can be obtained from the Planning Department upon request.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO.16-71

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A ONE-YEAR EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 06-105, VARIANCE NOS. 09-008 AND 09-009, AND SITE PLAN REVIEW NO. 06-091, AN APPLICATION FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AND ASSOCIATED DEVELOPMENT IN THE RURAL RESIDENTIAL TEN-ACRE ZONING DISTRICT LOCATED AT 31801 PACIFIC COAST HIGHWAY (VILLA RIVOLO, LLC)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On September 21, 2010, the Planning Commission adopted Mitigated Negative Declaration No. 09-003, Initial Study No. 09-003, Planning Commission Resolution No. 10-89, approving Coastal Development Permit (CDP) No. 06-105, Variance Nos. 09-008 and 09-009, and Site Plan Review No. 06-091, an application for the construction of a new two-story, 11,107 square foot single-family residence 28 feet in height, with a 1,460 square foot basement, interior courtyard, attached two-car garage, water features, swimming pool, and hardscape within a 10,000 square foot development area, onsite grading, a driveway with retaining walls and fire department turnaround, landscaping, fuel modification and installation of a new alternative onsite wastewater treatment system.

B. On October 15, 2012, the Planning Commission adopted Resolution No. 12-95, granting a two-year extension of CDP No. 06-105.

C. On May 19, 2014, the Planning Commission adopted Resolution No. 14-49, granting a second time extension of CDP No. 06-105.

D. On August 3, 2015, the Planning Commission adopted Resolution No. 15-73, granting a third time extension of CDP No. 06-105.

E. On July 25, 2016, the applicant submitted a fourth time extension request.

F. On August 25, 2016, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 1,000-foot radius of the subject property.

G. On September 19, 2016, the Planning Commission held a duly noticed public hearing on the request, reviewed and considered the agenda report, reviewed and considered written correspondence, 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 analyzed the proposed project. The Planning Commission found that categorical exemptions from CEQA did not apply pursuant to CEQA Guidelines Section 15300.2(c). The initial study determined the proposed project would not have a significant impact on the environment with the incorporation of recommended mitigation measures and standard conditions of approval; subsequently, Mitigated Negative Declaration No. 09-003 (SCH No. 2010071047) was prepared and circulated pursuant to CEQA Guidelines Section 15070.

SECTION 3. Findings of Fact.

Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, the Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby finds that the applicant has demonstrated due cause for the necessity of a time extension of the approval of the CDP and associated requests.

SECTION 4. Planning Commission Action.

A. The approvals set forth in Planning Commission Resolution No. 10-89 are hereby extended for an additional one-year term. The approval is now set to expire on September 21, 2017.

B. No other changes to the conditions contained in Planning Commission Resolution No. 10-89 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution No. 10-89 shall remain in full force and effect.

SECTION 5. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September, 2016.

JOHN MAZZA, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-71 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 19th day of September, 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

VILLA RIVOLO, LLC.

RECEIVED
JUL 25 2016
PLANNING DEPT.

July 22, 2016

City of Malibu Planning Director/commission
23825 Stuart Ranch Road
Malibu, Ca. 90265

Re: 31801 Pacific Coast Highway, Malibu Ca.

To whom it may concern,

On or about August 3, 2015 the planning commission held a noticed hearing on Owners "First" request to extend the previously provided approvals on the above referred property. As per resolution # 15-73 the planning commission approved a one-year extension which expires on September 21, 2015.

Owner, in its latest meeting with the planning department and plan checkers was informed that planning department suggest that a CDP amendment be submitted. Planning department advised that due to scheduling it will take over five to six months alone to even schedule the planning commission hearing to consider and vote on our CDP amendment. As such, Owner hereby respectfully requests an additional **two (2) year** extension to provide the much needed time to complete its substantial conformance or CDP amendments required to move to the next stage. To meet Planning Department requirements, owner has unsuccessfully been diligently working with Planning departments various planners to date to complete the substantial conformance process.

Thank you in advance for your consideration.

Respectfully,

Villa Rivolo, LLC
Theodore Kohan, Managing Member

517 North Arden Drive
Beverly Hills, California 90210

ATTACHMENT 2

Notice Continued...

The extension request will be presented on the consent calendar based on staff's recommendation but any person wishing to be heard may request at the beginning of the meeting to have the application addressed separately. Please see the recording secretary before start of the meeting to have an item removed from consent calendar. The Commission's decision will be memorialized in a written resolution.

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/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 245.

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

If you have questions regarding this notice, please contact **Carlos Contreras, Associate Planner, at (310) 456-2489, extension 265.**

Date: August 25, 2016

By: Bonnie Blue, Planning Director

ATTACHMENT 3

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

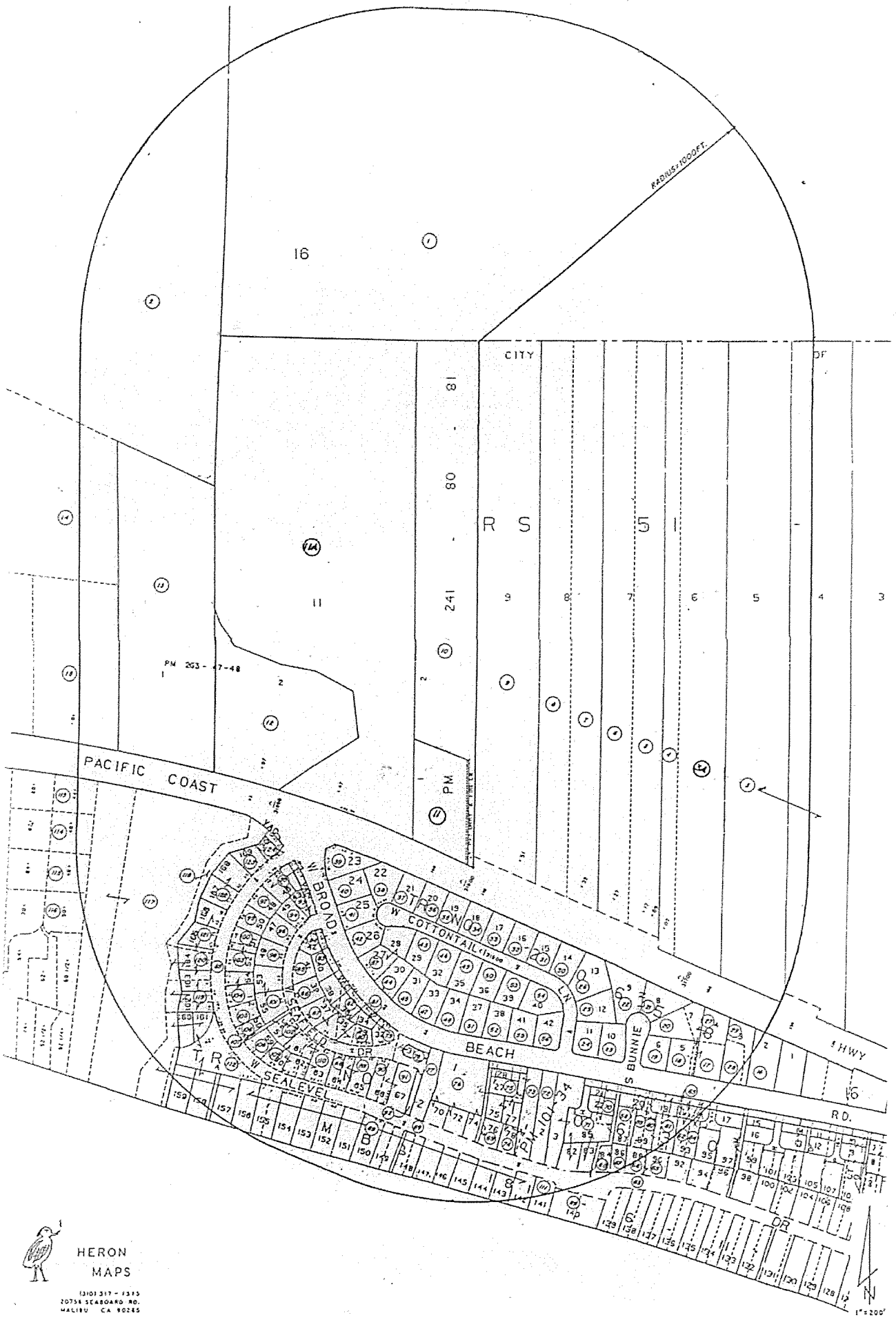
NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **MONDAY, September 19, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 06-105, VARIANCE NOS. 09-008 AND 09-009, AND SITE PLAN REVIEW NO. 06-091 – A fourth request to extend the Planning Commission's previous approval for construction of a new single-family residence and associated development

LOCATION:	31801 Pacific Coast Highway
APN:	4470-008-018
ZONING:	Rural Residential–Ten Acre (RR-10)
APPLICANT/OWNER:	Villa Rivolo, LLC
EXTENSION FILED:	July 25, 2016
CASE PLANNER:	Carlos Contreras Associate Planner (310) 456-2489, ext. 265 ccontreras@malibucity.org

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission analyzed the proposed project. The Planning Commission found that categorical exemptions from CEQA do not apply pursuant to CEQA Guidelines Section 15300.2(c). The initial study determined the proposed project would not have a significant impact on the environment with the incorporation of recommended mitigation measures and standard conditions of approval; subsequently, Mitigated Negative Declaration No. 09-003 (SCH No. 2010071047) was prepared and circulated pursuant to CEQA Guidelines Section 15070.



HERON MAPS

(310) 317-1373
20758 SEABOARD RD.
MALIBU CA 90265

Planning Commission Meeting
09-19-16
Item 3.B.3.

Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Carlos Contreras, Associate Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: September 7, 2016 Meeting date: September 19, 2016

Subject: Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005 – An application to construct a new single-family residence and associated development

Location: 28465 Via Acero Street, not within the appealable coastal zone
APN: 4467-033-014
Owner: Thilo Kuther

RECOMMENDED ACTION: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005.

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

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

The Planning Director may process administrative permits if: 1) the proposed project is not appealable as defined in LIP Chapter 2; 2) the proposed project is not within the CCC's continuing jurisdiction as defined in Chapter 2 of the LIP; 3) the project is for any

of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of $100,000.00, other than any division of land; 4) water wells; or 5) onsite wastewater treatment systems (OWTS).

Permit Issuance and Local Appeal Period

On September 13, 2016, the Planning Director will issue the administrative coastal development permit thus beginning the appeal period. The appeal period will begin on September 13, 2016 and end on September 23, 2016. In addition, since this project is not located within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu, the project is not appealable to the California Coastal Commission.

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

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

ATTACHMENT: Administrative Coastal Development Permit No. 13-014

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

PLANNING DEPARTMENT

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 13-014
Site Plan Review 13-006 (height)
Minor Modification 13-005 (setback)
Categorical Exemption No. 16-089
28465 Via Acero Street
APN 4467-033-014

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Schmitz and Associates, on behalf of property owner Thilo Kuther, for an administrative coastal development permit (ACDP) for the construction of a new 7,195 square foot two-story single-family residence that includes a detached 1,054 square foot two car garage, a detached 900 square foot guesthouse, a detached 1,000 square foot barn, a new alternative onsite wastewater treatment system (AOWTS), swimming pool, spa and associated equipment, covered patios, second floor deck, retaining walls, landscaping, hardscaping, potable water well, water tanks, and grading. The parcel is zoned Rural Residential–Five Acre (RR-5) and is not located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Project Description

This approval will permit the following work:

a. Construction of a 7,195 square foot, one-story single-family residence that is 28 feet in height;
b. Construction of a 1,054 square foot, detached two car garage;
c. Construction of a 900 square foot detached guesthouse;
d. Construction of a 1,000 square foot barn;
e. The Total Development Square Footage will be 9,095 square feet;
f. Construction of a new AOWTS;
g. Construction of a swimming pool, spa and associated equipment;
h. Construction of retaining walls (six feet high maximum);
i. Construction of a permanent potable water well and associated water lines for domestic use;
j. Installation of new landscaping and hardscaping;
k. Grading; and
l. Installation of five underground water storage tanks totaling 24,000 gallons to meet the Los Angeles County Fire Department (LACFD) requirements.

Project Overview

The property at 28465 Via Acero Street is an undeveloped parcel totaling 2 acres in area. The applicant is proposing to construct a new two-story, single-family residence with a detached guest house and accessory structure, covered patios, second floor deck, and swimming pool, a potable water well and associated water lines, underground water storage tanks, and installation of a new alternative onsite wastewater treatment system.

The Los Angeles County Waterworks District No. 29 (WD29) denied water service for the property because no water system exists and the site elevation is higher than that which can be adequately served (Attachment 4). ACDP No. 15-040 was submitted and approved for a proposed water test well to determine whether or not an adequate water source exists on site to meet the estimated demand of a single-family residence, landscape irrigation and fire protection; however a test well has not been constructed. The applicant has included a water well as part of the project scope to serve the property. The project has been conditioned requiring that the water well be approved by Los Angeles County Environmental Health, and that the well is proven to be a viable water source to the satisfaction of the City Environmental Health Administrator, and that the well is proven to provide an adequate water source to the satisfaction of the Planning Department prior to the issuance of grading or building permit for the residence and associated development.

Additionally, to obtain the building permit for the residence the applicant is required to provide approval from LACFD. LACFD requires an adequate municipal water supply of sufficient pressure for fire suppression, generally 1,250 gallons per minute (gpm) at 20 pounds per square inch (psi). Alternative fire suppression in the form of an on-site water well and water tank are not generally approved by LACFD as an acceptable form of fire suppression when water infrastructure cannot be provided, and as previously mentioned no water system exists within the project site. LACFD has indicated that an alternative fire suppression in the form of an on-site water well and water tank(s) may be approved for this project (Attachment 5).

The water well will be located next to an existing dirt driveway, 52 feet north of the southerly property line and 71 feet east of the westerly property line. The proposed water storage tanks will be located along the western portion of the site. The five water tanks will be underground along the southwestern portion of the site and will not be visible from Kanan Dume Road. The water tanks will store approximately 25,000 gallons of water meet the LACFD fire protection requirements, and serve the residence.

Story poles representing the location and height of the proposed buildings were installed (Attachment 2). Staff conducted an inspection of the story poles on August 18, 2016 to visually assess whether the proposed residence would affect primary views of surrounding residences and whether the building would have an adverse effect on public views from scenic viewing areas. Based on the project plans and staff's site visit, it was determined that the proposed construction of a new single-family residence that is 28 feet in height would not obstruct primary views of neighboring residences and would not be visible from public scenic areas.

Administrative Permits Applicability (LIP Sections 13.13 and 13.29)

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

The project consists of the construction a new 7,195 square foot two-story single-family residence and accessory development. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively.

Project Background

<u>Administrative Coastal Development Permit Application</u>

- Application Date: March 12, 2013
- Posting of Property: January 19, 2015

- Completeness Determination: July 28, 2016
- Notice of Application Mailer (Attachment 6): August 18, 2016
- Notice of Decision Mailer (Attachment 6): September 8, 2016
- Issuance of ACDP: September 13, 2016
- Planning Commission Reporting: September 19, 2016
- Appeal Period: September 14, 2016 through September 23, 2016

Surrounding Land Uses and Project Setting

The subject parcel is a rectangular shaped, undeveloped lot. The subject parcel is bordered by Via Acero Street, a private street, to the south, Kanan Dume Road to the west, residential development to the south (across Via Acero Street) and east; and undeveloped properties to the north. Access to the parcel is from Via Acero Street and Via Acero Street dead-ends near the middle of the southerly property line. Properties in the vicinity of the subject property are zoned RR-5 and properties to the southeast are developed with single-family residences that have attached or detached garages, and swimming pools.

The project site has no trails on or adjacent to it according to the LCP Park Lands Map. Additionally, the property is not in a designated Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map.

Table 1 provides a summary of the lot dimensions and the lot area of the subject parcel.

Table 1 – Total Property Data	
Lot Depth	258.14 feet
Lot Width	677.31 feet
Gross Lot Area	87,398 square feet / 2 acres
Net Lot Area*	77,842 square feet / 1.78 acres

*Net Lot Area = Gross Lot Area minus the area of access easements and 1 to 1 slopes.

Table 2 includes a description of the adjacent land uses.

Table 2 – Adjacent Land Uses				
	Address	**Size**	**Zone**	**Land Use**
South	28460 Via Acero Street	0.74 acres	RR-5	Single-Family Residence
	28405 Via Acero Street	1.94 acres	RR-5	Single-Family Residence
	APN 4467-033-019	2 acres	RR-5	Vacant
	APN 4467-033-016	4.01 acres	RR-5	Vacant
North	APN 4467-002-066	5.47 acres	LCRA1	Vacant
West	APN 4467-001-901	130.18 acres	POS	Vacant
East	28315 Via Acero Street	4.07 acres	RR-5	Single-Family Residence

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmentally Quality Act (CEQA), the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA according to CEQA Guidelines Sections 15303 (a) – New construction of a single-family residence and 15303 (e) – New construction of accessory structures. The Planning

Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

LCP Analysis

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

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and 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, only General Coastal Development Permit, Scenic, Visual and Hillside Resource Protection and Hazards findings apply to this project.

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

The proposed project is subject to the Landscape Water Conservation Ordinance (MMC Chapter 9.22) as the project is proposing a new landscape area of two thousand five hundred (2,500) square feet or more.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and the LACFD (Attachment 3 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies.

Zoning (LIP Chapter 3)

The project is subject to development and design standards set forth under LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards.

Table 3 – LCP Non-Beachfront Zoning Conformance			
Development Requirement	**Allowed/Required**	**Proposed**	**Comments**
SETBACKS (ft.)			
Primary Residence			
Front Yard	***51 feet, 7.6 inches***	***25 feet, 9.91 inches***	***MM***
Rear Yard	38 feet, 8.75 inches	130 feet	Complies
Side Yard (Minimum 10%)	67 feet, 8.76 inches	152 feet	Complies

Table 3 – LCP Non-Beachfront Zoning Conformance			
Side Yard	101 feet, 7.34 inches	141 feet	Complies
Underground Water Tanks	5 Feet	60 feet	Complies
PARKING			
Enclosed (18 x 10)	2	4	Complies
Unenclosed (18 x 10)	2	2	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE (sq.ft.)	9,719	9,095	Complies
Primary Residence (including basement lightwell)		7,195	
Accessory Structures		1,900	
2/3rds Rule: 2nd Floor (sq.ft.)	3,203	2,391	Complies
First Floor		4,804	
HEIGHT (ft.)			
Primary Residence	***18***	***28***	***SPR***
Accessory Structures	18	18	Complies
IMPERMEABLE COVERAGE (sq.ft.)	25,000	16,372	Complies
NON-EXEMPT GRADING (cu.yd.)	1,000	895	Complies
CONSTRUCTION ON SLOPES	3 to 1 and flatter	3 to 1 and flatter	Complies
GATES/FENCES/WALLS/HEDGES			
Front Yard			
• Impermeable	42 in.	42 in.	Complies
• Permeable	6 ft.	6 ft.	Complies
Rear & Side Yard	6 ft.	6 ft.	Complies
Perimeter Fencing >½ ac.	Wildlife Permeable	Wildlife Permeable	Complies

Grading (LIP Chapter 8)

Table 4 – LCP Grading Conformance						
	Exempt**			**Non-Exempt**	**Remedial**	**Total**
	R&R*	***Understructure***	***Safety******			
Cut	**900**	**385**	**60**	**505**	**0**	**1,850**
Fill	**900**	**775**	**0**	**390**	**0**	**2,065**
Total	**1,800**	**1,160**	**60**	**895**	**0**	**3,915**
Import	**0**	**390**	**0**	**0**	**0**	**390**
Export	**0**	**0**	**60**	**115**	**0**	**175**

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).

The project includes 3,915 cubic yards of total grading. The total amount of proposed non-exempt grading is 895 cubic yards, which is less than the maximum allowable 1,000 cubic yards of non-exempt grading. The remaining 1,160 cubic yards is exempt understructure grading and 1,800 cubic yards of removal and recompaction. 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 a residential parcel.

Archaeological / Cultural Resources (LIP Chapter 11)

A Phase I Archaeological Report was prepared by Robert J. Wlodarski of HEART, Inc. in August of 2012 for the project site. No archaeological resources were found onsite during the Phase I investigation. The study concluded that the project area yielded no archeological resources and that proposed improvements should have no adverse impacts to known cultural resources. Nevertheless, a condition of approval has been incorporated into the proposed project which states that in the event that potentially important cultural resources be 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. The project has been conditioned to meet this requirement and complies with LIP Chapter 11.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including a water quality mitigation plans that will be recorded on the property. 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 the installation of a new AOWTS which has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the City of Malibu MMC and the LCP. The subject system meets all applicable requirements and operating permits will be required. The system utilizes a MicroSepTec ES12 unit that includes ultraviolet disinfection. These units provide the residence with secondary and tertiary treatment. An operation and maintenance contract and recorded covenant covering such shall be in compliance with the City of Malibu Environmental Health requirements. Conditions of approval have been included to require continued operation, maintenance and monitoring of onsite facilities. As conditioned, the City Environmental Health Administrator has determined that the project is consistent with City goals and policies.

Administrative Coastal Development Permit Findings

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

A. General Coastal Development Permit (LIP Section 13.9)

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

The project is located in the RR-5 zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Reviewer, City Public Works Department, City geotechnical staff, WD29 and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable residential development standards, inclusive of the requested SPR and MM.

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

The project is not located between the first public road and the sea. In addition, the subject property does not contain any trails as depicted on the LCP Park Lands Map. Therefore, this finding does not apply.

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

Pursuant to the authority and criteria contained in the CEQA, the proposed project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment, and is categorically exempt from CEQA. The proposed project would not result in significant adverse effects on the environment, within the meaning of CEQA, and there are no further feasible alternatives that would further reduce any impacts on the environment. The project complies with the size, location and height requirements of the LCP, with the inclusion of the SPR and MM.

The following alternatives to the proposed project were considered.

1. No Project – no project alternative would avoid any change to the subject parcel, leaving the project site with no development. The project site is zoned for residential use and the proposed project is consistent with the RR-5 zoning designation. The no project alternative would not accomplish any of the project objectives, and therefore, is not viable project option.

3. Alternate Location – A reduced project alternative could be proposed on the project site. However, the project complies with the maximum allowable TDSF, impermeable coverage and height limitations of the LCP. A smaller project may eliminate the second floor and/or reduce the footprint of the proposed main residence. As the second floor is located within the footprint of the first floor, its elimination is not expected to offer any environmental advantages. The proposed single-family residential structure could be relocated elsewhere on the subject parcel. However, the northern half of the parcel consists of steep slopes; relocating the proposed development further downslope from its proposed location would require more grading, land disturbance, greater impacts to scenic resources and construction on steep slopes. Moving the project further north or west would require the redesign of a fire department-required turnaround that will serve Via Acero Street. Furthermore, the proposed project complies with the requirements of both the MMC and LIP. In conclusion, an alternate location would result in greater potential negative impacts on the environment.

4. Proposed Project – The project consists of the construction of a new single-family residence which is a permitted use within the RR-5 zoning designation. It is comprised of construction of a new 7,195 square foot, two-story, single-family residence with a two car garage, guesthouse, barn and associated development, including a new AOWTS providing secondary and tertiary treatment for the proposed residence. The

discretionary requests allow for development consistent with that existing and allowed in the neighborhood. The project is located along an existing developed area of Via Acero Street zoned for residential development. The selected location has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and the LACFD, and meets the City's residential development policies of the LCP and MMC. The project as conditioned will comply with all applicable requirements of State and local law. The proposed project has been determined to be the least environmentally damaging feasible alternative.

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

According to the LCP ESHA and Marine Resources Map, the subject parcel is not located within or adjacent to ESHA. Therefore, Environmental Review Board review was not required, and this finding does not apply.

B. Site Plan Review Request for Construction in Excess of 18 Feet in Height [LIP Section 13.27]

LIP Section 3.6(E) provides that structures are limited to 18 feet in height. A site plan review is required to allow the construction of a new residence over 18 feet in height, up to 28 feet for a pitched roof. The applicant is requesting SPR No. 13-006 to construct a new single-family residence that will be a maximum of 28 feet in height with a pitched roof. LIP Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D). Based on the foregoing evidence contained in the record, the required findings for SPR No. 13-006 are made as follows:

Finding B1. The project is consistent with policies and provisions of the Malibu LCP.

The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and LACFD and was found to be consistent with the LCP, inclusive of the requested SPR.

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

SPR No. 13-006 shall only be applied to the two-story new single-family residence that will be a maximum of 28 feet in height. The accessory structures will be a maximum of 18 feet in height. The proposed two-story main residence will be located downslope from Via Acero Street and Kanan Dume Road at the base of the hillside located at the rear of the property and the proposed residence does not project higher than the existing single-family residences within the vicinity of the site.

Story poles were installed in August 2016, and demonstrated that the project is compatible in terms of siting, massing and scale to surrounding development. It is not located within the primary view of neighboring properties, and results in development consistent with neighboring properties.

The subject parcel consists of steep slopes, which is characteristic of the parcels in the area surrounding properties are developed with one and two-story single-family residences with accessory structures. Based on the surrounding topography and existing development, the proposed project is expected to blend with the surrounding built environment and is not expected to have an adverse effect on neighborhood character. Staff did not receive any public correspondence in response to the story poles or courtesy notice.

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

Staff visited the subject parcel after placement of story poles. Based on staff's site visit, it was determined that the proposed residence will be visible from Kanan Dume Road, which is an LUP-identified scenic road. As stated later in Finding F1, the project is designed to minimize visual impacts by setting back the main residence further to the east, which is the only proposed structure with a second floor and exceeding 18 feet in height, as seen directly from Kanan Dume Road. The proposed accessory buildings are located approximately 200 feet east of Kanan Dume Road and the main residence is located approximately 380 feet from Kanan Dume Road where all but the tops of the proposed buildings are obscured because the project site's topography descends from Kanan Dume Road, and does not block scenic views. Furthermore, the approval of the proposed project is subject to conditions of approval regarding construction materials, landscaping, fencing and lighting in order to protect scenic public views. Given the location and design of the project, intervening topography, existing development, and the implementation of conditions of approval for colors, materials, and lighting, the project is not expected to have impacts to scenic vistas, and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

Finding B4. The proposed project complies with all applicable requirements of State and local law.

The project complies with all applicable 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 B5. The project is consistent with the City's general plan and local coastal program.

As discussed in Finding A1, the proposed project is consistent with the LCP in that the proposed project is located in an area that has been identified for residential use. The goals and policies of the General Plan intend to maintain rural character in this area, and the project is consistent with these goals. The proposed residence incorporates siting and design measures to minimize visual impacts and landform alteration. The proposed project, as designed, is consistent with the applicable land use designation and is consistent with all applicable development and design standards of the LCP and General Plan, inclusive of the associated discretionary requests.

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).

On August 18, 2016, a Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property and story poles were installed on August 12, 2016. Based on the visual impact analysis (aerial photographs, site visits, project plans and story pole placement), staff has determined that the portions of the principle structure above 18 feet in height, and guest house and barn at 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. Minor Modification for a 50 Percent Reduction of the Front Yard Setback [LIP Section 13.27]

The applicant is requesting MM No. 13-005 from LIP Section 13.27 for a less than 50 percent reduction to the front yard setback, from the required 51 feet, 7.6 inches to the proposed 25 feet, 9.91 inches. Such reduction constitutes a 50 percent reduction. Based on the foregoing evidence contained within the record, the required findings for MM No. 13-005 are made as follows:

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

As previously discussed in Finding A1, the proposed project, with the inclusion of the proposed discretionary requests, as designed and conditioned, conforms to all applicable LCP policies and provisions, inclusive of the requested MM. To minimize encroachment on steep slopes as much as feasible, the development has been situated as close as possible to the front property line to utilize the flattest area of the site.

Finding C2. That the project does not adversely affect neighborhood character.

The project will comply with all development standards, with the inclusion of discretionary requests and will result in development consistent with neighboring properties. The subject parcel consists of steep slopes, which is characteristic of the parcels in the area, and the proposed front yard setback allows the proposed residence to line up similarly as compared to the building located to the south. Based on review of the City GIS and property survey, the building at 28460 Via Acero Street appears to provide a 35 foot front yard setback. The reduction of the front yard setback does not place the structure within the primary view for the neighboring property at 28460 Via Acero Street, as determined based upon visual inspection in August 2016, after installation of the story poles. Some of the primary objectives of setbacks are to ensure that the use of a property does not infringe on the rights of neighbors, to allow fire department access around the structures, provide light and ventilation, and to avoid potential visual impacts. The 50 percent reduction to the front yard setback would not affect existing fire department access around the new buildings because there is ample separation between the property lines and all the buildings, which will have a minimum setback of 25 feet, 9.9 inches. Granting the MM request for the modified front yard setback will not adversely affect neighborhood character, since it will result in development consistent with neighboring properties.

Finding C3. The proposed project complies with all applicable requirements of State and local law.

As previously discussed in Finding B4, the project complies with all applicable requirements of State and local law.

D. Environmentally Sensitive Habitat Area (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.

E. 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.

F. 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. LIP policies require that new development not be visible from scenic roads or public viewing areas. Where this is not feasible, new development must minimize impacts through siting and by incorporating design measures to ensure visual compatibility with the character of surrounding areas. The project site is adjacent to and visible from Kanan Dume Road, which is an LUP-identified scenic road. The site's topography descends from Kanan Dume Road to the base of the hillside located at the rear of the property. On August 18, 2016, staff visited the subject parcel after story poles representing the height, location and bulk of the proposed residence were installed. Based on the site visit, staff determined that the proposed residence will be visible from Kanan Dume Road. Since the project is located adjacent to scenic areas, the findings set forth in LIP Section 6.4 are enumerated herein.

Finding F1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

On August 18, 2016, staff visited the subject property after story poles representing the height, location and bulk of the proposed buildings were installed. Based on the site visit, staff determined that the proposed structures will be partially visible from Kanan Dume Road. However, the proposed buildings are located approximately 200 and 400 feet east of Kanan Dume Road where all but the tops of the proposed buildings are obscured because the project site's topography descends from Kanan Dume Road and Via Acero Street. Based on the site's topography, project design and location, the proposed project will have less than significant adverse scenic or visual impacts. While visible from Kanan Dume Road, the location of the proposed construction is within an area of existing development and is sited to be located as far back from Kanan Dume Road as possible without impacting slopes and required rear and side yard setbacks. Additionally, the proposed structures will blend in with the surrounding environment. The proposed structures have been conditioned to utilize colors and materials and lighting that will be compatible with the surrounding natural scenic and residential character and will be compatible with the architectural character of the surrounding neighborhood. With the implementation of these conditions, the project will not have significant adverse scenic or visual impacts.

Finding F2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As described in Finding F1, the proposed project, as designed and conditioned, is not anticipated to have significant adverse scenic or visual impacts.

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

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

Finding F4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As previously discussed in Findings A3 and F1, the proposed project, as designed and conditioned, will have no significant adverse impacts on scenic and visual resources and is the least environmentally damaging alternative. A one-story design of the main residence would further reduce the visibility of the residence, however, the existing residence at 28460 Via Acero Street is located immediately behind the proposed buildings and at a higher elevation. Therefore, the portions of the proposed buildings will blend with existing development rather than causing new visual impacts.

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

As previously discussed in Findings F1 and F4, the proposed residence, guest house and barn have been sited to avoid significant adverse visual impacts.

F. Transfer of Development Credits (LIP Chapter 7)

According to LIP Section 7.2, transfer of development credits only applies to land divisions and multi-family development in specified zones. The proposed project does not include a land division or multi-family development. Therefore, LIP Chapter 7 does 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 listed in LIP Sections 9.2(A)(1-7) 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 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, 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.

The applicant submitted geotechnical and engineering reports and addenda prepared by GeoConcepts, Inc. 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 analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical staff, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The project, 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.

Fire Hazard

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

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

Finding 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 G1, the project as designed, conditioned, and approved by the City Geotechnical Staff and the City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

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

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

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

As stated in Finding G1, the project as designed, and conditioned, and approved by the City Geotechnical Staff and the City Public Works Department does not have any significant adverse impacts on the site stability or structural integrity.

Finding 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 Findings A3 and G1, the proposed project, as designed and conditioned, will not have significant adverse impacts on sensitive resources, including but not limited to hazards.

H. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. Therefore, this finding does not apply.

I. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access near the ocean, as well as trails, and recreational access. The subject property is not located along or near the shore, a bluff-top or recreational area, and does not contain any trails as depicted on the LCP Park Lands Map. Therefore, the findings of this chapter do not apply.

J. Land Divisions (LIP Chapter 15)

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

Correspondence

To date, staff has received correspondence from community residents with concerns regarding future public trail easement, emergency access, and use of the private utility road easement at the subject (Attachment 7). Staff explained that there is a potential future trail alignment that is shown on the subject site according to the pending LUP Parkland and Trails Dedication Incentive Program map; however, the property owner has not offered to dedicate a trail easement. Staff further explained that the project no longer proposes an "emergency access" from the site to Kanan Dume Road. There is an existing dirt road along the southwestern portion for the site that is a private utility road easement and it is not proposed for emergency access as part of this project. Regarding the use of the private utility road easement for construction of the proposed project, staff explained that the applicant has access to the site from Ramirez Canyon and Via Acero, which will be used as access for the construction of the project. Additionally, a condition of approval will be applied to the project for requiring the property owner to be responsible for any repairs to damage along Ramirez Canyon and Via Acero that may have been incurred during the construction phase of the proposed project.

Approval of Administrative Coastal Development Permit No. 13-014

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves ACDP No. 13-014, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. Approval of this application is to allow for the following:

    a. Construction of a 7,195 square foot, one-story single-family residence that is 28 feet in height;
    b. Construction of a 1,054 square foot, attached two car garage;
    c. Construction of a 900 square foot detached guesthouse;
    d. Construction of a 1,000 square foot barn;
    e. Construction of a new AOWTS;
    f. The Total Development Square Footage will be 9,095 square feet;
    g. Construction of a swimming pool, spa and associated equipment;
    h. Construction of retaining walls (six feet high maximum);
    i. Construction of a permanent potable water well and associated water lines for domestic use;
    j. Installation of new landscaping and new hardscaping;
    k. Grading; and
    l. Installation of five underground water storage tanks totaling 24,000 gallons to meet the Los Angeles County Fire Department (LACFD) requirements.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped **March 16, 2016**. The proposed development shall further comply with all conditions of approval stipulated in this Resolution and Referral Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner(s) sign, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department within 10 working days of receipt of this signed decision and prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This ACDP, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the Notice of Decision for this project shall be copied in their entirety and placed directly onto a separate plan

sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.

7. This ACDP shall be expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, WD29 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. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the ACDP is effective. The ACDP is not effective until all appeals have been exhausted.

12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

13. This permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission requests that the ACDP becomes effective pursuant to LIP Section 13.13.6.

Cultural Resources

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

Waste Management

16. 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.

17. An Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) signed by the Owner or Contractor shall be submitted to the Environmental and Sustainability Department for review and approval. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction waste generated by the project.

Geology

18. 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.

19. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved ACDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require an ACDP amendment or a new ACDP.

Onsite Wastewater Treatment System

20. 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.

21. 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).

22. 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 (if applicable).

23. 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.

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

a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and
d. All final design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For AOWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department.

25. 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.

26. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

27. 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.

28. 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.

29. Prior to final Environmental Health approval, a covenant which runs with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive, notice to any future purchaser for value that the AOWTS serving subject property is an alternative method of onsite wastewater disposal pursuant to MPC, Appendix K, Section 10). Said covenant shall be provided by the City of Malibu Environmental Health Administrator and shall be submitted to the City of Malibu with proof of recordation by the Los Angeles County Recorder.

30. The City geotechnical staff and geotechnical engineer's final approval shall be submitted to the City Environmental Health Administrator.

31. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

32. A final planning approval shall be submitted to the City Environmental Health Administrator.

Grading/Drainage/Hydrology

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

34. The Total Grading Yardage Verification Certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.

35. 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.

36. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited pursuant to LIP Section 17.3.1 for development that is located within or adjacent to ESHA, or includes grading on slopes steeper than 4 to 1. Approved grading for development that is located within or adjacent to ESHA or on slopes steeper than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put in place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

37. A Grading and Drainage Plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;

d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.

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

Erosion Controls Scheduling	Erosion Controls Scheduling
	Preservation of Existing Vegetation
Sediment Controls Silt Fence	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.

39. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of a development permit.

40. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
a. Retains all non-storm water runoff on the property without discharge to the ASBS; and
b. Maintains the natural water quality within the ASBS by treating storm runoff for the pollutants in residential storm runoff that would cause a degradation of ocean water quality is the ASBS. These

pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediments.

41. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:
    a. Site Design Best Management Practices (BMPs);
    b. Source Control BMPs;
    c. Treatment Control BMPs;
    d. Drainage improvements;
    e. Methods for onsite percolation, site re-vegeation and an analysis for off-site project impacts;
    f. Measures to treat and infiltrate runoff from impervious areas;
    g. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Building and Safety Public Counter and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

Water Quality/ Water Service

42. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.

43. Building permits for the construction of the water well must first be obtained from City of Malibu Environmental Sustainability Department.

44. The applicant shall obtain approval from the Los Angeles County Environmental Health, Los Angeles County Department of Health Services Water and Sewerage Program, for the water well as a potable domestic water source. A copy of this approval shall be submitted to the Planning Department prior to issuance of a grading or building permit for the construction of the single-family residence and associated development.

45. The water well approved by Los Angeles County Environmental Health, shall be proven to be an adequate and viable water source to the satisfaction of the Environmental Health Administrator, and the Planning Department prior to the issuance of a grading or building permit for the residence and associated development.

46. Prior to the issuance of a building permit for the single-family residence and associated development, the applicant shall submit approval from LACFD to the Planning department indicating the on-site water well and water tank(s) meets the requirements of LACFD and has the ability to provide adequate fire suppression.

47. Should the private water well prove infeasible, and a relocation of the proposed water well is required, or if there are any substantial changes to the proposed water well, an ACDP amendment or a new ACDP may be required.

48. Should the private water well prove infeasible, the test well shall be properly abandoned as instructed by the Los Angeles County Department of Public Health, if the well is found to be unusable.

49. Should the private water well prove infeasible, the area disturbed shall be restored and revegetated with native landscaping as approved by the City Biologist.

Construction / Framing

50. 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.

51. 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.

52. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

53. 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.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

54. 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.

Lighting

55. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);

b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
e. Site perimeter lighting shall be prohibited; and
f. Outdoor decorative lighting for aesthetic purposes is prohibited.

56. Night lighting for sports courts or other private recreational facilities shall be prohibited.

57. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.

58. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

Biology/Landscaping

59. Prior to Final Plan Check Approval, a water use approval from Los Angeles County Waterworks District No. 29 is required to be submitted to the Planning Department.

60. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.

61. Prior to or at the time of a Planning Department final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

62. 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.

63. Invasive plant species, as determined by the City of Malibu, are prohibited.

64. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

65. No non-native plant species shall be approved greater than 50 feet from the residential structure.

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

67. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least 5 days prior to initiation of activities. Should active nests be identified, a buffer area no less than 50 feet (150 feet for raptors) shall be fenced off until it is

determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City Biologist prior to ANY vegetation removal on site.

68. Up-lighting of landscaping is prohibited greater than 25 feet from the primary residence.

Fuel Modification

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

Swimming Pool / Spa

70. On-site noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).

71. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3.

72. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.

73. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.
    a. Ozonization systems are an acceptable alternative to chlorine. The discharge of clear water from ozonization systems is not permitted to the street;
    b. Salt water sanitation is an acceptable alternative to chlorine. The discharge of salt water is not permitted to the street; and
    c. Chlorinated water from pools or spas shall be trucked to a publicly-owned treatment works facility for discharge.

74. The discharge of chlorinated and non-chlorinated pool / spa water into streets, storm drains, creeks, canyons, drainage channels, or other locations where it could enter receiving waters is prohibited.

75. A sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)" shall be posted in the filtration and/or pumping equipment area for the property.

Fencing and Walls

76. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.

77. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

78. Necessary boundary fencing enclosing more than half an acre shall incorporate an open rail-type design with a wooden rail at the top (instead of wire), be less than 40-inches high, and have a space greater than 14-inches

between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

Site Specific Conditions

79. Should this project propose to construct improvements within the public right-of-way, the applicant shall obtain encroachment permits from the Public Works Department prior to commencement of any work within the public right-of-way.

80. Prior to the issuance of any development permit, the applicant/property owner shall provide a pre-construction assessment of the existing condition of Via Acero Street and Ramirez Canyon Road to the subject parcel. A copy of this assessment shall be kept on file with the City. The applicant/property owner shall be responsible for repairs of any damage to the road that may result during the construction phase of the proposed project. Any obvious damage to the road that becomes apparent during the construction phase (including, but not limited to, pot holes, cracks and ripples) shall be immediately repaired by the applicants/property owner. Prior to a Planning Department final inspection, the applicant/property owner shall submit a post-construction assessment of the road to demonstrate compliance with this condition. A photo survey shall be utilized to complete this assessment.

81. Shrubs shall be maintained at a height not to exceed six feet, as described in the Landscape Plans dated September 22, 2015.

82. No more than one guest house unit shall be allowed on the property pursuant to LIP Chapter 3.6(N)(1).

83. The proposed trash/storage area shall be relocated to the rear or side yard pursuant to MMC Section 8.32.640.

84. Proposed water tanks located within the project site shall be underground and shall not be visible from Kanan Dume Road, except for minor ancillary equipment as approved by the Planning Director.

Colors and Materials

85. The residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material. Reflective glossy, polished and/or roll-formed type metal siding is prohibited.

86. 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.

87. New structures 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.
    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.

Prior to Occupancy

88. 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.

89. Prior to a final Building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. The final Summary Report shall designate all material that were land filled or recycled, broken down by material types.

90. The applicant shall request a final Planning inspection prior to final inspection by the City of Malibu Environmental and Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

91. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Deed Restrictions

92. 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.
93. Prior to final planning approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth previously under Lighting. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval.

Fixed Conditions

94. This ACDP shall run with the land and bind all future owners of the property.

95. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Appeals and Reporting

LOCAL APPEAL – Pursuant to LIP Section 13.20.1 (Local Appeals), a decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **September 23, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **September 19, 2016** Regular Planning Commission meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Carlos Contreras in the Planning Department at (310) 456-2489, extension 265, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: September 13, 2016

Prepared by:

Carlos Contreras
Associate Planner

Approved by:

Bonnie Blue
Planning Director

Attachments:

1. Project Plans
2. Story Pole Photos
3. Department Review Sheets
4. Los Angeles County Waterworks District No. 29 letter
5. Los Angeles County Fire Department letter
6. Notices
7. Public Correspondence

All reports referenced are available for review at City Hall.

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for Administrative Coastal Development Permit No. 13-014, dated September 13, 2016, for the project located at 28465 Via Acero Street, Malibu, CA 90265. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA } SS
County of Los Angeles

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

personally appeared _____

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

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

WITNESS my hand and official seal.

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

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N36°36'36"E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:
MALIBU 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L Y-10346
(2008) KANAN DUME RD & 58M N C/L CAVALLERI RD 2M
W/O EDGE AC IP MKR 600M S/O MON

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:
1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANY DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UN OBSTRUCTED 20' WIDTH CLEAR TO THE SKY. VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH BUILDING CODE 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH FIRE CODE 1118.12, BUILDING CODE 3102.3.8

UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS BUILDING CODE 6403.5

ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION, OR HONCOMBUSTIBLE CONSTRUCTION BUILDING CODE 6403.7, 6403.9

A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL OF OCCUPANCY SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE. AZUZA, CA. 91702-2904, 626 969-5205 FIRE CODE 1117.2.1

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 310.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD-WIRED WITH BATTERY BACKUP SMOKE DETECTORS SHALL BE INTERCONNECTED. (INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON FLOOR PLAN)

WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24. (INDICATE ON DOOR SCHEDULE)

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONT THE PROPERTY NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. FIRE CODE 901.4.4

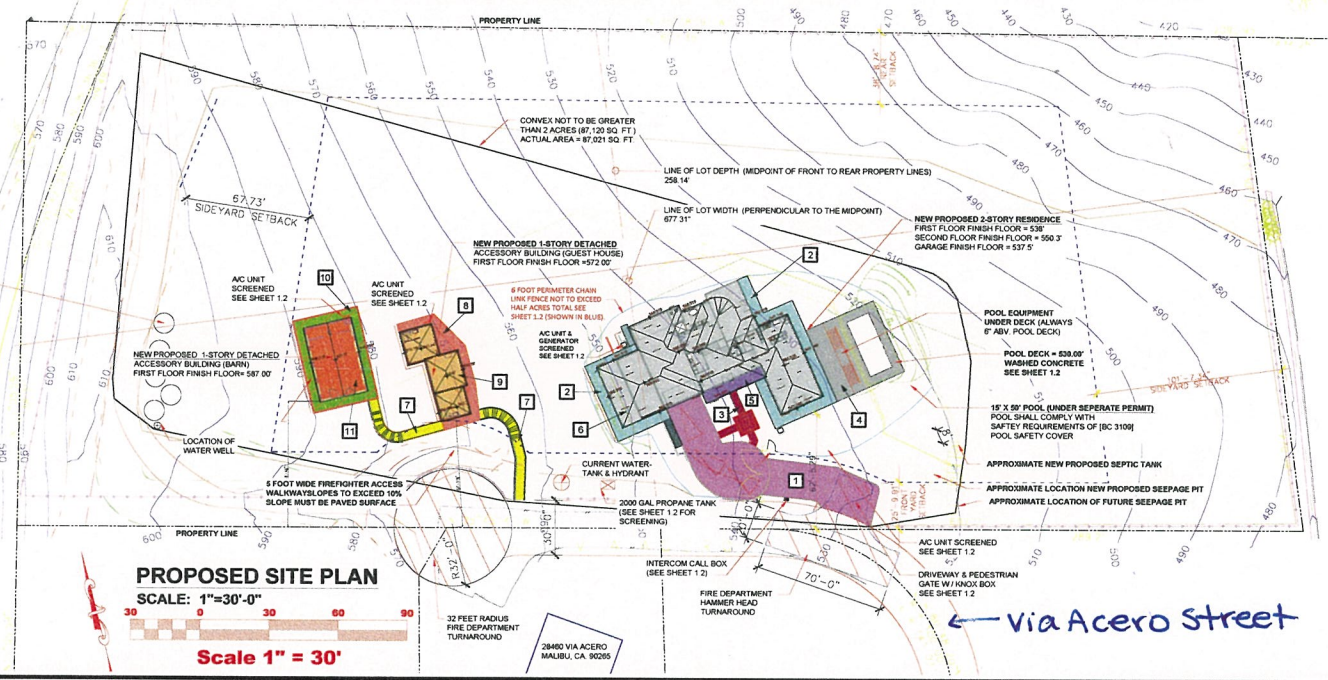
EGRESS DOORS SHALL BE READILY OPENABLE FROM TH EGRESS SIDE WITHOUT THE USE OF A SPECIAL KEY OR ANY SPECIAL KNOWLEDGE OR EFFOR. BUILDING CODE 1008.1.8

VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS. FIRE CODE 503.2.7

ROOF VALLEY FLASHINGS SHALL NOT BE LESS HTAN 0.019-INCH (NO# 26 GALVINIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-WIDE UNDERLAYMENT CONSISTING OF ONE LAYER NO. 72 ASTM CAP SHEET RUNNING THE FUN LENGTH OF THE VALLEY (FIRE CODE 4719.1.3)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4719.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN

SCALE: 1"=30'-0"

30 0 30 60 90

Scale 1" = 30'

DRAWING INDEX

ARCHITECTURAL
1.0 SITE PLAN & PROJECT INFORMATION
1.2 GATE AND FENCE ELEVATIONS
1.3 ESHA SITE PLAN
2.1 MAIN HOUSE: FIRST FLOOR PLAN
2.2 MAIN HOUSE: FIRST FLOOR PLAN
2.3 MAIN HOUSE: SECOND FLOOR PLAN
2.4 MAIN HOUSE: SECOND FLOOR PLAN
2.5 MAIN HOUSE: ROOF PLAN/ELEVATION
3.1 MAIN HOUSE: EXTERIOR ELEVATIONS
3.2 MAIN HOUSE: EXTERIOR ELEVATIONS
4.1 GUEST HOUSE: FLOOR PLAN
4.2 GUEST HOUSE: ELEVATIONS
5.1 BARN: FLOOR & ROOF PLAN
5.2 BARN: ELEVATIONS
5.3 BUILDING SECTIONS

PROJECT SUMMARY

APN: 4467-033-014

SCOPE OF WORK:
CONSTRUCT A NEW 2 STORY SINGLE FAMILY DWELLING WITH ATTACHED GARAGE / DETACHED ACCESSORY GUEST HOUSE / DETACHED ACCESSORY BARN

SEPERATE PERMITS: SWIMMING POOL, SPA AND PRIVATE SEWAGE DISPOSAL SYSTEM AND SITE RETAINING WALLS

ZONING: RR5

OCCUPANCY GROUP: R-3 (HOUSE) / U (GARAGE)

CONSTRUCTION TYPE: TYPE VB ; FIRE SPRINKLERED

CODES:

HAZARDS: VHFHSZ

LOT SIZE: 180,044 SQ.FT. (4.13 ACRES) - GROSS AREA

34,849 SQ.FT. (0.8 ACRES) - GROSS AREA MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 2:1

145,195 SQ.FT. (3.13 ACRES) NET LOT AREA

SETBACKS: 258.14' = AVERAGE LOT DEPTH
677.31' = AVERAGE LOT WIDTH

FRONT: 20% X 258.14= 51.63'
(50% X 51.63' = 25.82' REDUCTION)
REAR: 15% X 258.14= 38.72'
SIDE: 10% X 677.31 = 67.73'
SIDE: 15% X 677.31 = 101.59'

BUILDING AREA:

MAIN HOUSE

FIRST FLOOR	3,750	SQ.FT.
GARAGE	1,054	SQ.FT.
GROSS FIRST FLOOR	4,804	SQ.FT
2/3 x 4,804 = 3,203		
SECOND FLOOR	2,391	SQ.FT.
GROSS SECOND FLOOR	2,391	SQ.FT.
2,391 < 3,203		
(TOTAL GROSS 1ST & 2ND FLR.)	7,195	SQ.FT.
GUEST HOUSE (ACCESSORY	900	SQ.FT.
BARN (ACCESSORY	1,000	SQ.FT.
GROSS TOTAL BUILDING	9,095	SQ.FT.

TOTAL DEVELOPMENT S.F.
ALLOWABLE= 9,719 SQ. FT. > 9,095

No.	HARDSCAPE	
1	DRIVEWAY	2,983 SQ.FT.
2	WALKWAY & DECK (MAIN HOUSE)	1,484 SQ.FT.
3	ENTRY WALKWAY	254 SQ.FT.
4	POOL DECK & WALK-AROUND	1,269 SQ.FT.
5	ENTRY COVERED PORCH	203 SQ.FT.
6	MAIN HOUSE FOOTPRINT	4,947 SQ.FT.
7	OTHER WALKWAYS	665 SQ.FT.
8	WALKWAYS AROUND GUEST HOUSE	594 SQ.FT.
9	GUESTHOUSE FOOTPRINT	900 SQ.FT.
10	WALKWAY AROUND BARN	735 SQ.FT.
11	BARN FOOTPRINT	1,000 SQ.FT.
		15,034 SQ.FT.

RETAINING WALLS & SWALES 1,338 SQ.FT
GROSS TOTAL 16,372 SQ.FT.

MAX. IMPERMEABLE COVERAGE
ALLOWABLE = 25,000 SQ.FT. >16,372 SQ.FT.

PROJECT CONSULTANTS

OWNER:
SAGE MOUNTAIN RANCH, LLC
28460 VIA ACERO ROAD
MALIBU, CALIFORNIA 90265
PHONE: (310) 213-8848

CIVIL ENGINEER (GRADING & DRAINAGE FOR THE RESIDENCE):
PROJECT ENGINEERING GROUP
15335 MORRISON STREET
SHERMAN OAKS, CALIFORNIA 91403
PHONEI (818) 784-8110 FAX. (818) 784-8116

GEOTECHNICAL ENGINEER & GEOLOGIST:
GEOCONCEPTS, INC.
14428 HAMLIN STEERT #200
VAN NUYS, CALIFORNIA 91401
PHONE: (818) 994-8895

date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848

SCALE: 1" = 30'-0"

SHEET TITLE
SITE PLAN & PROJECT INFO.

SHEET NUMBER
1.0

ATTACHMENT 1

BASIS OF BEARINGS:
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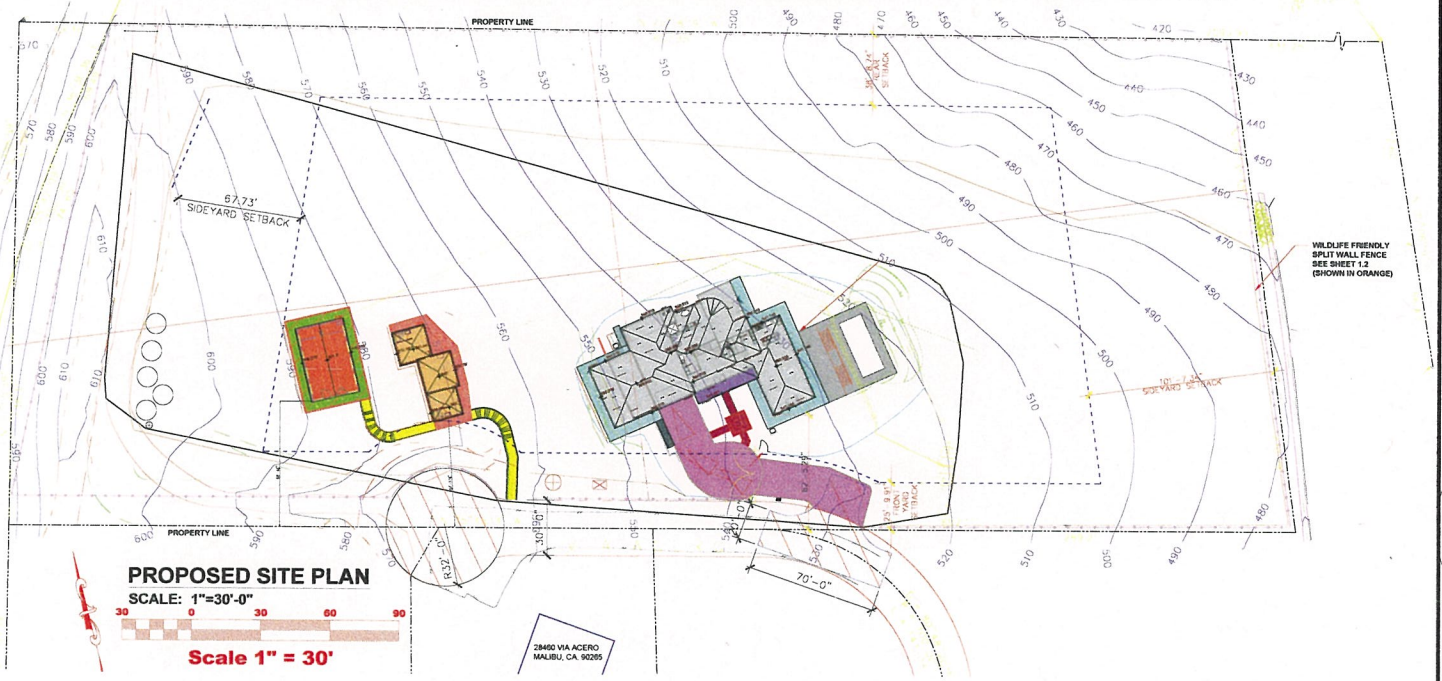
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN
SCALE: 1"=30'-0"
30 0 30 60 90
Scale 1" = 30'

date 3/7/2016

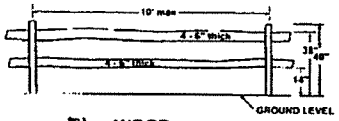
28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Carlson 310.213.8848

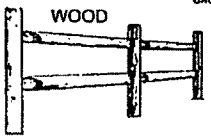
SCALE: 1" = 30'-0"

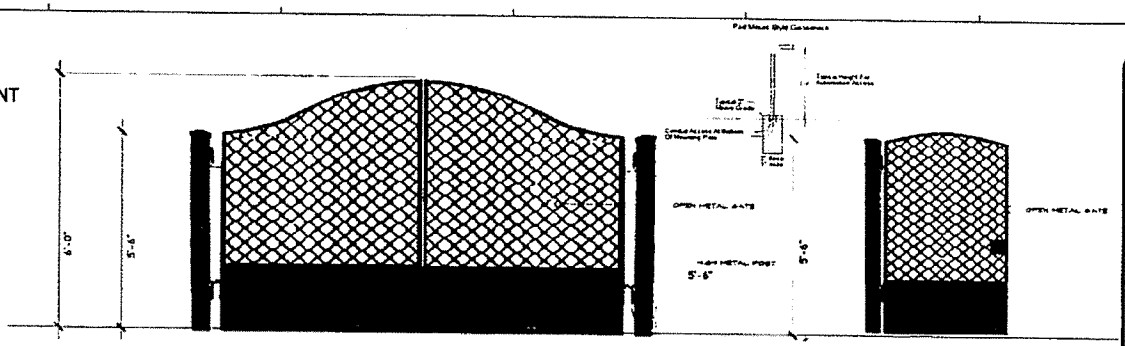
SHEET TITLE
SITE PLAN & WILDLIFE FENCING

SHEET NUMBER
1.3

WOODEN SPLIT RAIL FENCE
BLENDS WITH THE NATURAL ENVIRONMENT
NOT TO SCALE

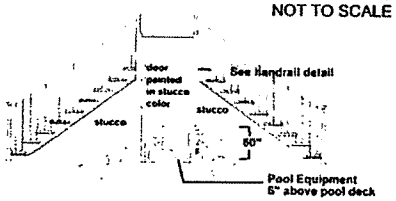




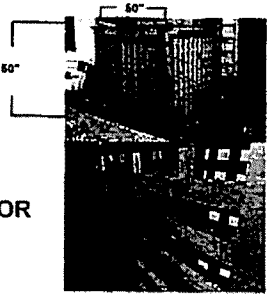


DRIVEWAY ENTRY GATES @ MAIN HOUSE & ACCESS ROAD
NOT TO SCALE

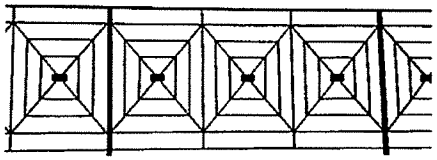
PEDISTRAIN GATE
NOT TO SCALE



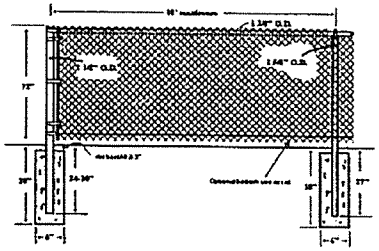
POOL EQUIPMENT UNDER STAIRS BEHIND DOOR
STAIRS LEAD TO POOL
NOT TO SCALE



SCREENING FOR A/C UNITS
NOT TO SCALE **& GENERATOR**

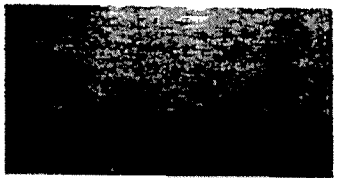


RUSTIC HANDRAIL/architectural detail
NOT TO SCALE



PERIMETER CHAIN LINK FENCIING
NOT TO SCALE
(shown in blue)

STONE WASHED CONCRETE FOR DRIVEWAY AND WALKWAYS (colored orange and purple on 1.0)
NOT TO SCALE



STUCCO FOR EXT. HOUSE, GUEST HOUSE, BARN AND RETAINING WALLS
NOT TO SCALE

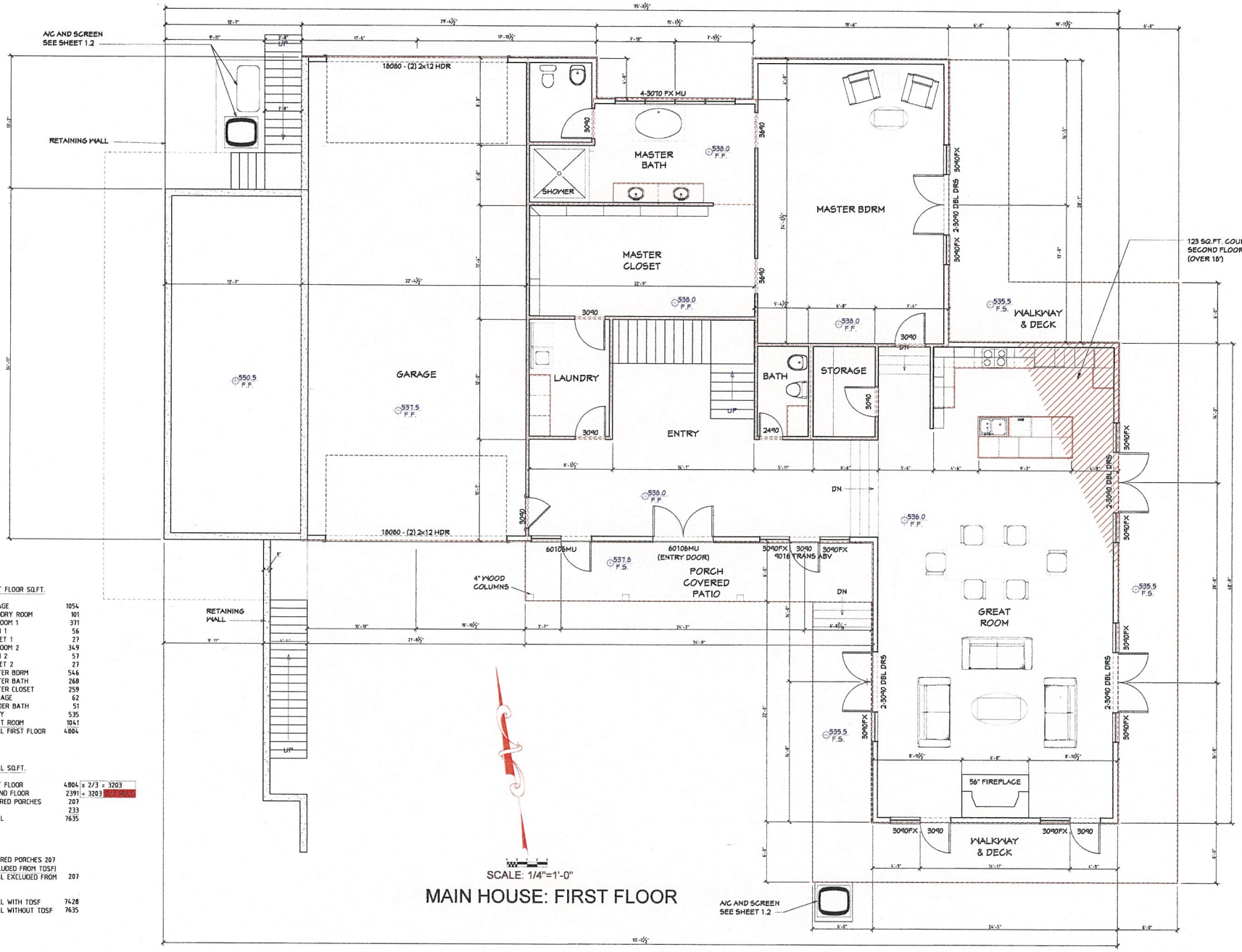
date 3/5/14

29465 AA ACERO ROAD
MALIBU CA. 90265
Contact Jack Gerlach 310 2[illegible] 8846

scale NTS

SHEET TITLE
GATE ELEVATIONS

SHEET NUMBER
1.2



FIRST FLOOR SQ.FT.

GARAGE	1054
LAUNDRY ROOM	101
BEDROOM 1	371
BATH 1	56
CLOSET 1	27
BEDROOM 2	349
BATH 2	57
CLOSET 2	27
MASTER BDRM	546
MASTER BATH	268
MASTER CLOSET	259
STORAGE	62
POWDER BATH	51
ENTRY	535
GREAT ROOM	1041
TOTAL FIRST FLOOR	4804

TOTAL SQ.FT.

FIRST FLOOR	4804	x 2/3 = 3203
SECOND FLOOR	2391	< 3203
COVERED PORCHES	207	
DECK	233	
TOTAL	7635	

COVERED PORCHES (EXCLUDED FROM TDSF)	207
TOTAL EXCLUDED FROM TDSF	207
TOTAL WITH TDSF	7428
TOTAL WITHOUT TDSF	7635

date 3/7/2016

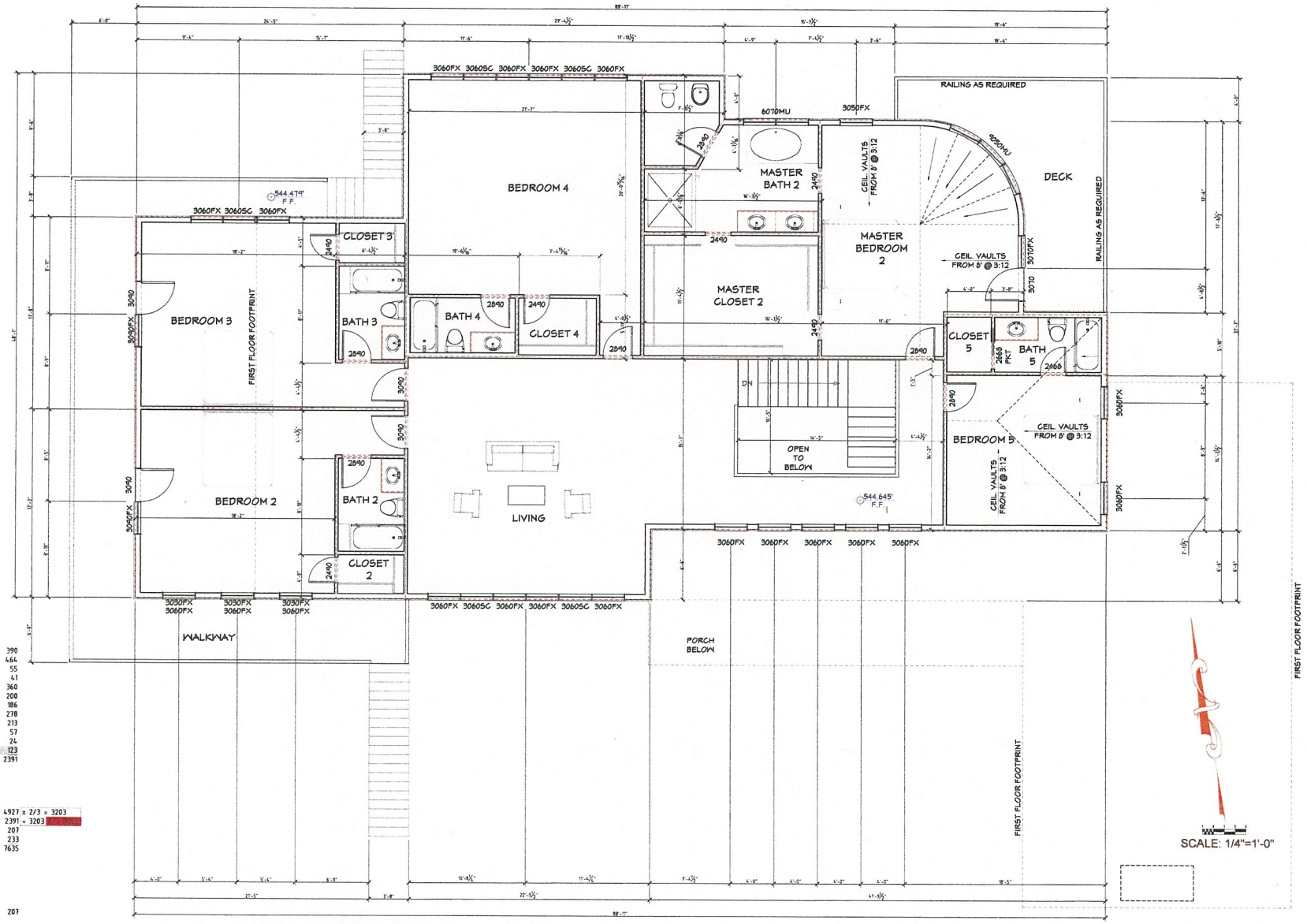
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerfach 310.213.8848

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

SHEET TITLE
FIRST FLOOR PLAN/
(MAIN HOUSE)

SHEET NUMBER
2.1



SECOND FLOOR S.Q.FT.

LIVING	390
BEDROOM 4	464
BATH 4	55
CLOSET 4	41
MASTER BEDRM 2	360
MASTER BATH 2	200
MASTER CLOSET 2	186
HALLWAY	278
BEDROOM 5	213
BATH 5	57
CLOSET 5	24
123 (1ST. FLR OVER 18')	123
TOTAL SECOND FLOOR	2391

TOTAL S.Q.FT.

FIRST FLOOR	4927 x 2/3 = 3203
SECOND FLOOR	2391 < 3203
COVERED PORCHES	207
DECK	233
TOTAL	7635

COVERED PORCHES 207 (EXCLUDED FROM TOSF)	
TOTAL EXCLUDED FROM TOSF	207
TOTAL WITH TOSF	7428
TOTAL WITHOUT TOSF	7635

MAIN HOUSE: SECOND FLOOR

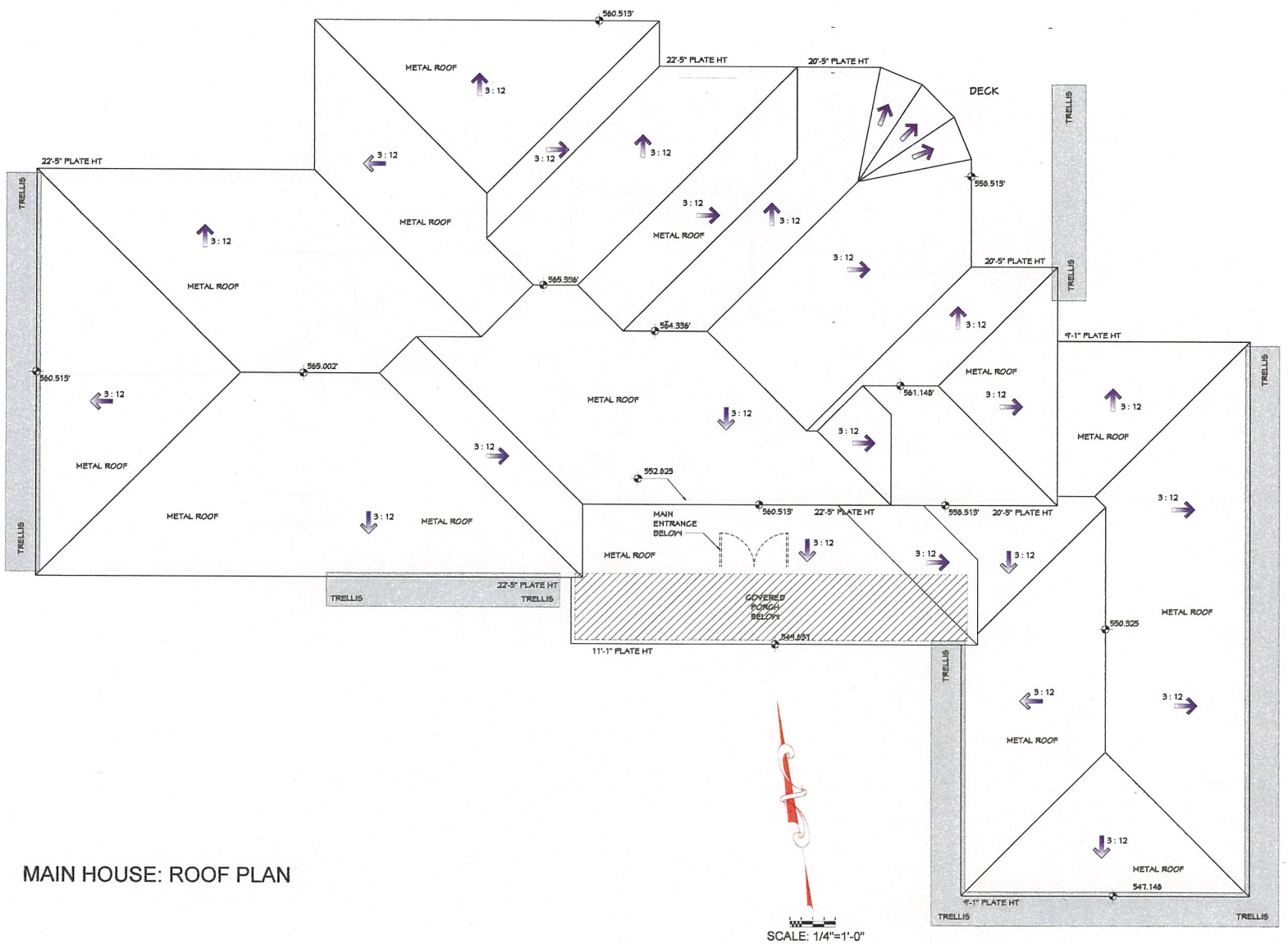
date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA. 90265
Contact: Jack Gerlach 310.213.8848

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

SHEET TITLE
SECOND FLR PLAN/ (MAIN HOUSE)

SHEET NUMBER
2.2



MAIN HOUSE: ROOF PLAN

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

date 3/7/2016

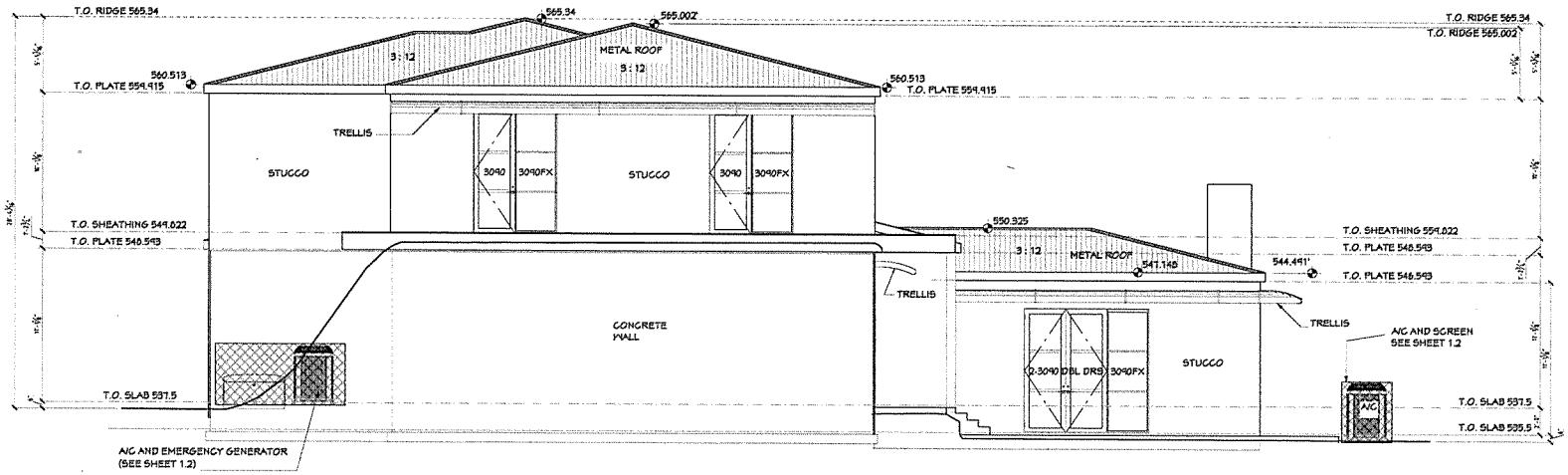
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

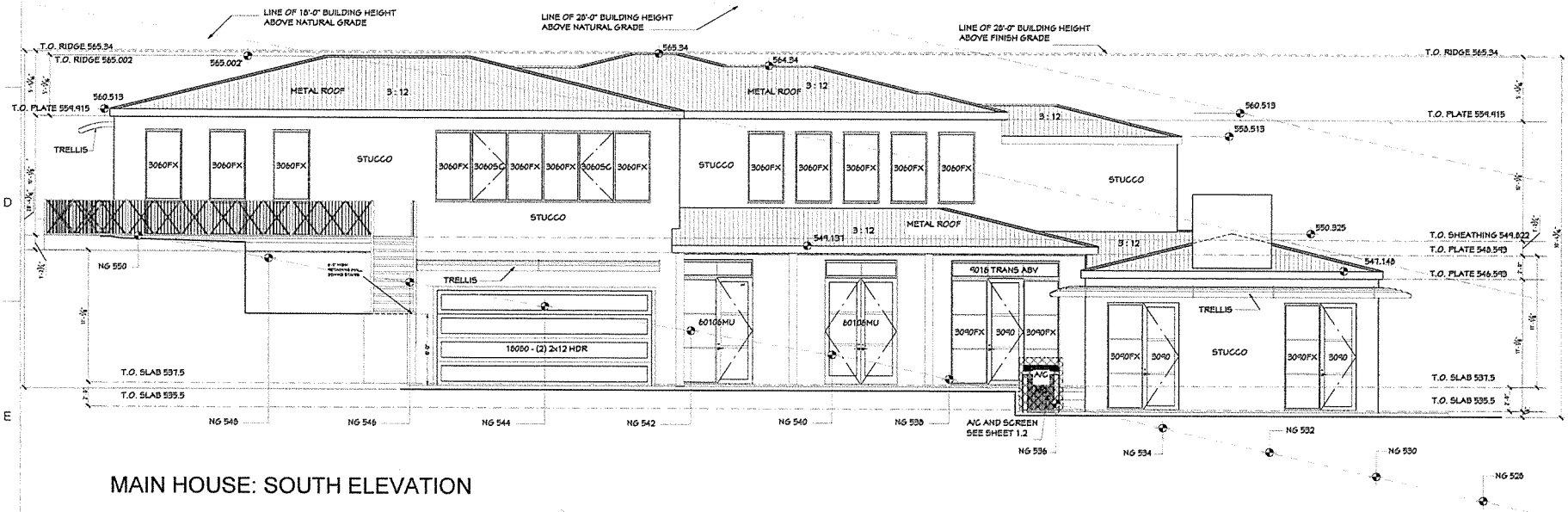
scale: 1/4"=1'-0"

SHEET TITLE
ROOF PLAN
(MAIN HOUSE)

SHEET NUMBER
2.5



MAIN HOUSE: WEST ELEVATION



MAIN HOUSE: SOUTH ELEVATION

date
3/7/2016

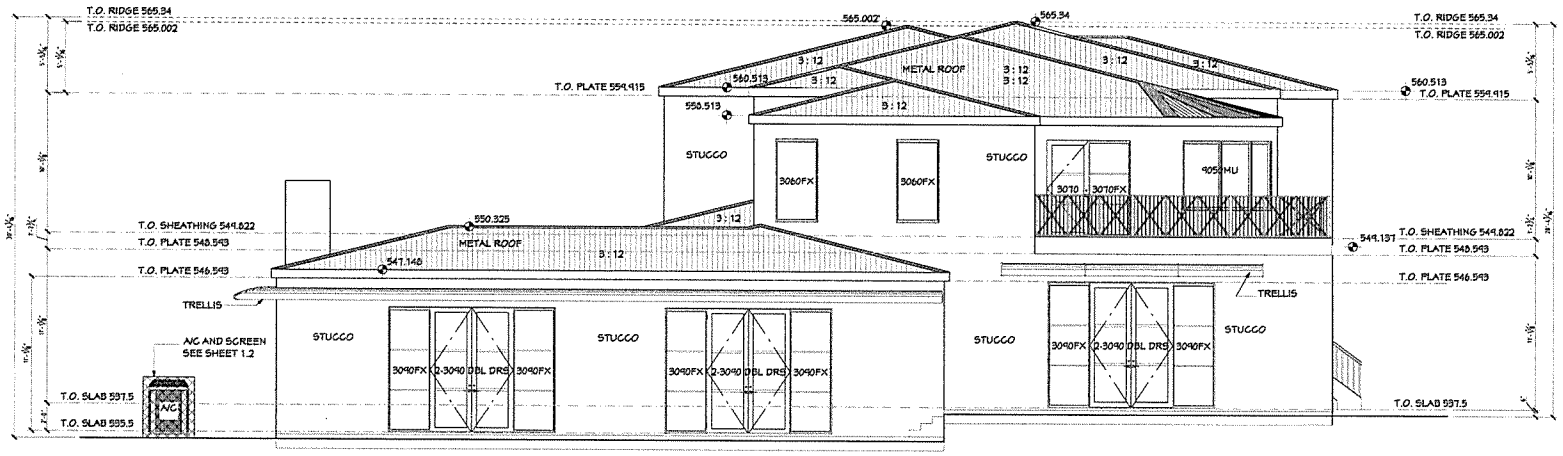
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

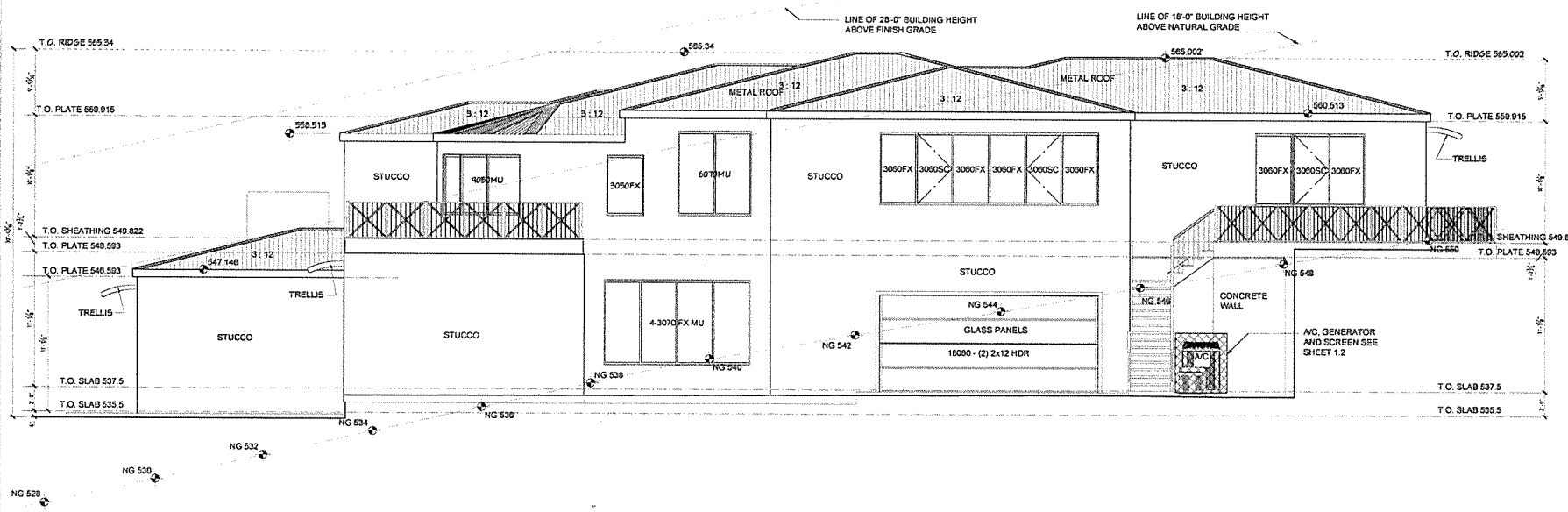
scale:
1/4"=1'-0"

SHEET TITLE
ELEVATIONS
(MAIN HOUSE)

SHEET NUMBER
3.1



MAIN HOUSE: EAST ELEVATION



MAIN HOUSE: NORTH ELEVATION

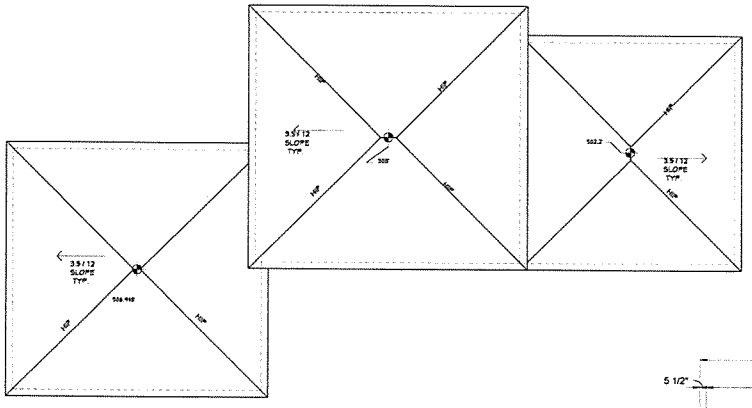
date
3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA. 90265
Contact: Jack Gerlach 310.213.8848

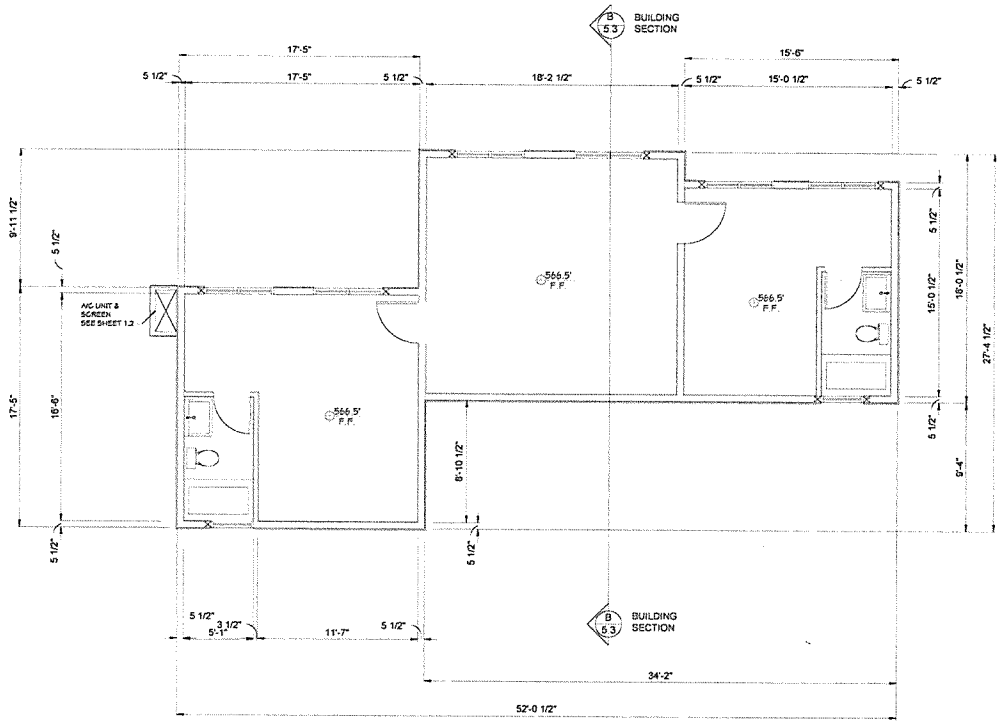
scale:
1/4"=1'-0"

SHEET TITLE
ELEVATIONS
(MAIN HOUSE)

SHEET NUMBER
3.2



GUEST HOUSE: ROOF PLAN



GUEST HOUSE: FLOOR PLAN

date
3/7/2016

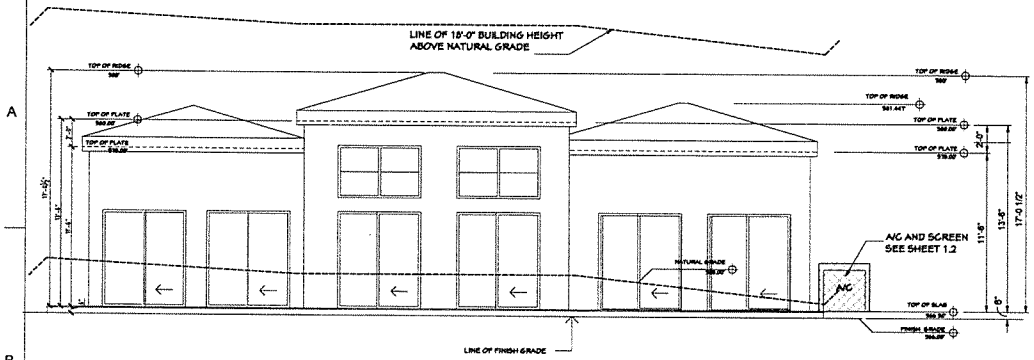
28465 VIA ACERO ROAD
MALIBU, CA 90265

Contact: Jack Gerlach 310.213.8848

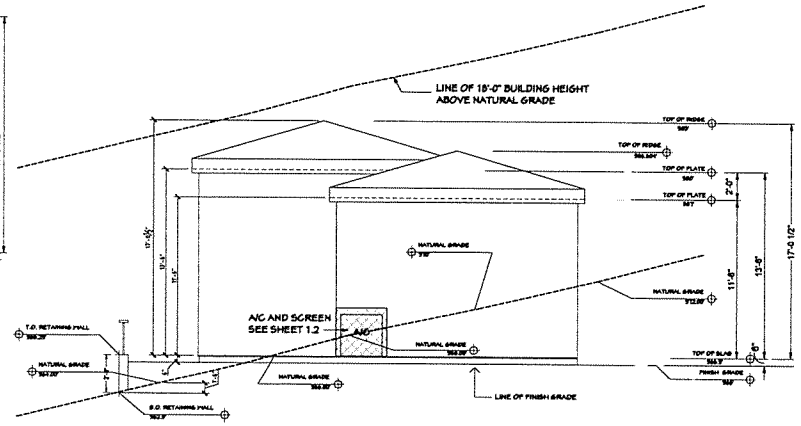
scale:
1/4"=1'-0"

SHEET TITLE
FLOOR PLAN/ROOF
(GUEST HOUSE)

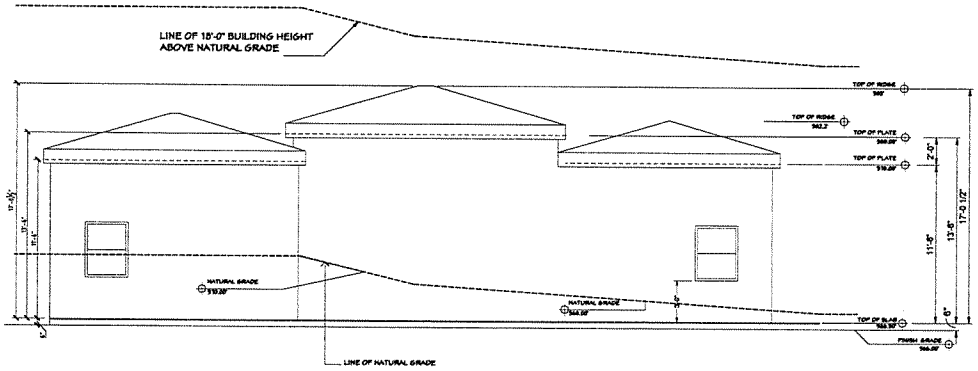
SHEET
NUMBER
4.1



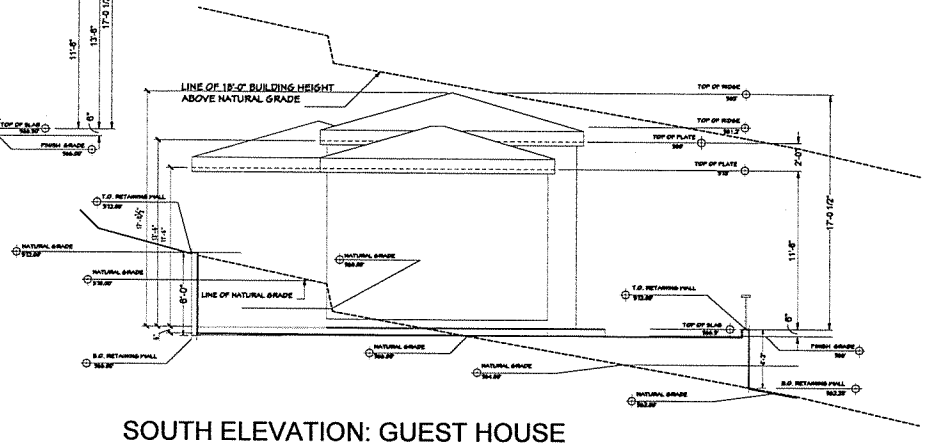
EAST ELEVATION: GUEST HOUSE



NORTH ELEVATION: GUEST HOUSE



WEST ELEVATION: GUEST HOUSE



SOUTH ELEVATION: GUEST HOUSE

date
3/7/2016

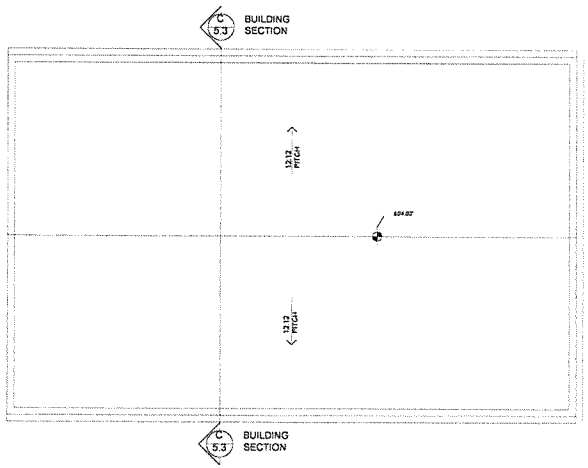
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

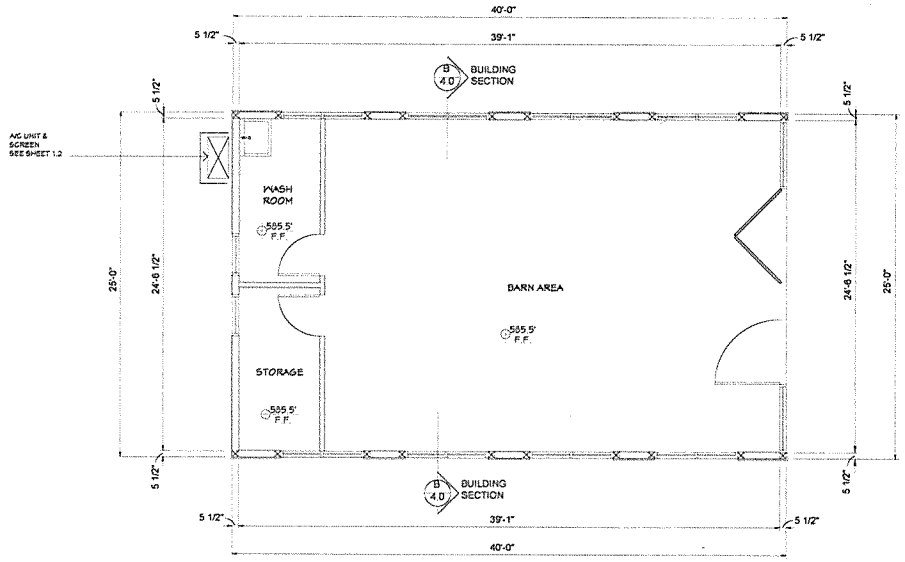
scale:
1/4"=1'-0"

SHEET TITLE
ELEVATIONS
(GUEST HOUSE)

SHEET NUMBER
4.2



BARN: ROOF PLAN



BARN: FLOOR PLAN

date
3/7/2016

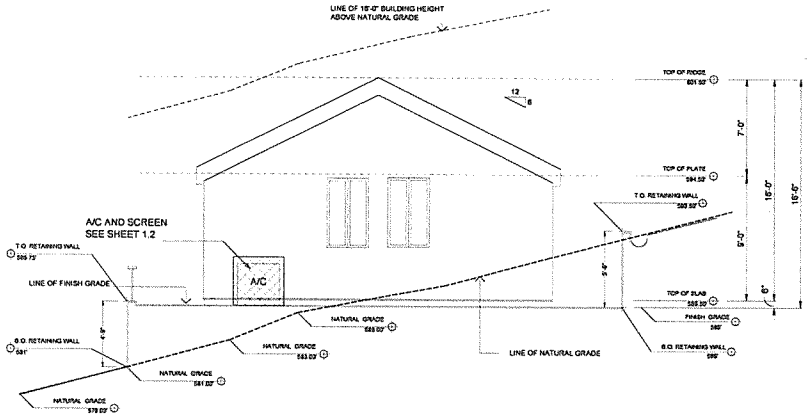
28466 VIA ACERO ROAD
MALIBU, CA 90265

Contact: Jack Gerlach 310.213.8848

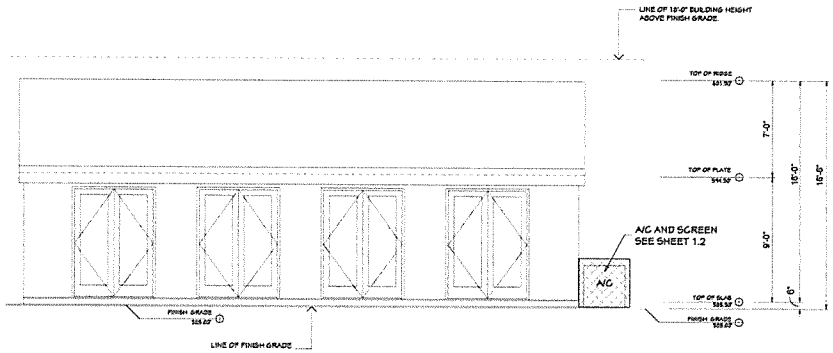
scale:
1/4"=1'-0"

SHEET TITLE
FLOOR PLAN/ROOF
(BARN)

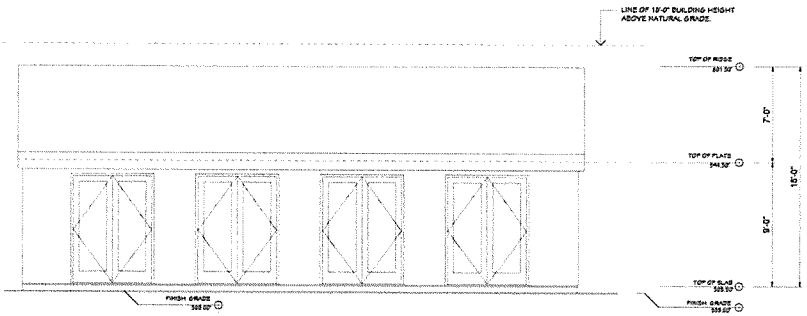
SHEET
NUMBER
5.1



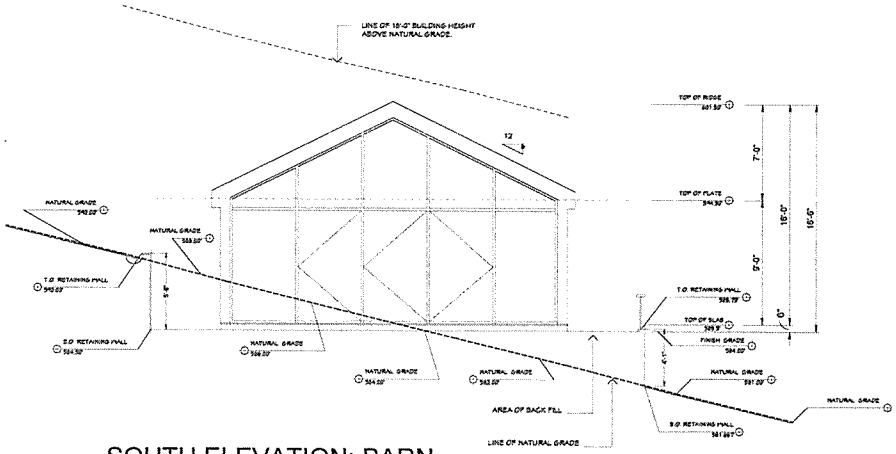
NORTH ELEVATION: BARN



EAST ELEVATION: BARN



WEST ELEVATION: BARN



SOUTH ELEVATION: BARN

date 3/7/2016

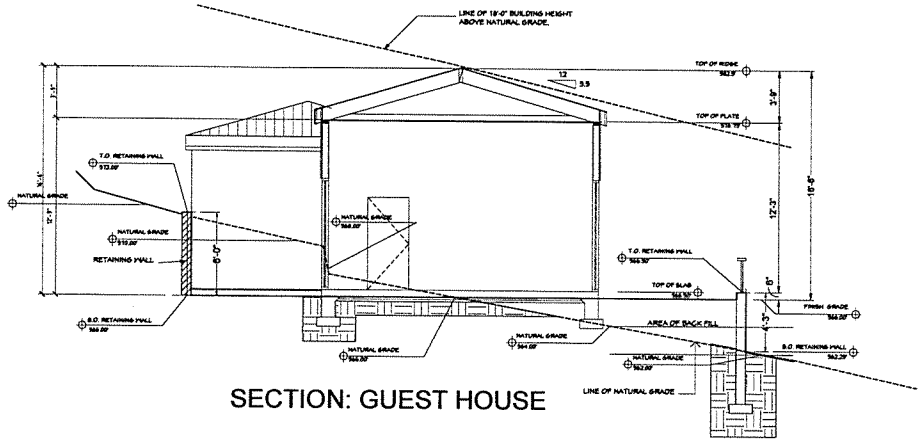
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

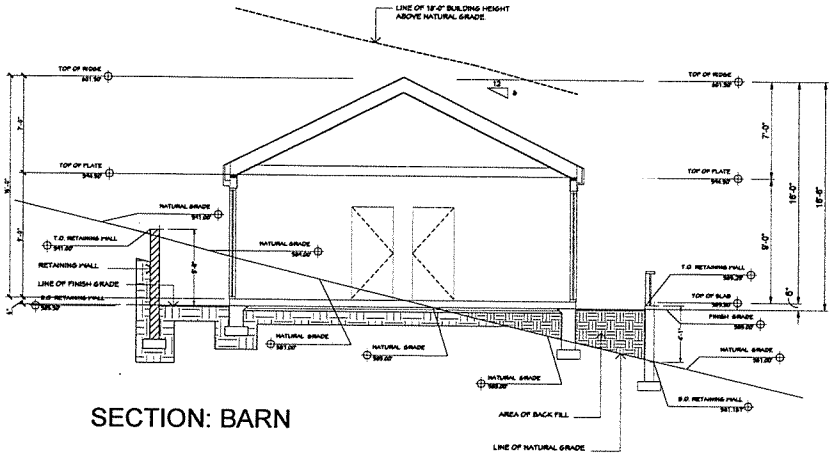
scale: 1/4"=1'-0"

SHEET TITLE
ELEVATIONS (BARN)

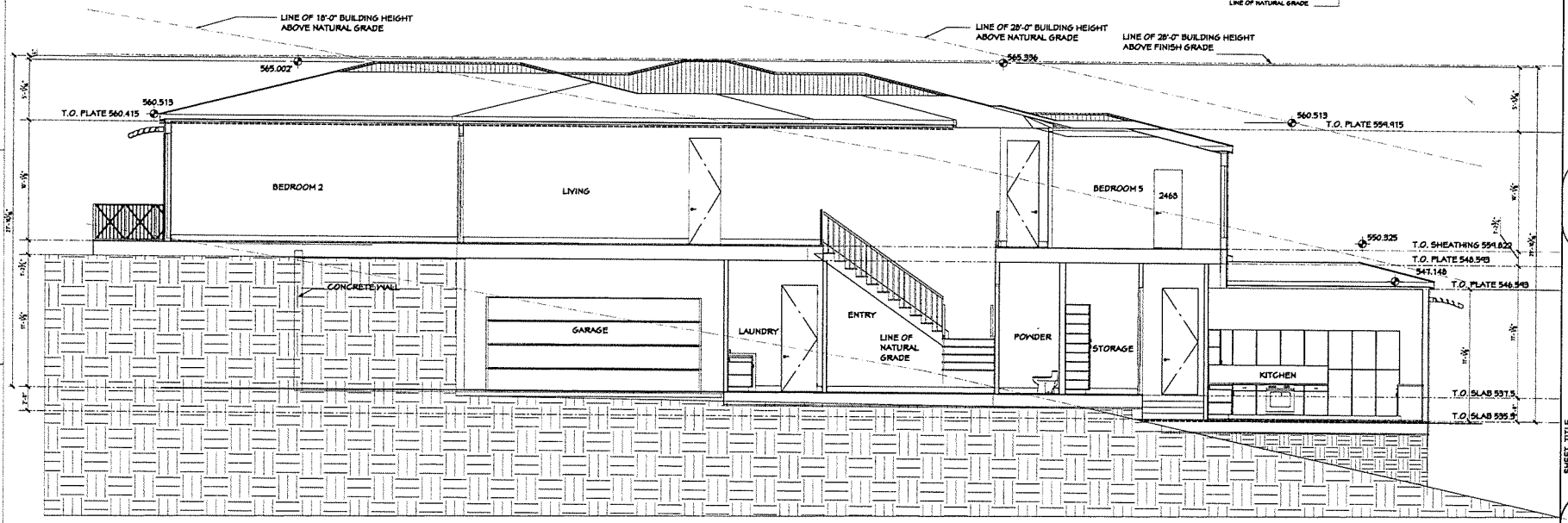
SHEET NUMBER
5.2



SECTION: GUEST HOUSE



SECTION: BARN



SECTION: MAIN HOUSE

date 3/7/2016

28485 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

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

SHEET TITLE
SECTIONS

SHEET NUMBER
5.3

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N36°36'36"E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:
MALIBU 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L Y-10346
(2008) KANAN DUME RD & 58M N C/L CAVALLERI RD 2M
W/O EDGE AC IP MKR 600M S/O MON

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:
1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANY DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UN OBSTRUCTED 20' WIDTH CLEAR TO THE SKY, VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS. BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH BUILDING CODE. 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH. FIRE CODE 1118.12, BUILDING CODE 3102.3.8

UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS. BUILDING CODE 6403.5

ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION, OR NONCOMBUSTIBLE CONSTRUCTION. BUILDING CODE 6403.7, 6403.9

A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL OF OCCUPANCY SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE. AZUZA, CA. 91702-2904, 626 969-5205 FIRE CODE 1117.2.1

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 310.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD-WIRED WITH BATTERY BACKUP SMOKE DETECTORS SHALL BE INTERCONNECTED. (INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON FLOOR PLAN)

WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24 (INDICATE ON DOOR SCHEDULE)

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONT THE PROPERTY. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. FIRE CODE 901.4.4

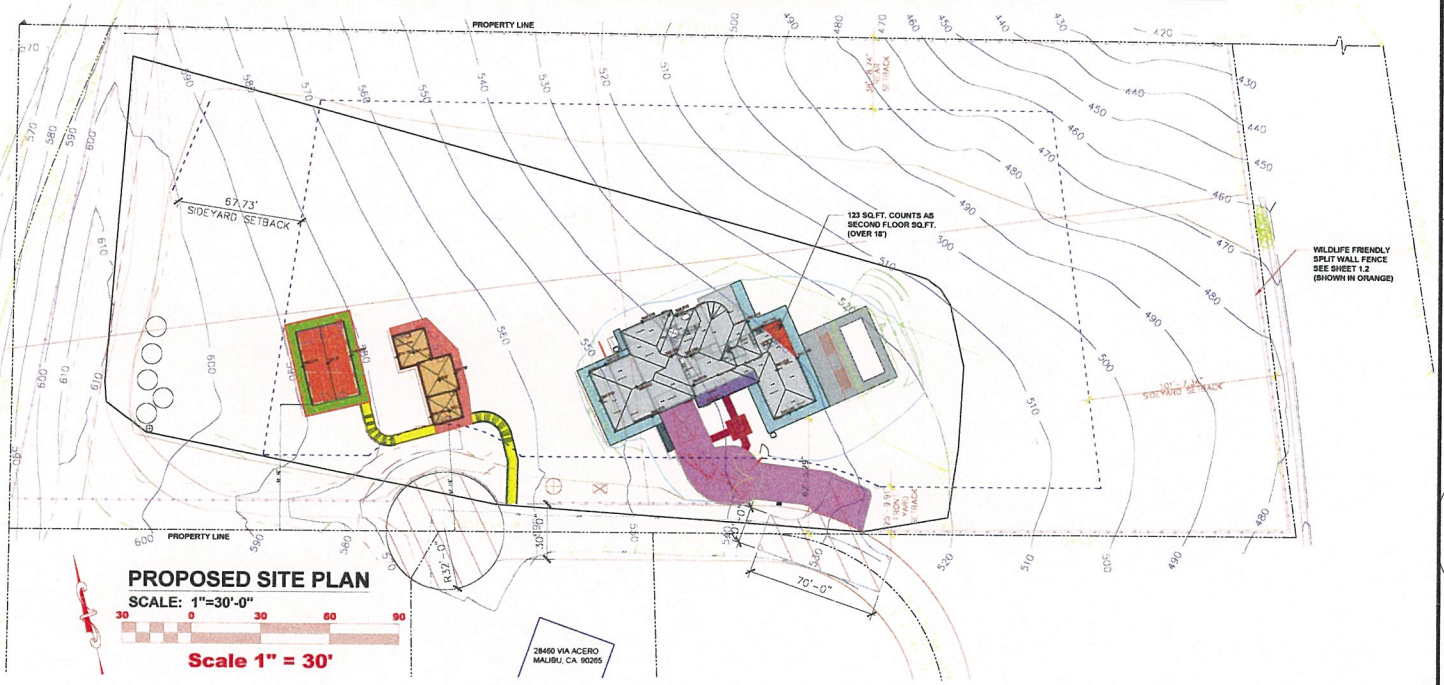
EGRESS DOORS SHALL BE READILY OPENABLE FROM TH EGRESS SIDE WITHOUT THE USE OF A SPECIAL KEY OR ANY SPECIAL KNOWLEDGE OR EFFOR. BUILDING CODE 1008.1.8

VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS. FIRE CODE 503.2.7

ROOF VALLEY FLASHINGS SHALL NOT BE LESS HTAN 0.019-INCH (NO/ 26 GALVANIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-WIDE UNDERLAYMENT CONSISTING OF ONE LAYER NO. 72 ASTM CAP SHEET RUNNING THE FUN LENGTH OF THE VALLEY (FIRE CODE 4710.1.3)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4710.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN
SCALE: 1"=30'-0"
30 0 30 60 90
Scale 1" = 30'

date
3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerach 310.213.8848

SCALE:
1" = 30'-0"

SHEET TITLE
ROOF PLAN & TOPOGRAPHY

SHEET NUMBER
5.4

LEGEND:

- PROPERTY LINE:
- STREET CENTERLINE:
- EASEMENT:
- MONUMENT:
- BASIS OF BEARINGS: (B.O.B.)
- ENCROACHMENT: (ENCR.)
- CLEAR: (CLR.)
- STREET LIGHT (ST.LT.):
- ASPHALT (A/C):
- BUILDING:
- CHAIN LINK FENCE (C.L.F.): X
- WOOD FENCE: W
- WIRE FENCE:
- WROUGHT IRON FENCE: WIF
- CONCRETE (CONC.):
- MANHOLE (M.H.):
- IRRIGATION CONTROL VALVE: I.C.V.
- TREES: PINE PALM EUC OAK MISC

PROPERTY ADDRESS:

(VACANT) VIA ACERO
MALIBU, CA 90265

ASSESSOR'S PARCEL NO.'S:

4467-033-014 (LOS ANGELES COUNTY)

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 36°36'36" E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:

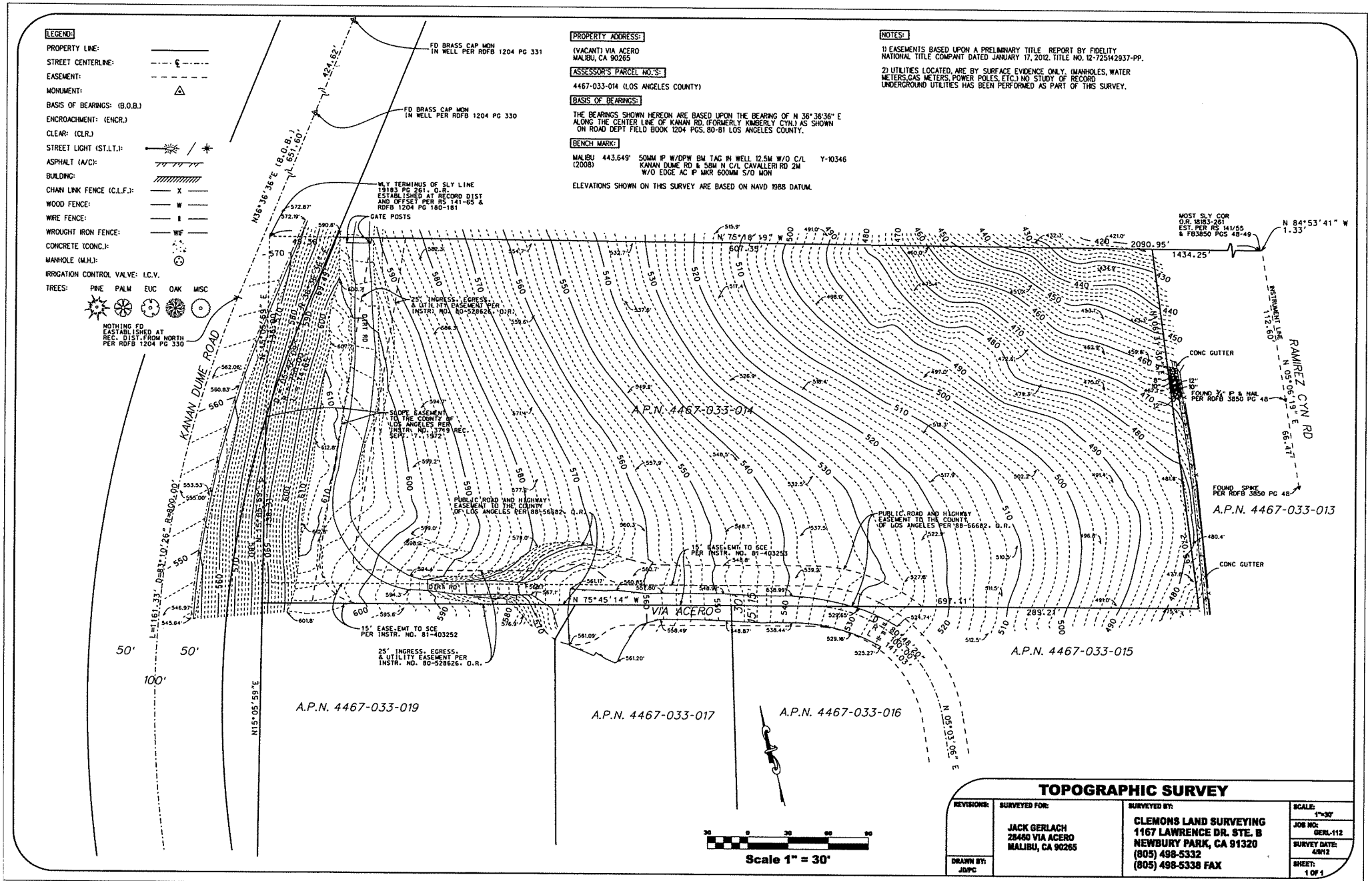
MALIBU (2008) 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L KANAN DUME RD & 58M N C/L CAVALLERI RD 2M W/O EDGE AC IP MKR 600MM S/O MON Y-10346

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:

1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANY DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.



TOPOGRAPHIC SURVEY

REVISIONS:	SURVEYED FOR:	SURVEYED BY:	SCALE: 1"=30'
	JACK GERLACH 28460 VIA ACERO MALIBU, CA 90265	CLEMONS LAND SURVEYING 1167 LAWRENCE DR. STE. B NEWBURY PARK, CA 91320 (805) 498-5332 (805) 498-5338 FAX	JOB NO: GERL-112
DRAWN BY: JD/PC			SURVEY DATE: 4/9/12
			SHEET: 1 OF 1

GENERAL NOTES:

1. ANY MODIFICATIONS OF OR CHANGES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. ENGINEER MUST SET GRADE STAKES FOR ALL DRAINAGE DEVICES AND OBTAIN INSPECTION APPROVAL BEFORE POURING.
4. PROVISIONS SHALL BE MADE FOR CONTRIBUTORY DRAINAGE AT ALL TIMES.
5. SECURE PERMISSION FROM CITY ENGINEER, EASEMENT OWNERS, STATE HIGHWAY DEPARTMENT, AND/OR HOMEOWNERS ASSOCIATION FOR CONSTRUCTION, GRADING, AND/OR DISCHARGE OF DRAINAGE WITHIN STREET RIGHT-OF-WAY.
6. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR AND PRE-GRADING MEETING ON THE SITE IS REQUIRED BEFORE ISSUANCE OF GRADING PERMIT. BUILDING PERMIT PRESENT OWNER, GRADING CONTRACTOR, DESIGN ENGINEER, SOIL ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND WHEN REQUIRED, THE ARCHAEOLOGIST AND PALEONTOLOGIST. ARRANGE INSPECTIONS FOR GRADING WILL BE DISCUSSED AT THIS MEETING.
7. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL (33%) UNLESS WHERE SPECIFICALLY APPROVED OTHERWISE.
8. FILLS SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION. ASSISTANCE MAY BE GIVEN BY ARMY CORPS OF ENGINEERS. ALL COMPACTED TO MINIMUM OF 90% RELATIVE COMPACTION.
9. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED, IN WRITING, BY THE SOIL ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL.
10. FILL SHALL BE BENCHED AND COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOILS ENGINEER'S DIRECTIONS.
11. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
12. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED, IN PLACE, AND APPROVED BY THE BUILDING OFFICIAL AND SOIL ENGINEER.
13. STOCK PILING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.
14. THE FIELD ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE SET AT THE CENTER OF EACH AND REFLECTING THE PAD ELEVATION FOR PRECISE REPORTS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY REPORTS.
15. ALL RENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOIL ENGINEER PER THE MALIBU BUILDING CODE.
16. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL AFTER CLEARING AND PRIOR TO THE PLACEMENT OF FILL IN DRAINAGE VENTS (ACH CANYON) FOR AREAS OF ADVERSE STABILITY AND TO DETERMINE THE PRESENCE OF ABSENCE OF SUBSURFACE WATER OR SPRING FLOW. IF NEEDED, SUBDRAINS WILL BE DESIGNED AND CONSTRUCTED PRIOR TO THE PLACEMENT OF FILL IN EACH INDIVIDUAL CANYON.
17. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION AND SURVEY FOR LOCATION. AS GRADED PLAN SHALL SHOW ALL SUBDRAIN LOCATIONS AND ELEVATIONS.
18. THE EXACT LOCATION OF THE SUBDRAINS SHALL BE SURVEYED IN THE FIELD FOR LOCATIONS AND REFLECTED ON AS-GRADED PLANS.
19. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY WORK STABILITY PROBLEM EXISTS. SHOULD GRADING DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEER GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
20. WHERE SUPPORT BY BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, THE SOIL ENGINEER SHALL SUBMIT DESIGN, LOCATION AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
21. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS DEFENSIVE (FRACTURED OR FAULTED WILL READILY TRANSMIT WATER). IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A COMPACTED FILL BLANKET WILL BE PLACED.
22. THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
23. THE COMPACTION REPORT AND APPROVAL FROM THE SOIL ENGINEER SHALL INDICATE THAT ONE OF THE FOLLOWING PERFORMED. TESTS SHALL BE CONFIRMED WITH THE METHOD OF OBTAINING THE AVERAGE DENSITY WHETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE NO NOTED FOR EACH TEST.
24. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE UNDER HIS DIRECTION WAS PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF CHAPTER 70 OF THE MALIBU BUILDING CODE OR DEPENDING ANY VARIANCE FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE.
25. THE DESIGN ENGINEER VERIFIES THAT THIS GRADING PLAN WAS PREPARED UNDER MY SUPERVISION IN ACCORDANCE WITH SECTION 337B.1 OF THE MALIBU BUILDING CODE. THE SOIL ENGINEER AND ENGINEERING GEOLOGIST RECOMMENDATIONS WERE INCORPORATED IN THE PLAN. (MUST BE SIGNED AND DATED BY THE DESIGN ENGINEER.)
26. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITTED TO THE CITY BUILDING DEPARTMENT.
27. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.
28. SLOPES SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL AND PROVIDED WITH AN APPROVED IRRIGATION SYSTEM, UNLESS AN ALTERNATIVE HAS BEEN APPROVED BY THE CITY BUILDER.
29. THE ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN CONFORMANCE WITH APPROVED GRADING PLAN.
30. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS SUBMITTED FOR REVIEW.
31. ALL TRUCKS GRADING OPERATIONS THROUGH THE SITE SHALL SHOWN DEPOSITS FACILITIES TO WASTE STORM WATER ARE APPROVED AND FUNCTIONAL. HOWEVER, IN ANY CASE, THE PROPERTY SHALL BE GRADED LARGE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
32. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EQUIPMENT, SHALL BE ACCOMPLISHED WITHIN THE LIMITS OF THE NOISE ORDINANCE AND POLICIES OF THE CITY OF MALIBU.
33. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON UNMANUFACTURED SLOPES. OUTLETS SHALL BE CONNECTED TO NON-EROSIVE DRAINS OR OTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIAL.
34. ANY ENCROACHMENTS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CALIFORNIA CIVIL CODE, SECTION 832, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND/OR OWNER.
35. EROSION CONTROL AND STORM WATER MANAGEMENT PLANS MUST BE APPROVED PRIOR TO ISSUANCE OF THE PERMIT.
36. ALL STORM DRAIN WORK IS TO BE DONE UNDER CONTINUOUS INSPECTION BY THE FIELD ENGINEER. WEEKLY STATUS REPORTS SHALL BE SUBMITTED BY THE FIELD ENGINEER TO THE CITY BUILDING DEPARTMENT.
37. ALL RECOMMENDATIONS INCLUDED IN THE CONSULTANT'S SOIL AND GEOLOGY REPORTS MUST BE COMPLIED WITH AND ARE A PART OF THE GRADING SPECIFICATIONS.
38. THE CONSULTING GEOLOGIST MUST APPROVE ROUGH GRADING BY FINAL REPORT. FINAL REPORT MUST INCLUDE AN AS-BUILT GEOLOGIC MAP.
39. THE BUILDING OFFICIAL SHALL APPROVE STOCK PILING OF EXCESS MATERIAL PRIOR TO EXCAVATION.
40. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUBDRAIN LOCATIONS AND ELEVATIONS.

ENGINEER GRADING REQUIREMENT

1. FILL SHALL BE COMPACTED (AS DETERMINED BY ASTM SOIL COMPACTION TEST D1557-LATEST VERSION) THROUGHOUT THEIR FULL EXTENT TO (33134):
   A. A MINIMUM RELATIVE COMPACTION OF 90% OF MAXIMUM DRY DENSITY WITHIN 40 FT. BELOW FINISHED GRADE, AND
   B. 93% OF MAXIMUM DRY DENSITY DEEPER THAN 40 FT. BELOW FINISHED GRADE.
2. FIELD DENSITY SHALL BE DETERMINED BY SAND-CONE METHOD, ASTM D1556 - LATEST VERSION. IN THE GRANED COHESIVE SOILS FIELD DENSITY MAY BE DETERMINED BY THE SHWT-DRY-WATER METHOD, ASTM D-2937 LATEST VERSION, PROVIDED NOT LESS THAN 20% OF THE REQUIRED DENSITY TESTS CONFORM TO RESULTS ARE BY THE SAND-CONE METHOD. THE DRY-GRANED FIELD DENSITY SHALL BE SHOWN IN THE COMPACTION REPORT. DENSITY TESTING SHALL BE RECOMMENDED BY THE SOIL ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL. (33134)
3. SUFFICIENT TEST OF SOIL PROPERTIES, INCLUDING SOIL TYPES AND SHEAR STRENGTH, SHALL BE MADE DURING GRADING OPERATION TO VERIFY COMPLIANCE WITH DESIGN CRITERIA. THE RESULTS OF SUCH TESTING SHALL BE FURNISHED TO THE BUILDING OFFICIAL UPON COMPLETION OF GRADING OPERATIONS, OR WHEN ACCELERATED BY FIELD CONDITIONS UPON REQUEST OF THE BUILDING OFFICIAL. DENSITY FIELD DENSITY TEST TO BE MADE AS FOLLOWS:
   (a) ONE TEST FOR EACH 2' VERTICAL LIFT
   (b) ONE TEST FOR EACH 1,000 CUBIC YARDS OF MATERIAL PLACED.
   (c) ONE TEST PER LOT, WHICH HAS APPROXIMATELY 1' BELOW THE FULL SLOPE SURFACE ON THE BASIS OF ONE TEST FOR EACH 1,000 SQUARE FEET OF SLOPE SURFACE. (BUT NOT LESS THAN ONE TEST FOR EACH 10' OF VERTICAL SLOPE HEIGHT.
4. NO FILL SHALL BE PLACED OVER STRIPPING OF VEGETATION, REMOVAL OF UNSUITABLE SOILS, AND INSTALLATION OF SUBDRAINS (IF ANY) HAVE BEEN INSPECTED AND APPROVED BY THE SOILS ENGINEER.
5. NO ROCK OR SIMILAR MATERIAL GREATER THAN 12 INCHES IN DIAMETER SHALL BE PLACED IN THE FILL. (SEE REMOVAL/RESTRICTION FOR SUCH PLACEMENT HAVE BEEN SUBMITTED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL.
6. ORIGINAL OF REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL FOR AS CONTRACTED FILLS.

LOT DRAINAGE

1. ALL CONCRETE PLACED ON GRADE SHALL BE DESIGNED TO MATCH NATURAL CONDITIONS ADJACENT TO THE STRUCTURES. SURFACE PAINT IS NOT ACCEPTABLE. ALL COLORS ARE TO BE APPROVED AND THE MIX AND BLENDED UNIFORMLY.

TERRACE DRAINAGE

1. ALL DRAINAGE TERRACES REQUIRED TO BE PAVED MUST BE 3" MINIMUM CONCRETE OR QUINT REINFORCED WITH 6x6-10/10 WIRE MESH. SHOW DETAILS WHERE SLOPES EXCEED 4 FEET. MUST BE SUPPORTED OFF OF EARTH WITH PERMANENT TIES OR EQUAL (PRIOR TO INSPECTION)

PLANTING AND IRRIGATION NOTES:

1. THE PLANS OF A PERMANENT IRRIGATION SYSTEM FOR THE ENTIRETY OF ALL PORTIONS OF THE SLOPES SHALL BE SUBMITTED AND APPROVED PRIOR TO ROUGH GRADING APPROVAL BY THE BUILDING OFFICIAL.
2. ALL CUT AND FILL SLOPES WILL BE PLANTED WITH AN APPROVED GROUND COVER AND PROVIDED WITH AN IRRIGATION SYSTEM AS SOON AS PRACTICAL DURING GRADING. IN ADDITION TO THE GROUND COVER PLANTS SHALL BE INSTALLED ON ALL SLOPES. ALL PLANTING SHALL BE OF A TYPE APPROVED BY THE CITY BUILDER.
3. PLANTING AND IRRIGATION PLANS FOR SLOPES MUST BE PREPARED AND SIGNED BY A LICENSED LANDSCAPE ARCHITECT.
4. FINISH GRADING WILL BE COMPLETED AND APPROVED AND SLOPE PLANTING AND IRRIGATION SYSTEM INSTALLED BEFORE OCCUPANCY OF BUILDINGS.

GEOLOGY NOTES:

1. PRIOR TO THE FINAL APPROVAL OF THE PROJECT, AN AS-BUILT COMPACTION REPORT PREPARED BY THE PROJECT GEOTECHNICAL CONSULTANT SHALL 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 COMPACTION, DENSITY TESTS, LOCATIONS AND ELEVATIONS OF ALL REMOVAL BOTTOMS, LOCATION AND ELEVATIONS OF ALL KEYWAYS AND BACKDRAINS, LOCATION AND ELEVATION OF ALL RETAINING WALLS BACKDRAINS AND OUTLETS, GEOLOGIC CONDITIONS EXPOSED DURING GRADING MUST BE DEPICTED ON AS-BUILT GEOLOGIC MAP.
2. AN AS-BUILT REPORT PREPARED BY THE PROJECT GEOTECHNICAL CONSULTANT DOCUMENTING THE INSTALLATION OF THE PILE FOUNDATION ELEMENTS (IF APPLICABLE) SHALL BE SUBMITTED TO THE CITY FOR REVIEW BY THE GEOLOGIC AND GEOTECHNICAL ENGINEERING REVIEWERS PRIOR TO THE FINAL APPROVAL OF THE PROJECT. THE REPORT SHALL INCLUDE DETAILED LOGS OF ALL EXCAVATIONS, INCLUDING THE DEPTH OF THE ELEVATION, DEPTH INTO RECOMMENDED BEARING MATERIALS, AND DEPTH TO GROUNDWATER AS WELL AS AN AS-BUILT PLAN WHICH MUST DEPICT THE LOTS AND GRADE BEAMS.
3. UNUSUAL OR ADVERSE GEOLOGIC CONDITIONS ENCOUNTERED DURING GRADING SHALL BE DOCUMENTED IN DAILY FIELD REPORTS BY THE PROJECT GEOTECHNICAL CONSULTANT. ADDITIONAL RECOMMENDATIONS SHALL BE PROVIDED AS NECESSARY. TWO COPIES OF ALL ADDITIONAL REPORTS AND DAILY REPORTS SHALL BE SUBMITTED TO CITY GEOTECHNICAL STAFF FOR REVIEW.
4. EXPANSION INDEX TESTING ON FINISH GRADE SOILS MUST BE PERFORMED BY THE GEOTECHNICAL CONSULTANT UPON COMPLETION OF GRADING AND GRADING AND FOUNDATION RECOMMENDATIONS SHALL BE MODIFIED AS NECESSARY.

REGULAR GRADING REQUIREMENTS

1. THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATION IS READY FOR EACH OF THE INSPECTIONS. (THE PERMITTEE NEED NOT WAIT FOR THE INSPECTOR TO ARRIVE BEFORE PROCEEDING WITH THE WORK).
   a. INITIAL INSPECTION: WHEN THE SITE HAS BEEN CLEARED OF VEGETATION AND UNAPPROVED FILL AND THE BASE OF ANY FILL TO BE PLACED OTHERWISE PREPARED FOR FILL. NO FILL SHALL HAVE BEEN PLACED PRIOR TO THIS INSPECTION.
   b. FINAL INSPECTION: AFTER THE NATURAL GROUND IS EXPOSED AND PREPARED TO RECEIVE FILL AND BEFORE ANY FILL IS PLACED.
   c. EXCAVATION INSPECTION: AFTER THE EXCAVATION IS STARTED AND BEFORE THE DEPTH OF EXCAVATION EXCEEDS 10 FEET.
   d. FINAL INSPECTION: WHEN APPROXIMATE FINAL ELEVATIONS HAVE BEEN ESTABLISHED, ROUGH GRADED PADS, SWALES AND DRAIN DRAINAGE DEVICES NECESSARY FOR THE PROTECTION OF THE BUILDINGS IN PROGRESS HAVE BEEN INSTALLED, BUILT-UP FILL HAS BEEN COMPACTED AND ALL ROUGH GRADING COMPLETED. THE BUILDING OFFICIAL AND ENGINEER MUST APPROVE ROUGH GRADING.
   e. FINAL INSPECTION: WHEN GRADING HAS BEEN COMPLETED, ALL DRAINAGE DEVICES NECESSARY TO DRAIN THE BUILDING PADS ARE INSTALLED, SLOPE PLANTING (STABILIZED AND ALL IRRIGATION SYSTEMS INSTALLED. SUBMIT THE REQUIRED AS-BUILT GRADING PLANS AND NOTIFICATION OF COMPLETION.
   f. SUBDRAIN INSPECTION: PROVIDE CONTINUOUS INSPECTION DURING SUBDRAIN EXCAVATION AND INSTALLATION. COMPACTION REPORT APPROVED BY THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBDRAIN INSTALLATIONS. (33123)
   g. FINAL INSPECTION:
      1. AFTER THE FINAL IMPLACEMENT IS STARTED AND BEFORE THE VERTICAL HEIGHT OF THE LIFTS EXCEEDS 10 FT. (33123)
      2. DURING PREPARATION OF NATURAL GROUND AND PLACEMENT AND COMPACTION OF FILL.
      3. THE SOILS ENGINEER SHALL BE PRESENT DURING THE ENTIRE FILL PLACEMENT AND COMPACTION OF FILLS THAT WILL EXCEED A VERTICAL HEIGHT OF SIXTY (60) FT. OR RESULT IN A SLOPE SURFACE STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL. (33123)
   h. DRAINAGE DEVICE INSPECTION: AFTER FORMS AND PIPE ARE IN PLACE AND BEFORE ANY CONCRETE IS POURED.
   i. ROUGH GRADING WHEN ALL ROUGH GRADING HAS BEEN COMPLETED AND LABORATORY INSPECTION HAS BEEN INSTALLED THE GEOTECHNICAL ENGINEER SHALL SUBMIT THE FINAL COMPACTION REPORT PRIOR TO THE APPROVAL OF ROUGH GRADE.

LCP GRADING CONFORMANCE						
	EXEMPT			NON-EXEMPT		
	R & R	UNDERSTRUCTURE	SAFETY		REMEDIAL	TOTAL
CUT	900	365	60	505	0	1,850
FILL	900	775	0	390	0	2,065
TOTAL	1800	1,150	60	895	0	3,915
IMPORT	0	390	0	0	0	390
EXPORT	0	0	60	115	0	175

QUANTITIES SHOWN ARE FOR PLAN CHECK PURPOSES AND ARE NOT TO BE USED FOR BID PURPOSES.

UNAUTHORIZED CHANGES & USES

CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR MAKE FOR, UNAUTHORIZED CHANGES IN OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BETWEEN PHYSICAL CONDITIONS IN THE FIELD AND THOSE SHOWN ON THESE PLANS AND SHALL OBTAIN WRITTEN INSTRUCTIONS FROM THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. ALL WORK PERFORMED BY THE CONTRACTOR AFTER HIS DISCOVERY OF SUCH DISCREPANCIES SHALL BE AT HIS RISK. ALL WORK SHALL COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE AND THE LOCAL BUILDING CODES PREVAILING.

THE PROJECT IS IN FIRE ZONE 4. A PERMIT IS REQUIRED TO COMPLY WITH SECTION 1116 OF THE LOS ANGELES COUNTY FIRE CODE REGARDING CONSTRUCTION ACTIVITIES. CONTACT THE LOCAL FIRE STATION TO OBTAIN A PERMIT.

BENCHMARK

MAL BM 443 645' (2008) — SOVW IP W/DPW BM TAG IN WELL 12.5W W/O C/L; 4W-10346 KANAN DUME RD & DBW N C/L CANALLE 163.2W W/O CONC AD IP WATER SOVW S/O VCN

LEGAL DESCRIPTION:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 89°38'38" E ALONG THE CENTER LINE OF KANAN RD (CONVERT KIMBERLY ONE) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81, LOS ANGELES COUNTY.

COASTAL DEVELOPMENT PERMIT

THIS PLAN CONFORMS TO THE COASTAL DEVELOPMENT PERMIT CONDITIONALLY APPROVED BY THE CITY FOR 3848 RAVELA PACIFICO DR.

C.D.P. NO.

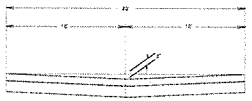
EST. START DATE

EST. COMPLETION DATE

PUBLIC WORKS DEPARTMENT GENERAL NOTES

1. ALL WORK within PUBLIC STREETS OR PUBLIC EASEMENTS SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, UNLESS OTHERWISE NOTED.
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL-OSHA) SAFETY STANDARDS. IF A WRITTEN REQUEST IS MADE, THE CITY WILL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTORS SHALL CALL THE CITY PUBLIC WORKS INSPECTOR AT (310) 456-2489, EXT 335 FOR INSPECTION OF WORK WITHIN THE CITY PUBLIC RIGHT OF WAY, AT LEAST TWO WORKING DAYS PRIOR TO COMMENCING WORK. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING WORK AND 24 HOURS IN ADVANCE OF REQUIRED INSPECTIONS REGARDING WORK DURING THE COURSE OF THE WORK.
4. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489 EXT335 TO APPLY FOR PERMIT.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
6. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
7. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK. CONTRACTORS SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE AFFECTED BY THEIR OPERATIONS. IF MONUMENTS ARE DISTURBED OR DESTROYED, CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING ENGINEER AND THE CITY PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL LAND MONUMENTS FOR THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY REGARDLESS OF IF MAY BE AFFECTED BY THESE OPERATIONS.
9. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. ALL WARNING CONSTRUCTION SIGNS, CONES, TRAFFIC DRUMS, AND STRIPING TRAFFIC BE FURNISHED, INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK" AND THE "STANDARD PLANS AND SPECIFICATIONS" OF THE CITY. IF NECESSARY, THE CITY MAY REQUIRE A TRAFFIC CONTROL PLAN TO BE PREPARED BY THE DEVELOPER.
10. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
11. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
12. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.
13. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.
14. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL SOILS ENGINEER AND ENGINEERING GEOLOGIST SHALL BE INCORPORATED INTO THE GRADING PLAN. THE GRADING PLAN IS APPROVED BY CONFORMED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
15. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT-OF-WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
16. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. SECTIONS WITH A MINIMUM SLOPE OF 4 PERCENT AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTIONS. DOWN DRAINS SHALL BE SHOWN THAT OR APPROVED EQUIVALENT.
17. GRADING QUANTITIES
    CUT: 1,850 CY FILL: 2,065 CY
    EXPORT: 175 CY IMPORT: 390 CY
18. TOTAL DISTURBED AREA: 0.072 acres
    (INCLUDING GRADING, CLEARING, AND TRENCHING AREAS)
    TOTAL EXISTING IMPERVIOUS AREA: 0 sq.ft.
    TOTAL PROPOSED IMPERVIOUS AREA: 18,000 sq.ft.
19. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC PROPERTIES SHALL BE PROTECTED AGAINST EROSION BY PLANTING, BUILDING, OR OTHER METHODS APPROVED BY THE CITY ENGINEER BY RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.
20. ALL CATCH BASINS AND DRAINAGE INLETS SHALL BE STENCILED WITH THE CITY OF MALIBU STORM DRAIN LOGO.

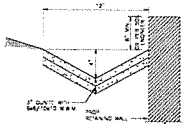
CIVIL ENGINEER:
PROJECT ENGINEERING GROUP
15335 MORRISON ST. STE. 305
SHERMAN OAKS CA 91403
(818) 784-8110
(818) 784-8116 FAX



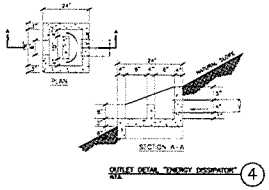
THE 2" THK. (AS PROVIDED ON AT GRADED ASPHALT) MAY MAY BE REPLACED BY 6" THK. (AS PROVIDED ON NATIVE SOIL)

6" PORTLAND CEMENT CONCRETE PAVEMENT ON NATIVE SOIL

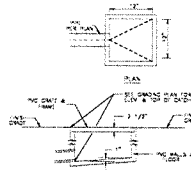
PRIVATE DRIVEWAY
N.T.S.



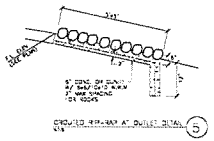
SWALE DETAIL 1



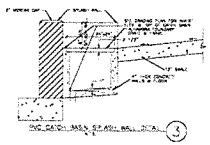
OUTLET DETAIL "ENERGY DISSIPATOR" 4

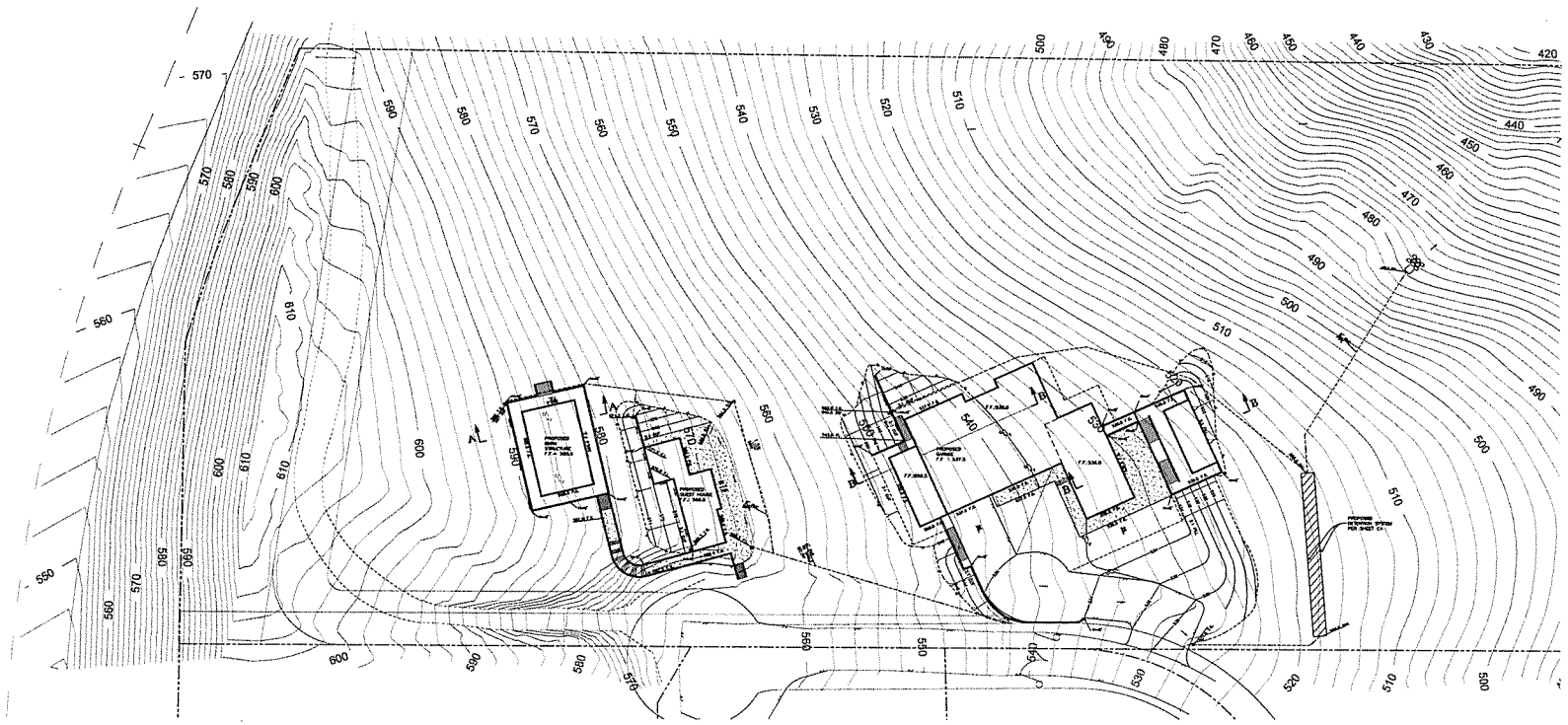


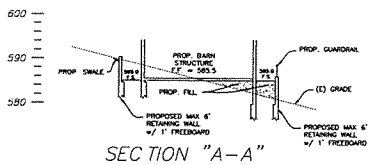
CATCH BASIN DETAIL 2



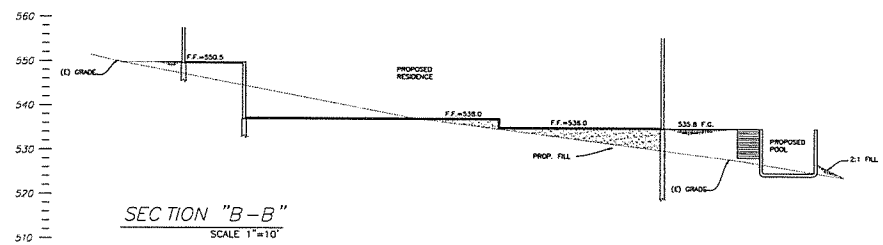
CROSSED REPAIRS AT OUTLET DETAIL 5


2" MIN. SAND BED
2" MIN. SAND BED
2" MIN. SAND BED





SECTION "A–A"



SECTION "B–B"
SCALE 1"=10'

LEGEND:

F.S.	FINISHED SURFACE ELEVATION
F.G.	FINISHED GROUND
F.L.	FLOW LINE ELEVATION
F.F.	FINISH FLOOR
T.C.	TOP OF CURB
H.P.	HIGH POINT
L.P.	LOW POINT
G.B.	GRADE BREAK
T.S.	TOP OF GRATE ELEVATION
INV.	INVERT ELEVATION
1000.0	PROPOSED ELEVATION
(1000)	EXISTING ELEVATION
	PROPERTY LINE
T.W.	TOP OF WALL
	CUT & FILL TRANSITION
	DAYLIGHT LINE
1000	PROPOSED CONTOUR LINE
1000	EXISTING CONTOUR LINE
	PROPOSED BUILDING
	DIRECTION OF FLOW
	PVC DRAIN PIPE 6"Ø UNL
	12"x12" PVC GRIDH BARN FOR SCHL. Z ON SHT. C1
	PROPOSED RETAINING WALL FOR SEPARATE PERMIT

SCALE: 1" = 20'

REVISIONS	BY

GRADING AND DRAINAGE PLAN

ADDRESS: 28465 VIA ACERO ROAD
MALIBU, CA 90265

OWNER: GERLACH RESIDENCE

15335 MORRISON ST.
SUITE 305
SHERMAN OAKS, CA 91403
(818) 784-8110
(818) 784-8116 FAX

PEG
PROJECT ENGINEERING GROUP
Civil and Structural Engineering

DRAWN	O.E.
CHECKED	V.G.
DATE	08/12/2015
SCALE	AS SHOWN
JOB NO.	SAGE MOUNTAIN
SHEET	C2
OF	4 SHEETS

ASSESSOR'S PARCEL NO.'S:

4467-033-014 (LOS ANGELES COUNTY)

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 36°36'36" E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:

MALIBU (2008) 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L KANAN DUME RD & 58M N C/L CAVALLERI RD 2M W/O EDGE AC IP MKR 600MM S/O MON Y-10346

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:

1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANT DATED JANUARY 17, 2012, TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

KANAN DUME ROAD

VIA ACEROS

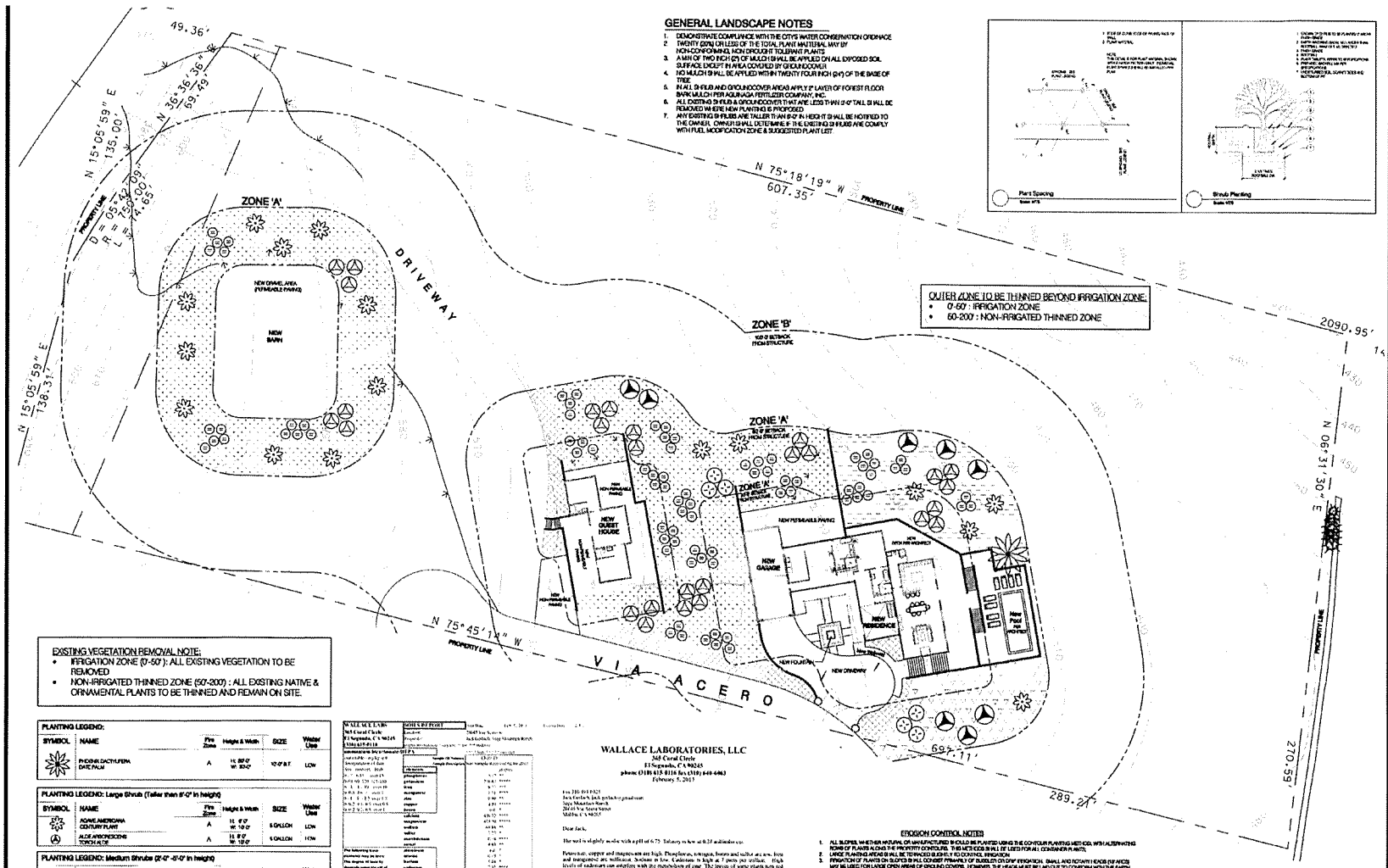
SLOPE ANALYSIS LEGEND:

5:1 OR LESS = 19,334 SQ. FT.
4:1 TO 5:1 = 29,189 SQ. FT.
4:1 TO 3:1 = 55,758 SQ. FT.
3:1 TO 2½:1 = 32,009 SQ. FT.
2½:1 TO 1:1 = 34,557 SQ. FT.
STEEPER THAN 1:1 = 292 SQ.FT.
NON-PERMEABLE = 0 SQ.FT.
STREET EASEMENT AREA: 8,905 SQ. FT.
GROSS AREA = 180,044 SQ. FT. / 4.13 ACRES
NET AREA (GROSS MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 1:1) = 170,847 SQ. FT. / 3.92 ACRES

RECEIVED
SEP 07 2016
PLANNING DEPT.

Existing
Proposed
Subject Property

0 75 150 300 Feet



GENERAL LANDSCAPE NOTES

1. DEMONSTRATE COMPLIANCE WITH THE CITY'S WATER CONSERVATION ORDINANCE
2. TWENTY (20%) OR LESS OF THE TOTAL PLANT MATERIAL MAY BY NON-CONFORMING, NON DROUGHT TOLERANT PLANTS
3. A MIN OF TWO INCH (2") OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACE EXCEPT IN AREA COVERED BY GROUNDCOVER
4. NO MULCH SHALL BE APPLIED WITHIN TWENTY FOUR INCH (24") OF THE BASE OF TREE
5. IN ALL SHRUB AND GROUNDCOVER AREAS APPLY 2" LAYER OF FOREST FLOOR BARK MULCH PER AGUINAGA FERTILIZER COMPANY, INC.
6. ALL EXISTING SHRUB & GROUNDCOVER THAT ARE LESS THAN 6'-0" TALL SHALL BE REMOVED WHERE NEW PLANTING IS PROPOSED
7. ANY EXISTING SHRUBS ARE TALLER THAN 6'-0" IN HEIGHT SHALL BE NOTIFIED TO THE OWNER, OWNER SHALL DETERMINE IF THE EXISTING SHRUBS ARE COMPLY WITH FUEL MODIFICATION ZONE & SUGGESTED PLANT LIST

PLANTING LEGEND:

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	PHOENIX DACTYLIFERA DATE PALM	A	H: 80'-0" W: 30'-0"	10'-0" B.T.	LOW

PLANTING LEGEND: Large Shrub (Taller than 6'-0" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	AGAVE AMERICANA CENTURY PLANT	A	H: 8'-0" W: 10'-0"	5 GALLON	LOW
	ALOE ARBORESCENS TORCH ALOE	A	H: 8'-0" W: 10'-0"	5 GALLON	LOW

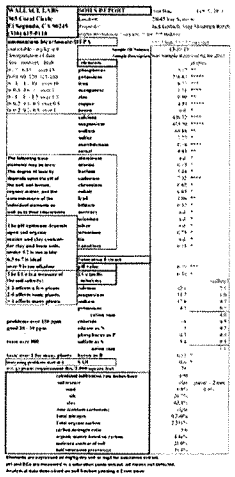
PLANTING LEGEND: Medium Shrubs (2'-0" -5'-0" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	SALVIA LEUCOPHYLLA PURPLE SAGE	A	H: 5'-0" W: 5'-0"	1 GALLON	LOW
	ALOE X SPINOSISSIMA 'STEHMAN' STEHMAN'S SPECIES ALOE	A	H: 2'-0" W: 4'-0"	5 GALLON	LOW
	SALVIA LEUCANTHA MEXICAN BUSH SAGE	A	H: 4'-0" W: 5'-0"	1 GALLON	LOW

PLANTING LEGEND: Groundcover (Equal or less than 12" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	MYRATCH BE	A	N/A	SOD	HIGH
	SENECIO SERINOIS BLUE CHUNSTICK	A	H: 10" W: 2'-0"	#1/QT @ 4'-0" O.C.	LOW
	HELIANTHEMUM APRICOT APRICOT SUN ROSE	A	H: 9"-12" W: 3'-0"	1 GALLON @ 4'-0" O.C.	LOW
	ACHILLEA TOMENTOSA COMMON YARROW	A	H: 6"-12" W: 12"	#1/ROSED	LOW
	TULBAGHIA VIOLACEA PROSTRATUM PROSTRATE GERANIOLUS	A	H: 4"-8" W: 3'-0"	1 GALLON @ 4'-0" O.C.	LOW
	SEDUM LINEARE VARIEGATUM CREAM & GREEN CARPET SEDUM	A	H: 6"-10" W: 3'-0"	#1/QT @ 4'-0" O.C.	LOW

* ALL PLANT SPACING PER FUEL MODIFICATION PLANT REFERENCE



WALLACE LABORATORIES, LLC
365 Coral Circle
El Segundo, CA 90245
phone (310) 615-0116 fax (310) 640-6463
February 5, 2013

Fax 310-914-8325
Jack Gorlach, Jack@sagemt.com
Sage Mountain Ranch
28400 Via Acero Street
Malibu, CA 90265

Dear Jack,

The soil is slightly acidic with a pH of 6.75. Salinity is low at 0.25 millimhos/cm.

Potassium, copper and magnesium are high. Phosphorus, nitrogen, boron and sulfur are low, iron and manganese are sufficient. Sodium is low. Calcium is high at 7 parts per million. High levels of exchange cations inhibit the metabolism of zinc. The levels of some plants nutrients in the presence of calcium. Grasses are expected to be fairly tolerant.

The soil texture is clay. The soil contains 49% sand, 26.7% silt and 24.4% clay.

Organic matter is good at 4.46% on a dry weight basis. The quality of the soil organic matter is good. The carbon nitrogen ratio is 8:1.

The estimated rate of water percolation based on Soil Water Characteristics version 6.02.74 model developed by Keith Saxton of the USDA is moderate at 0.90 inches per hour for normal soil compaction. The model is based on the soil texture, porosity gravel and percent soil organic matter.

Recommendations

Ground soil preparation for turf, ground cover and shrub areas. Broadcast the following materials uniformly. Per 1000 square feet. Incorporate them to approximately 6 inches deep

Calcium nitrate (15.5-0-0) - 10 pounds
Triple superphosphate (0-45-0) - 4 pounds
agricultural gypsum - 50 pounds

For preparation of backfill mix for bowed trees container plants, uniformly blend the following materials into clean mean and soil. Rates are per cubic yard.

Calcium nitrate (15.5-0-0) - 1.4 pound
Triple superphosphate (0-45-0) - 1.4 pound
agricultural gypsum - 1.5 pounds

For one maintenance, apply calcium nitrate (15.5-0-0) at 6 pounds per 1,000 square feet about once per quarter. Monitor the site with periodic testing. If the irrigation water has low boron, boron application may be needed. The natural nutrients can be monitored with leaf tissue testing. If zinc is needed, uniformly apply zinc sulfate at one ounce of a pound per 1,000 square feet or apply zinc EDTA (14% zinc) at half an ounce per 1,000 square feet dissolved in water and sprayed over the soil surface.

Sincerely,
Keith A. Wallace, Ph.D.
GAW/w

Soil Analysis Plant Analysis Water Analysis

EROSION CONTROL NOTES

1. ALL SLOPES, WHETHER NATURAL OR MANUFACTURED SHOULD BE PLANTED USING THE CONTOUR PLANTING METHOD, WITH ALTERNATING ROWS OF PLANTS ACROSS THE PROPERTY CONTOURS. THIS METHOD IS ALL BE USED FOR ALL CONTAINER PLANTS.
2. LARGE PLANTING AREAS SHALL BE TEMPORARY BUBBLER FLOOD/ROLL IRRIGATION.
3. IRRIGATION OF PLANTS ON SLOPES SHALL CONSIST PRIMARILY OF BUBBLERS OR DRIP IRRIGATION. SMALL AND ROTATE HEADS (SEE NOTES) MAY BE USED FOR LARGE OPEN AREAS OF GROUND COVERS. HOWEVER, THE HEADS MUST BE LAID OUT TO CONFORM WITH THE EARTH TERRACING TO AVOID RUN-OFF.

WEED ERADICATION

1. THREE MONTHS PRIOR TO PLANTING, THE PLANTING AREA SHALL BE IRRIGATED EVERY ON EVERY FOR THREE WEEKS, AND THE WEEDS WHICH EMERGE SHALL BE REMOVED, EITHER BY HAND, INCLUDING THE ROOTBALL, OR THROUGH THE USE OF "ROUND-UP." THIS PROCESS SHALL BE REPEATED TWICE PRIOR TO PLANTING OF THE PLANT MATERIALS SELECTED FOR THE PROJECT LANDSCAPE.

PLANTING PROCEDURES FOR NATIVE PLANTS

1. PLANTING PITS SHOULD BE THE SAME DEPTH AS THE SOIL IN THE PLANT CONTAINER AND ONE AND ONE-HALF TIMES AS WIDE AS THE CONTAINER.
2. DO NOT USE SOIL AMENDMENTS.
3. BACKFILL PLANTING PITS WITH NATIVE SOIL ONLY. WHEN PLANTING NATIVE PLANTS ON CUT OR FILL SLOPES, IMPORT NATIVE TOPSOIL FROM UNDISTURBED PORTIONS OF THE SITE FOR BACKFILL MIX. USE ONE-HALF IMPORTED NATIVE SOIL WITH ONE-HALF CUT OR FILL MATERIALS FOR BACKFILL MIX.
4. CREATE A BASIN AROUND THE ROOTBALL EDGES OF EACH PLANT TO CATCH AND DIRECT WATER TO THE PLANT ROOT MASS.
5. DO NOT DISTURB THE PLANT ROOTBALL DURING PLANTING.
6. ADD TWO TO THREE INCHES OF MULCH WITHIN PLANT BASIN.
7. DO NOT PLACE SOIL OR MULCH ON TOP OF THE CROWN OF THE ROOTBALL, PLANT STEM OR BRANCHES.
8. PLANTING OF NATIVE PLANTS SHOULD TAKE PLACE FROM LATE NOVEMBER TO AUGUST IN LATE MARCH ONLY. THE PLANTS MUST BE IRRIGATED THROUGH THE FIRST YEAR. GREAT CARE MUST BE TAKEN NOT TO OVIRWATER TO AVOID PLANT DEATH, AND TO REDUCE THE IRRIGATION FREQUENCY AND VOLUMES TO A MINIMUM REQUIRED FOR PLANT HEALTH AS SOON AS POSSIBLE AFTER PLANTING.

CITY OF MALIBU GUIDELINES

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU, ARE PROHIBITED.
2. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM PRIVATE PROPERTY AS MAY OCCUR THAT CAN BE DOCUMENTED BY THE PLANNING DIRECTOR.
3. NO NON-NATIVE PLANT SPECIES SHALL BE APPROVED GREATER THAN 85 FEET FROM THE RESIDENTIAL DEVELOPMENT.
4. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, AS DESCRIBED BY THE LOCAL IMPLEMENTATION PLAN, SHALL BE USED ON SHALLOW SLOPES OR WHERE SLOPES TO PLANTING ARE REQUIRED FOR SLOPES STABILIZATION, EROSION CONTROL, AND WILDFIRE HAZARD PROTECTION. PLANTS SHOULD BE SELECTED TO HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 6 FEET BETWEEN LARGE WOODY (>10 FT CANOPY) SHRUBS IS RECOMMENDED BY THE FIRE DEPT. LAWNS ARE PROHIBITED ON SLOPES >4%.
5. IN OTHER PLANTING AREAS, SUCH AS CONTOUR PLANTING AND TERRACING, ON OR FOR NO-MOWING, SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND PACE OF SURFACE RUNOFF IN ORDER TO PREVENT SOIL EROSION.
6. THE LANDSCAPE PLAN SHALL COMPLY WITH ALL SPECIAL CONDITIONS TO PRESERVE LAND HABITAT RESOURCES.
7. THE LANDSCAPE PLAN PROHIBITS THE USE OF BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSENATE.

STATEMENT OF COMPLIANCE

I HAVE COMPLIED WITH THE CRITERIA OF THE LANDSCAPE WATER CONSERVATION ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE (OR IRRIGATION, AS APPLICABLE) DESIGN PLAN.

PREPARED BY: JASON LEE, JASON LEE DESIGN STUDIO, INC.

JASON LEE, PRINCIPAL DATE
JASON LEE DESIGN STUDIO, INC.

SCALE: 1" = 30'

SAGE MOUNTAIN RANCH, LLC
28465 VIA ACERO ROAD
MALIBU, CA 90265

Owner:
SAGE MOUNTAIN RANCH, LLC
28400 VIA ACERO ROAD
MALIBU, CA 90265

Applicant / Contact:
Jack Gorlach
(310) 213-8648
28400 VIA ACERO ROAD
MALIBU, CA 90265

APN:
4467-003-014

Zoning:
RR-5

JLDS
Jason Lee Design Studio, Inc.
LANDSCAPE DESIGN
325 W 8th Street Suite 506 Los Angeles, CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com

Revisions	By	Date

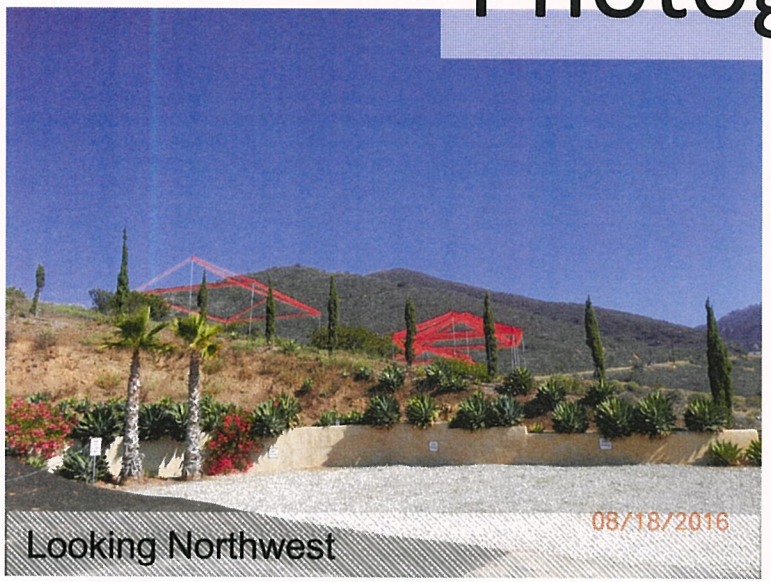
Submitted to:
CITY OF MALIBU
PLANNING DIVISION
CITY BIOLOGIST APPROVAL
DATE 11/26/13
PLANNING REVIEW NO. CUP 13-04
SIGNATURE
PRINT NAME
Any changes to the approved plans shall be submitted to the City Biologist for review and approval prior to implementation. This action does not constitute final approval of the Environmental and Community Development Department.

Job Number	1301
Design Staff	JL, MK
Project Manager	JL
Principal	JL

Landscape Planting Plan

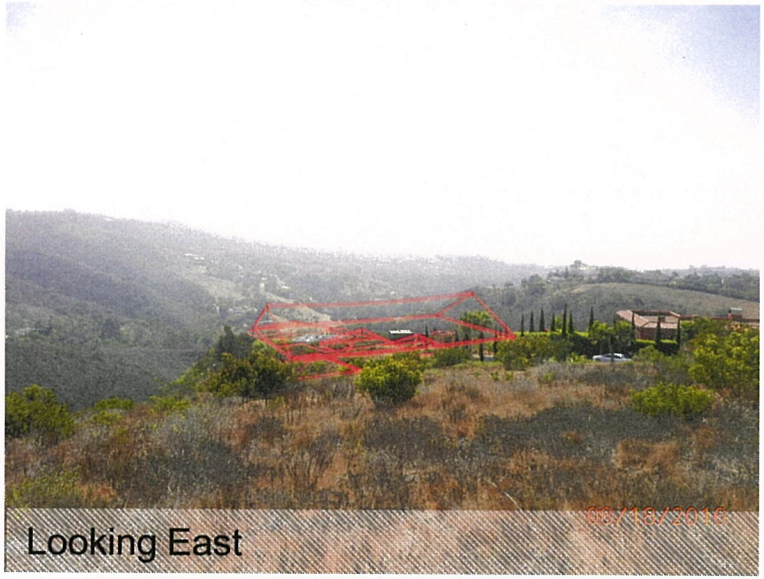
L2.0

Photographs

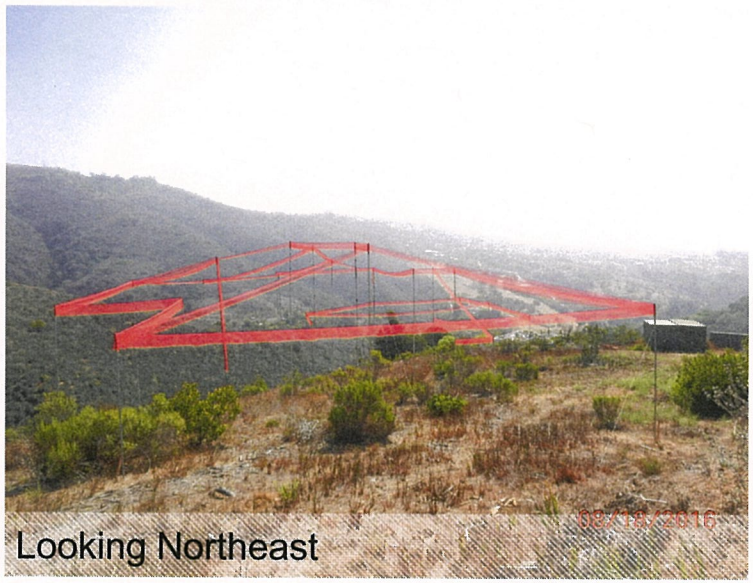


Looking Northwest

Looking South



Looking East



Looking Northeast

ATTACHMENT 2

FILE

City of Malibu

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

BIOLOGY REVIEW REFERRAL SHEET

Revised 10·8·13

TO: City of Malibu City Biologist DATE: ~~3/12/2013~~

FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 13-014, SPR 13-006, MM 13-005

JOB ADDRESS: 28465 VIA ACERO ST

APPLICANT / CONTACT: Jack Gerlach, Sage Mountain Ranch LLC

APPLICANT ADDRESS: 28460 Via Acero St
Malibu, CA 90265

APPLICANT PHONE #: (310)213-8848

APPLICANT FAX #: (310) 494-0325

APPLICANT EMAIL: jack.gerlach@gmail.com

PROJECT DESCRIPTION: NSFR, guest house, pool

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).

X 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 11/26/13

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: 28465 Via Acero Street
Applicant/Phone: Jack Gerlach/ 310.213.8848
Project Type: NSFR, guest house, pool
Project Number: ACDP 13-014
Project Planner: Adrian Fernandez
Previous Biological Review: Incomplete 5/7/13

REFERENCES: Biological Assessment (BioReg 10/13)

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 710,576 gallons per year. The Estimated Applied Water Use (EAWU) totals 245,824 gpy, thus meeting the Landscape Water Conservation Ordinance Requirements.\

2. A biological inventory initially prepared for this project indicated "possible" ESHA on site. The City Biologist questioned the determination and directed a full biological assessment be prepared. The more in depth assessment determined there is no ESHA on site. The City Biologist concurs with the full assessment evaluation and determination.

RECOMMENDATIONS:

1. The project is **APPROVED** with the following conditions:

   A. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

   Jonathan King
   Address: 23533 Civic Center Way, Malibu, CA 90265
   Email: JKING@DPW.LACOUNTY.GOV (preferred)
   Phone: (310) 317-1388

   B. 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.

C. Invasive plant species, as determined by the City of Malibu, are prohibited.

D. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

E. No non-native plant species shall be approved greater than 50 feet from the residential structure.

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

G. Grading should be scheduled only during the dry season from F 1-October 31st. If it becomes necessary to conduct grading activities from November 1 –March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

H. Grading scheduled between February 1 and August 30 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active.

I. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas.

J. Up-lighting of landscaping is prohibited greater than 25 feet from the primary residence.

K. Necessary boundary fencing shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40 inches high, and have a space greater than 14 inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

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: 11/26/13

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.

City of Malibu

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

4/17/15

TO: Public Works Department ~~DATE: 3/12/2013~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 13-014, SPR 13-006, MM 13-005, VAR 14-024,
JOB ADDRESS:	28465 VIA ACERO ST
APPLICANT / CONTACT:	Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS:	28460 Via Acero St Malibu, CA 90265
APPLICANT PHONE #:	(310) 213-8848
APPLICANT FAX #:	(310) 494-0325
APPLICANT EMAIL:	jack.gerlach@gmail.com
PROJECT DESCRIPTION:	NSFR, guest house, pool

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

4/29/15
DATE

Rev 120910

AF

City of Malibu
MEMORANDUM

To: Planning Department

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

Date: April 29, 2015

Re: Proposed Conditions of Approval for 28465 Via Acero, CDP 13-014

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

GRADING AND DRAINAGE

1. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. The applicant shall place a note on the plans that addresses this condition.

2. Grading permits shall not be issued between November 1 and March 31 each year LCP Section 17.2.1. Projects approved for grading permit shall not receive grading permits unless the project can be rough graded before November 1 **A note shall be placed on the project that addresses this condition.**

3. A Grading and Drainage plan shall be approved containing the following information prior to the Issuance of grading permits for the project.
   - Public Works Department General Notes
   - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
   - The limits of land to be disturbed during project development shall be delineated on the Grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of

Recycled Paper

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.
- Private storm drain systems shall be shown on the Grading plan.

STORMWATER

4. The Ocean between Latigo Point and the West City Limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation allows discharge of storm water only where it is essential for flood control or slope stability, including roof, landscape, road and parking lot drainage, to prevent soil erosion, only occurs during wet weather, and is composed of only storm water runoff. The applicant shall provide a drainage system that accomplishes the following:

    - Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
    - Prohibits the discharge of trash.
    - Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
    - Elimination of non-storm water discharges.

5. Prior to the approval of any permits and prior to the applicant submitting the required Construction General Permit documents to the State Water Quality Control Board, the applicant shall submit to the Public Works Department for review and approval an Erosion and Sediment Control Plan (ESCP). The ESCP shall contain appropriate site-specific construction site BMPs and developed and certified by a Qualified SWPPP Developer (QWD). All structural BMPs must be designed by a licensed California Engineer. The ESCP must address the following elements:

    - Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area.
    - Methods used to protect native vegetation and trees.
    - Sediment/Erosion Control.
    - Controls to prevent tracking on and off the site.
    - Non-storm water controls.
    - Material management (delivery and storage).
    - Spill Prevention and Control.
    - Waste Management

- Identification of site Risk Level as identified per the requirements in Appendix 1 of the Construction General Permit.
- Landowner must sign the following statement on the ESCP:
- "I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to update the ESCP to reflect current conditions, or failing to properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law."

6. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.

7. 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.

8. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
   - Site Design Best Management Practices (BMP's)
   - Source Control BMP's
   - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
   - Drainage Improvements
   - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.

- A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
- The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original singed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

9. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

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

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

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

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

AF

City of Malibu

PLANNING REVIEW

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	September 4, 2013	**Review Log #:**	**3471**
Site Address:	28465 Via Acero Street		
Lot/Tract/PM #:	n/a	**Planning #:**	**CDP 13-014**
Applicant/Contact:	Jack Gerlach, jack.gerlach@gmail.com	**BPC/GPC #:**	
Contact Phone #:	310-213-8848 **Fax #:** 310-494-0325	**Planner:**	**Adrian Fernandez**
Project Type:	New single-family residential development		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	GeoConcepts, Inc. (Barrett, CEG 2088; Walter, RGE 2476): **8-8-13**, 5-9-13, 2-26-13 GeoConcepts, Inc. (Barrett, CEG 2088): 12-14-12 Building plans prepared by Sage Mountain Ranch, LLC dated January 9, 2013. Preliminary Onsite Wastewater Treatment System (OWTS) plan prepared by EnSitu Engineering, Inc. dated January 17, 2013 Revised Grading plans prepared by Project Engineering Group (PEG) dated May 21, 2013.
Previous Reviews:	6-19-13, 4-5-13, Geotechnical Review Referral Sheet dated 3-13-13

Review Findings

Coastal Development Permit Review

☒ The residential project is **APPROVED** from a geotechnical perspective.

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

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced supplemental report was reviewed by the City from a geotechnical perspective. The project comprises a new 6,666 square foot two-story single-family residence and attached 3-car garage, 1,000 square

Guidelines for geotechnical reports (dated February 2002) are available on the City of Malibu web site: http://www.ci.malibu.ca.us/index.cfm?fuseaction=nav&navid=30.

foot guest house, 1,000 square foot barn, retaining walls, swimming pool, grading (1,500 yards of R & R; 207 yards of cut and 771 yards of fill under structure; 4,215 yards of cut for safety; 281 yards of cut and 600 yards of fill non-exempt; 883 yards of import; and 4,215 yards of export), a secondary access road/driveway, and a new onsite wastewater treatment system (OWTS) that consists of a treatment tank and one seepage pit (6' diameter x 30' B.I. with 10' cap) with 100% expansion.

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

Building Plan-Check Stage Review Comments:

1. Please pay the City a plan check fee of $910.00 for City geotechnical staff to review the building and OWTS plans.
2. Please provide to the City the results of the shear strength testing after grading to verify the compacted fill strengths. Include this comment as a note on the grading plans.
3. Please include the following note on the grading plans: "*The Project Engineering Geologist shall observe all cut slope excavations and provide additional recommendations if un-anticipated or unusual geotechnical conditions are encountered. Geologic conditions encountered during grading shall be included on the as-built geologic map.*"
4. Please provide design reports for the new OWTS for review.
5. 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.
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. The following note must appear on the grading and foundation plans: "*Tests shall be performed prior to pouring footings and slabs to evaluate the Expansion Index of the supporting soils, and foundation and slab plans should be reviewed by the Civil or Structural Engineer and revised, if necessary.*"
8. The Project Geotechnical Consultant recommends R & R grading beneath portions of the development as depicted on their cross-sections. No R & R grading is included on the grading plans. Please clarify and correct, as necessary.
9. Please depict limits and depths of over-excavation and structural fill to be placed on the grading plan, and cross sectional view of the proposed building area.
10. Two sets of final grading, retaining wall, OWTS, swimming pool, barn, guest house, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

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

Engineering Geology Review by:

Christopher Dean, C.E.G. #1751, Exp. 9-30-14
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

Date 9/4/13

Geotechnical Engineering Review by:

Kenneth Clements, G. E. # 2010, Exp. 6-30-14
Geotechnical Engineering Reviewer (805-563-8909)
Email: kclements@fugro.com

September 4, 2013
Date

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. One set of grading, retaining wall, barn, guest house, swimming pool, OWTS, and residence 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 Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Geotechnical Consultant, as appropriate.*"
4. 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.*"
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Geotechnical Consultant's recommendations.
6. Foundation setback distances from descending slopes shall be in accordance with Section 1808 of the Malibu Building Code, or the requirements of the Geotechnical Consultant's recommendations, whichever are more stringent. Show minimum foundation setback distances on the foundation plans, as applicable.
7. Show the onsite wastewater treatment system on the Site Plan.
8. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

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

Guidelines for geotechnical reports (dated February 2002) are available on the City of Malibu web site: http://www.ci.malibu.ca.us/index.cfm?fuseaction=nav&navid=30.

AK

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** ~~3/12/2013~~ 6/4/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER:	ACDP 13-014, SPR 13-006
JOB ADDRESS:	28465 VIA ACERO ST
APPLICANT / CONTACT:	Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS:	28460 Via Acero St Malibu, CA 90265
APPLICANT PHONE #:	(310)213-8848
APPLICANT FAX #:	(310) 494-0325
APPLICANT EMAIL:	jack.gerlach@gmail.com
PROJECT DESCRIPTION:	NSFR, guest house, pool

TO: Malibu Planning Department and/or Applicant

FROM: Andrew Sheldon, City Environmental Health Administrator

____ An Onsite Wastewater Treatment System (OWTS) Plot Plan approval IS NOT REQUIRED for the project.

✓ An OWTS Plot Plan approval IS REQUIRED for the project. DO NOT grant your approval until an approved Plot Plan is received. *

Todd E. Cooper
SIGNATURE

JULY 9, 2013
DATE

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System 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.

* REFER TO ENVIRONMENTAL HEALTH FINAL CONDITIONS AND PLOT PLAN DATED APRIL 16, 2013.

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
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FROM: City of Malibu Planning Department

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TO: Malibu Planning Department and/or Applicant

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✓ An OWTS Plot Plan approval IS REQUIRED for the project. DO NOT grant your approval until an approved Plot Plan is received.

SIGNATURE

APRIL 16, 2013
DATE

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System 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

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

April 16, 2013

Jack Gerlach
Sage Mountain Ranch, LLC
28460 Via Acero Street
Malibu, CA 90265

Subject: **28465 Via Acero Street, Malibu, California 90265; Environmental Health Conformance Review for New Single Family Residence, Guest House, Barn, and Alternative Onsite Wastewater Treatment System (CDP 13-014)**

Dear Mr. Gerlach,

On April 16, 2013, a **Conformance Review** was completed for the alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment 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, 2010 Edition, and the City of Malibu Ordinance No. 354 Amendments (MPC), and the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP). The following items shall be submitted prior to final approval:

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 OWTS Plot Plan shall show essential features of the AOWTS and must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **AOWTS Design Report and System Specifications:** A final design report, plan drawings, and system specifications shall be submitted as to AOWTS design basis and all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed alternative onsite wastewater disposal system. 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 report and drawings shall be submitted with the designer's wet signature, professional registration number, and stamp (if applicable).

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 (gpd), 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 (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 OWTS 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.

d. All final design drawings shall be submitted with the wet signature and typed name of the OWTS 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/or Planning.]

e. Provide structural protection of treatment tank and seepage pit lids in driveway. Submit plans and structural calculations for review and approval by Building and safety prior to Environmental Health final approval (see below).

3) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

4) **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.

5) **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***.

6) **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 onsite wastewater disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix K, Section 1(i). Said covenant shall be provided by the City of Malibu Environmental Health Specialist. ***Please submit a certified copy issued by the Los Angeles County Recorder.***

7) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval shall be submitted.

8) **City of Malibu Planning Division Approval:** City of Malibu Department of Environmental and Community Development, Planning Division final approval shall be obtained.

9) **Environmental Health Final Review Fee:** A final fee of **$654** shall be paid to the City of Malibu for Environmental Health for review of the AOWTS design and system specifications.

10) **Operating Permit Application and Fee:** In accordance with Section 103.5.2.1 of the MPC, an application shall be made to the Environmental and Building Safety Division for an OWTS operating permit. An operating permit fee of **$414** shall be submitted with the application.

28465 Via Acero Street
MALIBU, CA 90265

(CDP 13-014)

S.F.D.:	5 Bedroom/86 Fixture Units (N)
GUEST HOUSE:	2 Bedroom/18 Fixture Units (N)
BARN:	0 Bedroom/2 Fixture Units (N)
TREATMENT TANK:	MicroSepTec ES-12 EnviroServer Tank w/ Internal UV Disinfection Unit
ACTIVE:	1 - 6' x 30 BI w/ 10' Cap (N)
FUTURE:	1 - 6' x 29 BI w/ 10 Cap (N)
PERC RATE:	12,000 gpd (present projected; B-1) 11,850 gpd (future projected; B-2)
DESIGNER:	Ensitu (Yaroslaski, RCE 60149)
REFERENCE:	Ensitu: OWTS Design Report (01-11-13); Slutske: Percolation Test Report (10-19-12)

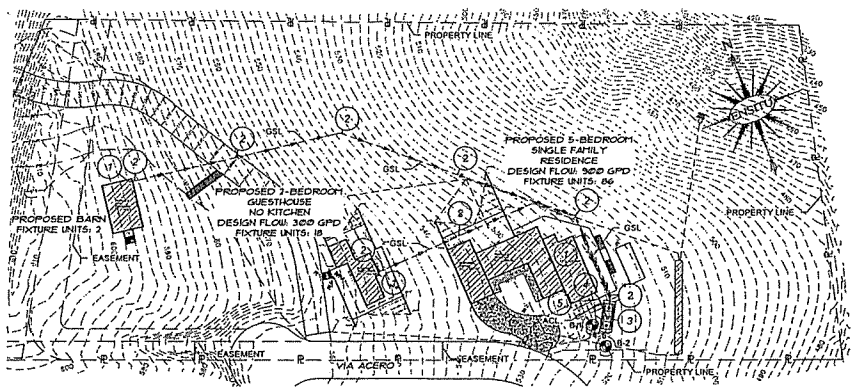
NOTES:

1. This conformance review is for a 5 bedroom (86 fixture units) new single family residence, 2 bedroom (18 fixture units), and barn (2 fixture units). The new alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).

2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.

3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

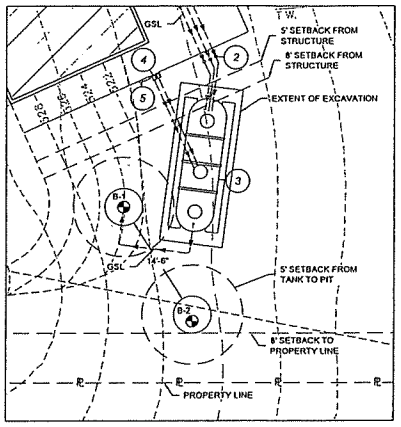
CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
APR 16 2013
SIGNATURE: Todd Eliason
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



SITE PLAN

0 100' 200'

SCALE: 1" =100'-0"



TREATMENT INSET

0 20' 40'

SCALE: 1" =20'-0"

NOTES:

1. 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.
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND 2009 UNIFORM PLUMBING CODE (UPC).
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS) SHALL BE INSTALLED IN ACCORDANCE WITH 2009 UNIFORM PLUMBING CODE.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH 2008 NATIONAL ELECTRIC CODE.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION, BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
7. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH REQUIREMENTS OF THE 2009 UNIFORM PLUMBING CODE (CHAPTER 9) AND AS OTHERWISE REQUIRED BY LOCAL CODES.
8. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION, MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
9. THERE IS NO EXISTING SEPTIC SYSTEM.

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1	3	CONNECTION TO BUILDING SEWER	
2	12	GRAVITY CLEAN-OUT	
3	1	TREATMENT TANK	MICROSEPTEC ES12
4	2	AIR COMPRESSOR	MICROSEPTEC
5	1	REMOTE TELEMETRY CONTROL UNIT	MICROSEPTEC

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
ACL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC

OWTS MAX. DESIGN CAPACITY

COMPONENT	CAPACITY
TREATMENT	1200 GPD / 7 BEDROOMS
DISPERSAL	11,850 GPD (EXPANSION) / 118 F.U.

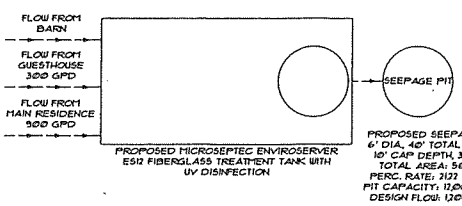
THESE PLANS SHOULD BE SENT TO ALL THE DESIGN CONSULTANTS FOR THE ABOVE PROJECT INCLUDING: ARCHITECT; STRUCTURAL ENGINEER; GEOLOGIST; GEOTECHNICAL ENGINEER; COASTAL ENGINEER; CIVIL ENGINEER; AND OTHERS

LEGEND

B-X BORING LOCATION (SEE "ONSITE WASTEWATER TREATMENT SYSTEM" REPORT DATED 12-14-2012 BY GEOCONCEPTS, INC.)

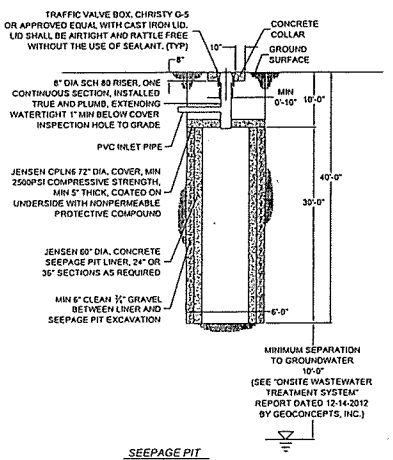
NOTES:

1. IF NATIVE GRADE IS CUT, MORE SEEPAGE PITS MAY BE REQUIRED.
2. CONCRETE COLLAR ONLY REQUIRED FOR TRAFFIC (H-20) APPLICATIONS



PROCESS SCHEMATIC

NO SCALE



SEEPAGE PIT

NO SCALE

PRELIMINARY
ISSUED
11 January 2013

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU ENGINEERING, INC.
"Dedicated to achieving higher"
REVISIONS
NO. DATE BY

28465 VIA ACERO
CONFORMANCE REVIEW 11x17
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER JOHN N. YAROSLASKI 60149 EXP. 06/2014 CIVIL STATE OF CALIFORNIA

DATE: JAN 2013
DESIGNED BY: JNY
DRAWN BY: ESC
CHECKED BY: JNY
JOB NO. 348-02
SHEET 1 OF 1

City of Malibu

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

RECEIVED
AUG 24 2016
PLANNING DEPT.

FIRE DEPARTMENT REVIEW
REFERRAL SHEET

TO: Los Angeles County Fire Department DATE: 3/12/2013
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-014
JOB ADDRESS: 28465 VIA ACERO ST
APPLICANT / CONTACT: Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS: 28460 Via Acero St
Malibu, CA 90265
APPLICANT PHONE #: (310)213-8848
APPLICANT FAX #: (310) 494-0325
PROJECT DESCRIPTION: NSFR, Guesthouse, Pool

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

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

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

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

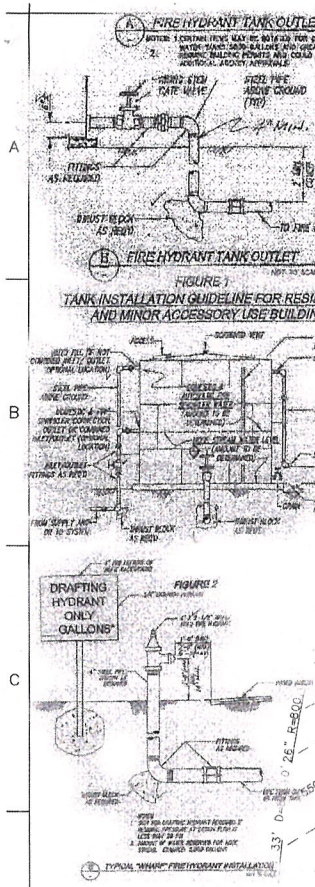
	App'd	N/app'd
Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project.	____	____
Required and/or proposed Fire Department Vehicular Turnaround	____	____
Required 5 foot wide Fire Department Walking Access (including grade %)	____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

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

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

JOHNNIE C LEE — April 23, 2015
SIGNATURE DATE

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



Sign-Detail

NO PARKING FIRE LANE

Provide approved signs or other approved notices or markings that include the words NO PARKING - FIRE LANE. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3.

When security gates are provided, maintain a minimum access width of __20__ feet. The security gate shall be provided with an approved means of emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. Gates shall be of the swinging or sliding type. Construction of gates shall be of materials that allow manual operation by one person. Fire Code 503.6

An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UNOBSTRUCTED 20' WIDTH CLEAR TO THE SKY, VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS. BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH. SUCH OPENINGS SHALL BE COVERED WITH CORROSION RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH. BUILDING CODE 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH. FIRE CODE 1118.12 BUILDING CODE 3102.3.6

UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS. BUILDING CODE 6403.5

ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION, OR NONCOMBUSTIBLE CONSTRUCTION. BUILDING CODE 6403.7, 6403.9

A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL OF OCCUPANCY. SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE AZUZA, CA. 91702-2904. 626 969-5205 FIRE CODE 1117.2.1

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 210.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD WIRED WITH BATTERY BACKUP SMOKE DETECTORS SHALL BE INTERCONNECTED. (INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE H-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON FLOOR PLAN)

WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24. (INDICATE ON DOOR SCHEDULE)

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONT THE PROPERTY. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND FIRE CODE 901.4.4

EGRESS DOORS SHALL BE READILY OPENABLE FROM TH EGRESS SIDE WITHOUT THE USE OF A SPECIAL KEY OR ANY SPECIAL KNOWLEDGE OR EFFOR. BUILDING CODE 1008.1.8

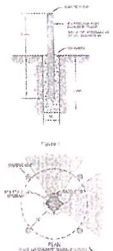
VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS. FIRE CODE 503.2.7

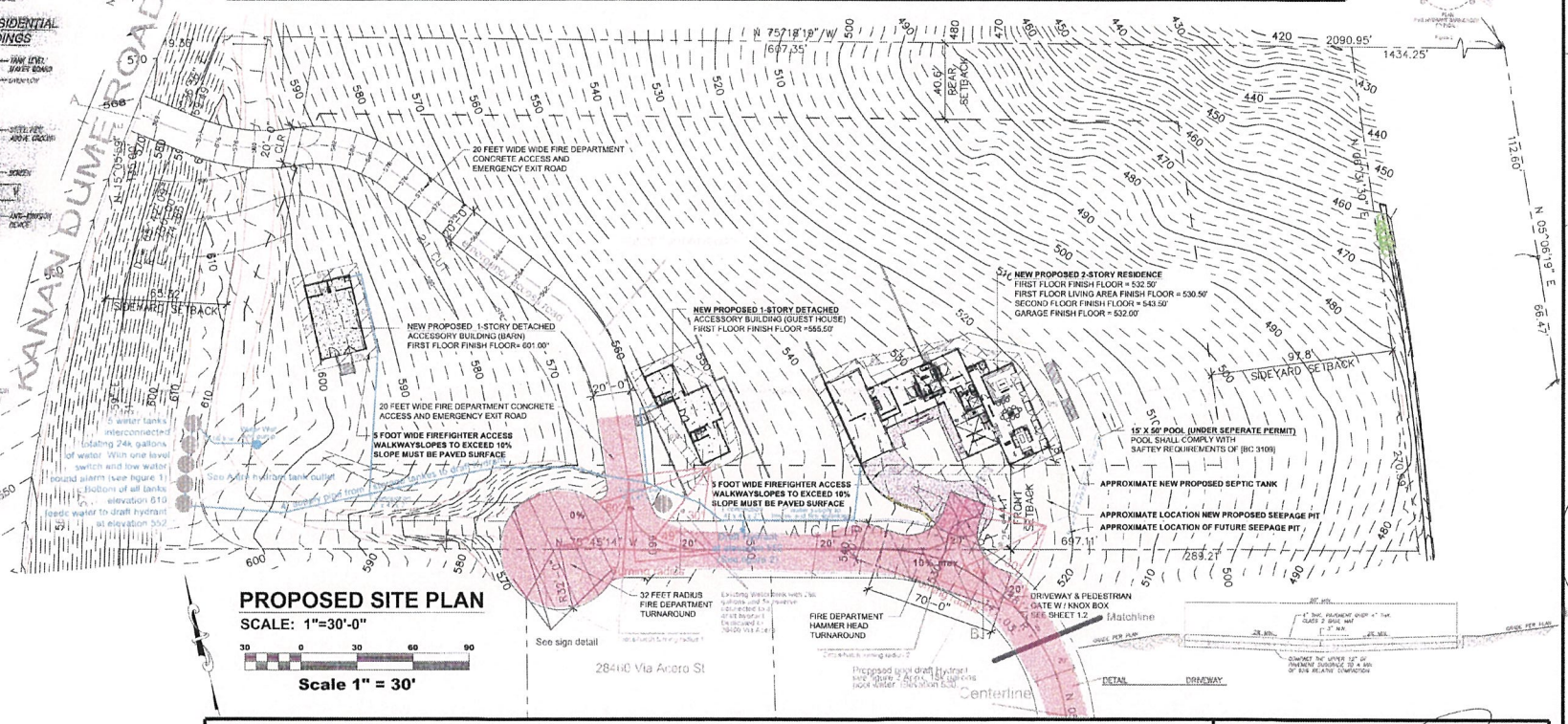
ROOF VALLEY FLASHINGS SHALL NOT BE LESS HTAN 0.019-INCH (NO# 26 GALVANIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-WIDE UNDERLAYMENT CONSISTING OF ONE LAYER NO. 72 ASTM CAP SHEET RUNNING THE FUN LENGTH OF THE VALLEY (FIRE CODE 4716.1.3)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4716.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3

Barricade/Clearance Details





PROPOSED SITE PLAN

SCALE: 1"=30'-0"

30 0 30 60 90

Scale 1" = 30'

PROJECT SUMMARY

APN: 4467-033-014

SCOPE OF WORK:
CONSTRUCT A NEW 2 STORY SINGLE FAMILY DWELLING WITH ATTACHED GARAGE / DETACHED ACCESSORY GUEST HOUSE / DETACHED ACCESSORY BARN

SEPERATE PERMITS: SWIMMING POOL, SPA AND PRIVATE SEWAGE DISPOSAL SYSTEM AND SITE RETAINING WALLS

ZONING: RR5

OCCUPANCY GROUP: R-3 (HOUSE) / U (GARAGE)

CONSTRUCTION TYPE: TYPE VB ; FIRE SPRINKLERED

CODES:

HAZARDS: VHFHSZ

LOT SIZE: 180,044 SQ FT. (4.13 ACRES) - GROSS AREA

34,849 SQ.FT. (0.8 ACRES) - GROSS AREA MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 2:1

SETBACKS: LOT IS 652' DEEP BY 270' WIDE

FRONT:	54.1'
REAR.	40.6'
SIDE:	65.2'
SIDE:	98.7'

IMPERMEABLE COVERAGE:

RESIDENCE:	8,666 SQ.FT.
HARDSCAPE:	8,234 SQ.FT.
	16,900 SQ.FT.

BUILDING AREA:

MAIN HOUSE

FIRST FLOOR	3,131	SQ.FT.
GARAGE	860	SQ.FT.
COVERED WALKWAY	954	SQ.FT.
GROSS FIRST FLOOR	**4,945**	**SQ.FT**
2/3 (-.67 X 4,945 =3,313.15)		
SECOND FLOOR	2,354	SQ.FT.
(1ST FLR. L.R./DINING ABOVE 18')	400	SQ.FT.
SECOND FLOOR-BALCONY	78	SQ.FT.
GROSS SECOND FLOOR	**2,832**	**SQ.FT.**
(TOTAL GROSS 1ST & 2ND FLR.)	**7,777**	**SQ.FT.**
GUEST HOUSE (ACCESSORY	900	SQ.FT.
BARN (ACCESSORY	1,000	SQ.FT.
GROSS TOTAL BUILDING	9,677	SQ.FT.

TOTAL DEVELOPMENT S.F.
ALLOWABLE= 9,719 SQ.FT.

PROJECT CONSULTANTS

OWNER:
SAGE MOUNTAIN RANCH, LLC
28460 VIA ACERO ROAD
MALIBU, CALIFORNIA 90265
PHONE: (310) 213-8848

CIVIL ENGINEER (GRADING & DRAINAGE FOR THE RESIDENCE):
PROJECT ENGINEERING GROUP
15335 MORRISON STREET
SHERMAN OAKS, CALIFORNIA 91403
PHONEI (818) 784-8110 FAX: (818) 784-8116

GEOTECHNICAL ENGINEER & GEOLOGIST:
GEOCONCEPTS, INC.
14428 HAMLIN STEET #200
VAN NUYS, CALIFORNIA 91401
PHONE: (818) 904-8895

PROPERTY OF THE COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
APPROVED
ACCESS REQUIREMENTS ONLY
By Lonnie Melcher
Fire Prevention Engineer
April 23, 2015

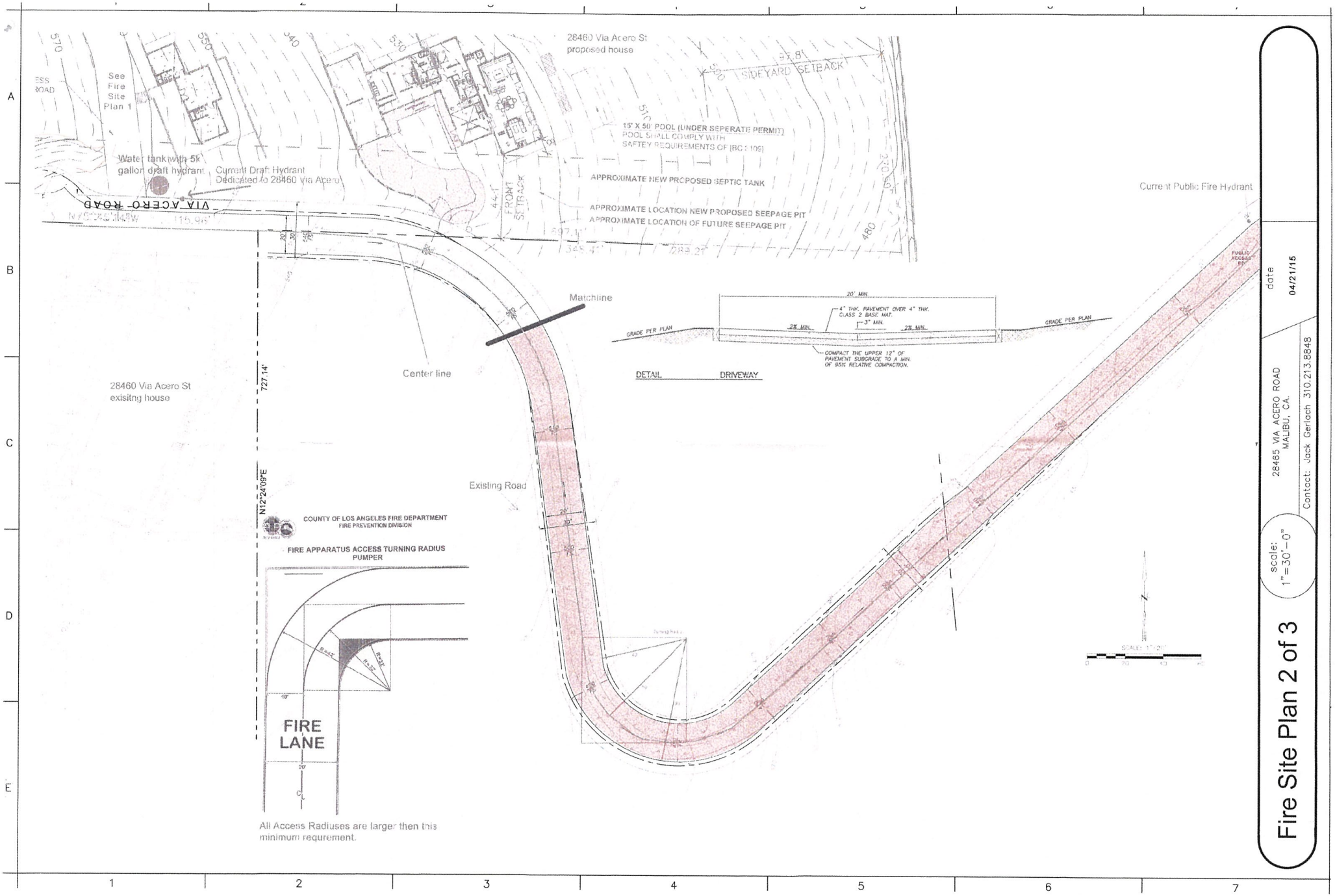
RECEIVED
SEP 07 2016
PLANNING DEPT.

date 04/21/15

28465 VIA ACERO ROAD
MALBU, CA.
Contact: Jack Gerlach 310.213.8848

scale: 1" =30'-0"

Fire Site Plan 1 of 3


28460 Via Acero St
proposed house
SIDEYARD SETBACK
See Fire Site Plan 1
Water tank with 5k gallon draft hydrant
Current Draft Hydrant Dedicated to 28460 Via Acero
15' X 50' POOL (UNDER SEPERATE PERMIT)
POOL SHALL COMPLY WITH SAFTEY REQUIREMENTS OF [BC 109]
APPROXIMATE NEW PROPOSED SEPTIC TANK
APPROXIMATE LOCATION NEW PROPOSED SEEPAGE PIT
APPROXIMATE LOCATION OF FUTURE SEEPAGE PIT
FRONT SETBACK
VIA ACERO ROAD
Current Public Fire Hydrant
Matchline
Center line
28460 Via Acero St
exisitng house
727.14'
N12°24'09"E
Existing Road
20' MIN.
4" THK. PAVEMENT OVER 4" THK. CLASS 2 BASE MAT.
3" MIN.
2% MIN.
GRADE PER PLAN
COMPACT THE UPPER 12" OF PAVEMENT SUBGRADE TO A MIN. OF 95% RELATIVE COMPACTION.
DETAIL DRIVEWAY
COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
FIRE APPARATUS ACCESS TURNING RADIUS
PUMPER
FIRE LANE
All Access Radiuses are larger then this minimum requirement.
Fire Site Plan 2 of 3
Scale: 1"=30'-0"
date 04/21/15
28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FORESTRY DIVISION, NORTH
1320 NORTH EASTERN AVENUE, LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OLIVER
FIRE CHIEF
FORESTER AND FIRE WARDEN

March 18, 2015

Jack Gerlach
28465 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach

This is in response to your revised appeal letter dated March 11, 2015, requesting Fire Department acceptance of an alternate method of protection for the proposed residence located at 28465 Via Acero Street, Malibu. A key of compliance with our minimum fire flow requirements as specified in the 2014 County of Los Angeles Fire Code, Appendix B Table B105.1. The basis for your request is compliance from the water purveyor stating that the property cannot be served by the existing water facilities.

Fire Code Chapter 5, Section 507.1, stipulates that an approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which buildings are constructed. Additionally, Fire Code Chapter 5, Section 507.4, states the fire code official shall be provided with approved documentation of the water supply test prior to final approval of the water supply system, in accordance with the Table B105.1 in the Fire Code, a 2,777 square foot hall to dry residence including the attached garage requires 800 square foot road house and 1,000 square feet barn has a required fire flow of 2,500 gallons per minute at 20 psi, for a 2-hour duration. A reduction in required fire flow of up to 50 percent may be allowed when the building is provided with an approved automatic fire sprinkler system down to a minimum of 1,750 gallons per minute.

The Fire Code does not allow the Department to waive requirements and requires that any alternative method of protection comply with the intent of the code and be at least equivalent to that prescribed in the Fire Code in quality, strength, effectiveness, fire resistance, durability, and safety.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF

AGOURA HILLS, ARCADIA, BARTLETT, BRADBURY, CALABASAS, CARSON, CERRITOS, CLAREMONT, COMMERCE, DIAMOND BAR, DUARTE, EL MONTE, GARVEY, HIDDEN HILLS, IRWINDALE, LA CANADA FLINTRIDGE, LA MIRADA, LA PUENTE, LAKEWOOD, LANCASTER, LOMITA, LYNWOOD, MALIBU, NORWALK, PALMDALE, PALOS VERDES ESTATES, RANCHO PALOS VERDES, ROLLING HILLS, ROLLING HILLS ESTATES, SANTA CLARITA, SIERRA MADRE, SOUTHGATE, TEMPLE CITY, WALNUT, WEST HOLLYWOOD, WHITTIER

Jack Gerlach
March 18, 2015
Page 2

However, as the Fire Department has been informed by Los Angeles County Waterworks District No. 29, Malibu, (District) that the parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Additionally, the District has confirmed that there are no plans to construct the required facilities that would be capable of meeting the required fire flow and have desired water service to the parcel based on the above mentioned elevation differential.

Therefore, alternatively, the subject project may be approved based on obtaining a private private water supply with the following conditions:

1. Provide a minimum 20,000 gallon private on-site water storage tank. The tank shall be supplied from a private on-site well that is certified sustainable by the Department of Public Health and meet all required health standards. Your proposal to fill the tank by using an existing off-site water meter is not acceptable. Los Angeles County Waterworks District No. 29, Malibu (District) has informed the Fire Department that the off-site water meter is for irrigation purposes only. The installation a 24,000 gallon water storage tank is acceptable. The tank shall be installed in accordance with the following:

   a. The tank shall have a connection to a supply source to refill the tank system automatically.

   b. Where a well, pump, tank or combination thereof is the source of supply for the fire sprinkler system, the water supply must serve both domestic and fire sprinkler systems.

   c. Water tanks must be in good condition and constructed of steel, redwood, concrete or approved UV protected plastic.

   d. When the tank diameter or height is 1.5 times greater than the dimension of the tank's diameter, a building permit must be obtained from the jurisdictional Building and Safety office.

   e. The storage tank must be installed, inspected and accepted by the Fire Department and jurisdictional Building Department prior to any building permit being issued for the residence.

   f. Multiple tanks, if used, shall be piped together in such a manner as to drain equally.

Jack Gerlach
March 18, 2015
Page 3

2. Supply piping requirements:

   a. The highest connection will be made a minimum of six inches above the bottom of the tank. The 6" measurement shall be measured from the tank base to the bottom of the supply pipe. A readily accessible indicating control valve shall be provided for the line at the tank.

   b. A minimum 4" piping shall be used to supply the hydrant.

   c. The pipe may be flexible, but only where buried. Pipe exposed to sunlight or above grade shall be protected metal.

   d. The depth of burial for underground pipe shall be a minimum of 30" with a minimum of 36" where subject to vehicular travel.

   e. Piping, thrust blocks, footings, or approved retaining glands shall be provided per NFPA 13 and NFPA 24.

   f. Tanks shall be located on the subject property. Supply piping shall not cross property lines.

3. Hydrant requirements:

   a. A single 2½" male female National Standard Thread outlet shall be provided whenever a tank is installed.

   b. The hydrant outlet shall provide unobstructed access from the public road, or within five feet of the access roadway on the approach side of the structure and unobstructed within 10 feet on each side of the outlet.

   c. The hydrant outlet shall be between 18 and 150 feet from the closest point of the structure measured via vehicular access.

   d. The hydrant outlet shall be gravity fed. The hydrant shall be a minimum of one foot below the grade level of the tank for every 10 feet of supply pipe. The supply pipe shall have a continuous downward gravity flow.

   e. The hydrant outlet shall be located 14 to 24 inches above finished grade as measured from the middle of the outlet.

   f. A three foot square by one foot thick horizontal concrete pad shall be provided at grade around the hydrant to provide stability to the hydrant during Department operations.

Jack Gerlach
March 18, 2015
Page 4

4. Provide an approved interior automatic fire sprinkler system throughout the residence the attached garage, guest house and barn and in all connected buildings in accordance with NFPA 13 with a minimum four hour hydraulic calculation.

For your final Fire Department approval, you must submit complete architectural plans to the Calabasas Fire Prevention Office and comply with all conditions of approval that result from the plan review.

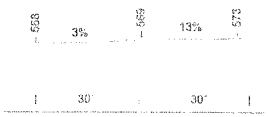
If you have any further questions, please feel free to contact Mr. James Dabney, Engineering Section Chief, at (323) 890-4132.

Sincerely

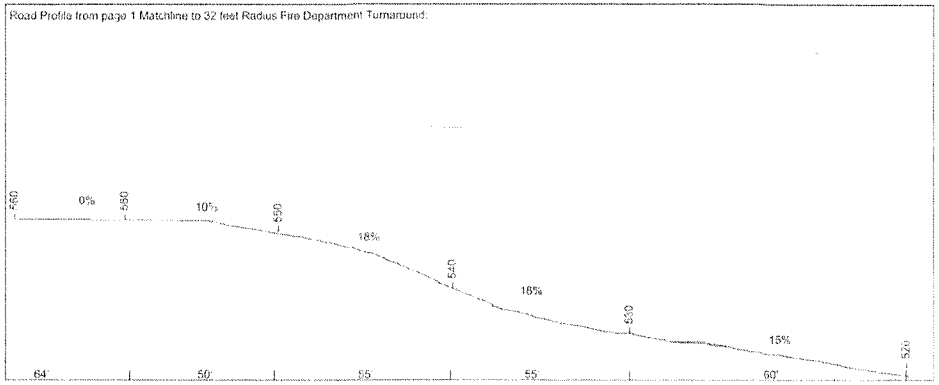
ASSISTANT FIRE CHIEF PHILIP COCKER
FIRE MARSHAL
FIRE PREVENTION DIVISION

PC:cm

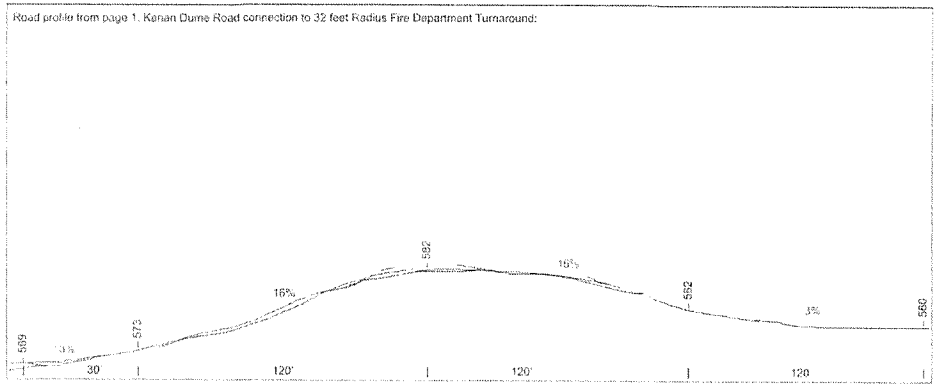
Road Profile from Kanan Dume Road to private emergency access road.



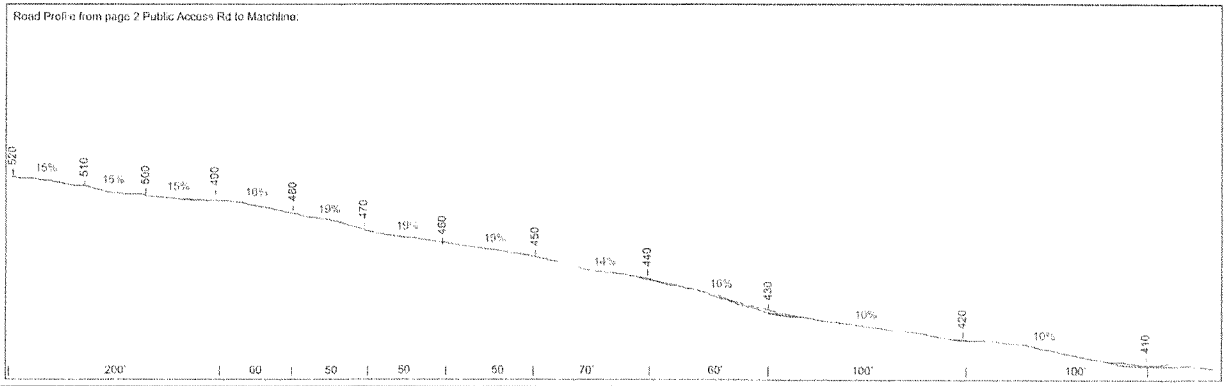
Road Profile from page 1 Matchline to 32 feet Radius Fire Department Turnaround:



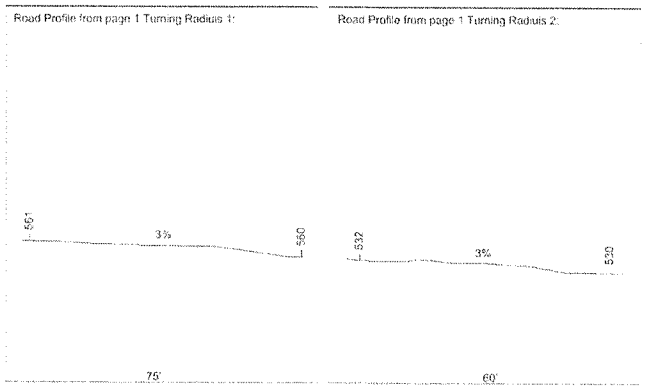
Road profile from page 1. Kanan Dume Road connection to 32 feet Radius Fire Department Turnaround:



Road Profile from page 2 Public Access Rd to Matchline:



Road Profile from page 1 Turning Radius 1:



Road Profile from page 1 Turning Radius 2:

Fire Site Plan 3 of 3

scale: 1" = 30'-0"

date 04/21/15

28465 VIA ACERO ROAD
MALIBU, CA.

Contact: Jack Gerlach 310.213.8848

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

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

IN REPLY PLEASE
REFER TO FILE WW-3

January 7, 2015

Mr. Jack Gerlach
Sage Mountain Ranch LLC
28460 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach:

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU
WATER SERVICE TO ASSESSOR PARCEL NO. 4467-033-014
28465 VIA ACERO STREET, MALIBU

This is in response to your recent correspondence regarding water service from the Los Angeles County Waterworks District No. 29, Malibu, to Assessor Parcel No. 4467-033-014. The Waterworks District hereby denies water service as your parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone. .In accordance with the Rules and Regulations of the Los Angeles County Waterworks Districts and the Marina del Rey Water System, Rule 1-C-1c (copy enclosed), the District has the right to deny water service if "no water system exists" in the area of the property requesting new water service.

Alternatively, you may propose a conceptual plan to extend the public water system to your property and submit this plan to the District for review. If the District accepts the conceptual plan and it meets the Fire Department's requirements, the applicant must agree in writing to finance the construction of new water system facilities in order for the District to issue a Will-Serve Letter for your proposed development.

It is important to note that when the needed improvements benefit other vacant properties, the applicant who finances the water system improvements may establish a right to future financial participation by other applicants by filing a Letter of Participation with the District. During the 10-year period commencing from the date of formal transfer of the water system improvements to the District, additional applicants must reimburse the original applicant their pro rata share of the cost of the improvements.

If you have any questions, please contact Mr. Ramy Gindi at (626) 300-3349 or rgindi@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

for ADAM ARIKI
Assistant Deputy Director
Waterworks Division

RG:dvt
LTS938

Enc.

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

March 18, 2015

Jack Gerlach
28460 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach:

This is in response to your revised appeal letter dated March 11, 2015, requesting Fire Department acceptance of an alternative method of protection for the proposed residence located at 28465 Via Acero Street, Malibu, in lieu of compliance with the minimum fire flow requirements as specified in the 2014 County of Los Angeles Fire Code, Appendix B, Table B105.1. The basis for your request is correspondence from the water purveyor stating that the property cannot be served by the existing water facilities.

Fire Code Chapter 5, Section 507.1, specifies that an approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which buildings are constructed. Additionally, Fire Code Chapter 5, Section 507.4, states the fire code official shall be provided with approved documentation of the water supply test prior to final approval of the water supply system. In accordance with the Table B105.1 in the Fire Code, a 7,777 square foot two story residence including the attached garage, detached 900 square foot guest house and 1,000 square foot barn has a required fire flow of 2,500 gallons per minute at 20 psi, for a 2-hour duration. A reduction in required fire flow of up to 50 percent may be allowed when the building is provided with an approved automatic fire sprinkler system down to a minimum of 1,250 gallons per minute.

The Fire Code does not allow the Department to waive requirements and requires that any alternative method of protection comply with the intent of the code and be at least equivalent to that prescribed in the Fire Code in quality, strength, effectiveness, fire resistance, durability, and safety.

However, in this case the Department has been informed by Los Angeles County Waterworks District No. 29, Malibu (District) that the parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Additionally, the District has confirmed that there are no plans to construct the required facilities that would be capable of meeting the required fire flow and has denied water service to the parcel based on the above mentioned elevation differences.

Therefore, alternatively, the subject project may be approved based on obtaining a local private water supply with the following conditions:

1. Provide a minimum 20,000 gallon private on-site water storage tank. The tank shall be supplied from a private on-site well that is certified sustainable by the Department of Public Health and meet all required health standards. Your proposal to fill the tank by using an existing off-site water meter is not acceptable. Los Angeles County Waterworks District No. 29, Malibu (District) has informed the Fire Department that the off-site water meter is for irrigation purposes only. The installation a 24,000 gallon water storage tank is acceptable. The tank shall be installed in accordance with the following:

    a. The tank shall have a connection to a supply source to refill the tank system automatically.

    b. Where a well, pump, tank or combination thereof is the source of supply for the fire sprinkler system, the water supply shall serve both domestic and fire sprinkler systems.

    c. Water tanks must be in good condition and constructed of steel, redwood, concrete or approved UV protected plastic.

    d. When the tank's dimension in height is 1.5 times greater than the dimension of the tank's diameter, a building permit must be obtained from the jurisdictional building and safety office.

    e. The storage tank must be installed, inspected, and accepted by the Fire Department and jurisdictional Building Department prior to any building permit being issued for the residence.

    f. Multiple tanks, if used, shall be piped together in such a manner as to drain equally.

2. Supply piping requirements:

   a. The hydrant connection shall be made a minimum of six inches above the bottom of the tank. The 6" measurement shall be measured from the tank base to the bottom of the supply pipe. A readily accessible indicating control valve shall be provided for this line at the tank.

   b. A minimum 4" piping shall be used to supply the hydrant.

   c. The pipe may be plastic, but only where buried. Pipe exposed to sunlight or above grade shall be protected metal.

   d. The depth of bury for underground pipe shall be a minimum of 30" with a minimum of 36" where subject to vehicular travel.

   e. Piping, thrust blocks, rodding, or approved retaining glands shall be provided per NFPA 13 and NFPA 24.

   f. Tanks shall be located on the subject property. Supply piping shall not cross property lines.

3. Hydrant requirements:

   a. A single 2½" male National Standard Thread outlet shall be provided whenever a tank is installed.

   b. The hydrant outlet shall have unobstructed access from the public road, be within five feet of the access roadway on the approach side of the structure and unobstructed within 15 feet on each side of the outlet.

   c. The hydrant outlet shall be between 50 and 150 feet from the closest point of the structure measured via vehicular access.

   d. The hydrant outlet shall be gravity fed. This outlet shall be a minimum of one-foot below the grade level of the tank for each 100 feet of supply pipe. This supply pipe must have a continuous downward gravity feed.

   e. The hydrant outlet shall be located 14 to 24 inches above finished grade as measured from the middle of the outlet.

   f. A three-foot square by one-foot thick horizontal concrete pad shall be provided at grade around the hydrant to provide stability to the hydrant during Department operations.

4. Provide an approved interior automatic fire sprinkler system throughout the residence the attached garages, guest house and barn and in all concealed spaces in accordance with NFPA 13 with a maximum four head hydraulic calculation.

For your final Fire Department approval, you must submit complete architectural plans to the Calabasas Fire Prevention Office and comply with all conditions of approval that result from the plan review.

If you have any further questions, please feel free to contact Mr. James Bailey, Engineering Section Chief, at (323) 890-4132.

Sincerely,

Philip Cocker

ASSISTANT FIRE CHIEF PHILIP COCKER
FIRE MARSHAL
FIRE PREVENTION DIVISION

PC:em

Notice Continued...

PUBLIC COMMENT PERIOD — Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Department at any time prior to the issuance of a decision. Anyone with concerns or questions about the application is urged to contact the case planner prior to the decision date. Contact Stephanie Hawner at shawner@malibucity.org, by phone at (310) 456-2489 extension 276, or by mail as indicated on the front of this notice.

NOTICE OF DECISION — On or after **September 13, 2016**, the Planning Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 1000 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

LOCAL APPEAL — Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1 (Local Appeals), a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. Should a decision be issued on **September 13, 2016, the appeal period would expire on Friday, September 23, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, ext. 245.

REPORTING – The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on **September 19, 2016.** Copies of the agenda report, including the approved or denied permit, will be available at the meeting and also provided to all those persons wishing to receive such notification. An approved permit shall not become effective until completion of the Planning Commission reporting.

If there are any questions regarding this notice, please contact Carlos Contreras, Associate Planner, at (310) 456-2489 extension 265.

Date: **August 18, 2016**

By: Bonnie Blue
Planning Director

Attachment 6

Notice of Application

City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

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

NOTICE OF APPLICATION

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

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005 - An application for the construction of a new two-story, single-family residence with a detached guest house and barn, covered patios, second floor deck, swimming pool, a second driveway to Kanan Dume Road for emergency use only, and installation of a new alternative onsite wastewater treatment system, including a minor modification for a less than 50 percent reduction of the required front yard setback and a site plan review for construction over 18 feet in height

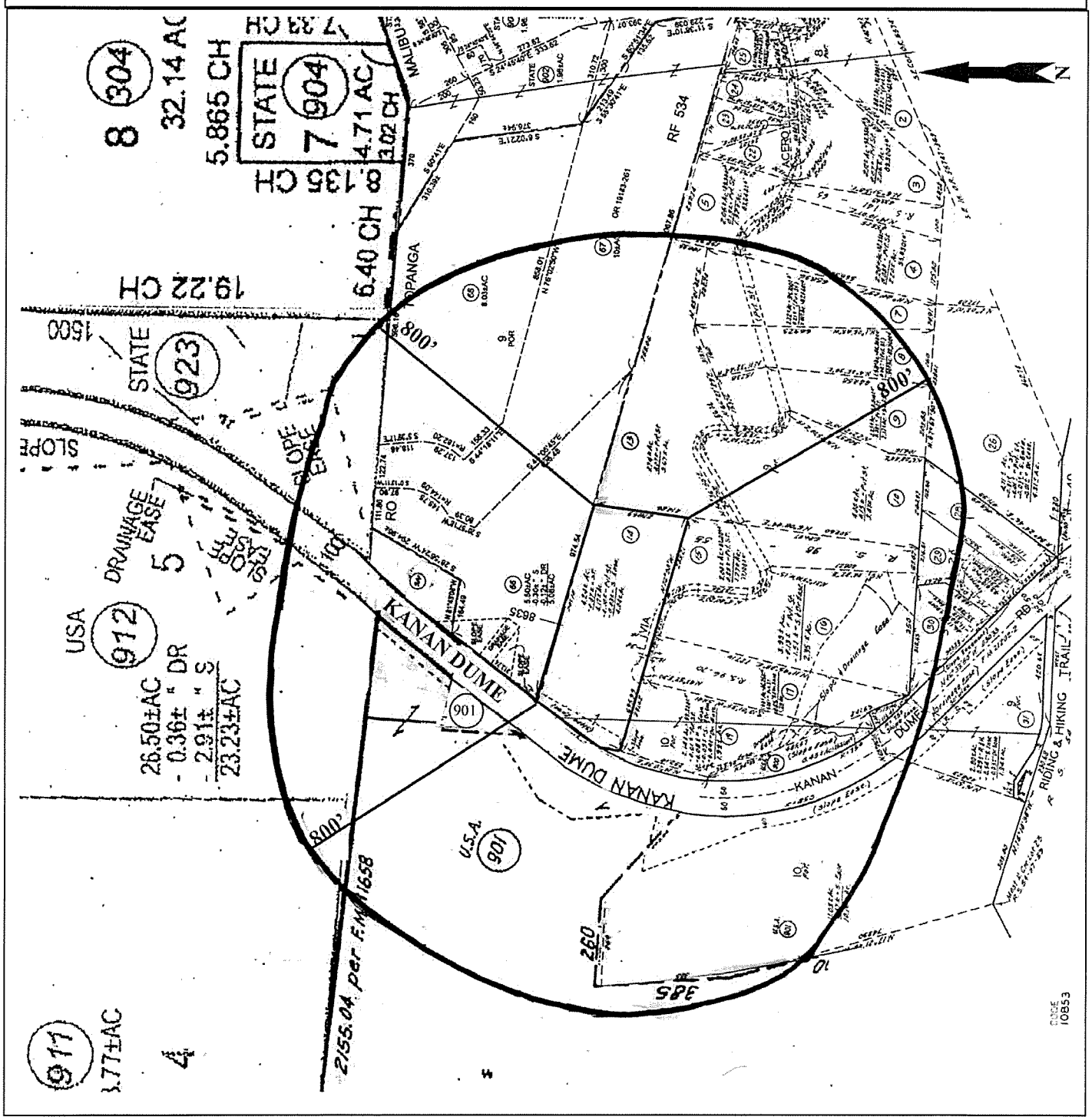
LOCATION:	28465 Via Acero Street, not within the appealable coastal zone
APN:	4467-033-014
ZONING:	Rural Residential–Five Acre (RR-5)
APPLICANT/OWNER:	Sage Mountain Ranch, LLC
APPLICATION FILED:	March 12, 2013
CASE PLANNER:	Carlos Contreras Associate Planner (310) 456-2489 ext. 265 ccontreras@malibucity.org

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

Advanced Listing Services Inc
Ownership Listings & Radius Maps
P.O. Box 2593 • Dana Point, CA • 92624
Office: (949) 361-3921 • Cell: (949) 310-6869
www.Advancedlisting.com denise@advancedlisting.com

Subject APN: 4467-033-014
500' Radius (extended to 800')

Address: 28460 VIA ACERO ST
MALIBU CA 90265



Notice Continued...

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

REPORTING — Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **August 19, 2016** Planning Commission Meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to the California Code of Regulations Section 13153.

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

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals), a decision or any portion of the decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **September 23, 2016 at 4:30 p.m.** The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, ext. 245.

If there are any questions regarding this notice, please contact Carlos Contreras, Associate Planner, at (310) 456-2489, extension 265.

Date: September 8, 2016

By: Bonnie Blue
Planning Director

Notice of Decision

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

PLANNING DEPARTMENT

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

NOTICE OF DECISION

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

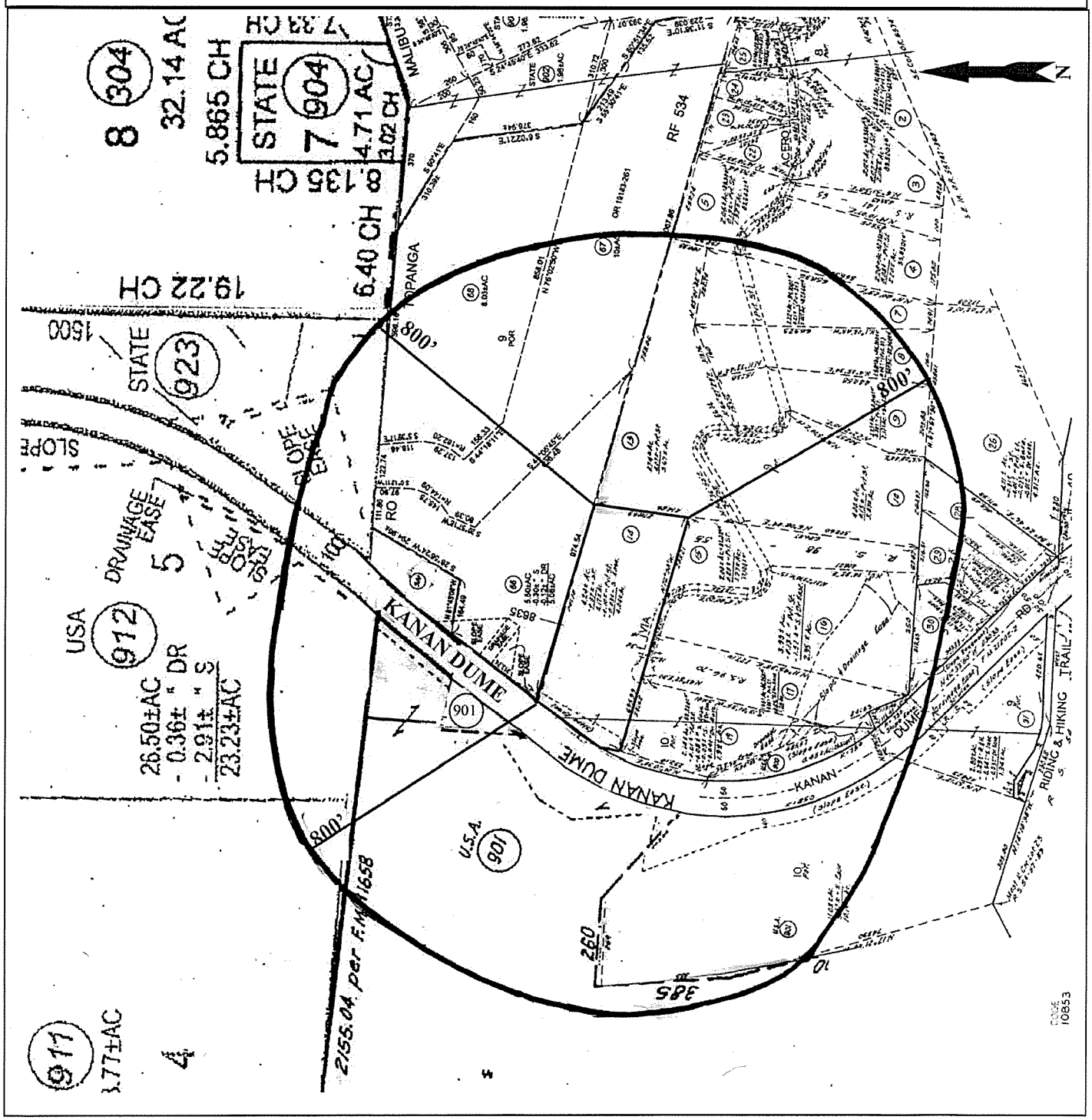
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005 – An application for the construction of a new two-story, single-family residence with a detached guest house and barn, covered patios, second floor deck, swimming pool, water well, and installation of a new alternative onsite wastewater treatment system, including a minor modification for a less than 50 percent reduction of the required front yard setback and a site plan review for construction over 18 feet in height

LOCATION:	28465 Via Acero Street, not within the appealable coastal zone
APN:	4467-033-014
ZONING:	Rural Residential-Five Acre (RR-5)
APPLICANT:	Don Schmitz
OWNER:	Thilo Kuther
APPLICATION FILED:	March 12, 2013
ISSUE DATE:	September 13, 2016
CASE PLANNER:	Carlos Contreras Associate Planner ccontreras@malibucity.org (310) 456-2489, ext. 265

Advanced Listing Services Inc
Ownership Listings & Radius Maps
P.O. Box 2593 • Dana Point, CA • 92624
Office: (949) 361-3921 • Cell: (949) 310-6869
www.Advancedlisting.com denise@advancedlisting.com

Subject APN: 4467-033-014
500' Radius (extended to 800')

Address: 28460 VIA ACERO ST
MALIBU CA 90265



RAMIREZ CANYON PRESERVATION FUND
5969 Ramirez Canyon road
Malibu, CA 90265

Ramirez Canyon Association, Inc.
5924 Ramirez Canyon Road
Malibu, CA 90265

September 6, 2016

Ms. Bonnie Blue
Planning Director
City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Alternate Access and Trail Easement Dedication for CDP 13-014, Site Plan Review 13-006 and Minor Modification 13-005 located at 28465 Via Acero

Dear Director Blue:

The Ramirez Canyon Preservation Fund is dedicated to ensuring that the residential integrity of Ramirez Canyon is preserved and that the Canyon is protected from overdevelopment and overuse. The Ramirez Canyon Association is primarily responsible for maintaining the safety and viability of Ramirez Canyon Road. We are writing in reference to Coastal Development Permit Application No. 13-014 located at 28465 Via Acero in Ramirez Canyon.

In 2015 the applicant's proposed project included the construction of an "emergency access" to his property from Kanan Dume. Although this emergency access is not a part of this application *at this time* we want to make it clear, once again, that there is no neighborhood support for such an alternate driveway for his property whether it be referred to as an emergency exit or by any other name. This desire for an alternate entrance into our neighborhood from a major thoroughfare, Kanan Dume road, would have a severely negative impact on our neighborhood. Should this access ever be put back into the project, it is our desire that the City know that it is not supported by the residents of Ramirez Canyon. We have also attached a previous letter written on this subject for this property dated April 22, 2015. This letter details the neighborhood organizations' position on this desire for the applicant, whether it is part of the project now or not as we suspect that desire may resurface in the future.

Ramirez Canyon is one of the last truly rural communities in the City of Malibu. Part of its charm and peaceful character derives from the fact that it is protected from the very large volume of traffic that comes into the small City of Malibu each year. This proposed access to the neighborhood from Kanan Dume Road would essentially open up the neighborhood to a high speed, high volume thoroughfare. Although the proposed access road is described as being for the sole use of the property owner, once built there will be no control over who enters the neighborhood other than by that individual property owner or future property owner. This

opening to traffic could seriously disrupt the rural, peaceful character of the neighborhood and it is not supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association.

Although there is no offer to dedicate a public trail easement as part of this project at this time, we would like to re-state that there is no neighborhood support for a public trail easement of any kind in Via Acero or anywhere in Ramirez Canyon. The Santa Monica Mountains Conservancy has secured, at significant taxpayer expense, a development permit from the Coastal Commission for a public trail that comes down from a parking lot on Kanan Dume road and goes through the SMMC/MRCA property in Ramirez Canyon and on to Murphy Way and Escondido Falls. In light of this significant effort and expense by the State there is no need for any kind of a public trail easement down Via Acero, which is too narrow and does not meet the minimum requirements for safety for any kind of a public trail. We understand that the applicant has been made aware of an incentive program for these types of trails and want to make it clear to the City that there is no support for any type of public trail in Ramirez Canyon. We have no reason to believe that the applicant wishes to grant one now or any time in the future, but it is the responsibility of the City to protect the serene and rural character of its neighborhoods and this type of a trail easement would degrade the peaceful serenity of our residential neighborhood. In light of the SMMC's trail plans that go through their property, a consideration of a trail on Via Acero is redundant and is not supported by the surrounding community.

Thank you for considering our views. Please contact us if you have any questions.

Lotte Cherin
President
Ramirez Canyon Association
clotte1@gmail.com
310-487-4819

Rick Mullen
President
Ramirez Canyon Preservation Fund
rdmullen@verizon.net
310-457-7502

CC: Carlos Contreras, Case Planner
CC: Adrian Fernandez, Senior Planner

RAMIREZ CANYON PRESERVATION FUND
5969 Ramirez Canyon road
Malibu, CA 90265

Ramirez Canyon Association, Inc.
5924 Ramirez Canyon Road
Malibu, CA 90265

April 22, 2015

Ms. Bonnie Blue
Planning Director
City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Proposal for "Emergency Access"
28465 Via Acero (App. No. 13-014)

Dear Director Blue:

The Ramirez Canyon Preservation Fund is dedicated to ensuring that the residential integrity of Ramirez Canyon is preserved and that the Canyon is protected from overdevelopment and overuse. The Ramirez Canyon Association is primarily responsible for maintaining the safety and viability of Ramirez Canyon Road. We are writing in reference to Coastal Development Permit Application No. 13-014 located at 28465 Via Acero in Ramirez Canyon.

Part of the applicant's proposed project includes the construction of an "emergency access" to his property from Kanan Dume. In actuality, the proposal is for an alternate driveway for his property – and it would connect Via Acero (presently a dead end canyon road) to Kanan Dume. There are numerous problems with this request that could have significant long-term effects on the rural and peaceful character of our unique community in Ramirez Canyon.

Ramirez Canyon is one of the last truly rural communities in the City of Malibu. Part of its charm and peaceful character derives from the fact that it is protected from the very large volume of traffic that comes into the small City of Malibu each year. This proposed access to the neighborhood from Kanan Dume Road would essentially open up the neighborhood to a high speed, high volume thoroughfare. Although the proposed access road is described as being for the sole use of the property owner, once built there will be no control over who enters the neighborhood other than by that individual property owner or future property owner. This opening to traffic could seriously disrupt the rural, peaceful character of the neighborhood and it is not supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association.

The applicant has attempted to "sell the concept" of secondary access, which requires a variance, for the purpose of fire safety. He offers two letters in support of his proposal: one from local attorney John Fletcher and one from LA County Fire Captain Dave Leary from the jurisdictional Fire Station 71.

Mr. Fletcher asserts that in the event of an emergency the only exits from Ramirez Canyon are onto PCH via the tunnel under PCH at the end of Ramirez Canyon road and via Delaplane and Winding Way West. That is not correct. There is another emergency exit up a private driveway located at 5967

and 5969 Ramirez Canyon Road that has been in place for more than 50 years. It connects to Zumirez Drive and then to either Kanan Dume Road or PCH. This access is located 2/3 of the way into Ramirez Canyon from PCH and has been used during emergencies such as fires or flooding when the Arizona Crossings on Ramirez Canyon Road become impassible. This exit is well-known by the residents of Ramirez Canyon; the property owners open this exit for the residents in times of emergency. It has also been depicted on Fire Department Maps for more than 50 years. However, it is a very, very rare occurrence for this alternate exit to be required. Thus, the addition of another exit and potential entrance to Ramirez Canyon from Kanan Dume Road is not necessary.

Additionally, an emergency exit onto Kanan Dume Road would be extremely dangerous. The proposed exit is on the outside of a 50 plus mph turn on Kanan Dume that is dangerous under the best of conditions. The danger would only increase during an emergency.

Mr. Fletcher and the applicant refer to a sign at the bottom of Via Acero, suggesting that Via Acero is already a "Fire Exit." That is not correct either. The photos confirm that the sign says "Fire Access Only" and it is next to a sign that says "Residents Only." The sign is intended to let viewers know that unless they are residents of Via Acero or the Fire Department responding to one of those residents, they should not go up Via Acero because it does not lead anywhere. This is the same set of signs that is at the entrance of Ramirez Canyon Road at the tunnel going under PCH by Paradise Cove and at Delaplane.

The applicant's letter also refers to a previous rarely used potential route onto Kanan Dume that was rendered impassible. He fails to mention that he was the one who rendered it impassible when he built his current residence (28460 Via Acero, adjacent to the subject property). It was not possible to traverse that exit by vehicle (except for rugged 4-wheel) and it was rarely, if ever, used for pedestrian traffic. The fact that the applicant rendered it impassible in the process of building his current residence belies his claim that he and the Canyon now need an "emergency access."

Captain Leary's letter is short and to the point in stating that another access into Ramirez Canyon could help the Fire Department with emergencies. However, that would be true about any access anywhere, just as having a traffic light at every side street on PCH would make PCH safer. The unavoidable fact is that another access into our Canyon – particularly from Kanan Dume – would not be safe and would change the character of our neighborhood forever.

We are also concerned about the applicant's "assurances" that the driveway would be used only for emergencies. Once constructed, there would be nothing to stop the occupants of the residence from using it not only as their primary access but also to potentially open it up to traffic coming from the high volume, high speed Kanan Dume Road and funneling that traffic into and through the very narrow country roads of Via Acero and Ramirez Canyon Road. That is why the proposal is NOT supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association, all of whom are cognizant of the fire dangers they face living in this area. As with all residents of Los Angeles County who choose to live in the wildland urban interface communities, proper brush clearance in accordance with the LA County Fire Department Guidelines is the best tool for the protection of one's residence and one's survival in a worst case brush fire scenario.

We take very seriously the City's Mission and Vision Statements from page 1 of the General Plan. We respectfully request that your Department also take them into consideration when considering any development that has the potential for changing the character of any neighborhood in Malibu:

> "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 characteristics."

Ramirez Canyon is not Thousand Oaks or Santa Monica where there are numerous street and road choices for most neighborhoods. Ramirez Canyon, along with all of Malibu, is the way it is partially because of the lack of roads and access ways.

Finally, in a meeting with one of our representatives, the applicant stated that his intention was to use this "emergency only" access to Kanan Dume *during the construction process* to facilitate the movement of building and construction vehicles and material onto his property. That is not "emergency only" and, in light of the fact that some of these projects take years to complete, puts his dangerous Kanan Dume access into a completely different light. Our suspicion is also heightened by the fact that, in support of his request for SPR for height to exceed 28 feet, the applicant states that the project would bring "a visually appealing entry point to the neighborhood." There it is in the applicant's words: He sees this project as an "entry point to the neighborhood." The Board of Directors of the Ramirez Canyon Preservation Fund and the Ramirez Canyon Association do not want a "visually appealing entry" from Kanan Dume into Ramirez Canyon.

For all of these reasons, we are strongly opposed to the applicant's desire to create another access into the neighborhood. The applicant's property is addressed on Via Acero and his access should be from Ramirez Canyon Road onto Via Acero. There is no reason, much less a compelling one, to justify his desire to have a secondary driveway onto Kanan Dume.

Thank you for considering our views. Please contact us if you have any questions.

Kathryn Holguin
President
Ramirez Canyon Association
KJHolguin@yahoo.com
310-457-4954

Rick Mullen
President
Ramirez Canyon Preservation Fund
rdmullen@verizon.net
310-457-7502

CC: Adrian Fernandez, Senior Planner

From: Eric Lauber [redacted]
Sent: Wednesday, September 07, 2016 10:53 AM
To: Carlos Contreras <CContreras@malibucity.org>
Cc: Stephanie Hawner <SHawner@malibucity.org>
Subject: 28465 Via Acero Street

TO: Mr. Carlos Contreras, Case Planner
SUBJECT: NOTICE OF APPLICATION - ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005
APPLICANT: Sage Mountain Ranch, LLC (Jack Gerlach)

Good morning Mr. Contreras,

Yesterday morning on Sept. 6, 2016, I visited the City of Malibu to review the file associated with the notice of application noted above. It was my hope to speak with you yesterday. Although I left you a phone message, you were unavailable since you were in a planning meeting. As a result I am writing you this follow up e-mail to voice my concerns.

It is my hope to schedule a meeting with you to clarify that which is described in the Notice of Application prior to notice of decision scheduled for September 13, 2016. **At a minimum, I am voicing my concerns related to this project as outlined in the PUBLIC COMMENT PERIOD of the Notice of Application.**

First, in the Notice of Application it is stated that "**. . . a second driveway to Kanan Dume Road for emergency use only. . .** " is to be constructed. Upon review of the file and associated drawings, **there does not appear to be any note, keynote, callout, drawing, etc. of any kind describing a road to Kanan Dume whatsoever on those drawings received by the City in 2016** (I believe the date of receipt of those drawing by planning was in March of 2016). There were older drawings dated 2015 and earlier that **did** show a road to Kanan Dume cutting north through the hillside, **but any such road is not being shown on the latest drawings**. In fact, it appears that the locations of some, or all, of the proposed buildings (residence, guest house, and barn) may have been adjusted with the elimination of this road, and any associated grading, in those drawings most recently submitted.

How in fact does the applicant expect to get to Kanan Dume and why is this not shown on the latest drawing submission? Frankly the latest drawings submitted to the City appear to be INCOMPLETE as they do not describe all the work as laid out in the Notice of Application.

Was access to Kanan Dume through a cut in the hillside DENIED by Planning and therefore removed from the drawings? If so, should not the Notice of Application been revised to reflect this?

If the applicant is proposing an alternate access to Kanan Dume, then why is this not reflected on the drawings with all appropriate backup and legal descriptions?

Secondly, the applicant appears to have already started paving a road on the property, subsequent to their initial submission, I suspect without approval/permit by the governing authorities. This causes concern as to what other things the applicant may be doing outside of the government's knowledge.

Your clarification of the matter above would be greatly appreciated.

Thank you.

Eric Lauber

Carlos Contreras

From: Carlos Contreras
Sent: Wednesday, September 07, 2016 11:59 AM
To: 'Eric Lauber'
Cc: Stephanie Hawner
Subject: RE: 28465 Via Acero Street

Good Morning,
Thank you for your inquiry. The project was redesigned since the notice of application was provided on the project site (2015) and the Notice of Application mailer was provided to adjacent property owners. The Public Hearing Notice was the latest notice mailed to adjacent property owners and includes the updated project description. I have provided you with a detailed project description below.
The current project design, as demonstrated on the updated project plans dated March 16, 2016, no longer proposes an "emergency access" from the site to Kanan Dume Road. Additionally, there is an existing dirt road (partially paved) located along the southwestern portion for the site that is a private utility road easement and not considered emergency access. Perhaps this is the road that you are referring to which you believe was recently paved. The private utility road easement may be paved, which would typically require an Administrative Plan Review approval from the Director of Planning. The paving of the entire private utility road is currently not proposed and therefore not included in the scope of work under ACDP13-014. Hopefully the information provided answers your questions and concerns. Feel free to contact me should you need any further clarification.

The following work proposed under ACDP13-014:

a. Construction of a 7,195 square foot, one-story single-family residence that is 28 feet in height;
b. Construction of a 1,054 square foot, detached two car garage;
c. Construction of a 900 square foot detached guesthouse;
d. Construction of a 1,000 square foot barn;
e. The Total Development Square Footage will be 9,095 square feet;
f. Construction of a new AOWTS;
g. Construction of a swimming pool, spa and associated equipment;
h. Construction of retaining walls (six feet high maximum);
i. Installation of new landscaping and new hardscaping;
j. Installation of a permanent water well;
k. Grading; and
l. Installation of underground water tanks to meet the Los Angeles County Fire Department (LACFD) requirements.

Carlos Contreras | Associate Planner | City of Malibu
23825 Stuart Ranch Road, Malibu CA, 90265
Phone: (310) 456-2489 ext. 265
Fax: (310) 456-7650
Email: ccontreras@malibucity.org

Connect with the City of Malibu!

Carlos Contreras

From: Eric Lauber [redacted]
Sent: Thursday, September 08, 2016 11:21 AM
To: Carlos Contreras
Cc: Stephanie Hawner
Subject: Re: 28465 Via Acero Street

Good Morning Mr. Contreras,

Thank you for your quick response yesterday. It is greatly appreciated as I know you are very busy.

As a follow up, however, I still do have concerns.

What you note as a "private utility road easement. . . [that is] not considered emergency access. . . ", I have yet to find any legal description or recorded documents describing such easement(s). I certainly have not found any drawings that indicate such an easement. In addition, it appears that the "utility road easement" crosses the adjoining parcel to the east (inland adjacent) prior to meeting Kanan Dume. **Do you have any recorded information submitted by the applicant, or on file, indicating such an easement actually exists? As is stands, there appears to be no mention of any existing utility easement in the drawings last submitted to the City by the applicant.**

Based upon conversations with other property owners and agents in the immediate vicinity of the applicant's property, **I have every reason to believe that the applicant intends to use such an easement as their "emergency use exit" by trespassing across the adjoining parcel.** In fact, it is known that the applicant has repeatedly trespassed, destroyed property, and utilized the "road" outside of his property lines after repeated demands to cease and desist. **In addition, there is NO DOUBT in my mind that the applicant intends to utilize the "easement" well beyond its actual intent** for construction, convenience, access to their property, emergency exit, etc. In fact, they have already done this by "improving" the road via Kanan Dume without permission. I am concerned that the applicant will continue to disregard the rights of their neighbors by using Kanan Dume as a staging area for construction equipment, trucks, etc. for easier access to their property by trespassing across neighboring lot(s) and utilizing the "private utility road". The applicant has demonstrated a willingness to flagrantly violate the rights of their neighbors and I am afraid will continue to do so.

This matter is of great concern as the applicants actions past and present are greatly offensive. **Is there some means by which either Planning, or Building and Safety, can ensure that the adjoining property owner's rights WILL NOT be violated via enforcement of construction requirements the City places upon the project as required conditions? For example, access to the applicant's property for ALL activity should ONLY be by Via Acero as the applicant has no direct access to Kanan Dume.**

Your help in clarifying this matter would be appreciated.

Thank you.

Respectfully,

Eric Lauber

-----Original Message-----
From: Carlos Contreras <CContreras@malibucity.org>
To: Eric Lauber [redacted]
Cc: Stephanie Hawner <SHawner@malibucity.org>
Sent: Wed, Sep 7, 2016 11:59 am
Subject: RE: 28465 Via Acero Street

Good Morning,

Planning Commission Meeting
09-19-16
Item 3.B.3.

Supplemental Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Carlos Contreras, Associate Planner CC

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 13, 2016 Meeting date: September 19, 2016

Subject: Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005 – An application to construct a new single-family residence and associated development

Location: 28465 Via Acero Street, not within the appealable coastal zone
APN: 4467-033-014
Owner: Thilo Kuther

RECOMMENDED ACTION: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-014, Site Plan Review No. 13-006 and Minor Modification No. 13-005.

DISCUSSION: ACDP No. 13-014 has been updated a follows:

1) The project description incorrectly indicated that the proposed project included development of a 7,195 square foot, one-story single-family residence and 1,054 square foot, detached two-car garage. The project description throughout the report and, specifically on Pages 1 and 14, have been updated to reflect a 6,141 square foot, two-story single-family residence and 1,054 square foot, attached four-car garage. There has been no change to project design and conformance;

2) The Project Overview section on Page 2 indicates that the proposed project will not be visible from public scenic areas. Page 2 of the report has been updated to clarify that the project site is adjacent to and visible from Kanan Dume Road, which is a Local Coastal Program Land Use Plan-identified scenic road. The scenic and visual impacts findings were made and no changes to findings are required; and

3) The proposed project does not include a basement or lightwell. The conformance table erroneously included a basement and lightwell. Only the primary residence and accessory structures are included in the total development square footage calculation (TDSF) for the project. Table 3 (LCP Non-Beachfront Zoning Conformance) has been updated to reflect this correction. There is no change to the conformance findings.

ATTACHMENT: Revised ACDP No. 13-014

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

PLANNING DEPARTMENT

REVISED[1]
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 13-014
Site Plan Review 13-006 (height)
Minor Modification 13-005 (setback)
Categorical Exemption No. 16-089
28465 Via Acero Street
APN 4467-033-014

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Schmitz and Associates, on behalf of property owner Thilo Kuther, for an administrative coastal development permit (ACDP) for the construction of a new 6,141 square foot two-story single-family residence that includes an attached 1,054 square foot four car garage, a detached 900 square foot guesthouse, a detached 1,000 square foot barn, a new alternative onsite wastewater treatment system (AOWTS), swimming pool, spa and associated equipment, covered patios, second floor deck, retaining walls, landscaping, hardscaping, potable water well, water tanks, and grading. The parcel is zoned Rural Residential–Five Acre (RR-5) and is not located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

Project Description

This approval will permit the following work:

a. Construction of a 6,141 square foot, two-story single-family residence that is 28 feet in height, including a 1,054 square foot attached four car garage;
b. Construction of a 900 square foot detached guesthouse;
c. Construction of a 1,000 square foot detached barn;
d. The Total Development Square Footage will be 9,095 square feet;
e. Construction of a new AOWTS;
f. Construction of a swimming pool, spa and associated equipment;
g. Construction of retaining walls (six feet high maximum);
h. Construction of a permanent potable water well and associated water lines for domestic use;
i. Installation of new landscaping and hardscaping;
j. Grading; and
k. Installation of five underground water storage tanks totaling 24,000 gallons to meet the Los Angeles County Fire Department (LACFD) requirements.

1 The project description has been updated to clarify that the garage is attached to the primary residence and the square footage of the proposed residence and attached four car garage have been updated to reflect this correction. The Project Overview section has been updated to clarify that the project site is adjacent to and visible from Kanan Dume Road, which is an LUP-identified scenic road. Table 3 (LCP Non-Beachfront Zoning Conformance) has been updated to reflect that the proposed project does not include a basement or lightwell.

Project Overview

The property at 28465 Via Acero Street is an undeveloped parcel totaling 2 acres in area. The applicant is proposing to construct a new two-story, single-family residence with a detached guest house and accessory structure, covered patios, second floor deck, and swimming pool, a potable water well and associated water lines, underground water storage tanks, and installation of a new alternative onsite wastewater treatment system.

The Los Angeles County Waterworks District No. 29 (WD29) denied water service for the property because no water system exists and the site elevation is higher than that which can be adequately served (Attachment 4). ACDP No. 15-040 was submitted and approved for a proposed water test well to determine whether or not an adequate water source exists on site to meet the estimated demand of a single-family residence, landscape irrigation and fire protection; however a test well has not been constructed. The applicant has included a water well as part of the project scope to serve the property. The project has been conditioned requiring that the water well be approved by Los Angeles County Environmental Health, and that the well is proven to be a viable water source to the satisfaction of the City Environmental Health Administrator, and that the well is proven to provide an adequate water source to the satisfaction of the Planning Department prior to the issuance of grading or building permit for the residence and associated development.

Additionally, to obtain the building permit for the residence the applicant is required to provide approval from LACFD. LACFD requires an adequate municipal water supply of sufficient pressure for fire suppression, generally 1,250 gallons per minute (gpm) at 20 pounds per square inch (psi). Alternative fire suppression in the form of an on-site water well and water tank are not generally approved by LACFD as an acceptable form of fire suppression when water infrastructure cannot be provided, and as previously mentioned no water system exists within the project site. LACFD has indicated that an alternative fire suppression in the form of an on-site water well and water tank(s) may be approved for this project (Attachment 5).

The water well will be located next to an existing dirt driveway, 52 feet north of the southerly property line and 71 feet east of the westerly property line. The proposed water storage tanks will be located along the western portion of the site. The five water tanks will be underground along the southwestern portion of the site and will not be visible from Kanan Dume Road. The water tanks will store approximately 25,000 gallons of water meet the LACFD fire protection requirements, and serve the residence.

Story poles representing the location and height of the proposed buildings were installed (Attachment 2). Staff conducted an inspection of the story poles on August 18, 2016 to visually assess whether the proposed residence would affect primary views of surrounding residences and whether the building would have an adverse effect on public views from scenic viewing areas. The project site is adjacent to and visible from Kanan Dume Road, which is an LUP-identified scenic road, however, based on the project plans and staff's site visit, it was determined that the proposed construction of a new single-family residence that is 28 feet in height would not obstruct primary views of neighboring residences and will have less than significant adverse scenic or visual impacts.

Administrative Permits Applicability (LIP Sections 13.13 and 13.29)

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

The project consists of the construction a new 6,141 square foot two-story single-family residence and accessory development. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively.

Project Background

Administrative Coastal Development Permit Application

- Application Date: March 12, 2013
- Posting of Property: January 19, 2015
- Completeness Determination: July 28, 2016
- Notice of Application Mailer (Attachment 6): August 18, 2016
- Notice of Decision Mailer (Attachment 6): September 8, 2016
- Issuance of ACDP: September 13, 2016
- Planning Commission Reporting: September 19, 2016
- Appeal Period: September 14, 2016 through September 23, 2016

Surrounding Land Uses and Project Setting

The subject parcel is a rectangular shaped, undeveloped lot. The subject parcel is bordered by Via Acero Street, a private street, to the south, Kanan Dume Road to the west, residential development to the south (across Via Acero Street) and east; and undeveloped properties to the north. Access to the parcel is from Via Acero Street and Via Acero Street dead-ends near the middle of the southerly property line. Properties in the vicinity of the subject property are zoned RR-5 and properties to the southeast are developed with single-family residences that have attached or detached garages, and swimming pools.

The project site has no trails on or adjacent to it according to the LCP Park Lands Map. Additionally, the property is not in a designated Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map.

Table 1 provides a summary of the lot dimensions and the lot area of the subject parcel.

Table 1 – Total Property Data	
Lot Depth	258.14 feet
Lot Width	677.31 feet
Gross Lot Area	87,398 square feet / 2 acres
Net Lot Area*	77,842 square feet / 1.78 acres

*Net Lot Area = Gross Lot Area minus the area of access easements and 1 to 1 slopes.

Table 2 includes a description of the adjacent land uses.

Table 2 – Adjacent Land Uses				
	Address	**Size**	**Zone**	**Land Use**
South	28460 Via Acero Street	0.74 acres	RR-5	Single-Family Residence
	28405 Via Acero Street	1.94 acres	RR-5	Single-Family Residence
	APN 4467-033-019	2 acres	RR-5	Vacant
	APN 4467-033-016	4.01 acres	RR-5	Vacant
North	APN 4467-002-066	5.47 acres	LCRA1	Vacant
West	APN 4467-001-901	130.18 acres	POS	Vacant
East	28315 Via Acero Street	4.07 acres	RR-5	Single-Family Residence

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmentally Quality Act (CEQA), the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA according to CEQA Guidelines Sections 15303 (a) – New construction of a single-family residence and 15303 (e) – New construction of accessory structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

LCP Analysis

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

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and 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, only General Coastal Development Permit, Scenic, Visual and Hillside Resource Protection and Hazards findings apply to this project.

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

The proposed project is subject to the Landscape Water Conservation Ordinance (MMC Chapter 9.22) as the project is proposing a new landscape area of two thousand five hundred (2,500) square feet or more.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and the LACFD (Attachment 3 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies.

<u>Zoning (LIP Chapter 3)</u>

The project is subject to development and design standards set forth under LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards.

Table 3 – LCP Non-Beachfront Zoning Conformance			
Development Requirement	**Allowed/Required**	**Proposed**	**Comments**
SETBACKS (ft.)			
Primary Residence			
Front Yard	***51 feet, 7.6 inches***	***25 feet, 9.91 inches***	***MM***
Rear Yard	38 feet, 8.75 inches	130 feet	Complies
Side Yard (Minimum 10%)	67 feet, 8.76 inches	152 feet	Complies
Side Yard	101 feet, 7.34 inches	141 feet	Complies
Underground Water Tanks	5 Feet	60 feet	Complies
PARKING			
Enclosed (18 x 10)	2	4	Complies
Unenclosed (18 x 10)	2	2	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE (sq.ft.)	9,719	9,095	Complies
Primary Residence		7,195	
Accessory Structures		1,900	
2/3rds Rule: 2nd Floor (sq.ft.)	3,203	2,391	Complies
First Floor		4,804	
HEIGHT (ft.)			
Primary Residence	***18***	***28***	***SPR***
Accessory Structures	18	18	Complies
IMPERMEABLE COVERAGE (sq.ft.)	25,000	16,372	Complies
NON-EXEMPT GRADING (cu.yd.)	1,000	895	Complies
CONSTRUCTION ON SLOPES	3 to 1 and flatter	3 to 1 and flatter	Complies
GATES/FENCES/WALLS/HEDGES			
Front Yard			
• Impermeable	42 in.	42 in.	Complies
• Permeable	6 ft.	6 ft.	Complies
Rear & Side Yard	6 ft.	6 ft.	Complies
Perimeter Fencing >½ ac.	Wildlife Permeable	Wildlife Permeable	Complies

Grading (LIP Chapter 8)

Table 4 – LCP Grading Conformance						
	Exempt**			Non-Exempt	Remedial	Total
	*R&R**	*Understructure*	*Safety****			
Cut	**900**	**385**	**60**	**505**	**0**	**1,850**
Fill	**900**	**775**	**0**	**390**	**0**	**2,065**
Total	**1,800**	**1,160**	**60**	**895**	**0**	**3,915**
Import	**0**	**390**	**0**	**0**	**0**	**390**
Export	**0**	**0**	**60**	**115**	**0**	**175**

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).

The project includes 3,915 cubic yards of total grading. The total amount of proposed non-exempt grading is 895 cubic yards, which is less than the maximum allowable 1,000 cubic yards of non-exempt grading. The remaining 1,160 cubic yards is exempt understructure grading and 1,800 cubic yards of removal and recompaction. 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 a residential parcel.

Archaeological / Cultural Resources (LIP Chapter 11)

A Phase I Archaeological Report was prepared by Robert J. Wlodarski of HEART, Inc. in August of 2012 for the project site. No archaeological resources were found onsite during the Phase I investigation. The study concluded that the project area yielded no archeological resources and that proposed improvements should have no adverse impacts to known cultural resources. Nevertheless, a condition of approval has been incorporated into the proposed project which states that in the event that potentially important cultural resources be 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. The project has been conditioned to meet this requirement and complies with LIP Chapter 11.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including a water quality mitigation plans that will be recorded on the property. 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 the installation of a new AOWTS which has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the City of Malibu MMC and the LCP. The subject system meets all applicable requirements and operating permits will be required. The system utilizes a MicroSepTec ES12 unit that includes ultraviolet disinfection. These units provide the residence with secondary and tertiary treatment. An operation and maintenance contract and recorded covenant covering such shall be

in compliance with the City of Malibu Environmental Health requirements. Conditions of approval have been included to require continued operation, maintenance and monitoring of onsite facilities. As conditioned, the City Environmental Health Administrator has determined that the project is consistent with City goals and policies.

Administrative Coastal Development Permit Findings

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

A. General Coastal Development Permit (LIP Section 13.9)

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

The project is located in the RR-5 zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Reviewer, City Public Works Department, City geotechnical staff, WD29 and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable residential development standards, inclusive of the requested SPR and MM.

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

The project is not located between the first public road and the sea. In addition, the subject property does not contain any trails as depicted on the LCP Park Lands Map. Therefore, this finding does not apply.

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

Pursuant to the authority and criteria contained in the CEQA, the proposed project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment, and is categorically exempt from CEQA. The proposed project would not result in significant adverse effects on the environment, within the meaning of CEQA, and there are no further feasible alternatives that would further reduce any impacts on the environment. The project complies with the size, location and height requirements of the LCP, with the inclusion of the SPR and MM.

The following alternatives to the proposed project were considered.

1. No Project – no project alternative would avoid any change to the subject parcel, leaving the project site with no development. The project site is zoned for residential use and the proposed project is consistent with the RR-5 zoning designation. The no project alternative would not accomplish any of the project objectives, and therefore, is not viable project option.

3. Alternate Location – A reduced project alternative could be proposed on the project site. However, the project complies with the maximum allowable TDSF, impermeable coverage and height limitations of the LCP. A smaller project may eliminate the second floor and/or reduce the footprint of the proposed main residence. As the second floor is located within the footprint of the first floor, its elimination is not expected to offer any environmental advantages. The proposed single-family residential structure could be relocated elsewhere on

the subject parcel. However, the northern half of the parcel consists of steep slopes; relocating the proposed development further downslope from its proposed location would require more grading, land disturbance, greater impacts to scenic resources and construction on steep slopes. Moving the project further north or west would require the redesign of a fire department-required turnaround that will serve Via Acero Street. Furthermore, the proposed project complies with the requirements of both the MMC and LIP. In conclusion, an alternate location would result in greater potential negative impacts on the environment.

4. Proposed Project – The project consists of the construction of a new single-family residence which is a permitted use within the RR-5 zoning designation. It is comprised of construction of a new 6,141 square foot, two-story, single-family residence with a four car garage, guesthouse, barn and associated development, including a new AOWTS providing secondary and tertiary treatment for the proposed residence. The discretionary requests allow for development consistent with that existing and allowed in the neighborhood. The project is located along an existing developed area of Via Acero Street zoned for residential development. The selected location has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and the LACFD, and meets the City's residential development policies of the LCP and MMC. The project as conditioned will comply with all applicable requirements of State and local law. The proposed project has been determined to be the least environmentally damaging feasible alternative.

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

According to the LCP ESHA and Marine Resources Map, the subject parcel is not located within or adjacent to ESHA. Therefore, Environmental Review Board review was not required, and this finding does not apply.

B. Site Plan Review Request for Construction in Excess of 18 Feet in Height [LIP Section 13.27]

LIP Section 3.6(E) provides that structures are limited to 18 feet in height. A site plan review is required to allow the construction of a new residence over 18 feet in height, up to 28 feet for a pitched roof. The applicant is requesting SPR No. 13-006 to construct a new single-family residence that will be a maximum of 28 feet in height with a pitched roof. LIP Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D). Based on the foregoing evidence contained in the record, the required findings for SPR No. 13-006 are made as follows:

Finding B1. The project is consistent with policies and provisions of the Malibu LCP.

The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, WD29, and LACFD and was found to be consistent with the LCP, inclusive of the requested SPR.

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

SPR No. 13-006 shall only be applied to the two-story new single-family residence that will be a maximum of 28 feet in height. The accessory structures will be a maximum of 18 feet in height. The proposed two-story main residence will be located downslope from Via Acero Street and Kanan Dume Road at the base of the hillside located at the rear of the property and the proposed residence does not project higher than the existing single-family residences within the vicinity of the site.

Story poles were installed in August 2016, and demonstrated that the project is compatible in terms of siting, massing and scale to surrounding development. It is not located within the primary view of neighboring properties, and results in development consistent with neighboring properties.

The subject parcel consists of steep slopes, which is characteristic of the parcels in the area surrounding properties are developed with one and two-story single-family residences with accessory structures. Based on the surrounding topography and existing development, the proposed project is expected to blend with the surrounding built environment and is not expected to have an adverse effect on neighborhood character. Staff did not receive any public correspondence in response to the story poles or courtesy notice.

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

Staff visited the subject parcel after placement of story poles. Based on staff's site visit, it was determined that the proposed residence will be visible from Kanan Dume Road, which is an LUP-identified scenic road. As stated later in Finding F1, the project is designed to minimize visual impacts by setting back the main residence further to the east, which is the only proposed structure with a second floor and exceeding 18 feet in height, as seen directly from Kanan Dume Road. The proposed accessory buildings are located approximately 200 feet east of Kanan Dume Road and the main residence is located approximately 380 feet from Kanan Dume Road where all but the tops of the proposed buildings are obscured because the project site's topography descends from Kanan Dume Road, and does not block scenic views. Furthermore, the approval of the proposed project is subject to conditions of approval regarding construction materials, landscaping, fencing and lighting in order to protect scenic public views. Given the location and design of the project, intervening topography, existing development, and the implementation of conditions of approval for colors, materials, and lighting, the project is not expected to have impacts to scenic vistas, and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

Finding B4. The proposed project complies with all applicable requirements of State and local law.

The project complies with all applicable 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 B5. The project is consistent with the City's general plan and local coastal program.

As discussed in Finding A1, the proposed project is consistent with the LCP in that the proposed project is located in an area that has been identified for residential use. The goals and policies of the General Plan intend to maintain rural character in this area, and the project is consistent with these goals. The proposed residence incorporates siting and design measures to minimize visual impacts and landform alteration. The proposed project, as designed, is consistent with the applicable land use designation and is consistent with all applicable development and design standards of the LCP and General Plan, inclusive of the associated discretionary requests.

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).

On August 18, 2016, a Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property and story poles were installed on August 12, 2016. Based on the visual impact analysis (aerial photographs, site visits, project plans and story pole placement), staff has determined that the portions of the principle structure above 18 feet in height, and guest house and barn at 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. Minor Modification for a 50 Percent Reduction of the Front Yard Setback [LIP Section 13.27]

The applicant is requesting MM No. 13-005 from LIP Section 13.27 for a less than 50 percent reduction to the front yard setback, from the required 51 feet, 7.6 inches to the proposed 25 feet, 9.91 inches. Such reduction constitutes a 50 percent reduction. Based on the foregoing evidence contained within the record, the required findings for MM No. 13-005 are made as follows:

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

As previously discussed in Finding A1, the proposed project, with the inclusion of the proposed discretionary requests, as designed and conditioned, conforms to all applicable LCP policies and provisions, inclusive of the requested MM. To minimize encroachment on steep slopes as much as feasible, the development has been situated as close as possible to the front property line to utilize the flattest area of the site.

Finding C2. That the project does not adversely affect neighborhood character.

The project will comply with all development standards, with the inclusion of discretionary requests and will result in development consistent with neighboring properties. The subject parcel consists of steep slopes, which is characteristic of the parcels in the area, and the proposed front yard setback allows the proposed residence to line up similarly as compared to the building located to the south. Based on review of the City GIS and property survey, the building at 28460 Via Acero Street appears to provide a 35 foot front yard setback. The reduction of the front yard setback does not place the structure within the primary view for the neighboring property at 28460 Via Acero Street, as determined based upon visual inspection in August 2016, after installation of the story poles. Some of the primary objectives of setbacks are to ensure that the use of a property does not infringe on the rights of neighbors, to allow fire department access around the structures, provide light and ventilation, and to avoid potential visual impacts. The 50 percent reduction to the front yard setback would not affect existing fire department access around the new buildings because there is ample separation between the property lines and all the buildings, which will have a minimum setback of 25 feet, 9.9 inches. Granting the MM request for the modified front yard setback will not adversely affect neighborhood character, since it will result in development consistent with neighboring properties.

Finding C3. The proposed project complies with all applicable requirements of State and local law.

As previously discussed in Finding B4, the project complies with all applicable requirements of State and local law.

D. Environmentally Sensitive Habitat Area (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.

E. 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.

F. 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. LIP policies require that new development not be visible from scenic roads or public viewing areas. Where this is not feasible, new development must minimize impacts through siting and by incorporating design measures to ensure visual compatibility with the character of surrounding areas. The project site is adjacent to and visible from Kanan Dume Road, which is an LUP-identified scenic road. The site's topography descends from Kanan Dume Road to the base of the hillside located at the rear of the property. On August 18, 2016, staff visited the subject parcel after story poles representing the height, location and bulk of the proposed residence were installed. Based on the site visit, staff determined that the proposed residence will be visible from Kanan Dume Road. Since the project is located adjacent to scenic areas, the findings set forth in LIP Section 6.4 are enumerated herein.

Finding F1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

On August 18, 2016, staff visited the subject property after story poles representing the height, location and bulk of the proposed buildings were installed. Based on the site visit, staff determined that the proposed structures will be partially visible from Kanan Dume Road. However, the proposed buildings are located approximately 200 and 400 feet east of Kanan Dume Road where all but the tops of the proposed buildings are obscured because the project site's topography descends from Kanan Dume Road and Via Acero Street. Based on the site's topography, project design and location, the proposed project will have less than significant adverse scenic or visual impacts. While visible from Kanan Dume Road, the location of the proposed construction is within an area of existing development and is sited to be located as far back from Kanan Dume Road as possible without impacting slopes and required rear and side yard setbacks. Additionally, the proposed structures will blend in with the surrounding environment. The proposed structures have been conditioned to utilize colors and materials and lighting that will be compatible with the surrounding natural scenic and residential character and will be compatible with the architectural character of the surrounding neighborhood. With the implementation of these conditions, the project will not have significant adverse scenic or visual impacts.

Finding F2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

As described in Finding F1, the proposed project, as designed and conditioned, is not anticipated to have significant adverse scenic or visual impacts.

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

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

Finding F4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As previously discussed in Findings A3 and F1, the proposed project, as designed and conditioned, will have no significant adverse impacts on scenic and visual resources and is the least environmentally damaging alternative. A one-story design of the main residence would further reduce the visibility of the residence, however, the existing residence at 28460 Via Acero Street is located immediately behind the proposed buildings and at a higher elevation. Therefore, the portions of the proposed buildings will blend with existing development rather than causing new visual impacts.

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

As previously discussed in Findings F1 and F4, the proposed residence, guest house and barn have been sited to avoid significant adverse visual impacts.

F. Transfer of Development Credits (LIP Chapter 7)

According to LIP Section 7.2, transfer of development credits only applies to land divisions and multi-family development in specified zones. The proposed project does not include a land division or multi-family development. Therefore, LIP Chapter 7 does 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 listed in LIP Sections 9.2(A)(1-7) 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 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, 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.

The applicant submitted geotechnical and engineering reports and addenda prepared by GeoConcepts, Inc. 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 analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical staff, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The project, 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.

Fire Hazard

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

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

Finding 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 G1, the project as designed, conditioned, and approved by the City Geotechnical Staff and the City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

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

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

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

As stated in Finding G1, the project as designed, and conditioned, and approved by the City Geotechnical Staff and the City Public Works Department does not have any significant adverse impacts on the site stability or structural integrity.

Finding 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 Findings A3 and G1, the proposed project, as designed and conditioned, will not have significant adverse impacts on sensitive resources, including but not limited to hazards.

H. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. Therefore, this finding does not apply.

I. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access near the ocean, as well as trails, and recreational access. The subject property is not located along or near the shore, a bluff-top or recreational area, and does not contain any trails as depicted on the LCP Park Lands Map. Therefore, the findings of this chapter do not apply.

J. Land Divisions (LIP Chapter 15)

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

Correspondence

To date, staff has received correspondence from community residents with concerns regarding future public trail easement, emergency access, and use of the private utility road easement at the subject (Attachment 7). Staff explained that there is a potential future trail alignment that is shown on the subject site according to the pending LUP Parkland and Trails Dedication Incentive Program map; however, the property owner has not offered to dedicate a trail easement. Staff further explained that the project no longer proposes an "emergency access" from the site to Kanan Dume Road. There is an existing dirt road along the southwestern portion for the site that is a private utility road easement and it is not proposed for emergency access as part of this project. Regarding the use of the private utility road easement for

construction of the proposed project, staff explained that the applicant has access to the site from Ramirez Canyon and Via Acero, which will be used as access for the construction of the project. Additionally, a condition of approval will be applied to the project for requiring the property owner to be responsible for any repairs to damage along Ramirez Canyon and Via Acero that may have been incurred during the construction phase of the proposed project.

Approval of Administrative Coastal Development Permit No. 13-014

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves ACDP No. 13-014, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. Approval of this application is to allow for the following:

    a. Construction of a 6,141 square foot, two-story single-family residence that is 28 feet in height, including a 1,054 square foot attached four car garage;
    b. Construction of a 900 square foot detached guesthouse;
    c. Construction of a 1,000 square foot detached barn;
    d. Construction of a new AOWTS;
    e. The Total Development Square Footage will be 9,095 square feet;
    f. Construction of a swimming pool, spa and associated equipment;
    g. Construction of retaining walls (six feet high maximum);
    h. Construction of a permanent potable water well and associated water lines for domestic use;
    i. Installation of new landscaping and new hardscaping;
    j. Grading; and
    k. Installation of five underground water storage tanks totaling 24,000 gallons to meet the Los Angeles County Fire Department (LACFD) requirements.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped **March 16, 2016**. The proposed development shall further comply with all conditions of approval stipulated in this Resolution and Referral Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner(s) sign, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department within 10 working days of receipt of this signed decision and prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This ACDP, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the Notice of Decision for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.

7. This ACDP shall be expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, WD29 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. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the ACDP is effective. The ACDP is not effective until all appeals have been exhausted.

12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

13. This permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission requests that the ACDP becomes effective pursuant to LIP Section 13.13.6.

Cultural Resources

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

Waste Management

16. 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.

17. An Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) signed by the Owner or Contractor shall be submitted to the Environmental and Sustainability Department for review and approval. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction waste generated by the project.

Geology

18. 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.

19. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved ACDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require an ACDP amendment or a new ACDP.

Onsite Wastewater Treatment System

20. 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.

21. 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).

22. 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 (if applicable).

23. 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.

24. The final design report shall contain the following information (in addition to the items listed above).
    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
    c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and
    d. All final design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For AOWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department.

25. 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.

26. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

27. 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.

28. 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.

29. Prior to final Environmental Health approval, a covenant which runs with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive, notice to any future purchaser for value that the AOWTS serving subject property is an alternative method of onsite wastewater disposal pursuant to MPC, Appendix K, Section 10). Said covenant shall be provided by the City of Malibu Environmental Health Administrator and shall be submitted to the City of Malibu with proof of recordation by the Los Angeles County Recorder.

30. The City geotechnical staff and geotechnical engineer's final approval shall be submitted to the City Environmental Health Administrator.

31. In accordance with MMC Chapter 15.14, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

32. A final planning approval shall be submitted to the City Environmental Health Administrator.

Grading/Drainage/Hydrology

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

34. The Total Grading Yardage Verification Certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.

35. 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.

36. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited pursuant to LIP Section 17.3.1 for development that is located within or adjacent to ESHA, or includes grading on slopes steeper than 4 to 1. Approved grading for development that is located within or adjacent to ESHA or on slopes steeper than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put in place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

37. A Grading and Drainage Plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;

d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.

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

Erosion Controls Scheduling	Erosion Controls Scheduling
	Preservation of Existing Vegetation
Sediment Controls Silt Fence	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.

39. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of a development permit.

40. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
a. Retains all non-storm water runoff on the property without discharge to the ASBS; and
b. Maintains the natural water quality within the ASBS by treating storm runoff for the pollutants in residential storm runoff that would cause a degradation of ocean water quality is the ASBS. These

pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediments.

41. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:
    a. Site Design Best Management Practices (BMPs);
    b. Source Control BMPs;
    c. Treatment Control BMPs;
    d. Drainage improvements;
    e. Methods for onsite percolation, site re-vegeation and an analysis for off-site project impacts;
    f. Measures to treat and infiltrate runoff from impervious areas;
    g. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Building and Safety Public Counter and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

Water Quality/ Water Service

42. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.

43. Building permits for the construction of the water well must first be obtained from City of Malibu Environmental Sustainability Department.

44. The applicant shall obtain approval from the Los Angeles County Environmental Health, Los Angeles County Department of Health Services Water and Sewerage Program, for the water well as a potable domestic water source. A copy of this approval shall be submitted to the Planning Department prior to issuance of a grading or building permit for the construction of the single-family residence and associated development.

45. The water well approved by Los Angeles County Environmental Health, shall be proven to be an adequate and viable water source to the satisfaction of the Environmental Health Administrator, and the Planning Department prior to the issuance of a grading or building permit for the residence and associated development.

46. Prior to the issuance of a building permit for the single-family residence and associated development, the applicant shall submit approval from LACFD to the Planning department indicating the on-site water well and water tank(s) meets the requirements of LACFD and has the ability to provide adequate fire suppression.

47. Should the private water well prove infeasible, and a relocation of the proposed water well is required, or if there are any substantial changes to the proposed water well, an ACDP amendment or a new ACDP may be required.

48. Should the private water well prove infeasible, the test well shall be properly abandoned as instructed by the Los Angeles County Department of Public Health, if the well is found to be unusable.

49. Should the private water well prove infeasible, the area disturbed shall be restored and revegetated with native landscaping as approved by the City Biologist.

Construction / Framing

50. 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.

51. 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.

52. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

53. 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.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

54. 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.

Lighting

55. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);

b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
e. Site perimeter lighting shall be prohibited; and
f. Outdoor decorative lighting for aesthetic purposes is prohibited.

56. Night lighting for sports courts or other private recreational facilities shall be prohibited.

57. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.

58. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

Biology/Landscaping

59. Prior to Final Plan Check Approval, a water use approval from Los Angeles County Waterworks District No. 29 is required to be submitted to the Planning Department.

60. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.

61. Prior to or at the time of a Planning Department final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

62. 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.

63. Invasive plant species, as determined by the City of Malibu, are prohibited.

64. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

65. No non-native plant species shall be approved greater than 50 feet from the residential structure.

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

67. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least 5 days prior to initiation of activities. Should active nests be identified, a buffer area no less than 50 feet (150 feet for raptors) shall be fenced off until it is

determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City Biologist prior to ANY vegetation removal on site.

68. Up-lighting of landscaping is prohibited greater than 25 feet from the primary residence.

Fuel Modification

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

Swimming Pool / Spa

70. On-site noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).

71. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3.

72. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.

73. Pursuant to the Clean Water Act and the Malibu Water Quality Ordinance, discharge of water from a pool / spa is prohibited. Provide information on the plans regarding the type of sanitation proposed for pool.
    a. Ozonization systems are an acceptable alternative to chlorine. The discharge of clear water from ozonization systems is not permitted to the street;
    b. Salt water sanitation is an acceptable alternative to chlorine. The discharge of salt water is not permitted to the street; and
    c. Chlorinated water from pools or spas shall be trucked to a publicly-owned treatment works facility for discharge.

74. The discharge of chlorinated and non-chlorinated pool / spa water into streets, storm drains, creeks, canyons, drainage channels, or other locations where it could enter receiving waters is prohibited.

75. A sign stating "It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)" shall be posted in the filtration and/or pumping equipment area for the property.

Fencing and Walls

76. The applicant shall include an elevation of the proposed electronic driveway gate on the architectural plans that are submitted for building plan check. The gate and all fencing along the front property line shall comply with the regulations set forth in LIP Section 3.5.

77. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

78. Necessary boundary fencing enclosing more than half an acre shall incorporate an open rail-type design with a wooden rail at the top (instead of wire), be less than 40-inches high, and have a space greater than 14-inches

between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

Site Specific Conditions

79. Should this project propose to construct improvements within the public right-of-way, the applicant shall obtain encroachment permits from the Public Works Department prior to commencement of any work within the public right-of-way.

80. Prior to the issuance of any development permit, the applicant/property owner shall provide a pre-construction assessment of the existing condition of Via Acero Street and Ramirez Canyon Road to the subject parcel. A copy of this assessment shall be kept on file with the City. The applicant/property owner shall be responsible for repairs of any damage to the road that may result during the construction phase of the proposed project. Any obvious damage to the road that becomes apparent during the construction phase (including, but not limited to, pot holes, cracks and ripples) shall be immediately repaired by the applicants/property owner. Prior to a Planning Department final inspection, the applicant/property owner shall submit a post-construction assessment of the road to demonstrate compliance with this condition. A photo survey shall be utilized to complete this assessment.

81. Shrubs shall be maintained at a height not to exceed six feet, as described in the Landscape Plans dated September 22, 2015.

82. No more than one guest house unit shall be allowed on the property pursuant to LIP Chapter 3.6(N)(1).

83. The proposed trash/storage area shall be relocated to the rear or side yard pursuant to MMC Section 8.32.640.

84. Proposed water tanks located within the project site shall be underground and shall not be visible from Kanan Dume Road, except for minor ancillary equipment as approved by the Planning Director.

Colors and Materials

85. The residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material. Reflective glossy, polished and/or roll-formed type metal siding is prohibited.

86. 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.

87. New structures 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.
    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.

Prior to Occupancy

88. 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.

89. Prior to a final Building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. The final Summary Report shall designate all material that were land filled or recycled, broken down by material types.

90. The applicant shall request a final Planning inspection prior to final inspection by the City of Malibu Environmental and Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Planning Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

91. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Deed Restrictions

92. 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.
93. Prior to final planning approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth previously under Lighting. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final planning approval.

Fixed Conditions

94. This ACDP shall run with the land and bind all future owners of the property.

95. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Appeals and Reporting

LOCAL APPEAL – Pursuant to LIP Section 13.20.1 (Local Appeals), a decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **September 23, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 245.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **September 19, 2016** Regular Planning Commission meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Carlos Contreras in the Planning Department at (310) 456-2489, extension 265, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: September 13, 2016

Prepared by:

Carlos Contreras
Associate Planner

Approved by:

Bonnie Blue
Planning Director

Attachments:

1. Project Plans
2. Story Pole Photos
3. Department Review Sheets
4. Los Angeles County Waterworks District No. 29 letter
5. Los Angeles County Fire Department letter
6. Notices
7. Public Correspondence

All reports referenced are available for review at City Hall.

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for Administrative Coastal Development Permit No. 13-014, dated September 13, 2016, for the project located at 28465 Via Acero Street, Malibu, CA 90265. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA } SS
County of Los Angeles

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

personally appeared _____

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

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

WITNESS my hand and official seal.

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

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N39°36'36"E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:
MALIBU 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L Y-10346
(2008) KANAN DUME RD & 58M N C/L CAVALLERI RD 2M
W/O EDGE AC IP MKR 600M S/O MON

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:
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2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UN OBSTRUCTED 20' WIDTH CLEAR TO THE SKY, VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH BUILDING CODE 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH FIRE CODE 1118.12, BUILDING CODE 3102.3.8

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CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 310.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD-WIRED WITH BATTERY BACKUP SMOKE DETECTORS SHALL BE INTERCONNECTED. (INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON FLOOR PLAN)

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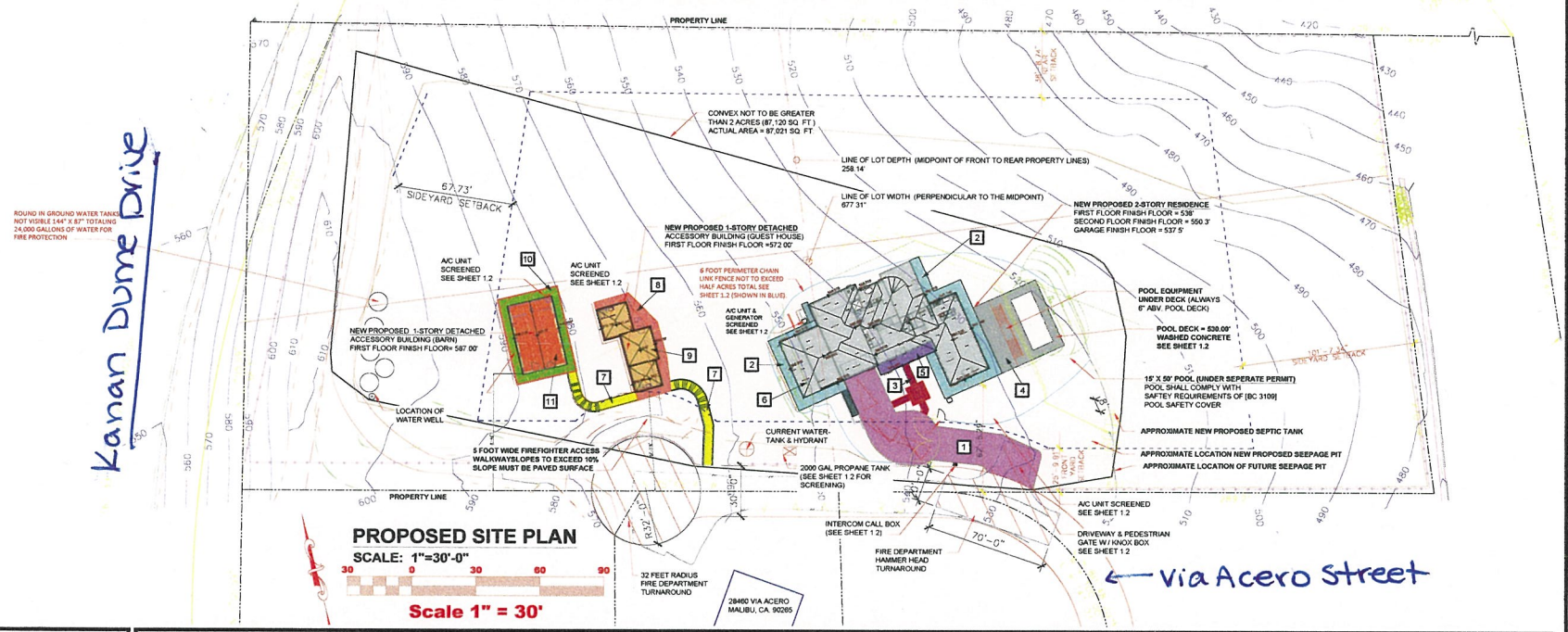
ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4710.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN

SCALE: 1"=30'-0"

30 0 30 60 90

Scale 1" = 30'

DRAWING INDEX

ARCHITECTURAL
1.0 SITE PLAN & PROJECT INFORMATION
1.2 GATE AND FENCE ELEVATIONS
1.3 ESHA SITE PLAN
2.1 MAIN HOUSE: FIRST FLOOR PLAN
2.2 MAIN HOUSE: FIRST FLOOR PLAN
2.3 MAIN HOUSE: SECOND FLOOR PLAN
2.4 MAIN HOUSE: SECOND FLOOR PLAN
2.5 MAIN HOUSE: ROOF PLAN/ELEVATION
3.1 MAIN HOUSE: EXTERIOR ELEVATIONS
3.2 MAIN HOUSE: EXTERIOR ELEVATIONS
4.1 GUEST HOUSE: FLOOR PLAN
4.2 GUEST HOUSE: ELEVATIONS
5.1 BARN: FLOOR & ROOF PLAN
5.2 BARN: ELEVATIONS
5.3 BUILDING SECTIONS

PROJECT SUMMARY

APN: 4467-033-014

SCOPE OF WORK:
CONSTRUCT A NEW 2 STORY SINGLE FAMILY DWELLING WITH ATTACHED GARAGE / DETACHED ACCESSORY GUEST HOUSE / DETACHED ACCESSORY BARN

SEPERATE PERMITS: SWIMMING POOL, SPA AND PRIVATE SEWAGE DISPOSAL SYSTEM AND SITE RETAINING WALLS

ZONING: RR5

OCCUPANCY GROUP: R-3 (HOUSE) / U (GARAGE)

CONSTRUCTION TYPE: TYPE VB ; FIRE SPRINKLERED

CODES:

HAZARDS: VHFHSZ

LOT SIZE: 180,044 SQ.FT. (4.13 ACRES) - GROSS AREA
34,849 SQ.FT. (0.8 ACRES) - GROSS AREA MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 2:1
145,195 SQ.FT. (3.13 ACRES) NET LOT AREA

SETBACKS: 258.14' = AVERAGE LOT DEPTH
677.31' = AVERAGE LOT WIDTH

FRONT: 20% X 258.14= 51.63'
(50% X 51.63' = 25.82' REDUCTION)
REAR: 15% X 258.14= 38.72'
SIDE: 10% X 677.31 = 67.73"
SIDE: 15% X 677.31 = 101.59'

BUILDING AREA:

MAIN HOUSE		
FIRST FLOOR	3,750	SQ.FT.
GARAGE	1,054	SQ.FT.
GROSS FIRST FLOOR	4,804	SQ.FT
2/3 x 4,804 = 3,203		
SECOND FLOOR	2,391	SQ.FT.
GROSS SECOND FLOOR	2,391	SQ.FT.
2,391 < 3,203		
(TOTAL GROSS 1ST & 2ND FLR.)	7,195	SQ.FT.
GUEST HOUSE (ACCESSORY	900	SQ.FT.
BARN (ACCESSORY	1,000	SQ.FT.
GROSS TOTAL BUILDING	9,095	SQ.FT.

TOTAL DEVELOPMENT S.F.
ALLOWABLE= 9,719 SQ. FT. > 9,095

No.	HARDSCAPE		
1	DRIVEWAY	2,983	SQ.FT.
2	WALKWAY & DECK (MAIN HOUSE)	1,484	SQ.FT.
3	ENTRY WALKWAY	254	SQ.FT.
4	POOL DECK & WALK-AROUND	1,269	SQ.FT.
5	ENTRY COVERED PORCH	203	SQ.FT.
6	MAIN HOUSE FOOTPRINT	4,947	SQ.FT.
7	OTHER WALKWAYS	665	SQ.FT.
8	WALKWAYS AROUND GUEST HOUSE	594	SQ.FT.
9	GUESTHOUSE FOOTPRINT	900	SQ.FT.
10	WALKWAY AROUND BARN	735	SQ.FT.
11	BARN FOOTPRINT	1,000	SQ.FT.
		15,034	SQ.FT.

RETAINING WALLS & SWALES 1,338 SQ.FT
GROSS TOTAL 16,372 SQ.FT.

MAX. IMPERMEABLE COVERAGE
ALLOWABLE = 25,000 SQ.FT. >16,372 SQ.FT.

PROJECT CONSULTANTS

OWNER:
SAGE MOUNTAIN RANCH, LLC
28460 VIA ACERO ROAD
MALIBU, CALIFORNIA 90265
PHONE: (310) 213-8848

CIVIL ENGINEER (GRADING & DRAINAGE FOR THE RESIDENCE):
PROJECT ENGINEERING GROUP
15335 MORRISON STREET
SHERMAN OAKS, CALIFORNIA 91403
PHONEI (818) 784-8110 FAX: (818) 784-8116

GEOTECHNICAL ENGINEER & GEOLOGIST:
GEOCONCEPTS, INC.
14428 HAMLIN STEERT #200
VAN NUYS, CALIFORNIA 91401
PHONE: (818) 994-8895

date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848

SCALE: 1" = 30' - 0"

SHEET TITLE
SITE PLAN & PROJECT INFO.

SHEET NUMBER
1.0

ATTACHMENT 1

BASIS OF BEARINGS:
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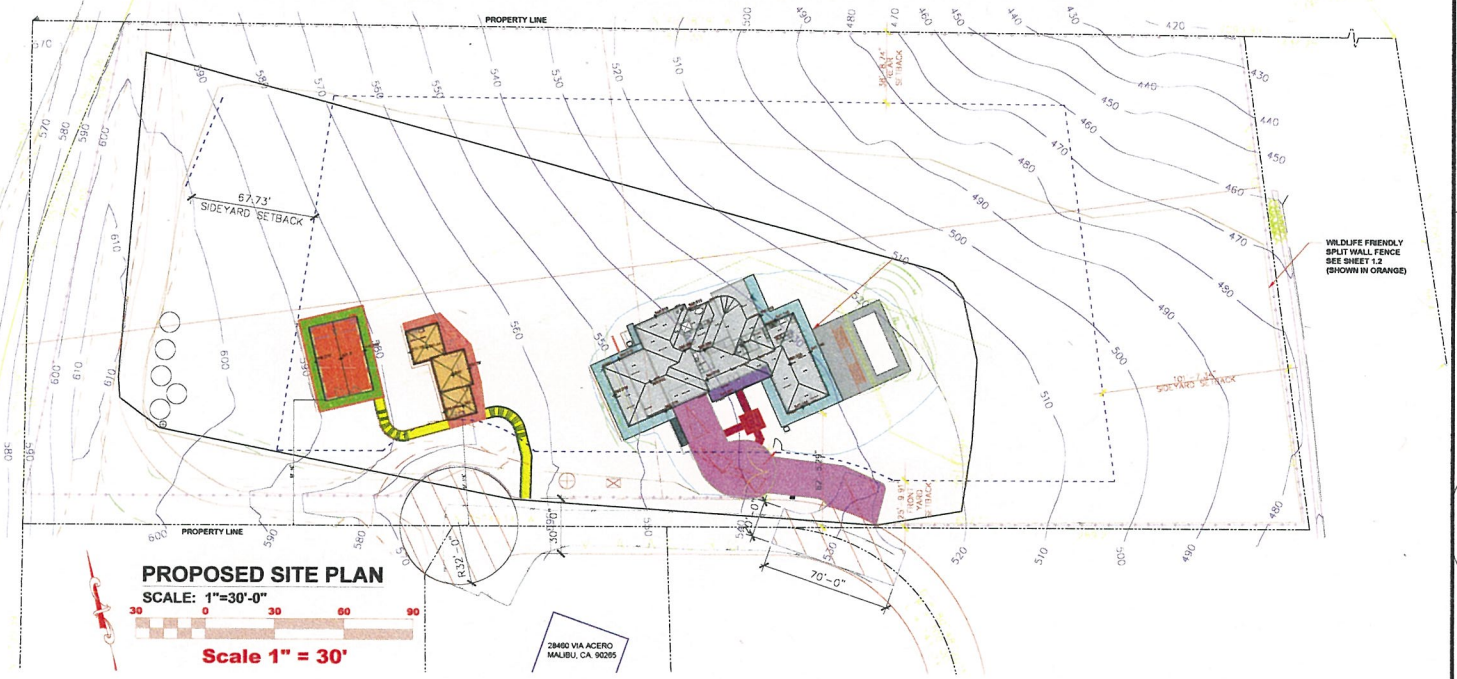
TYPE OF SPRINKLER SYSTEM: 903.3.1 1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN
SCALE: 1"=30'-0"
30 0 30 60 90
Scale 1" = 30'

date 3/7/2016

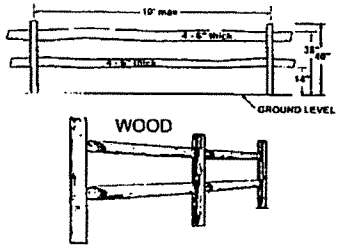
28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848

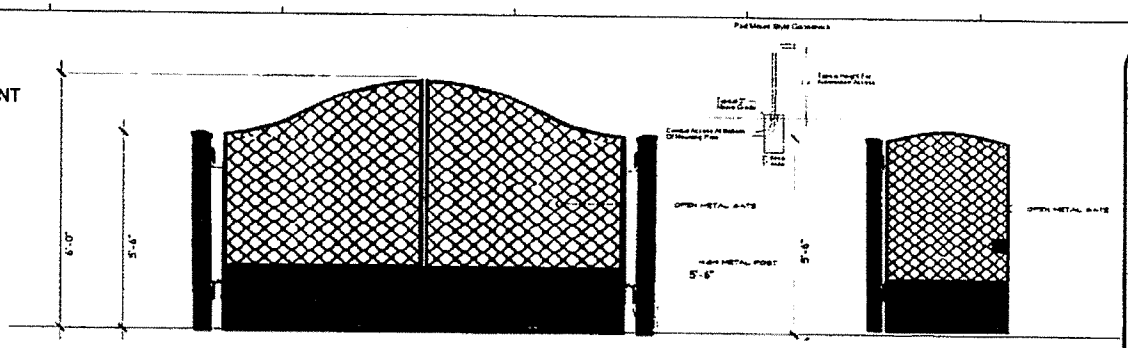
scale: 1" = 30'-0"

SHEET TITLE
SITE PLAN &
WILDLIFE FENCING

SHEET NUMBER
1.3

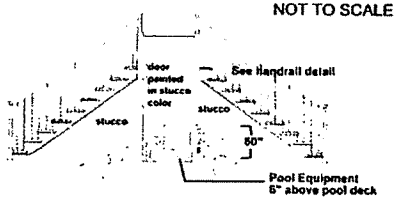
WOODEN SPLIT RAIL FENCE
BLENDS WITH THE NATURAL ENVIRONMENT
NOT TO SCALE



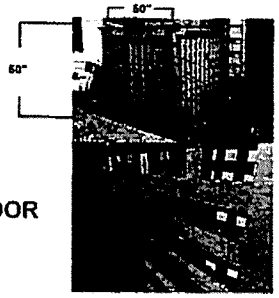


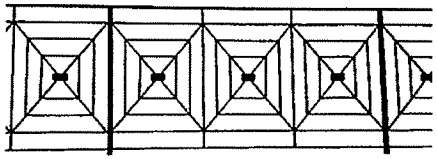
DRIVEWAY ENTRY GATES @ MAIN HOUSE & ACCESS ROAD
NOT TO SCALE

PEDISTRAIN GATE
NOT TO SCALE



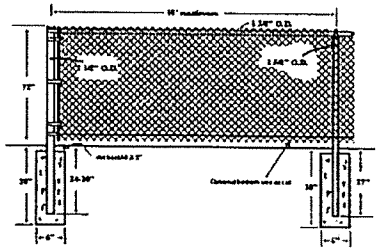
POOL EQUIPMENT UNDER STAIRS BEHIND DOOR
STAIRS LEAD TO POOL
NOT TO SCALE





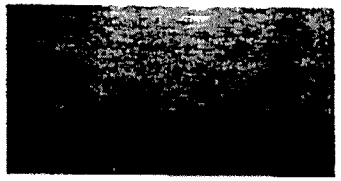
RUSTIC HANDRAIL/architectural detail
NOT TO SCALE

SCREENING FOR A/C UNITS
NOT TO SCALE & GENERATOR



PERIMETER CHAIN LINK FENCIING
NOT TO SCALE
(shown in blue)

STONE WASHED CONCRETE FOR DRIVEWAY AND WALKWAYS
(colored orange and purple on 1.0)
NOT TO SCALE



STUCCO FOR EXT. HOUSE, GUEST HOUSE, BARN AND RETAINING WALLS
NOT TO SCALE

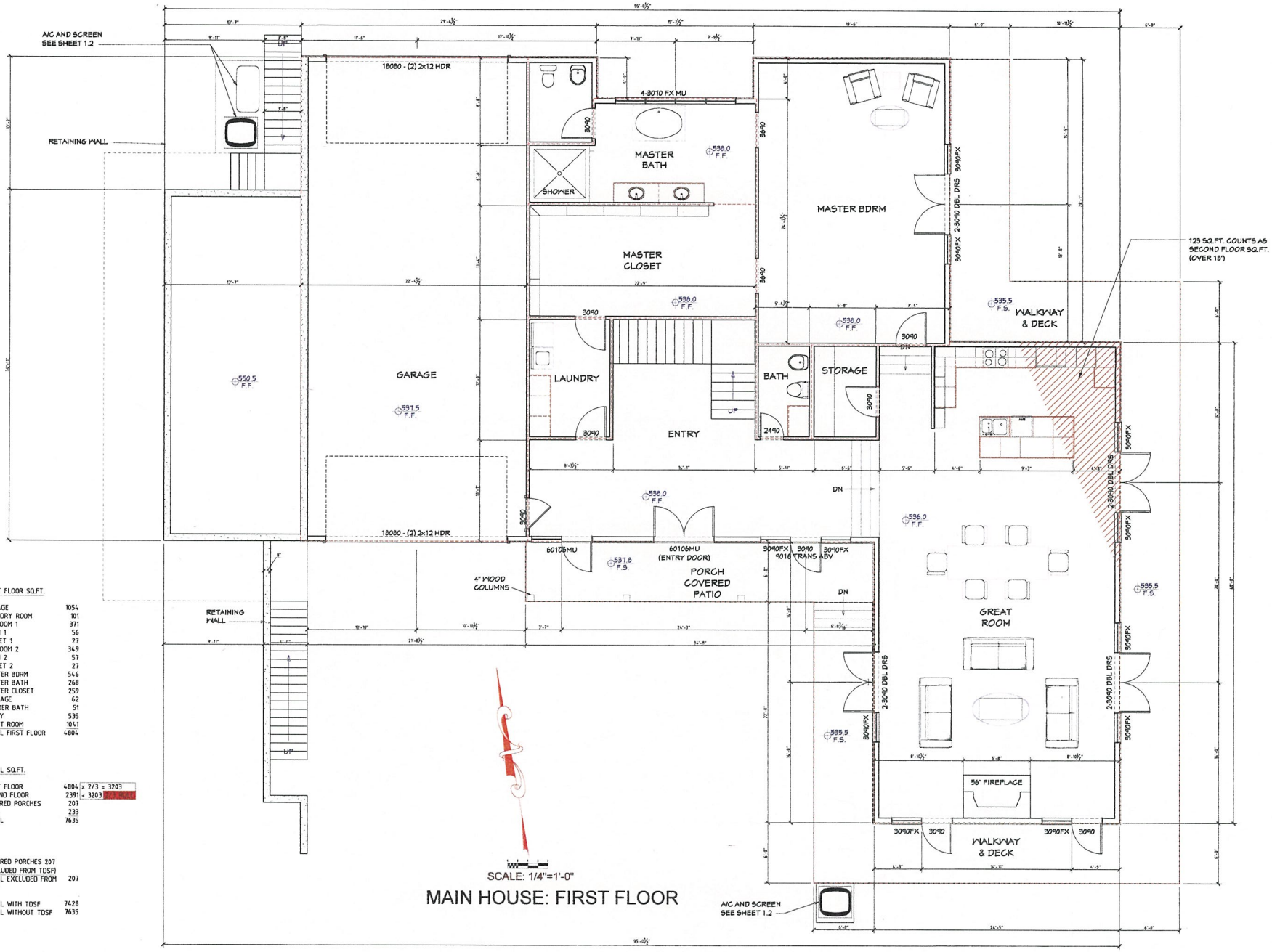
SHEET TITLE
GATE ELEVATIONS

SHEET NUMBER
1.2

scale NTS

29465 AVA ACERO ROAD
MA. BU CA. 90265
Contact Jack Gerlach 310 2[illegible] 8848

date 3/5/14



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

MAIN HOUSE: FIRST FLOOR

FIRST FLOOR SQ.FT.

GARAGE	1054
LAUNDRY ROOM	101
BEDROOM 1	371
BATH 1	56
CLOSET 1	27
BEDROOM 2	349
BATH 2	57
CLOSET 2	27
MASTER BDRM	546
MASTER BATH	268
MASTER CLOSET	259
STORAGE	62
POWDER BATH	51
ENTRY	535
GREAT ROOM	1041
TOTAL FIRST FLOOR	4804

TOTAL SQ.FT.

FIRST FLOOR	4804	x 2/3 = 3203
SECOND FLOOR	2391	< 3203 [illegible]
COVERED PORCHES	207	
DECK	233	
TOTAL	7635	

COVERED PORCHES 207 (EXCLUDED FROM TDSF)	
TOTAL EXCLUDED FROM TDSF	207
TOTAL WITH TDSF	7428
TOTAL WITHOUT TDSF	7635

date 3/7/2016

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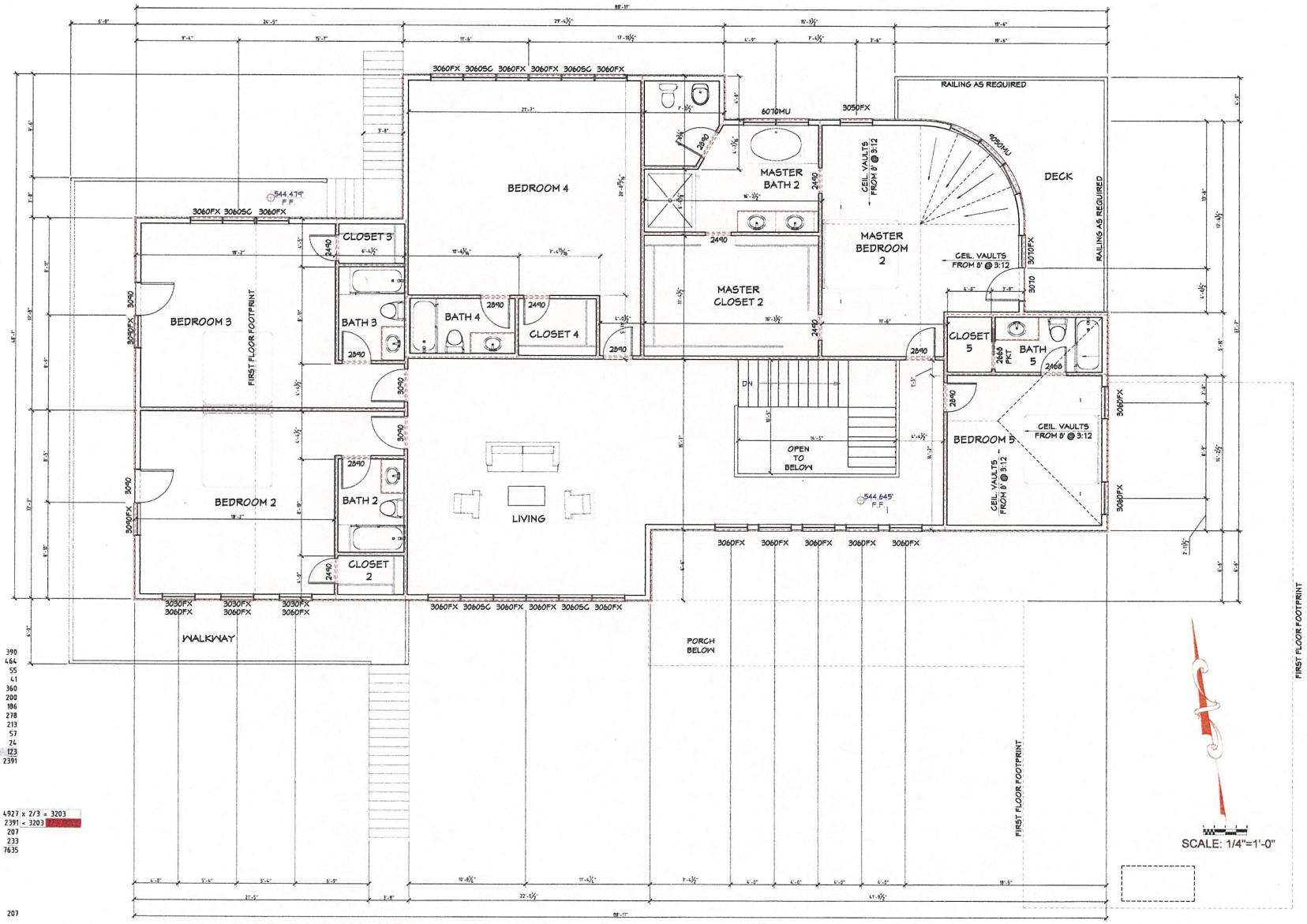
MALIBU, CA. 90265
Contact: Jack Gerlach 310.213.8848

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

SHEET TITLE
FIRST FLOOR PLAN/ (MAIN HOUSE)

SHEET NUMBER
2.1



SECOND FLOOR SQ.FT.

LIVING	390
BEDROOM 4	464
BATH 4	55
CLOSET 4	41
MASTER BEDRM 2	360
MASTER BATH 2	200
MASTER CLOSET 2	186
HALLWAY	278
BEDROOM 5	213
BATH 5	57
CLOSET 5	24
123 (1ST FLR OVER 18')	123
TOTAL SECOND FLOOR	2391

TOTAL SQ.FT.

FIRST FLOOR	4927 x 2/3 = 3203
SECOND FLOOR	2391 + 3203
COVERED PORCHES	207
DECK	233
TOTAL	7635

COVERED PORCHES 207 (EXCLUDED FROM TOSF)	
TOTAL EXCLUDED FROM TOSF	207
TOTAL WITH TOSF	7428
TOTAL WITHOUT TOSF	7635

MAIN HOUSE: SECOND FLOOR

date 3/7/2016

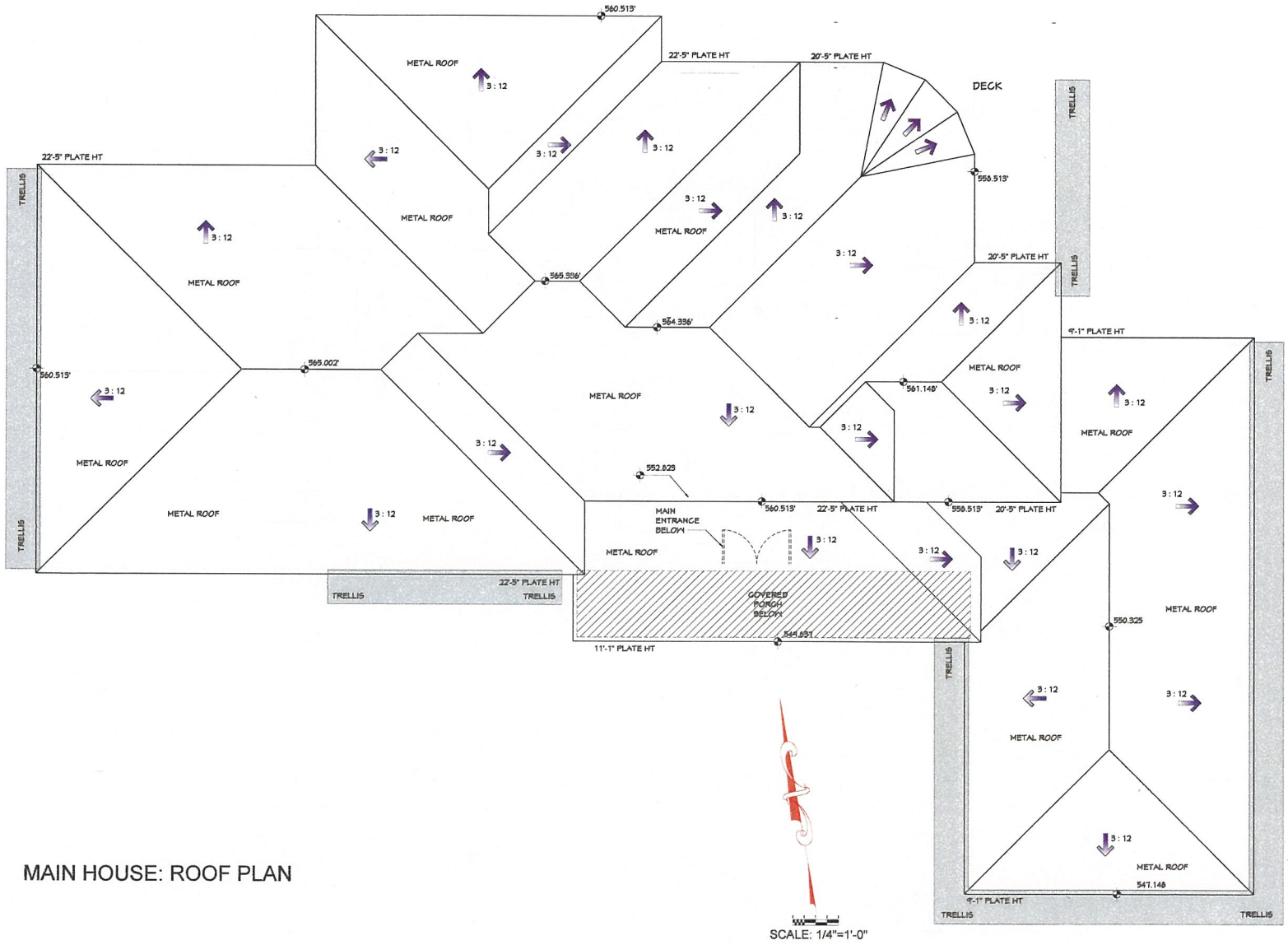
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

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

SHEET TITLE
SECOND FLR PLAN/ (MAIN HOUSE)

SHEET NUMBER
2.2



MAIN HOUSE: ROOF PLAN

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

date 3/7/2016

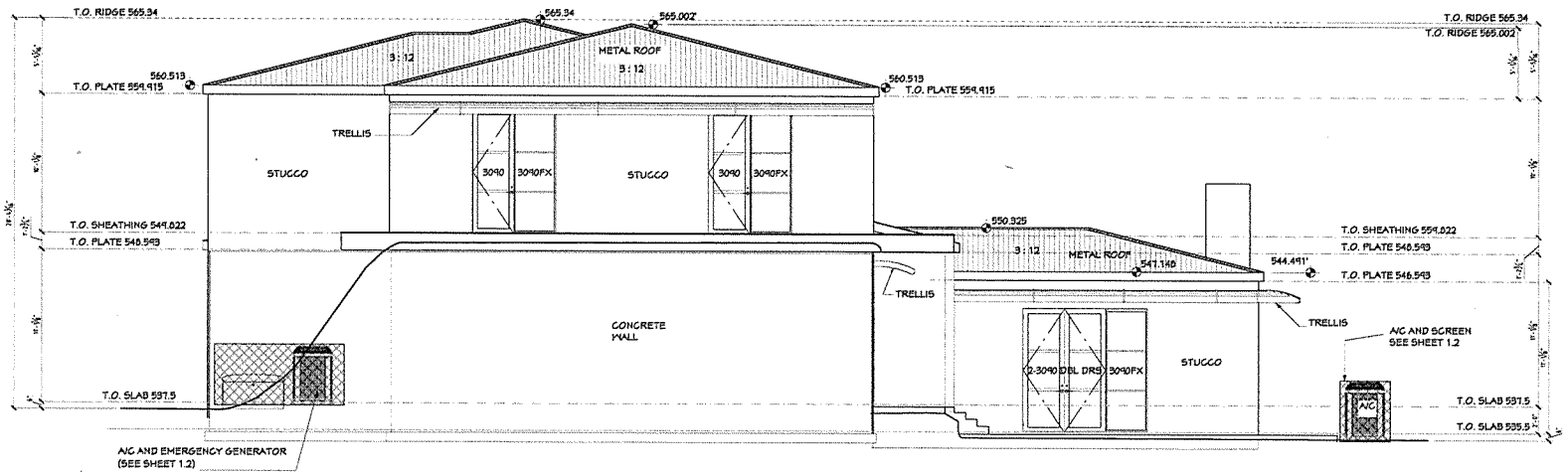
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

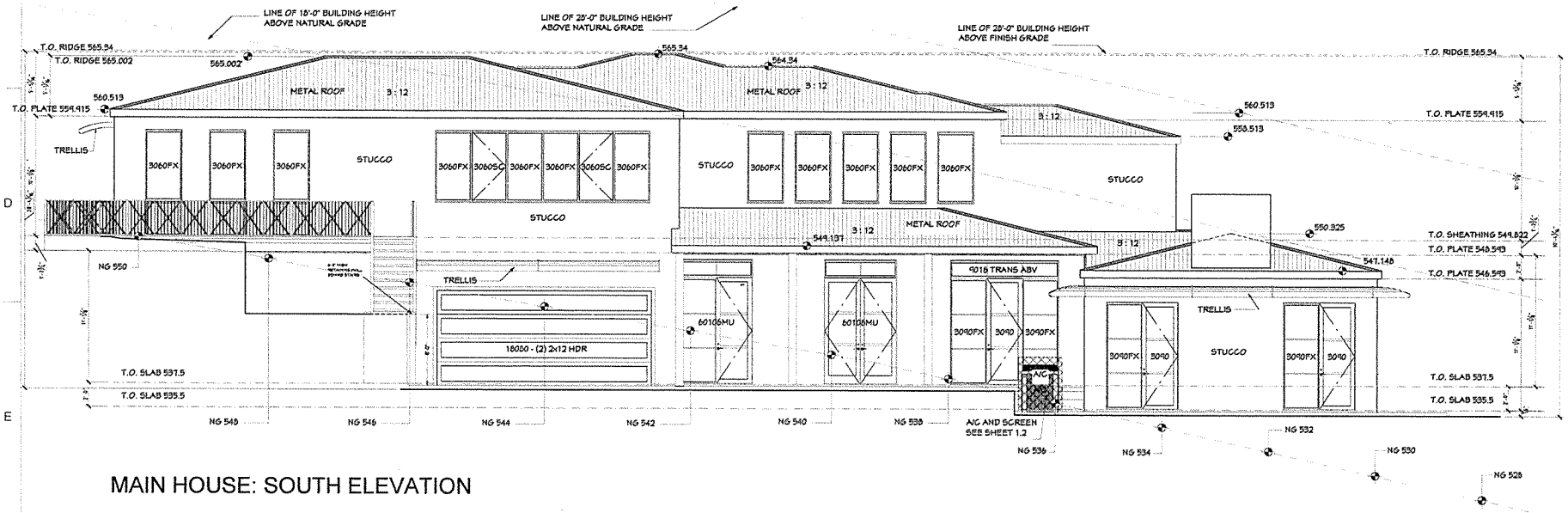
scale: 1/4"=1'-0"

SHEET TITLE
ROOF PLAN
(MAIN HOUSE)

SHEET NUMBER
2.5



MAIN HOUSE: WEST ELEVATION



MAIN HOUSE: SOUTH ELEVATION

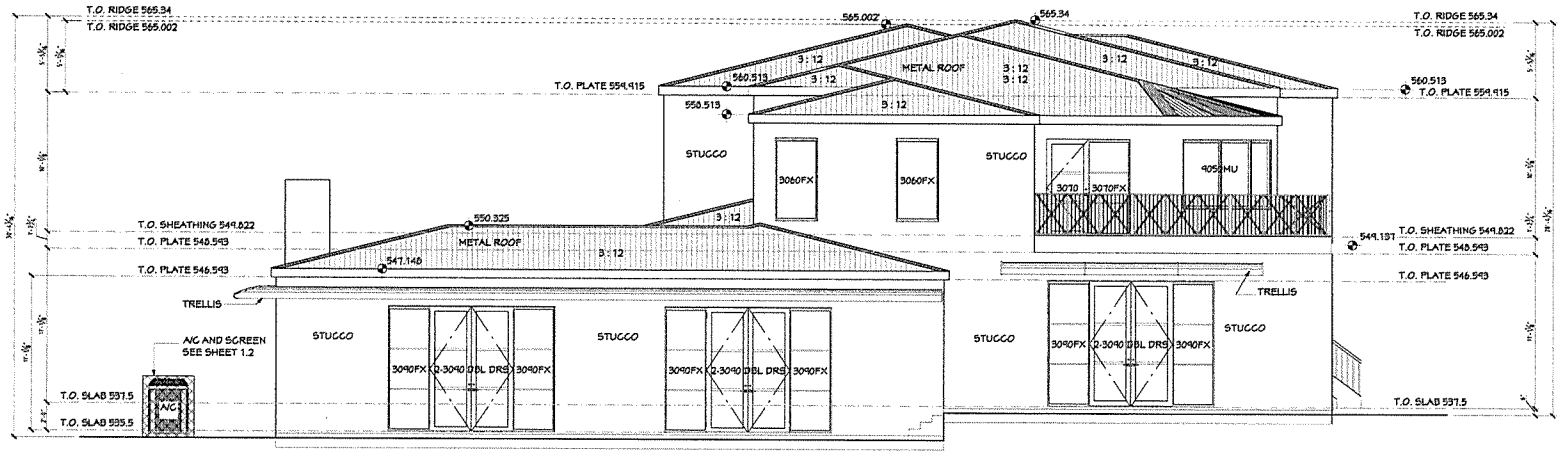
date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA. 90265
Contact: Jack Gerlach 310.213.8848

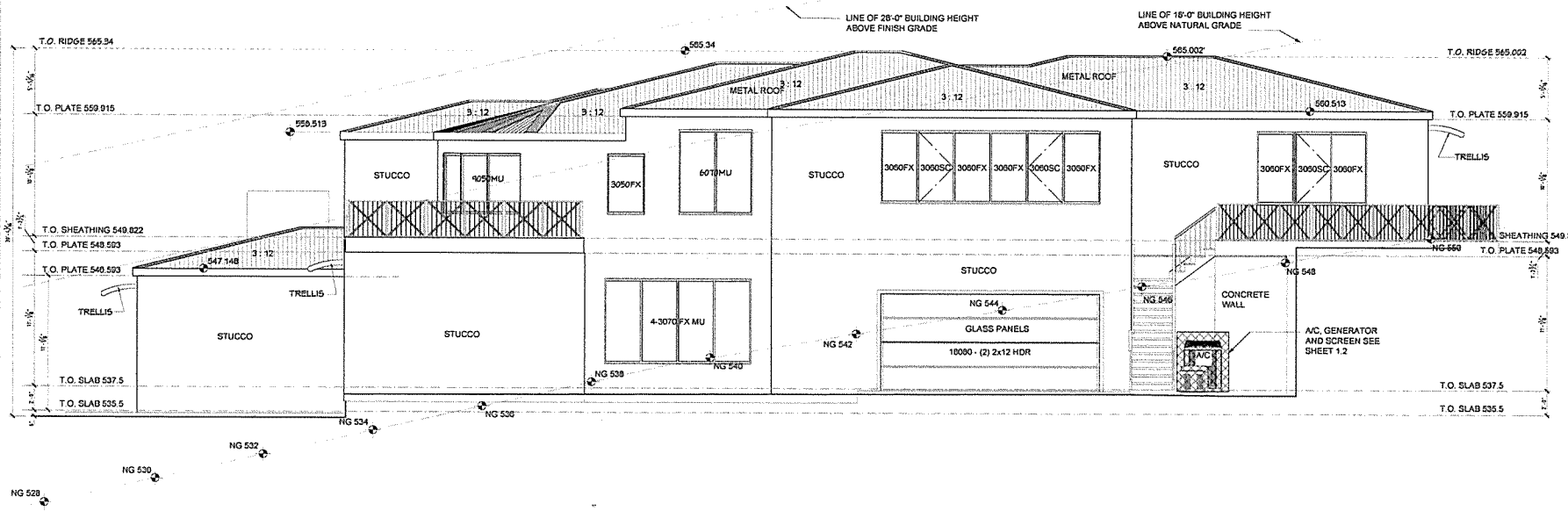
scale: 1/4"=1'-0"

SHEET TITLE
ELEVATIONS (MAIN HOUSE)

SHEET NUMBER
3.1



MAIN HOUSE: EAST ELEVATION



MAIN HOUSE: NORTH ELEVATION

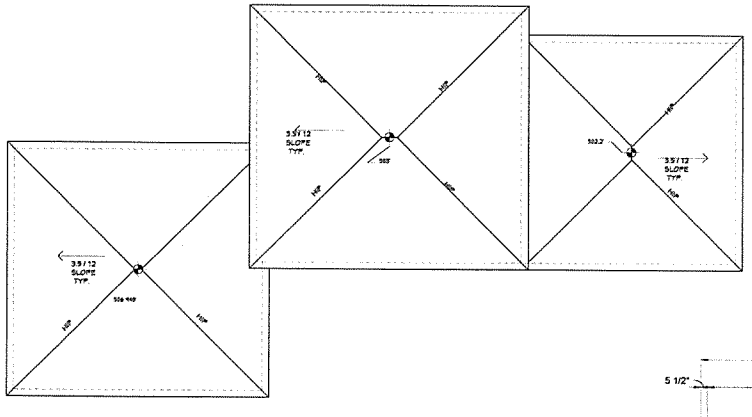
date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA. 90265
Contact: Jack Gerlach 310.213.8848

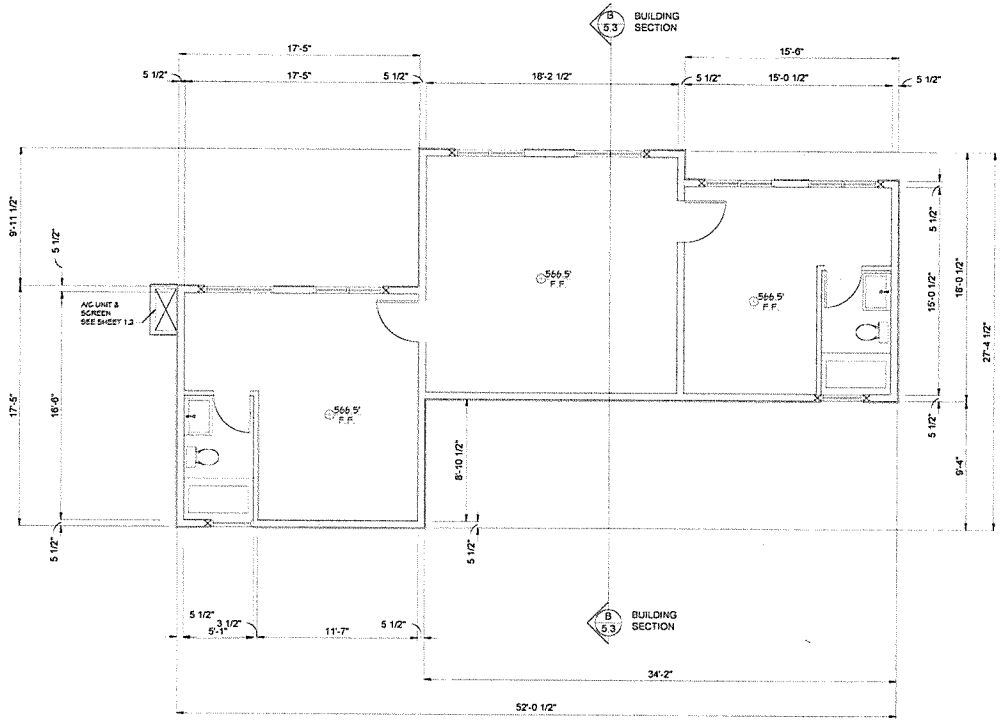
scale: 1/4"=1'-0"

SHEET TITLE
ELEVATIONS (MAIN HOUSE)

SHEET NUMBER
3.2



GUEST HOUSE: ROOF PLAN



GUEST HOUSE: FLOOR PLAN

date
3/7/2016

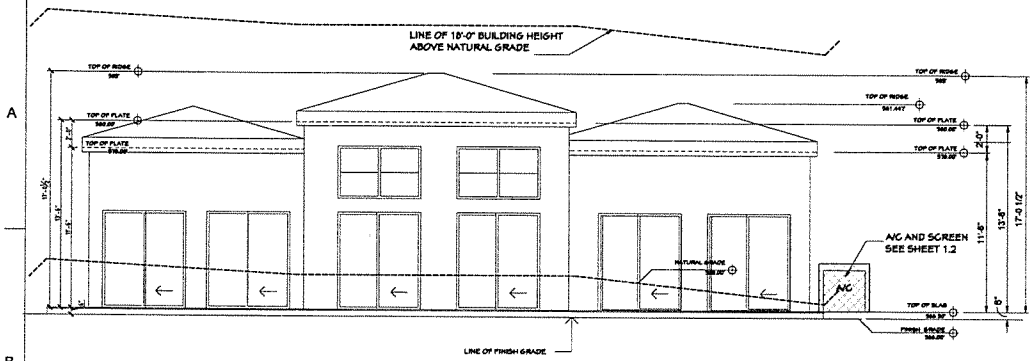
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

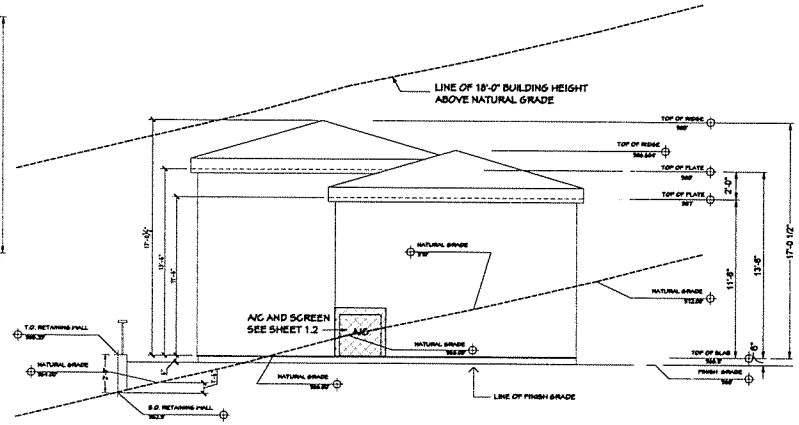
scale:
1/4"=1'-0"

SHEET TITLE
FLOOR PLAN/ROOF
(GUEST HOUSE)

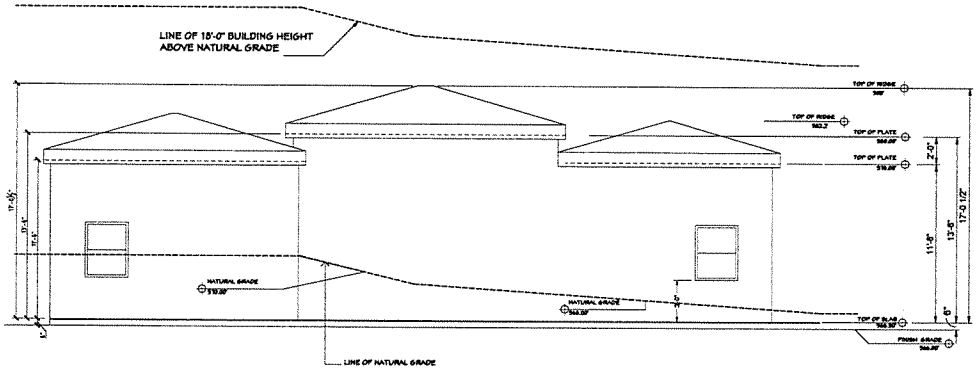
SHEET NUMBER
4.1



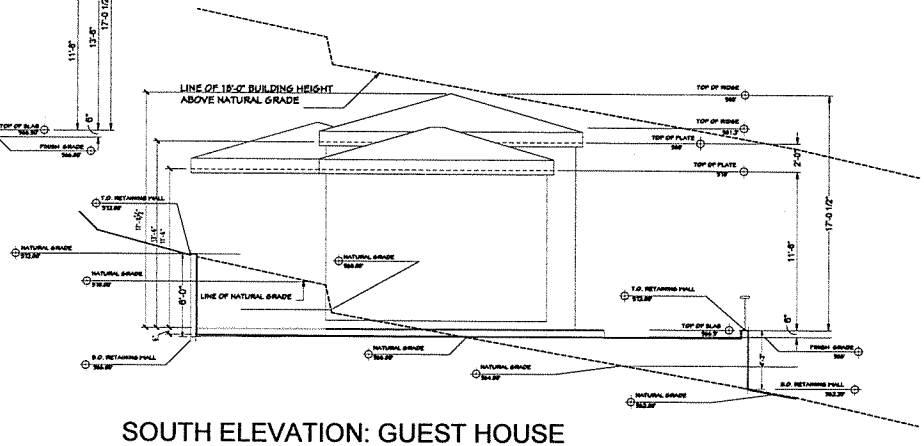
EAST ELEVATION: GUEST HOUSE



NORTH ELEVATION: GUEST HOUSE



WEST ELEVATION: GUEST HOUSE



SOUTH ELEVATION: GUEST HOUSE

date 3/7/2016

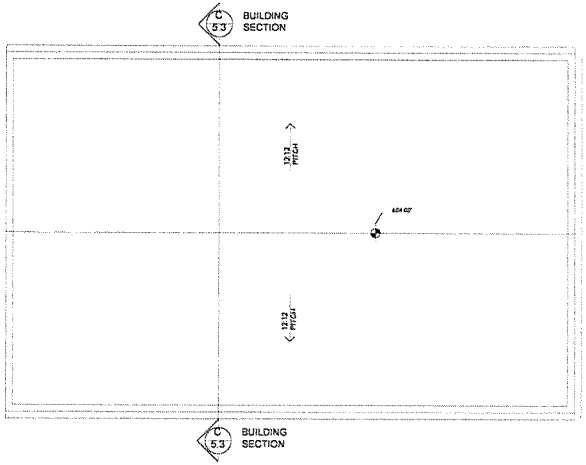
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

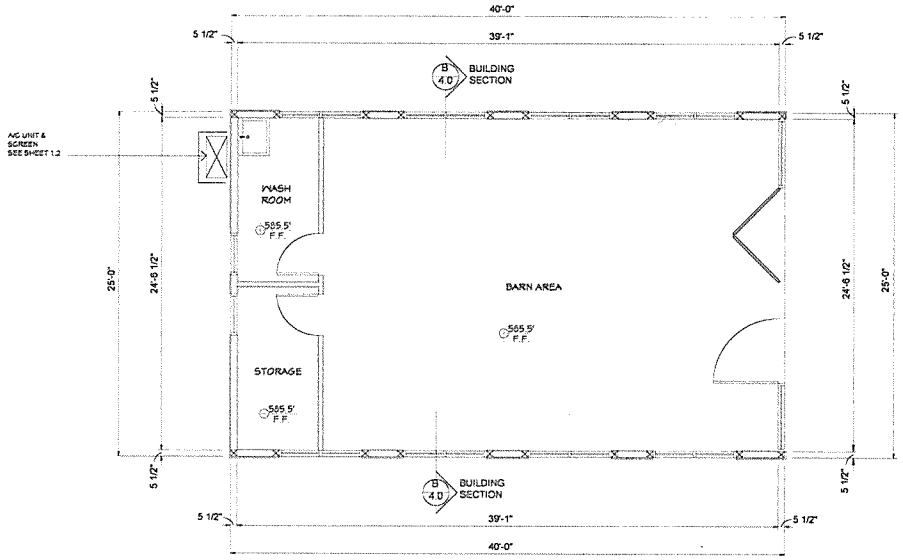
scale: 1/4"=1'-0"

SHEET TITLE
ELEVATIONS
(GUEST HOUSE)

SHEET NUMBER
4.2



BARN: ROOF PLAN



BARN: FLOOR PLAN

date
3/7/2016

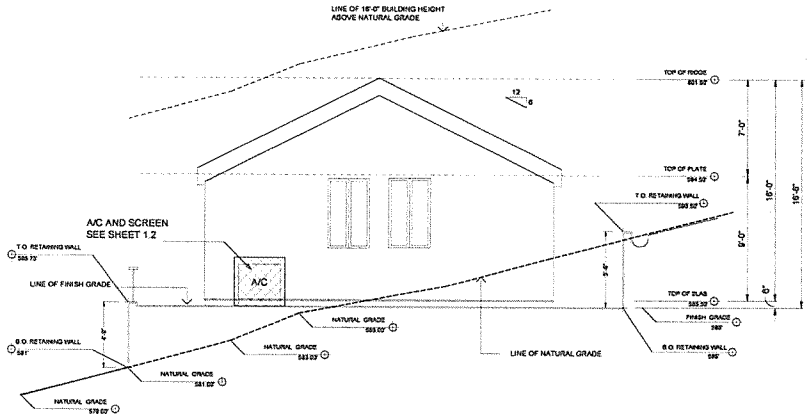
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

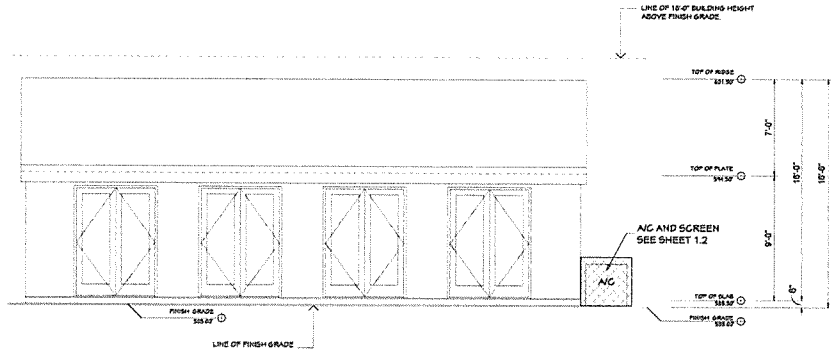
scale:
1/4"=1'-0"

SHEET TITLE
FLOOR PLAN/ROOF
(BARN)

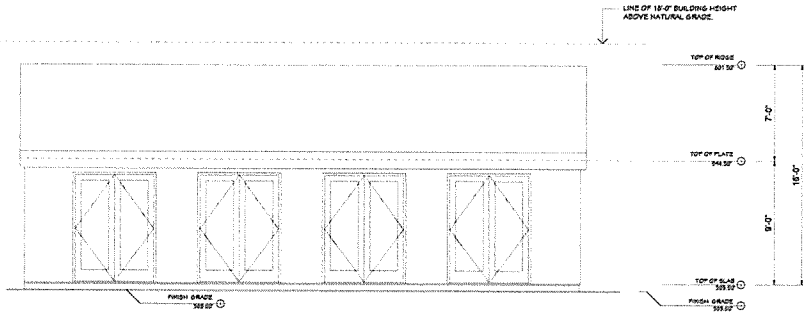
SHEET NUMBER
5.1



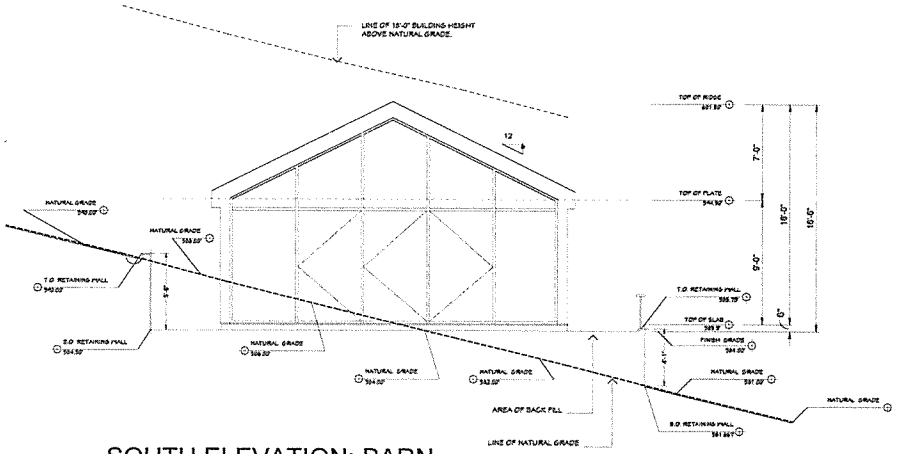
NORTH ELEVATION: BARN



EAST ELEVATION: BARN



WEST ELEVATION: BARN



SOUTH ELEVATION: BARN

date 3/7/2016

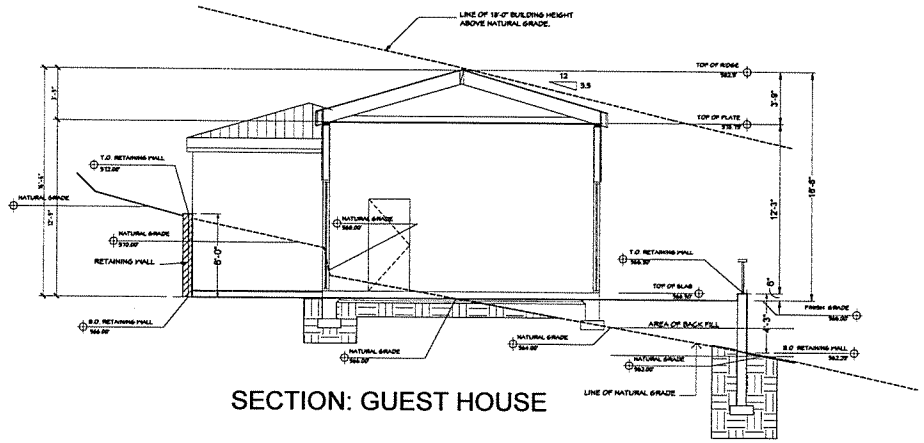
28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

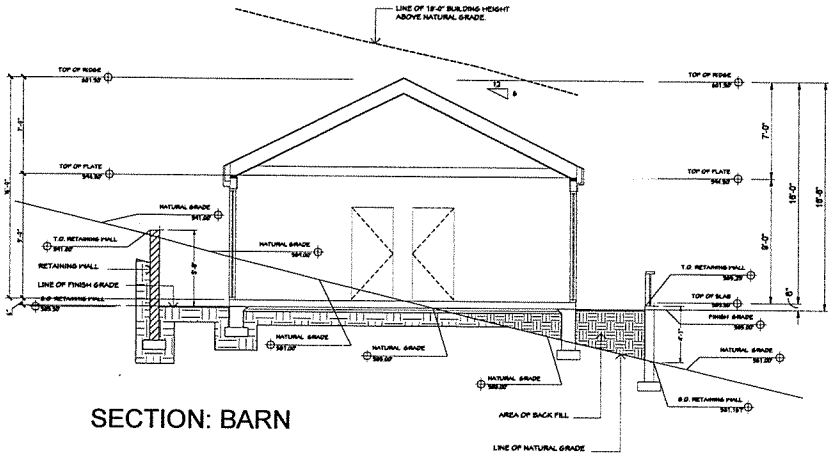
scale: 1/4"=1'-0"

SHEET TITLE
ELEVATIONS (BARN)

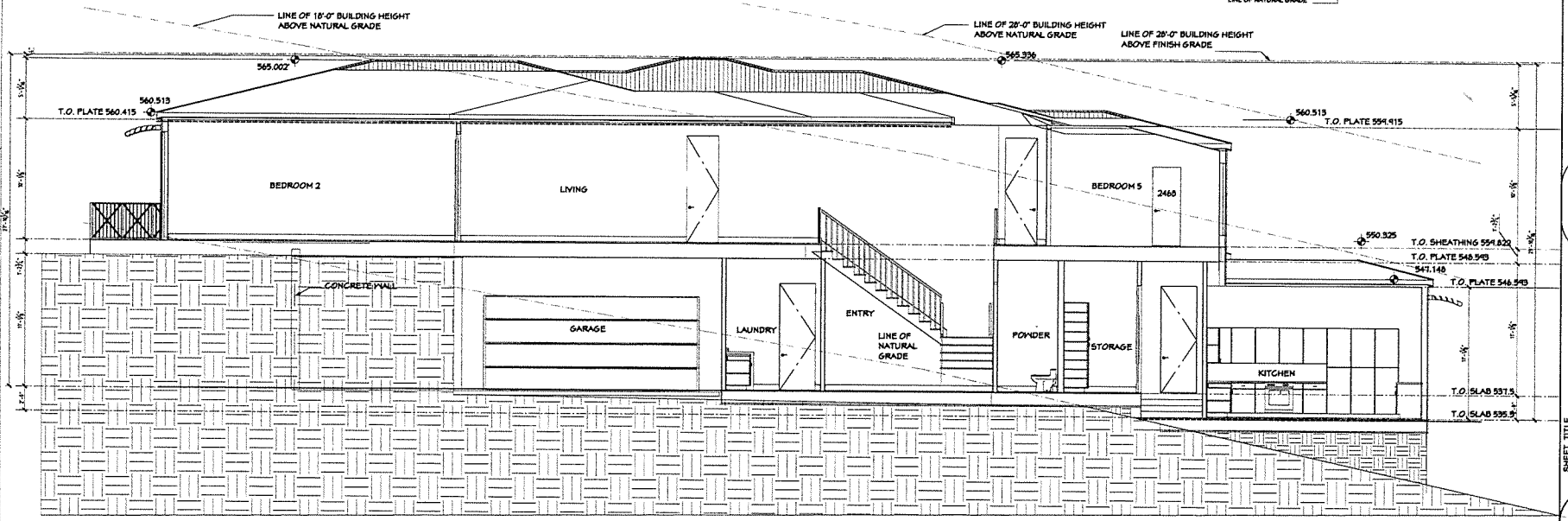
SHEET NUMBER
5.2



SECTION: GUEST HOUSE



SECTION: BARN



SECTION: MAIN HOUSE

date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA. 90265

Contact: Jack Gerlach 310.213.8848

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

SHEET TITLE
SECTIONS

SHEET NUMBER
5.3

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N36°36'36"E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:
MALIBU 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L Y-10346
(2008) KANAN DUME RD & 58M N C/L CAVALLERI RD 2M
W/O EDGE AC IP MKR 600M S/O MON

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:
1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANY DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS, GAS METERS, POWER POLES, ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UN OBSTRUCTED 20' WIDTH CLEAR TO THE SKY. VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS. BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH BUILDING CODE 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH. FIRE CODE 1118.12, BUILDING CODE 3102.3.8

UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS. BUILDING CODE 6403.5

ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION, OR NONCOMBUSTIBLE CONSTRUCTION. BUILDING CODE 6403.7, 6403.9

A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL OF OCCUPANCY SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE. AZUZA, CA. 91702-2904, 626 969-5205 FIRE CODE 1117.2.1

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 310.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD-WIRED WITH BATTERY BACKUP
SMOKE DETECTORS SHALL BE INTERCONNECTED
(INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE (INDICATE ON FLOOR PLAN)

WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24 (INDICATE ON DOOR SCHEDULE)

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM TH STREET FRONT THE PROPERTY NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. FIRE CODE 901.4.4

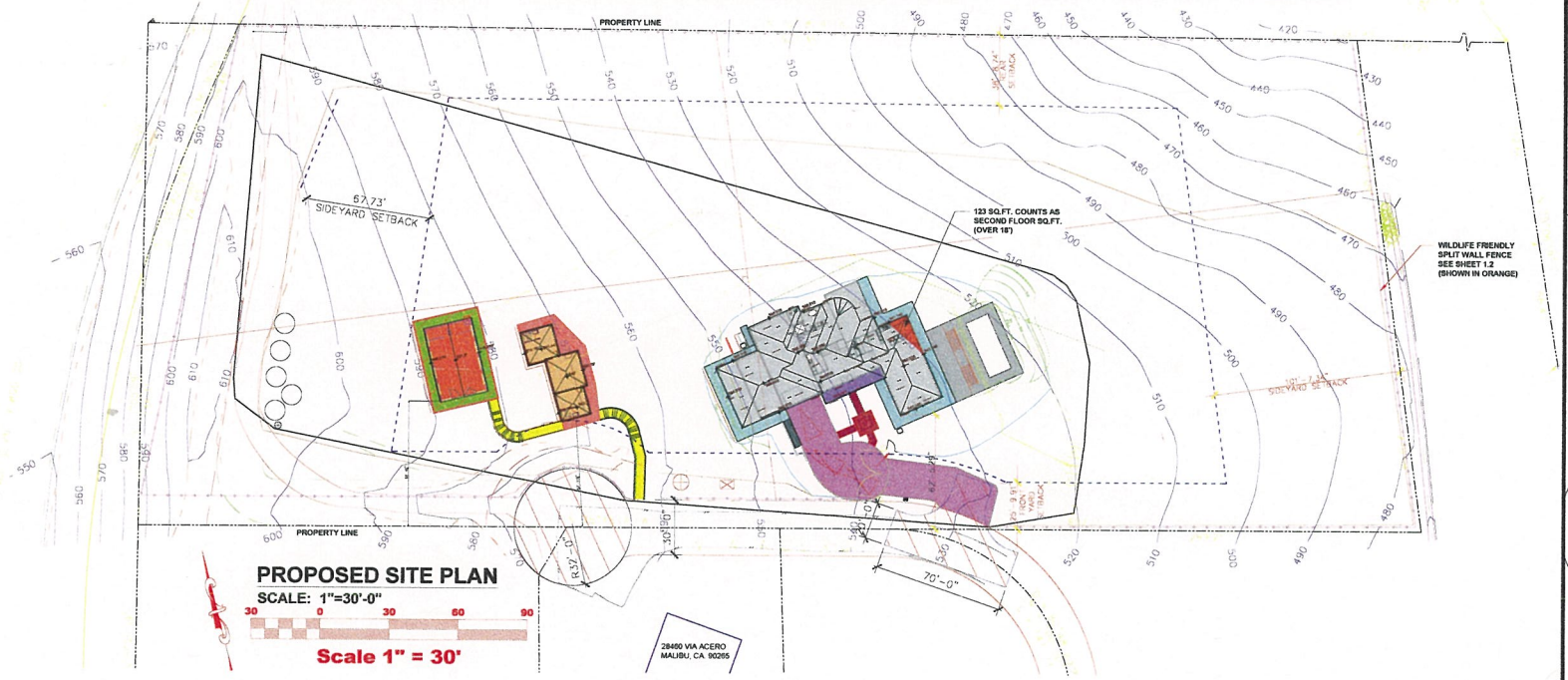
EGRESS DOORS SHALL BE READILY OPENABLE FROM TH EGRESS SIDE WITHOUT THE USE OF A SPECIAL KEY OR ANY SPECIAL KNOWLEDGE OR EFFOR. BUILDING CODE 1008.1.8

VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS. FIRE CODE 503.2.7

ROOF VALLEY FLASHINGS SHALL NOT BE LESS HTAN 0.019-INCH (NO/ 26 GALVINIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-WIDE UNDERLAYMENT CONSISTING OF ONE LAYER NO. 72 ASTM CAP SHEET RUNNING THE FUN LENGTH OF THE VALLEY (FIRE CODE 4710.1.3)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMILATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4710.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3



PROPOSED SITE PLAN
SCALE: 1"=30'-0"
30 0 30 60 90
Scale 1" = 30'

date 3/7/2016

28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerach 310.213.8848

SCALE: 1" = 30' - 0"

SHEET TITLE
ROOF PLAN & TOPOGRAPHY

SHEET NUMBER
5.4

LEGEND:

PROPERTY LINE:
STREET CENTERLINE:
EASEMENT:
MONUMENT:
BASIS OF BEARINGS: (B.O.B.)
ENCROACHMENT: (ENCR.)
CLEAR: (CLR.)
STREET LIGHT (ST.LT.):
ASPHALT (A/C):
BUILDING:
CHAIN LINK FENCE (C.L.F.):
WOOD FENCE:
WIRE FENCE:
WROUGHT IRON FENCE:
CONCRETE (CONC.):
MANHOLE (M.H.):
IRRIGATION CONTROL VALVE: I.C.V.
TREES: PINE PALM EUC OAK MISC

PROPERTY ADDRESS:

(VACANT) VIA ACERO
MALIBU, CA 90265

ASSESSOR'S PARCEL NO.'S:

4467-033-014 (LOS ANGELES COUNTY)

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 36° 36'36" E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:

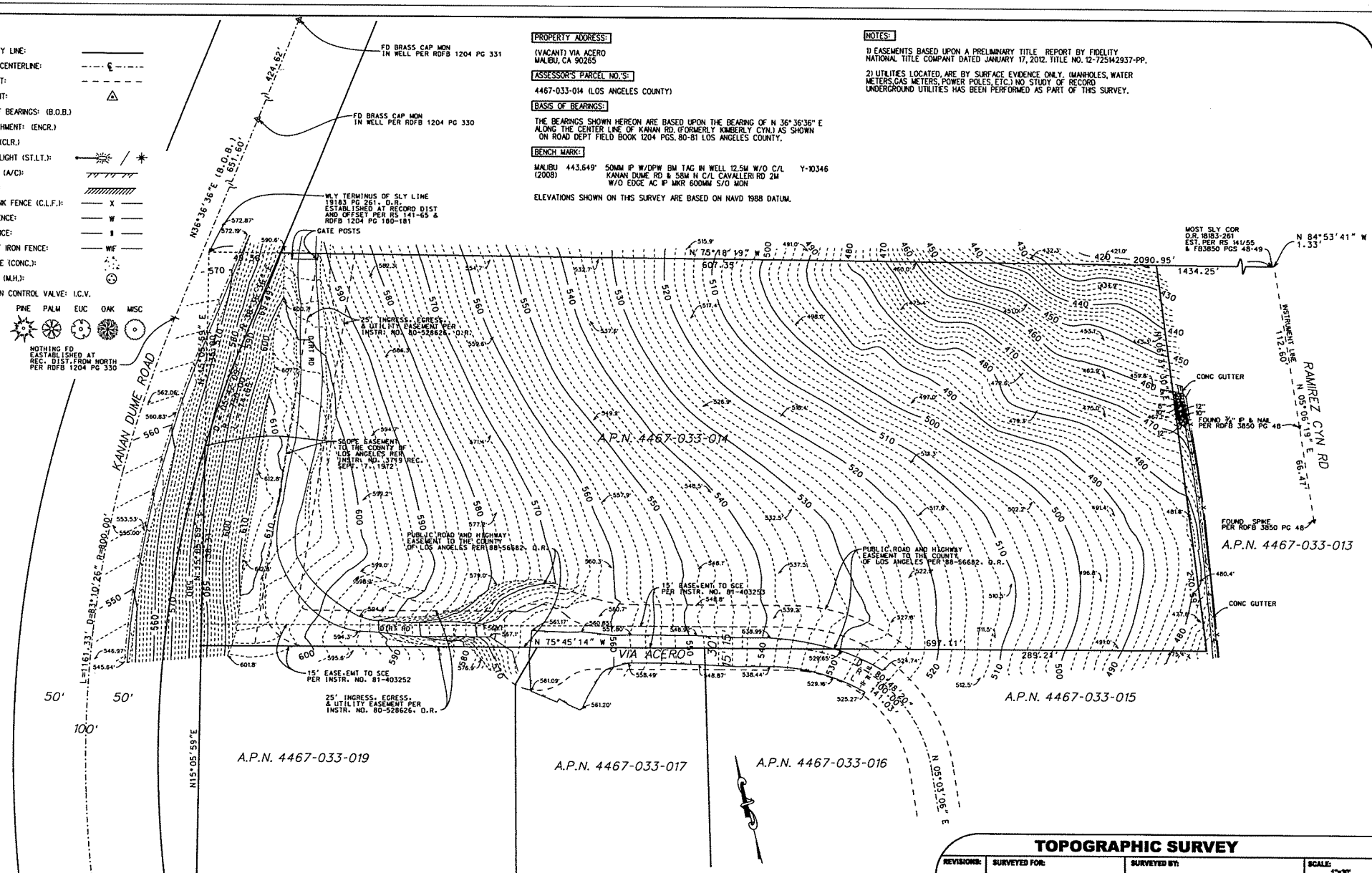
MALIBU (2008) 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L KANAN DUME RD & 58M N C/L CAVALLERI RD 2M W/O EDGE AC IP MKR 600MM S/O MON Y-10346

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:

1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANT DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS,GAS METERS,POWER POLES,ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.



TOPOGRAPHIC SURVEY

REVISIONS:	SURVEYED FOR:	SURVEYED BY:	SCALE: 1"=30'
	JACK GERLACH 28460 VIA ACERO MALIBU, CA 90265	CLEMONS LAND SURVEYING 1167 LAWRENCE DR. STE. B NEWBURY PARK, CA 91320 (805) 498-5332 (805) 498-5338 FAX	JOB NO: GERL-112
DRAWN BY: JD/PC			SURVEY DATE: 4/9/12
			SHEET: 1 OF 1

GENERAL NOTES:

1. ANY MODIFICATIONS OF OR CHANGES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL.
2. A COPY OF GRADING PERMIT AND APPROVED GRADING PLAN MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE.
3. ENGINEER MUST SET GRADE STAKES FOR ALL DRAINAGE DEVICES AND OBTAIN INSPECTION APPROVAL BEFORE POURING.
4. PROVISIONS SHALL BE MADE FOR CONTRIBUTORY DRAINAGE AT ALL TIMES.
5. SECURE PERMISSION FROM CITY ENGINEER, EASEMENT GRANTEE, STATE HIGHWAY DEPARTMENT AND/OR HOMEOWNERS ASSOCIATION FOR CONSTRUCTION, GRADING, AND/OR DISCHARGE OF DRAINAGE WITHIN STREET RIGHT-OF-WAY.
6. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR. A PRE-GRADING MEETING ON THE SITE IS REQUIRED BEFORE START OF GRADING WITH THE FOLLOWING PEOPLE PRESENT: OWNER, GRADING CONTRACTOR, DESIGN CIVIL ENGINEER, SOIL ENGINEER, GEOLOGIST, GRADING INSPECTOR, AND WHEN REQUIRED, THE ARCHAEOLOGIST AND PALEONTOLOGIST. THE REQUIRED INSPECTIONS FOR GRADING WILL BE EXPLAINED AT THIS MEETING.
7. CUT AND FILL SLOPES SHALL BE NO STEEPER THAN 2' HORIZONTAL TO 1' VERTICAL (2:1), EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
8. FILLS SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90% RELATIVE COMPACTION. AGGREGATE BASE FOR ASPHALTIC AREAS SHALL BE COMPACTED TO MINIMUM OF 95% RELATIVE COMPACTION.
9. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED, IN WRITING, BY THE SOIL ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL.
10. FILL SHALL BE BENCHED INTO COMPETENT MATERIAL PER CITY OF MALIBU STANDARD OR SOILS ENGINEER'S DIRECTIONS.
11. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.
12. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED IN PLACE, AND APPROVED BY THE BUILDING OFFICIAL AND SOIL ENGINEER.
13. STOCK PILING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.
14. THE FIELD ENGINEER, AS A CONDITION OF ROUGH GRADE APPROVAL, SHALL PROVIDE A BLUE TOP WITH ACCOMPANYING WITNESS STAKE, SET AT THE CENTER OF EACH PAD REFLECTING THE PAD ELEVATION FOR PRECISE PERMITS AND A BLUE TOP WITH WITNESS STAKE SET AT THE DRAINAGE SWALE HIGH POINT REFLECTING THE HIGH POINT ELEVATION FOR PRELIMINARY PERMITS.
15. ALL TRENCH BACKFILLS SHALL BE TESTED AND APPROVED BY THE SOIL ENGINEER PER THE MALIBU BUILDING CODE.
16. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL, AFTER CLEARING AND PRIOR TO THE PLACEMENT OF FILL IN CANYONS, INSPECT EACH CANYON FOR AREAS OF ADVERSE STABILITY AND TO DETERMINE THE PRESENCE OR ABSENCE OF SUBSURFACE WATER OR SPRING FLOW. IF NEEDED, SUBDRAINS WILL BE DESIGNED AND CONSTRUCTED PRIOR TO THE PLACEMENT OF FILL IN EACH RESPECTIVE CANYON.
17. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUBDRAIN LOCATIONS AND ELEVATIONS.
18. THE EXACT LOCATION OF THE SUBDRAINS SHALL BE SURVEYED IN THE FIELD FOR LINE/GRADE AND REFLECTED ON AS-GRADED PLANS.
19. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM EXISTS. SHOULD EXCAVATION DISCLOSE ANY GEOLOGICAL HAZARDS OR POTENTIAL GEOLOGICAL HAZARDS, THE ENGINEER GEOLOGIST SHALL SUBMIT RECOMMENDED REMEDIATION TO THE BUILDING OFFICIAL FOR APPROVAL.
20. WHERE SUPPORT OR BUTTRESSING OF CUT AND NATURAL SLOPES IS DETERMINED TO BE NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, THE SOIL ENGINEER SHALL SUBMIT DESIGN, LOCATIONS, AND CALCULATIONS TO THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION. THE ENGINEERING GEOLOGIST AND SOIL ENGINEER SHALL INSPECT AND CONTROL THE CONSTRUCTION OF THE BUTTRESSING AND CERTIFY TO THE STABILITY OF THE SLOPE AND ADJACENT STRUCTURES UPON COMPLETION.
21. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIST SHALL DETERMINE IF THE BEDROCK IS EXTENSIVELY FRACTURED OR FAULTED AND WILL READILY TRANSMIT WATER. IF CONSIDERED NECESSARY BY THE ENGINEERING GEOLOGIST AND SOIL ENGINEER, A COMPACTED FILL BLANKET WILL BE PLACED.
22. THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING.
23. THE COMPACTION REPORT AND APPROVAL FROM THE SOIL ENGINEER SHALL INDICATE THE TYPE OF FIELD TESTING PERFORMED. EACH TEST SHALL BE IDENTIFIED WITH THE METHOD OF OBTAINING THE IN-PLACE DENSITY, WHETHER SAND CONE OR NUCLEAR GAUGE, AND SHALL BE SO NOTED FOR EACH TEST.
24. THE GRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE, UNDER HIS DIRECTION WAS PERFORMED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF CHAPTER 70 OF THE MALIBU BUILDING CODE OR DESCRIBING ALL VARIANCES FROM THE APPROVED PLANS AND REQUIREMENTS OF THE CODE.
25. THE DESIGN ENGINEER VERIFIES THAT THIS GRADING PLAN WAS PREPARED UNDER MY SUPERVISION IN ACCORDANCE WITH SECTION 3318.1 OF THE MALIBU BUILDING CODE. ALL SOILS ENGINEER AND ENGINEERING GEOLOGIST RECOMMENDATIONS WERE INCORPORATED IN THE PLAN. (MUST BE SIGNED AND DATED BY THE DESIGN ENGINEER.)
26. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITTED TO THE CITY BUILDING DEPARTMENT.
27. EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.
28. SLOPES SHALL BE PLANTED WITH AN APPROVED PLANT MATERIAL AND PROVIDED WITH AN APPROVED IRRIGATION SYSTEM, UNLESS AN ALTERNATIVE HAS BEEN APPROVED BY THE CITY BIOLOGIST.
29. THE ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED GRADING PLAN.
30. PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED GRADING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS SUBMITTED FOR REVIEW.
31. ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL FACILITIES TO HANDLE STORM WATER ARE APPROVED AND FUNCTIONAL. HOWEVER, IN ANY CASE, THE PERMITTEE SHALL BE HELD LIABLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
32. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EQUIPMENT, SHALL BE ACCOMPLISHED WITHIN THE CONFINES OF THE NOISE ORDINANCE AND POLICIES OF THE CITY OF MALIBU.
33. ROOF GUTTERS SHALL BE INSTALLED TO PREVENT ROOF DRAINAGE FROM FALLING ON MANUFACTURED SLOPES. GUTTER SHALL BE CONNECTED TO NON-EROSIVE PIPING OR OTHER METHOD ACCEPTABLE TO THE BUILDING OFFICIALS.
34. ANY EXCAVATIONS ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CALIFORNIA CIVIL CODE, SECTION 832, AND IS THE RESPONSIBILITY OF THE PERMITTEE AND/OR OWNER.
35. EROSION CONTROL AND STORM WATER MANAGEMENT PLANS MUST BE APPROVED PRIOR TO ISSUANCE OF THE PERMIT.
36. ALL STORM DRAIN WORK IS TO BE DONE UNDER CONTINUOUS INSPECTION BY THE FIELD ENGINEER. WEEKLY STATUS REPORTS SHALL BE SUBMITTED BY THE FIELD ENGINEER TO THE CITY BUILDING DEPARTMENT.
37. ALL RECOMMENDATIONS INCLUDED IN THE CONSULTANT'S SOIL AND GEOLOGY REPORTS MUST BE COMPLIED WITH AND ARE A PART OF THE GRADING SPECIFICATIONS.
38. THE CONSULTING GEOLOGIST MUST APPROVE ROUGH GRADING BY FINAL REPORT. FINAL REPORT MUST INCLUDE AN AS-BUILT GEOLOGIC MAP.
39. THE BUILDING OFFICIAL SHALL APPROVE STOCK PILING OF EXCESS MATERIAL PRIOR TO EXCAVATION.
40. SUBDRAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBDRAIN CONSTRUCTION AND SURVEY FOR LOCATION. THE AS GRADED PLAN SHALL SHOW ALL SUBDRAIN LOCATIONS AND ELEVATIONS.

ENGINEER GRADING REQUIREMENT

1. FILL SHALL BE COMPACTED (AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D1557-LATEST VERSION) THROUGHOUT THEIR FULL EXTENT TO (3313.4):
   A. A MINIMUM RELATIVE COMPACTION OF 90% OF MAXIMUM DRY DENSITY WITHIN 40 FT. BELOW FINISHED GRAD, AND
   B. 93% OF MAXIMUM DRY DENSITY DEEPER THAN 40 FT. BELOW FINISHED GRADE.
2. FIELD DENSITY SHALL BE DETERMINED BY SAND-CONE METHOD, A.S.T.M. D1556 - LATEST VERSION. IN FINE GRAINED COHESIVE SOILS FIELD DENSITY MAY BE DETERMINED BY THE DRIVE-CYLINDER METHOD, A.S.T.M. D-2937 LATEST VERSION, PROVIDED NOT LESS THAN 20% OF THE REQUIRED DENSITY TESTS, UNIFORMLY DISTRIBUTED, ARE BY THE SAND-CONE METHOD. THE OF DETERMINING FIELD DENSITY SHALL BE SHOWN IN THE COMPACTION REPORT. OTHER METHODS MAY BE USED IF RECOMMENDED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL. (3313.4)
3. SUFFICIENT TEST OF SOIL PROPERTIES, INCLUDING SOIL TYPES AND SHEAR STRENGTH, SHALL BE MADE DURING GRADING OPERATION TO VERIFY COMPLIANCE WITH DESIGN CRITERIA. THE RESULTS OF SUCH TESTING SHALL BE FURNISHED TO THE BUILDING OFFICIAL UPON COMPLETION OF GRADING OPERATIONS, OR WHEN NECESSITATED BY FIELD CONDITIONS UPON REQUEST OF THE BUILDING OFFICIAL. ONE FIELD DENSITY TEST TO BE MADE AS FOLOWS:
   (a) ONE TEST FOR EACH 2' VERTICAL LIFT.
   (b) ONE TEST FOR EACH 1,000 CUBIC YARDS OF MATERIAL PLACED.
   (c) ONE TEST WILL BE MADE AT POINT APPROXIMATELY 1' BELOW THE FILL SLOPE SURFACE ON THE BASIS OF ONE TEST FOR EACH 1,000 SQUARE FEET OF SLOPE SURFACE. BUT NOT LESS THAN ONE TEST FOR EACH 10' OF VERTICAL SLOPE HEIGHT.
4. NO FILL SHALL BE PLACED UNTIL STRIPPING OF VEGETATION, REMOVAL OF UNSUITABLE SOILS, AND INSTALLATION OF SUBDRAINS (IF ANY) HAVE BEEN INSPECTED AND APPROVED BY THE SOILS ENGINEER.
5. NO ROCK OR SIMILAR MATERIAL GREATER THAN 12 INCHES IN DIAMETER WILL BE PLACED IN THE FILL UNLESS RECOMMENDATIONS FOR SUCH PLACEMENT HAVE BEEN SUBMITTED BY THE SOILS ENGINEER AND APPROVED IN ADVANCE BY THE BUILDING OFFICIAL.
6. ORIGINAL OF REPORTS SHALL BE PROVIDED TO THE BUILDING OFFICIAL FOR ALL COMPACTED FILLS.

LOT DRAINAGE

1. ALL CONCRETE PLACED ON GRADE SHALL BE COLORED TO MATCH NATURAL CONDITIONS ADJACENT TO THE STRUCTURES. SURFACE PAINT IS NOT ACCEPTABLE. ALL COLORS ARE TO BE INCORPORED INTO THE MIX AND BLENDED UNIFORMLY.

TERRACE DRAINAGE

1. ALL DRAINAGE TERRACES REQUIRED TO BE PAVED MUST BE 3" MINIMUM CONCRETE OR GUNITE REINFORCED WITH 6x6-10/10 WIRE MESH. SHOW DETAIL (WHERE GUNITE IS USED, WIRE MESH IS TO BE SUPPORTED OFF OF EARTH WITH PERMANENT TIES OR EQUAL PRIOR TO INSPECTION)

PLANTING AND IRRIGATION NOTES:

1. THE PLANS OF A DESIGNED IRRIGATION SYSTEM FOR FULL COVERAGE OF ALL PORTIONS OF THE SLOPES SHALL BE SUBMITTED AND APPROVED PRIOR TO ROUGH GRADING APPROVAL BY THE CITY BIOLOGIST.
2. ALL CUT AND FILL SLOPES WILL BE PLANTED WITH AN APPROVED GROUND COVER AND PROVIDED WITH AN IRRIGATION SYSTEM AS SOON AS PRACTICAL DURING GRADING. IN ADDITION TO THE GROUND COVER PLANTS SHALL BE INSTALLED ON ALL SLOPES. ALL PLANTING SHALL BE OF A TYPE APPROVED BY THE CITY BIOLOGIST.
3. PLANTING AND IRRIGATION PLANS FOR SLOPES MUST BE PREPARED AND SIGNED BY A CIVIL ENGINEER OR LANDSCAPE ARCHITECT.
4. FINISH GRADING WILL BE COMPLETED AND APPROVED AND SLOPE PLANTING AND IRRIGATION SYSTEM INSTALLED BEFORE OCCUPANCY OF BUILDINGS.

GEOLOGY NOTES:

1. PRIOR TO THE 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, LOCATION AND ELEVATIONS OF ALL KEYWAYS AND BACKDRAINS, LOCATIONS AND ELEVATIONS OF ALL RETAINING WALLS BACKDRAINS AND OUTLETS. GEOLOGIC CONDITIONS EXPOSED DURING GRADING MUST BE DEPICTED ON AS-BUILT GEOLOGIC MAP.
2. AN AS-BUILT REPORT PREPARED BY THE PROJECT GEOTECHNICAL CONSULTANT DOCUMENTING THE INSTALLATION OF THE PILE FOUNDATION ELEMENTS (IF APPLICABLE) SHALL BE SUBMITTED TO THE CITY FOR REVIEW BY THE CITY GEOLOGIST AND GEOTECHNICAL ENGINEERING REVIEWERS PRIOR TO THE FINAL APPROVAL OF THE PROJECT. THE REPORT SHALL INCLUDE DETAILED GEOLOGIC LOGS OF PILE EXCAVATIONS, INCLUDING TOTAL DEPTH OR TIP ELEVATION, DEPTH INTO RECOMMENDED BEARING MATERIALS, AND DEPTH TO GROUNDWATER, AS WELL AS AN AS-BUILT PLAN MAP MUST DEPICTING THE PILES AND GRADE BEAMS.
3. UNUSUAL OR ADVERSE GEOLOGIC CONDITIONS ENCOUNTERED DURING GRADING SHALL BE DOCUMENTED IN DAILY FIELD REPORTS BY THE PROJECT GEOTECHNICAL CONSULTANT. ADDITIONAL RECOMMENDATIONS SHALL BE PROVIDED, AS NECESSARY. TWO COPIES OF ALL ADDENDUM REPORTS AND DAILY REPORTS SHALL BE SUBMITTED TO CITY GEOTECHNICAL STAFF FOR REVIEW.
4. EXPANSION INDEX TESTING ON FINISH GRADE SOILS MUST BE PERFORMED BY THE GEOTECHNICAL CONSULTANT UPON COMPLETION OF GRADING AND GRADING AND FOUNDATION RECOMMENDATIONS SHALL BE MODIFIED AS NECESSARY.

REGULAR GRADING REQUIREMENTS

1. THE PERMITEE OR HIS AGENT SHALL NOTIFY THE BUILDING OFFICIAL 24 HOURS BEFORE THE GRADING OPERATION IS READY FOR EACH OF THE INSPECTIONS. (THE PERMITEE NEED NOT WAIT FOR THE INSPECTOR TO ARRIVE BEFORE PROCEEDING WITH THE WORK).
   a. INITIAL INSPECTION: WHEN THE SITE HAS BEEN CLEARED OF VEGETATION AND UNAPPROVED FILL AND IT HAS BEEN SCARIFIED, BENCHED OR OTHERWISE PREPARED FOR FILL. NO FILL SHALL HAVE BEEN PLACED PRIOR TO THIS INSPECTION.
   b. SOIL INSPECTION: AFTER THE NATURAL GROUND IS EXPOSED AND PREPARED TO RECEIVE FILL AND BEFORE ANY FILL IS PLACED.
   c. EXCAVATION INSPECTION: AFTER THE EXCAVATION IS STARTED AND BEFORE THE DEPTH OF EXCAVATION EXCEEDS 10 FEET.
   d. ROUGH INSPECTION: WHEN APPROXIMATE FINAL ELEVATIONS HAVE BEEN ESTABLISHED. DRAINAGE TERRACE, SWALES AND OTHER DRAINAGE DEVICES NECESSARY FOR THE PROTECTION OF THE BUILDING SITE FROM FLOODING ARE INSTALLED, BERMS INSTALLED AT THE TOP OF SLOPES, SUBMIT THE REQUIRED "ROUGH GRADING REPORTS". FOUNDATIONS SHALL NOT BE EXCAVATED UNTIL THE BUILDING OFFICIAL HAS APPROVED ROUGH GRADING.
   e. FINAL INSPECTION: WHEN GRADING HAS BEEN COMPLETED, ALL DRAINAGE DEVICES NECESSARY TO DRAIN THE BUILDING PAD ARE INSTALLED, SLOPE PLANTING ESTABLISHED AND ALL IRRIGATION SYSTEMS INSTALLED. SUBMIT THE REQUIRED "AS-BUILT GRADING PLAN" AND "NOTIFICATION OF COMPLETION".
   f. SUBDRAIN INSPECTION: PROVIDE CONTINUOUS INSPECTION DURING SUBDRAIN EXCAVATION AND INSTALLATION. CONTINUOUS INSPECTION BY THE SOILS ENGINEER OR HIS RESPONSIBLE REPRESENTATIVE SHALL BE PROVIDED DURING ALL SUBDRAIN INSTALLATIONS. (3313.2)
   g. FILL INSPECTION:
      I. AFTER THE FILL EMPLACEMENT IS STARTED AND BEFORE THE VERTICAL HEIGHT OF THE LIFTS EXCEEDS 10 FT. (3313.2)
      II. DURING PREPARATION OF NATURAL GROUND AND PLACEMENT AND COMPACTION OF FILL.
      III. THE SOILS ENGINEER SHALL BE PRESENT DURING THE ENTIRE FILL PLACEMENT AND COMPACTION OF FILLS THAT WILL EXCEED A VERTICAL HEIGHT OR DEPTH OF 30 FT. OR RESULT IN A SLOPE SURFACE STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL. (3313.7)
   h. DRAINAGE DEVICE INSPECTION: AFTER FORMS AND PIPE ARE IN PLACE AND BEFORE ANY CONCRETE IS POURED.
   i. ROUGH GRADING: WHEN ALL ROUGH GRADING HAS BEEN COMPLETED AND EROSION PROTECTION HAS BEEN INSTALLED. THE GEOTECHNICAL ENGINEER SHALL SUBMIT THE FINAL COMPACTION REPORT PRIOR TO THE APPROVAL OF ROUGH GRADE.

LCP GRADING CONFORMANCE

	EXEMPT			NON-EXEMPT	REMEDIAL	TOTAL
	R & R	UNDERSTRUCTURE	SAFETY			
CUT	900	385	60	505	0	1,850
FILL	900	775	0	390	0	2,065
TOTAL	1800	1,160	60	895	0	3,915
IMPORT	0	390	0	0	0	390
EXPORT	0	0	60	115	0	175

QUANTITIES SHOWN ARE FOR PLAN CHECK PURPOSES AND ARE NOT TO BE USED FOR BID PURPOSES.

UNAUTHORIZED CHANGES & USES

CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

THE PROJECT IS IN FIRE, ZONE 4. A PERMIT IS REQUIRED TO COMPLY WITH SECTION 1118 OF THE LOS ANGELES COUTY FIRE CODE REGARDING CONSTRUCTION ACTIVITIES. CONTACT THE LOCAL FIRE STATION TO OBTAIN A PERMIT.

BENCHMARK

MALIBU 443.649' (2008) — 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L KANAN DUME RD & 58M N C/L CAVALLERI RD 2M W/O EDGE AC IP MKR 800MM S/O MON — Y-10346

LEGAL DESCRIPTION:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 36°36'36" E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

COASTAL DEVELOPMENT PERMIT

THIS PLAN CONFORMS TO THE COASTAL DEVELOPMENT PERMIT CONDITIONALLY APPROVED BY THE CITY FOR 3848 RAMBLA PACIFICO ON
C.D.P. NO:
EST. START DATE
EST. COMPLETION DATE

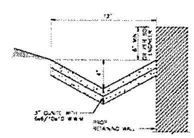
PUBLIC WORKS DEPARTMENT GENERAL NOTES

1. ALL WORK WITHIN PUBLIC STREETS OR PUBLIC EASEMENTS SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTIONS (SSPWC) "GREEN BOOK".
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL-OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTORS SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489, EXT.235 FOR PRE-CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE TO SPECIFIC INSPECTIONS NEEDS DURING THE COURSE OF THE WORK.
4. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489 EXT.235 TO APPLY FOR PERMIT.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
6. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
7. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.
   CONTRACTORS SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.
9. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATIO AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK" (THE "WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. THE CITY MAY REQUIRE A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER.
10. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
11. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
12. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.
13. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.
14. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/ SOILS ENGINEER (AND ENGINEERING GEOLOGIST WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HEREON, AS APPROVED OR CONDITIONED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
15. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT-OF-WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
16. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH 6"x6"-10/10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.
17. GRADING QUANTITIES:
    CUT [illegible] cu.yd. FILL 1104 cu.yd.
    EXPORT [illegible] cu.yd. IMPORT [illegible] cu.yd.
18. TOTAL DISTURBED AREA 0.072 acres
    (INCLUDING GRADING, CLEARING, AND TRENCHING AREAS)
    TOTAL EXISTING IMPERVIOUS AREA 0 sq.ft.
    TOTAL PROPOSED IMPERVIOUS AREA [illegible] sq.ft.
19. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN 2:1 FOR CUT AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER ON RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.
20. ALL CATCH BASINS AND DRAINAGE INLETS SHALL BE STENCILED WITH THE CITY OF MALIBU STORM DRAIN LOGO.

CIVIL ENGINEER:

PROJECT ENGINEERING GROUP
15335 MORRISON ST. STE. #305,
SHERMAN OAKS CA 91403
(818) 784-8110
(818) 784-8116 FAX

LOCATION MAP
1"=400'



SWALE DETAIL (1)
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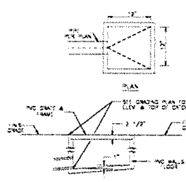

CATCH BASIN DETAIL (2)
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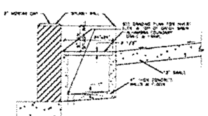

PVC CATCH BASIN SPLASH WALL DETAIL (3)
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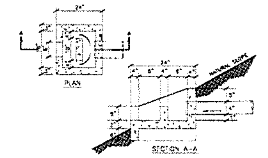

OUTLET DETAIL "ENERGY DISSIPATOR" (4)
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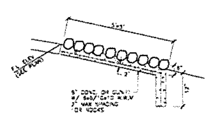

GROUTED RIP-RAP AT OUTLET DETAIL (5)
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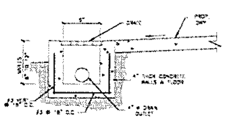

TRENCH DRAIN (6)
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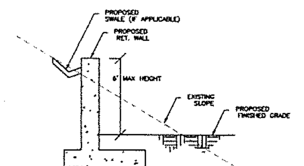
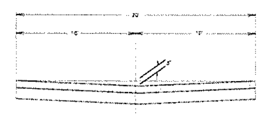


TYPICAL SITE RETAINING WALL HEIGHT EXHIBIT

ANY AND ALL RETAINING WALLS THAT ARE TO BE BUILT WITHIN THIS SITE SHALL ADHERE TO THE FOLLOWING : A SINGLE RETAINING WALL MAY NOT EXCEED 6 FEET IN HEIGHT. THE HEIGHT OF THE RETAINING WALLS INCLUDES THE REQUIRED FREEBOARD. AS SHOWN WITHIN THE ABOVE GENERAL DETAIL, THE MAXIMUM WALL HEIGHT THAT IS VISIBLE IS NOT TO EXCEED 6 FEET IN MAXIMUM VERTICAL HEIGHT.



ALTERNATE PAVEMENT

PRIVATE DRIVEWAY
N.T.S.

REVISIONS	BY

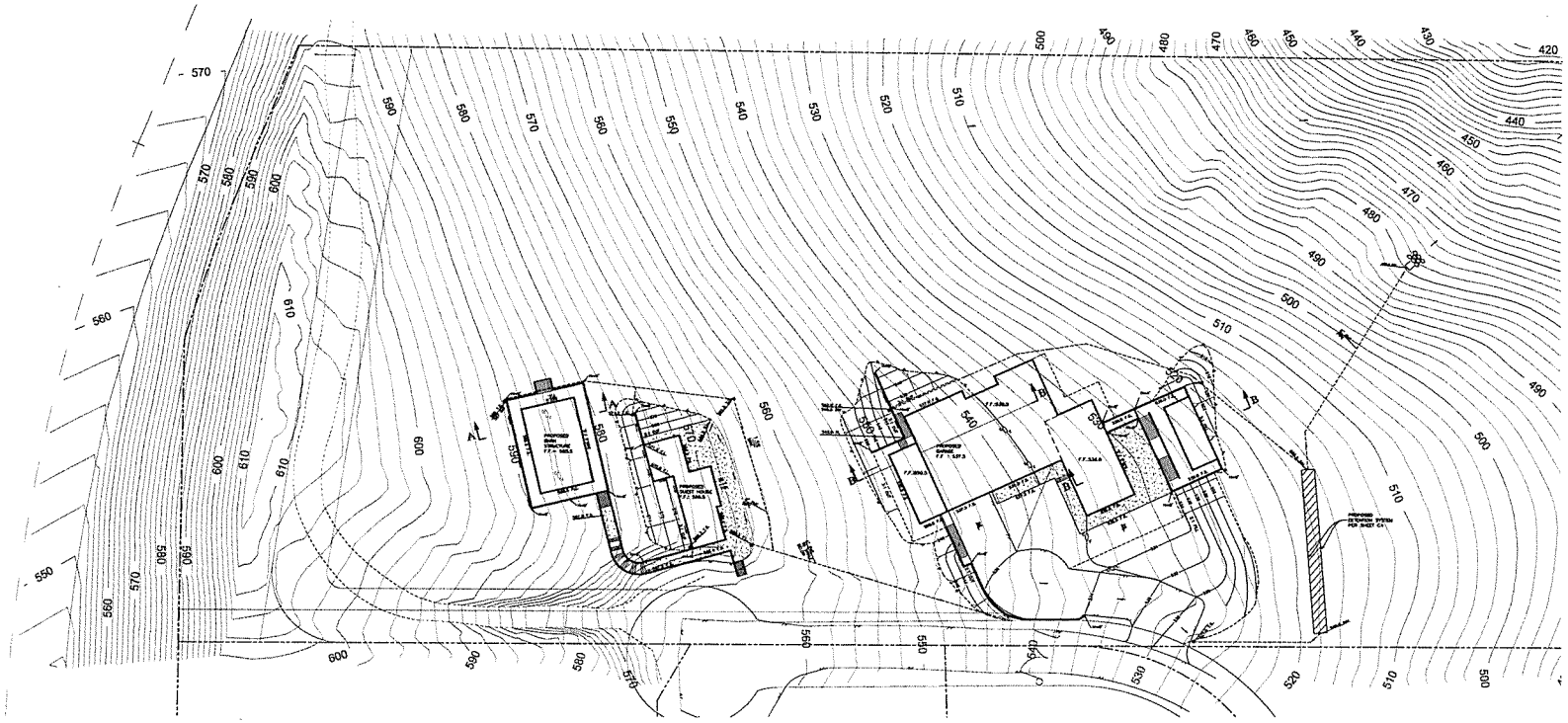
GRADING AND DRAINAGE NOTES

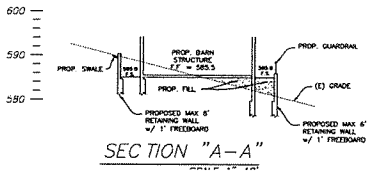
ADDRESS: 28465 VIA ACERO ROAD, MALIBU, CA 90265
OWNER: GERLACH RESIDENCE

15335 MORRISON ST.
SUITE 305
SHERMAN OAKS, CA 91403
(818) 784-8110
(818) 784-8116 FAX

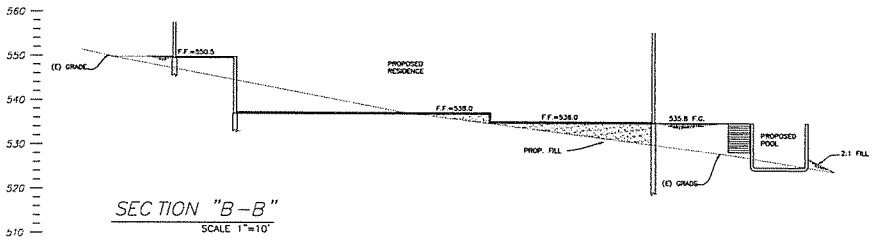
PROJECT ENGINEERING GROUP
Civil and Structural Engineering

DRAWN	O.F.
CHECKED	V.G.
DATE	08/12/2015
SCALE	AS SHOWN
JOB NO.	SAGE MOUNTAIN
SHEET	C1
OF	4 SHEETS





SECTION "A–A"



SECTION "B–B"

SCALE 1"=10'

LEGEND:

F.S.	FINISHED SURFACE ELEVATION
F.G.	FINISHED GROUND
F.L.	FLOW LINE ELEVATION
F.F.	FINISH FLOOR
T.C.	TOP OF CURB
H.P.	HIGH POINT
L.P.	LOW POINT
S.S.	GRADE BREAK
T.G.	TOP OF GRADE ELEVATION
[illegible]	HINGE ELEVATION
[illegible]	PROPOSED ELEVATION
(1390)	EXISTING ELEVATION
	PROPERTY LINE
T.W.	TOP OF WALL
	CUT & FILL TRANSITION
	DAYLIGHT LINE
1000	PROPOSED CONTOUR LINE
1200	EXISTING CONTOUR LINE
	PROPOSED BUILDING
	DIRECTION OF FLOW
	PVC DRAIN PIPE SIZE MIN.
	12"x12" PVC CATCH BASIN PER DETAIL 1 ON SHT. C1
	PROPOSED RETAINING WALL PER SEPARATE PERMIT

REVISIONS	BY

GRADING AND DRAINAGE PLAN

ADDRESS: 28465 VIA ACERO ROAD
MALIBU, CA 90265

OWNER: GERLACH RESIDENCE

15335 MORRISON ST.
SUITE 305
SHERMAN OAKS, CA 91403
(818) 784-8110
(818) 784-8116 FAX

PEG
PROJECT ENGINEERING GROUP
Civil and Structural Engineering

DRAWN	O.F.
CHECKED	V.G.
DATE	08/12/2015
SCALE	AS SHOWN
JOB NO.	SAGE MOUNTAIN
SHEET	C2
OF	4 SHEETS

ASSESSOR'S PARCEL NO.'S:

4467-033-014 (LOS ANGELES COUNTY)

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE BEARING OF N 36°36'36" E ALONG THE CENTER LINE OF KANAN RD. (FORMERLY KIMBERLY CYN.) AS SHOWN ON ROAD DEPT FIELD BOOK 1204 PGS. 80-81 LOS ANGELES COUNTY.

BENCH MARK:

MALIBU (2008) 443.649' 50MM IP W/DPW BM TAG IN WELL 12.5M W/O C/L KANAN DUME RD & 58M N C/L CAVALLERI RD 2M W/O EDGE AC IP MKR 600MM S/O MON Y-10346

ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON NAVD 1988 DATUM.

NOTES:

1) EASEMENTS BASED UPON A PRELIMINARY TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANT DATED JANUARY 17, 2012. TITLE NO. 12-725142937-PP.

2) UTILITIES LOCATED, ARE BY SURFACE EVIDENCE ONLY. (MANHOLES, WATER METERS,GAS METERS, POWER POLES,ETC.) NO STUDY OF RECORD UNDERGROUND UTILITIES HAS BEEN PERFORMED AS PART OF THIS SURVEY.

SLOPE ANALYSIS LEGEND:

5:1 OR LESS = 19,334 SQ. FT.
4:1 TO 5:1 = 29,189 SQ. FT.
4:1 TO 3:1 = 55,758 SQ. FT.
3:1 TO 2½:1 = 32,009 SQ. FT.
2½:1 TO 1:1 = 34,557 SQ. FT.
STEEPER THAN 1:1 = 292 SQ.FT.
NON-PERMEABLE = 0 SQ.FT.
STREET EASEMENT AREA: 8,905 SQ. FT.
GROSS AREA = 180,044 SQ. FT. / 4.13 ACRES
NET AREA (GROSS MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 1:1) = 170,847 SQ. FT. / 3.92 ACRES

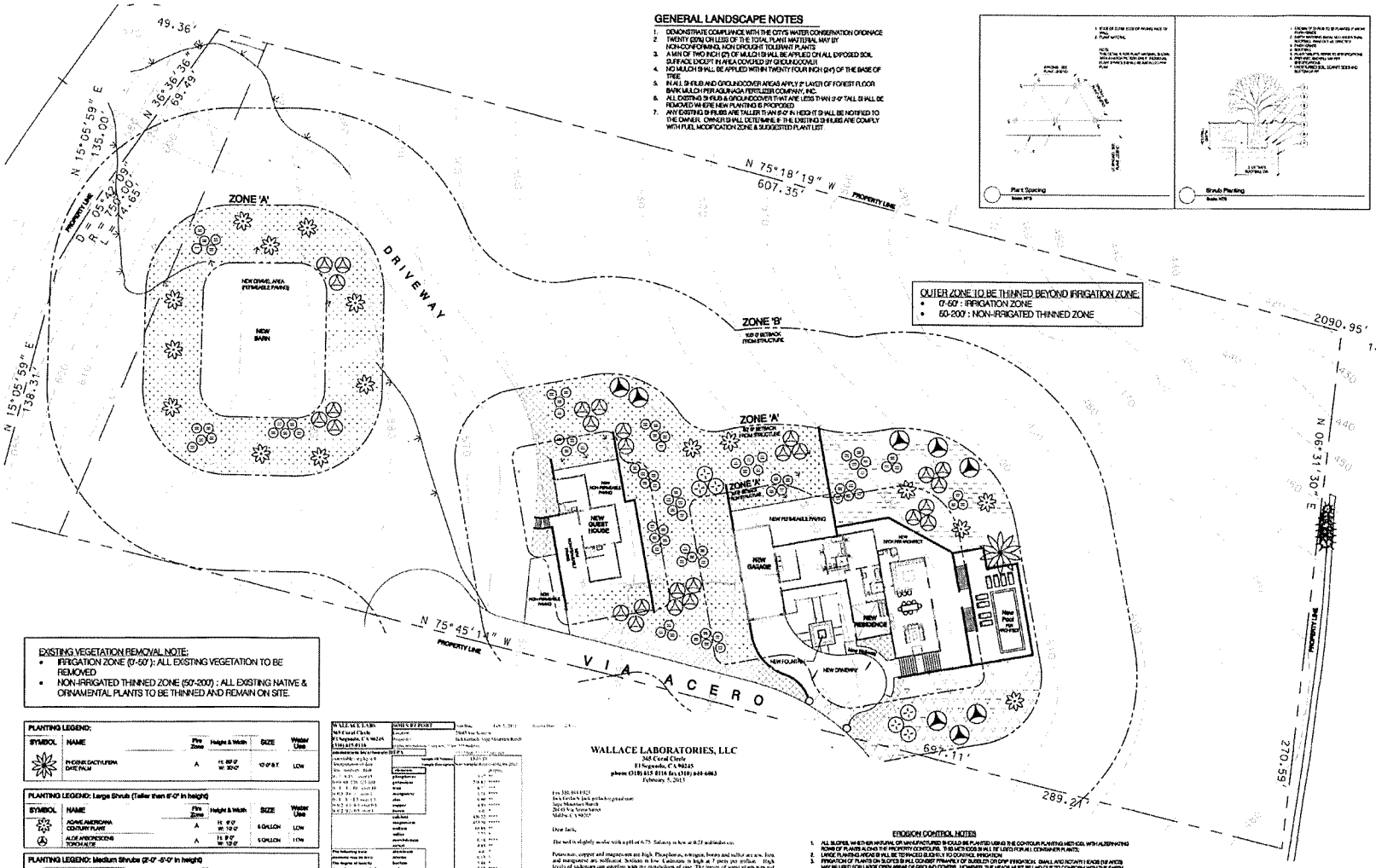
RECEIVED
SEP 07 2016
PLANNING DEPT.

Existing
Proposed
Subject Property

0 75 150 300 Feet

GENERAL LANDSCAPE NOTES

1. DEMONSTRATE COMPLIANCE WITH THE CITY'S WATER CONSERVATION ORDINACE
2. TWENTY (20%) OR LESS OF THE TOTAL PLANT MATERIAL MAY BY NON-CONFORMING, NON DROUGHT TOLERANT PLANTS
3. A MIN OF TWO INCH (2") OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACE EXCEPT IN AREA COVERED BY GROUNDCOVER
4. NO MULCH SHALL BE APPLIED WITHIN TWENTY FOUR INCH (24") OF THE BASE OF TREE
5. IN ALL SHRUB AND GROUNDCOVER AREAS APPLY 3" LAYER OF FOREST FLOOR BARK MULCH PER AQUAMACH FERTILIZER COMPANY, INC.
6. ALL EXISTING SHRUBS & GROUNDCOVER THAT ARE LESS THAN 2'-0" TALL SHALL BE REMOVED WHERE NEW PLANTING IS PROPOSED
7. ANY EXISTING SHRUBS ARE TALLER THAN 6'-0" IN HEIGHT SHALL BE NOTIFIED TO THE OWNER. OWNER SHALL DETERMINE IF THE EXISTING SHRUBS ARE COMPLY WITH FUEL MODIFICATION ZONE & SUGGESTED PLANT LIST



OUTER ZONE TO BE THINNED BEYOND IRRIGATION ZONE:
- 0'-50' : IRRIGATION ZONE
- 50-200' : NON-IRRIGATED THINNED ZONE

EXISTING VEGETATION REMOVAL NOTE:
- IRRIGATION ZONE (0'-50') : ALL EXISTING VEGETATION TO BE REMOVED
- NON-IRRIGATED THINNED ZONE (50'-200') : ALL EXISTING NATIVE & ORNAMENTAL PLANTS TO BE THINNED AND REMAIN ON SITE.

PLANTING LEGEND:

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	PHOENIX DACTYLIFERA DATE PALM	A	H: 60'-0" W: 30'-0"	12'-0" B.T.	LOW

PLANTING LEGEND: Large Shrub (Taller than 6'-0" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	AGAVE AMERICANA CENTURY PLANT	A	H: 6'-0" W: 10'-0"	5 GALLON	LOW
	ALOE ARBORESCENS TORCH ALOE	A	H: 8'-0" W: 12'-0"	5 GALLON	LOW

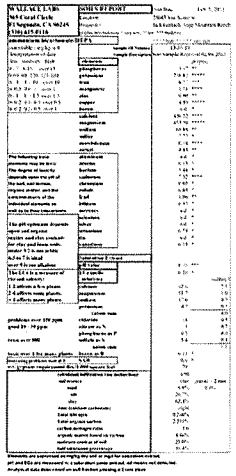
PLANTING LEGEND: Medium Shrubs (2'-0" -5'-0" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	BAUHIA LEUCOPHYLLA PURPLE BAUHIA	A	H: 5'-0" W: 5'-0"	1 GALLON	LOW
	ALOE X SPHOROMIA 'STREAKY STREAKER' SPIDER ALOE	A	H: 2'-0" W: 4'-0"	5 GALLON	LOW
	SALVIA LEUCANTHA MEXICAN BUSH SAGE	A	H: 4'-0" W: 5'-0"	1 GALLON	LOW

PLANTING LEGEND: Groundcover (Equal or less than 12" in height)

SYMBOL	NAME	Fire Zone	Height & Width	SIZE	Water Use
	MAYFIOR NE	A	N/A	SOD	HIGH
	LEUCADENDRON BLUE CHAMPION	A	H: 10' W: 3'-0"	#10 @ 4'-0" O.C.	LOW
	HELIANTHEMUM APRICOT APRICOT SUNROSE	A	H: 8"-10" W: 3'-0"	1 GALLON @ 4'-0" O.C.	LOW
	ACHILLEA TOMENTOSA COMMON YARROW	A	H: 8"-10" W: 12"	HYDROSEED	LOW
	TEUCRIUM X LEDDERI'S FROSTWARAM FROSTWAX GERMANDER	A	H: 4'-6" W: 3'-0"	1 GALLON @ 4'-0" O.C.	LOW
	SEDUM LAXUM WINGDRUM CREAM & GREEN CARPET SEDUM	A	H: 8"-10" W: 3'-0"	#10 @ 4'-0" O.C.	LOW

* ALL PLANT SPACING PER FUEL MODIFICATION PLANT REFERENCE*



WALLACE LABORATORIES, LLC
365 Coral Circle
El Segundo, CA 90245
(310) 615-0116 (310) 640-6063
February 5, 2013

Jason Lee Design Studio, Inc.
325 W 8th Street Suite 506 Los Angeles CA 90014
323 - 404 - 7706 www.JasonLeeDesign.com

Revisions By Date

CITY OF MALIBU
PLANNING DIVISION
CITY BIOLOGIST APPROVAL
DATE 11/26/13
PLANNING REVIEW TO: CBP 13-44
SIGNATURE
PRINT NAME
Any changes to the approved plans shall be submitted to the City Biologist for review and approval prior to any construction. This action does not constitute final approval by the Environmental and Community Development Department.

Job Number 1301
Design Staff J. MK
Project Manager J.
Principal J.

Landscape Planting Plan

L2.0

STATEMENT OF COMPLIANCE

I HAVE COMPLIED WITH THE CRITERIA OF THE LANDSCAPE WATER CONSERVATION ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE (OR IRRIGATION, AS APPLICABLE) DESIGN PLAN.

PREPARED BY JASON LEE, JASON LEE DESIGN STUDIO, INC.

JASON LEE, PRINCIPAL DATE
JASON LEE DESIGN STUDIO, INC.

SCALE: 1" = 20'

SAGE MOUNTAIN RANCH, LLC

28465 VIA ACERO ROAD
MALIBU, CA 90265

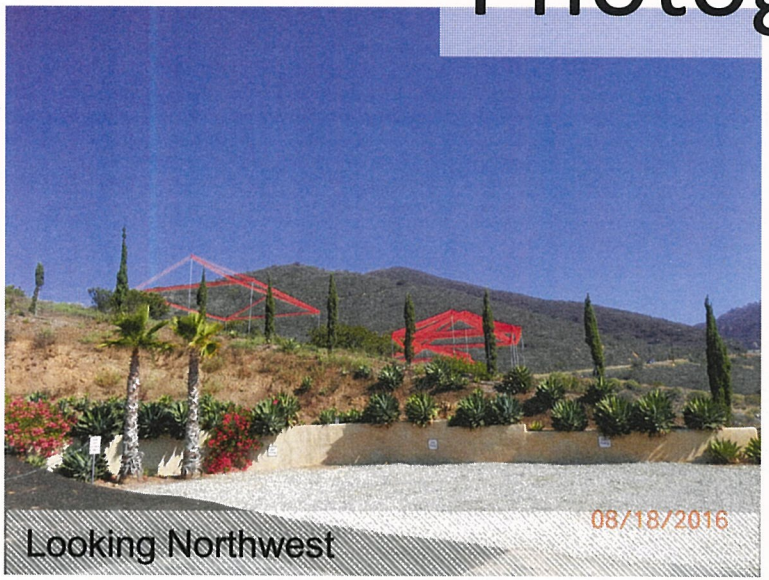
Owner:
SAGE MOUNTAIN RANCH, LLC
28460 VIA ACERO ROAD
MALIBU, CA 90265

Applicant / Contact:
Jack Gorlach
(310) 213-8648
28460 VIA ACERO ROAD
MALIBU, CA 90265

APN:
4467-033-014

Zoning:
RR-5

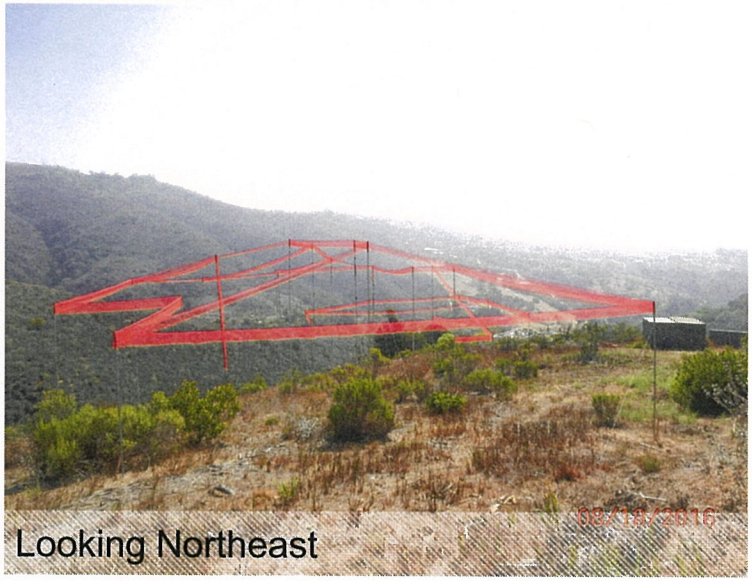
Photographs



Looking Northwest

Looking South

Looking East


Looking Northeast

ATTACHMENT 2

FILE

City of Malibu

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

BIOLOGY REVIEW REFERRAL SHEET

Revised 10·8·13

TO: City of Malibu City Biologist DATE: ~~3/12/2013~~

FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 13-014, SPR 13-006, MM 13-005

JOB ADDRESS: 28465 VIA ACERO ST

APPLICANT / CONTACT: Jack Gerlach, Sage Mountain Ranch LLC

APPLICANT ADDRESS: 28460 Via Acero St
Malibu, CA 90265

APPLICANT PHONE #: (310)213-8848

APPLICANT FAX #: (310) 494-0325

APPLICANT EMAIL: jack.gerlach@gmail.com

PROJECT DESCRIPTION: NSFR, guest house, pool

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).

X 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 11/26/13

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: 28465 Via Acero Street
Applicant/Phone: Jack Gerlach/ 310.213.8848
Project Type: NSFR, guest house, pool
Project Number: ACDP 13-014
Project Planner: Adrian Fernandez
Previous Biological Review: Incomplete 5/7/13

REFERENCES: Biological Assessment (BioReg 10/13)

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 710,576 gallons per year. The Estimated Applied Water Use (EAWU) totals 245,824 gpy, thus meeting the Landscape Water Conservation Ordinance Requirements.\

2. A biological inventory initially prepared for this project indicated "possible" ESHA on site. The City Biologist questioned the determination and directed a full biological assessment be prepared. The more in depth assessment determined there is no ESHA on site. The City Biologist concurs with the full assessment evaluation and determination.

RECOMMENDATIONS:

1. The project is **APPROVED** with the following conditions:

   A. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

   Jonathan King
   Address: 23533 Civic Center Way, Malibu, CA 90265
   Email: JKING@DPW.LACOUNTY.GOV (preferred)
   Phone: (310) 317-1388

   B. 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.

C. Invasive plant species, as determined by the City of Malibu, are prohibited.

D. Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

E. No non-native plant species shall be approved greater than 50 feet from the residential structure.

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

G. Grading should be scheduled only during the dry season from F 1-October 31st. If it becomes necessary to conduct grading activities from November 1 –March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

H. Grading scheduled between February 1 and August 30 will require nesting bird surveys by a qualified biologist prior to initiation of grading activities. Surveys shall be completed no more than 5 days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active.

I. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas.

J. Up-lighting of landscaping is prohibited greater than 25 feet from the primary residence.

K. Necessary boundary fencing shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40 inches high, and have a space greater than 14 inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

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: 11/26/13

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.

City of Malibu

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

4/17/15

TO: Public Works Department ~~DATE: 3/12/2013~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 13-014, SPR 13-006, MM 13-005, VAR 14-024,
JOB ADDRESS:	28465 VIA ACERO ST
APPLICANT / CONTACT:	Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS:	28460 Via Acero St Malibu, CA 90265
APPLICANT PHONE #:	(310) 213-8848
APPLICANT FAX #:	(310) 494-0325
APPLICANT EMAIL:	jack.gerlach@gmail.com
PROJECT DESCRIPTION:	NSFR, guest house, pool

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

4/29/15
DATE

Rev 120910

AF

City of Malibu
MEMORANDUM

To: Planning Department

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

Date: April 29, 2015

Re: Proposed Conditions of Approval for 28465 Via Acero, CDP 13-014

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

GRADING AND DRAINAGE

1. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. The applicant shall place a note on the plans that addresses this condition.

2. Grading permits shall not be issued between November 1 and March 31 each year LCP Section 17.2.1. Projects approved for grading permit shall not receive grading permits unless the project can be rough graded before November 1 **A note shall be placed on the project that addresses this condition.**

3. A Grading and Drainage plan shall be approved containing the following information prior to the Issuance of grading permits for the project.
   - Public Works Department General Notes
   - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
   - The limits of land to be disturbed during project development shall be delineated on the Grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of

Recycled Paper

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.
- Private storm drain systems shall be shown on the Grading plan.

STORMWATER

4. The Ocean between Latigo Point and the West City Limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation allows discharge of storm water only where it is essential for flood control or slope stability, including roof, landscape, road and parking lot drainage, to prevent soil erosion, only occurs during wet weather, and is composed of only storm water runoff. The applicant shall provide a drainage system that accomplishes the following:

    - Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
    - Prohibits the discharge of trash.
    - Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
    - Elimination of non-storm water discharges.

5. Prior to the approval of any permits and prior to the applicant submitting the required Construction General Permit documents to the State Water Quality Control Board, the applicant shall submit to the Public Works Department for review and approval an Erosion and Sediment Control Plan (ESCP). The ESCP shall contain appropriate site-specific construction site BMPs and developed and certified by a Qualified SWPPP Developer (QWD). All structural BMPs must be designed by a licensed California Engineer. The ESCP must address the following elements:

    - Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area.
    - Methods used to protect native vegetation and trees.
    - Sediment/Erosion Control.
    - Controls to prevent tracking on and off the site.
    - Non-storm water controls.
    - Material management (delivery and storage).
    - Spill Prevention and Control.
    - Waste Management

- Identification of site Risk Level as identified per the requirements in Appendix 1 of the Construction General Permit.
- Landowner must sign the following statement on the ESCP:
- "I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to update the ESCP to reflect current conditions, or failing to properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law."

6. A State Construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.

7. 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.

8. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
   - Site Design Best Management Practices (BMP's)
   - Source Control BMP's
   - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
   - Drainage Improvements
   - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.

- A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
- The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original singed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

9. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

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

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

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

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

AF

City of Malibu

PLANNING REVIEW

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	September 4, 2013	**Review Log #:**	**3471**
Site Address:	28465 Via Acero Street		
Lot/Tract/PM #:	n/a	**Planning #:**	**CDP 13-014**
Applicant/Contact:	Jack Gerlach, jack.gerlach@gmail.com	**BPC/GPC #:**	
Contact Phone #:	310-213-8848 **Fax #:** 310-494-0325	**Planner:**	**Adrian Fernandez**
Project Type:	New single-family residential development		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in Bold.)*	GeoConcepts, Inc. (Barrett, CEG 2088; Walter, RGE 2476): **8-8-13**, 5-9-13, 2-26-13 GeoConcepts, Inc. (Barrett, CEG 2088): 12-14-12 Building plans prepared by Sage Mountain Ranch, LLC dated January 9, 2013. Preliminary Onsite Wastewater Treatment System (OWTS) plan prepared by EnSitu Engineering, Inc. dated January 17, 2013 Revised Grading plans prepared by Project Engineering Group (PEG) dated May 21, 2013.
Previous Reviews:	6-19-13, 4-5-13, Geotechnical Review Referral Sheet dated 3-13-13

Review Findings

Coastal Development Permit Review

☒ The residential project is **APPROVED** from a geotechnical perspective.

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

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced supplemental report was reviewed by the City from a geotechnical perspective. The project comprises a new 6,666 square foot two-story single-family residence and attached 3-car garage, 1,000 square

Guidelines for geotechnical reports (dated February 2002) are available on the City of Malibu web site: http://www.ci.malibu.ca.us/index.cfm?fuseaction=nav&navid=30.

foot guest house, 1,000 square foot barn, retaining walls, swimming pool, grading (1,500 yards of R & R; 207 yards of cut and 771 yards of fill under structure; 4,215 yards of cut for safety; 281 yards of cut and 600 yards of fill non-exempt; 883 yards of import; and 4,215 yards of export), a secondary access road/driveway, and a new onsite wastewater treatment system (OWTS) that consists of a treatment tank and one seepage pit (6' diameter x 30' B.I. with 10' cap) with 100% expansion.

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

Building Plan-Check Stage Review Comments:

1. Please pay the City a plan check fee of $910.00 for City geotechnical staff to review the building and OWTS plans.
2. Please provide to the City the results of the shear strength testing after grading to verify the compacted fill strengths. Include this comment as a note on the grading plans.
3. Please include the following note on the grading plans: "*The Project Engineering Geologist shall observe all cut slope excavations and provide additional recommendations if un-anticipated or unusual geotechnical conditions are encountered. Geologic conditions encountered during grading shall be included on the as-built geologic map.*"
4. Please provide design reports for the new OWTS for review.
5. 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.
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. The following note must appear on the grading and foundation plans: "*Tests shall be performed prior to pouring footings and slabs to evaluate the Expansion Index of the supporting soils, and foundation and slab plans should be reviewed by the Civil or Structural Engineer and revised, if necessary.*"
8. The Project Geotechnical Consultant recommends R & R grading beneath portions of the development as depicted on their cross-sections. No R & R grading is included on the grading plans. Please clarify and correct, as necessary.
9. Please depict limits and depths of over-excavation and structural fill to be placed on the grading plan, and cross sectional view of the proposed building area.
10. Two sets of final grading, retaining wall, OWTS, swimming pool, barn, guest house, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

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

Engineering Geology Review by:

Christopher Dean, C.E.G. #1751, Exp. 9-30-14
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

9/4/13
Date

Geotechnical Engineering Review by:

Kenneth Clements, G. E. # 2010, Exp. 6-30-14
Geotechnical Engineering Reviewer (805-563-8909)
Email: kclements@fugro.com

September 4, 2013
Date

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. One set of grading, retaining wall, barn, guest house, swimming pool, OWTS, and residence 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 Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Geotechnical Consultant, as appropriate.*"
4. 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.*"
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Geotechnical Consultant's recommendations.
6. Foundation setback distances from descending slopes shall be in accordance with Section 1808 of the Malibu Building Code, or the requirements of the Geotechnical Consultant's recommendations, whichever are more stringent. Show minimum foundation setback distances on the foundation plans, as applicable.
7. Show the onsite wastewater treatment system on the Site Plan.
8. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

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

Guidelines for geotechnical reports (dated February 2002) are available on the City of Malibu web site: http://www.ci.malibu.ca.us/index.cfm?fuseaction=nav&navid=30.

AR

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** ~~3/12/2013~~ 6/4/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER:	ACDP 13-014, SPR 13-006
JOB ADDRESS:	28465 VIA ACERO ST
APPLICANT / CONTACT:	Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS:	28460 Via Acero St Malibu, CA 90265
APPLICANT PHONE #:	(310)213-8848
APPLICANT FAX #:	(310) 494-0325
APPLICANT EMAIL:	jack.gerlach@gmail.com
PROJECT DESCRIPTION:	NSFR, guest house, pool

TO: Malibu Planning Department and/or Applicant

FROM: Andrew Sheldon, City Environmental Health Administrator

_____ An Onsite Wastewater Treatment System (OWTS) Plot Plan approval IS NOT REQUIRED for the project.

✓ An OWTS Plot Plan approval IS REQUIRED for the project. DO NOT grant your approval until an approved Plot Plan is received. *

Todd E. [signature]
SIGNATURE

JULY 9, 2013
DATE

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System 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.

* REFER TO ENVIRONMENTAL HEALTH FINAL CONDITIONS AND PLOT PLAN DATED APRIL 16, 2013.

A

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
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SIGNATURE

APRIL 16, 2013
DATE

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System 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

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

April 16, 2013

Jack Gerlach
Sage Mountain Ranch, LLC
28460 Via Acero Street
Malibu, CA 90265

Subject: **28465 Via Acero Street, Malibu, California 90265; Environmental Health Conformance Review for New Single Family Residence, Guest House, Barn, and Alternative Onsite Wastewater Treatment System (CDP 13-014)**

Dear Mr. Gerlach,

On April 16, 2013, a **Conformance Review** was completed for the alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment 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, 2010 Edition, and the City of Malibu Ordinance No. 354 Amendments (MPC), and the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP). The following items shall be submitted prior to final approval:

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 OWTS Plot Plan shall show essential features of the AOWTS and must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **AOWTS Design Report and System Specifications:** A final design report, plan drawings, and system specifications shall be submitted as to AOWTS design basis and all components (i.e. alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed alternative onsite wastewater disposal system. 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 report and drawings shall be submitted with the designer's wet signature, professional registration number, and stamp (if applicable).

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 (gpd), 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 (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 OWTS 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.

d. All final design drawings shall be submitted with the wet signature and typed name of the OWTS 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/or Planning.]

e. Provide structural protection of treatment tank and seepage pit lids in driveway. Submit plans and structural calculations for review and approval by Building and safety prior to Environmental Health final approval (see below).

3) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

4) **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.

5) **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***.

6) **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 onsite wastewater disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix K, Section 1(i). Said covenant shall be provided by the City of Malibu Environmental Health Specialist. ***Please submit a certified copy issued by the Los Angeles County Recorder***.

7) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval shall be submitted.

8) **City of Malibu Planning Division Approval:** City of Malibu Department of Environmental and Community Development, Planning Division final approval shall be obtained.

9) **Environmental Health Final Review Fee:** A final fee of **$654** shall be paid to the City of Malibu for Environmental Health for review of the AOWTS design and system specifications.

10) **Operating Permit Application and Fee:** In accordance with Section 103.5.2.1 of the MPC, an application shall be made to the Environmental and Building Safety Division for an OWTS operating permit. An operating permit fee of **$414** shall be submitted with the application.

-o0o-

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

Sincerely,

City of Malibu

Todd E. Curtis
Environmental Health Reviewer

cc: Environmental Health main file
Planning Division

28465 Via Acero Street
MALIBU, CA 90265

(CDP 13-014)

S.F.D.:	5 Bedroom/86 Fixture Units (N)
GUEST HOUSE:	2 Bedroom/18 Fixture Units (N)
BARN:	0 Bedroom/2 Fixture Units (N)
TREATMENT TANK:	MicroSepTec ES-12 EnviroServer Tank w/ Internal UV Disinfection Unit
ACTIVE:	1 - 6' x 30 BI w/ 10' Cap (N)
FUTURE:	1 - 6' x 29 BI w/ 10 Cap (N)
PERC RATE:	12,000 gpd (present projected; B-1)
	11,850 gpd (future projected; B-2)
DESIGNER:	Ensitu (Yaroslaski, RCE 60149)
REFERENCE:	Ensitu: OWTS Design Report (01-11-13);
	Slutske: Percolation Test Report (10-19-12)

NOTES:

1. This conformance review is for a 5 bedroom (86 fixture units) new single family residence, 2 bedroom (18 fixture units), and barn (2 fixture units). The new alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).

2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.

3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

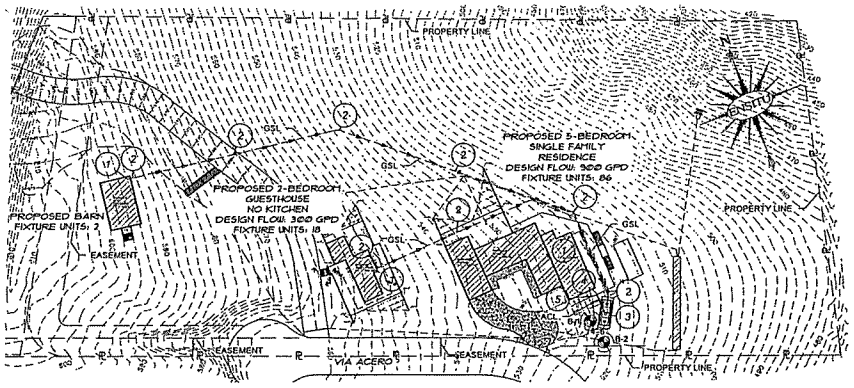
CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

APR 16 2013

SIGNATURE: Todd Eckhardt

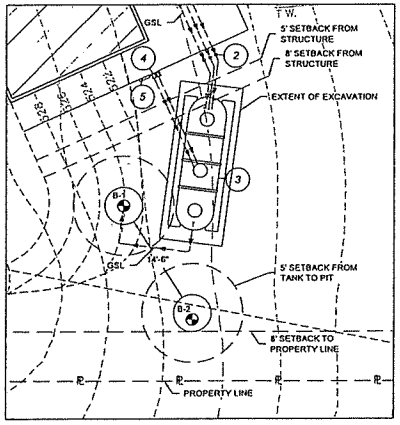
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



SITE PLAN

0 100' 200'

SCALE: 1" =100'-0"



TREATMENT INSET

0 20' 40'

SCALE: 1" =20'-0"

NOTES:

1. 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.
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND 2009 UNIFORM PLUMBING CODE (UPC).
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS) SHALL BE INSTALLED IN ACCORDANCE WITH 2009 UNIFORM PLUMBING CODE.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH 2008 NATIONAL ELECTRIC CODE.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION, BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
7. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH REQUIREMENTS OF THE 2009 UNIFORM PLUMBING CODE (CHAPTER 9) AND AS OTHERWISE REQUIRED BY LOCAL CODES.
8. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION, MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
9. THERE IS NO EXISTING SEPTIC SYSTEM.

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1	3	CONNECTION TO BUILDING SEWER	
2	12	GRAVITY CLEAN-OUT	
3	1	TREATMENT TANK	MICROSEPTEC ES12
4	2	AIR COMPRESSOR	MICROSEPTEC
5	1	REMOTE TELEMETRY CONTROL UNIT	MICROSEPTEC

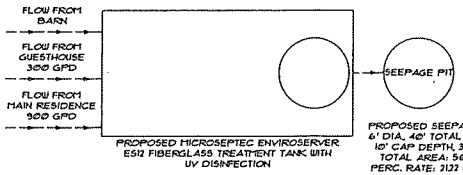
PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
ACL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC

OWTS MAX. DESIGN CAPACITY

COMPONENT	CAPACITY
TREATMENT	1200 GPD / 7 BEDROOMS
DISPERSAL	11,850 GPD (EXPANSION) / 118 F.U.

THESE PLANS SHOULD BE SENT TO ALL THE DESIGN CONSULTANTS FOR THE ABOVE PROJECT INCLUDING: ARCHITECT; STRUCTURAL ENGINEER; GEOLOGIST; GEOTECHNICAL ENGINEER; COASTAL ENGINEER; CIVIL ENGINEER; AND OTHERS



PROPOSED SEEPAGE PIT
6' DIA., 40' TOTAL DEPTH
10' CAP DEPTH, 30' B.I.
TOTAL AREA: 565 SF
PERC. RATE: 2122 GPSFD
PIT CAPACITY: 12,000 GPD
DESIGN FLOW: 1200 GPD

(SEE PERCOLATION TESTING REPORT DATED 10-19-2012 BY BARTON SLUTSKE)

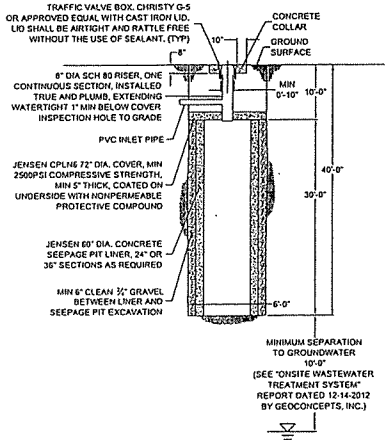
PROCESS SCHEMATIC
NO SCALE

LEGEND

B-X BORING LOCATION (SEE "ONSITE WASTEWATER TREATMENT SYSTEM" REPORT DATED 12-14-2012 BY GEOCONCEPTS, INC.)

NOTES:

1. IF NATIVE GRADE IS CUT, MORE SEEPAGE PITS MAY BE REQUIRED.
2. CONCRETE COLLAR ONLY REQUIRED FOR TRAFFIC (H-20) APPLICATIONS



SEEPAGE PIT
NO SCALE

PRELIMINARY
ISSUED
11 January 2013

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU ENGINEERING, INC.
868 MAIN ST., SUITE A
Morro Bay, CA 93442
Tel. 805.772.0150
Fax. 805.772.0151
ENSITU@ensitu.com
"Dedicated to achieving higher standards in onsite and

REVISIONS

NO.	DATE	BY

28465 VIA ACERO
CONFORMANCE REVIEW 11x17
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP. 06/2014
CIVIL
STATE OF CALIFORNIA

DATE: JAN 2013
DESIGNED BY: ESC
DRAWN BY: ESC
CHECKED BY: JNY

JOB NO. 348-02

SHEET 1 OF 1

City of Malibu

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

RECEIVED
AUG 24 2016
PLANNING DEPT.

FIRE DEPARTMENT REVIEW
REFERRAL SHEET

TO: Los Angeles County Fire Department DATE: 3/12/2013
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 13-014
JOB ADDRESS: 28465 VIA ACERO ST
APPLICANT / CONTACT: Jack Gerlach, Sage Mountain Ranch LLC
APPLICANT ADDRESS: 28460 Via Acero St
Malibu, CA 90265
APPLICANT PHONE #: (310)213-8848
APPLICANT FAX #: (310) 494-0325
PROJECT DESCRIPTION: NSFR, Guesthouse, Pool

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

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

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

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

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

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

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

JOHNNIE LEE — APRIL 23, 2015
SIGNATURE 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

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM, UNOBSTRUCTED 20' WIDTH CLEAR TO THE SKY, VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE EXTERIOR WALL

VEHICULAR ACCESS ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION FIRE CODE 501.4

TILE ROOFS SHALL BE FIRE-STOPPED AT EAVE ENDS TO PRECLUDE ENTRY FLAME OR EMBERS UNDER THE TILE. BUILDING CODE 6403.2

WALLS FORMING THE ENCLOSURE OF THE BUILDING SHALL BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICAL. BUILDING CODE 6403.3

EXTERIOR WINDOWS, CURTAIN AND WINDOW WALLS, SKYLIGHTS AND EXTERIOR DOORS SHALL UTILIZE MULTI-GLAZED PANELS. BUILDING CODE 6403.4

OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES EACH. SUCH OPENINGS SHALL BE COVERED WITH CORROSION RESISTANT WIRE MESH WITH MESH OPENINGS OF 1/4 INCH. BUILDING CODE. 6403.5

PROVIDE SPARK ARRESTORS IN CHIMNEYS USED WITH FIREPLACES OR HEATING APPLIANCES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED 1/2 INCH FIRE CODE 1118.12 BUILDING CODE 3102.3.6

UNDER-FLOOR AREAS SHALL BE ENCLOSED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS BUILDING CODE 6403.5

ACCESSORY STRUCTURES SUCH AS CARPORTS, DECKS OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A RESIDENTIAL BUILDING, MUST BE ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION, OR NONCOMBUSTIBLE CONSTRUCTION. BUILDING CODE 6403.7, 6403.9

A FINAL FUEL MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL OF OCCUPANCY. SUBMIT THREE COPIES OF THE COMPLETED FUEL MODIFICATION PLAN TO THE FUEL MODIFICATION UNIT, FIRE STATION 32, 605 N. ANGELENO AVE AZUZA, CA. 91702-2904. 626 969-5205 FIRE CODE 1117.2.1

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 1117.2.2

COMPLY WITH TILE 24, 310.9.1.1 REGARDING FIRE-WARNING SYSTEMS. SMOKE DETECTORS SHALL BE HARD-WIRED WITH BATTERY BACKUP SMOKE DETECTORS SHALL BE INTERCONNECTED. (INDICATE LOCATIONS ON FLOOR PLAN)

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE U-1 GARAGE. (INDICATE ON FLOOR PLAN)

WIDTH AND HEIGHT OF REQUIRED EGRESS DOORWAYS SHALL COMPLY WITH TITLE 24. (INDICATE ON DOOR SCHEDULE)

BUILDING ADDRESS NUMBERS TO BE PROVIDED ON THE FRONT OF ALL BUILDINGS AND SHALL BE VISIBLE AND LEGIBLE FROM THE STREET FRONT THE PROPERTY. NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND FIRE CODE 901.4.4

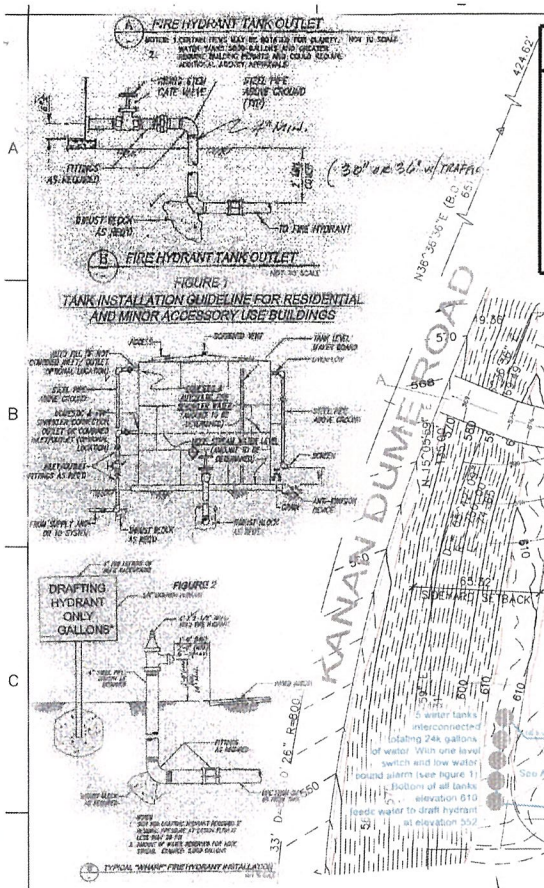
EGRESS DOORS SHALL BE READILY OPENABLE FROM TH EGRESS SIDE WITHOUT THE USE OF A SPECIAL KEY OR ANY SPECIAL KNOWLEDGE OR EFFOR. BUILDING CODE 1008.1.8

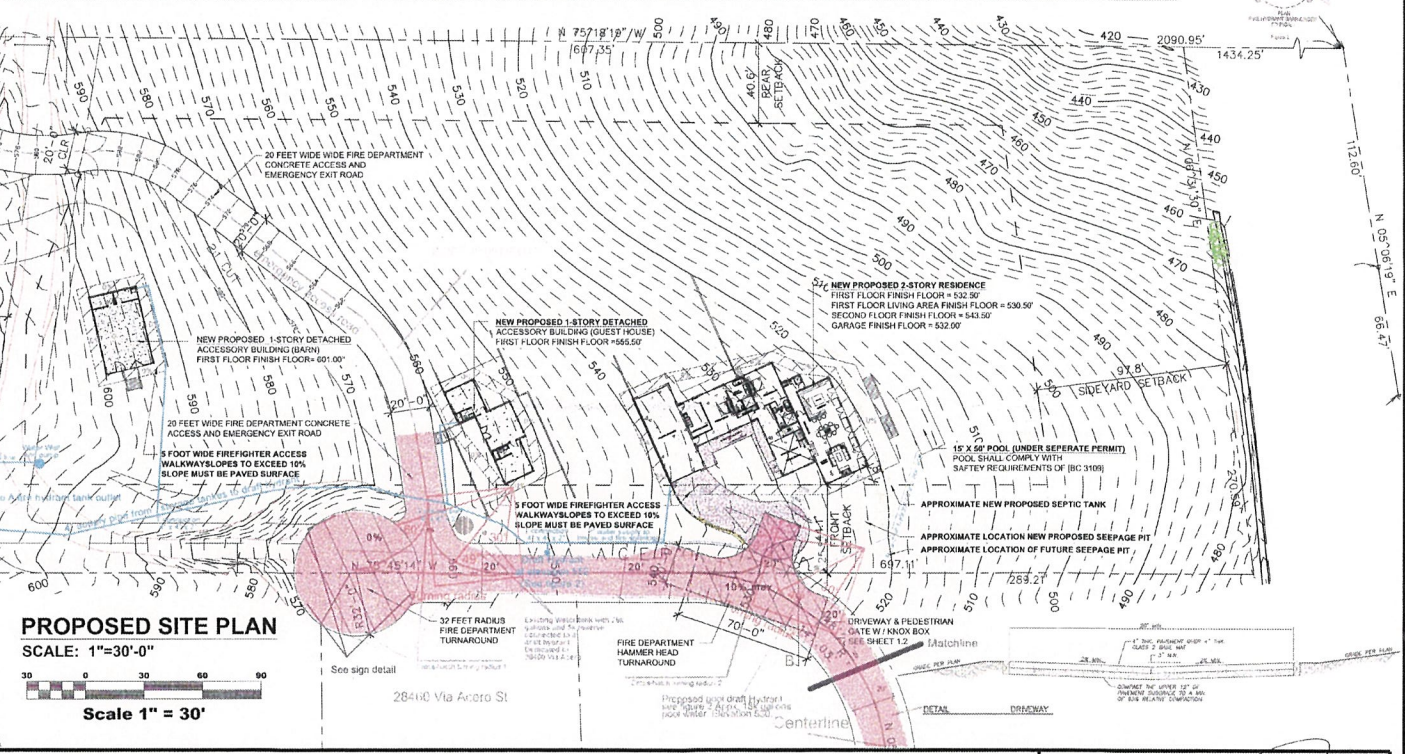
VEHICULAR ACCESS ROADS SHALL BE HARD SCAPE ALL WEATHER ACCESS. FIRE CODE 503.2.7

ROOF VALLEY FLASHINGS SHALL NOT BE LESS HTAN 0.019-INCH (NO# 26 GALVANIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-WIDE UNDERLAYMENT CONSISTING OF ONE LAYER NO. 72 ASTM CAP SHEET RUNNING THE FUN LENGTH OF THE VALLEY (FIRE CODE 4710.1.3)

ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (FIRE CODE 4710.1.4)

PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
TYPE OF SPRINKLER SYSTEM: 903.3.1.1, 903.3.1.2, 903.3.1.3





PROPOSED SITE PLAN

SCALE: 1"=30'-0"

30 0 30 60 90

Scale 1" = 30'

Sign-Detail

NO PARKING FIRE LANE

Provide approved signs or other approved notices or markings that include the words NO PARKING - FIRE LANE. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads to clearly indicate the entrance to such road, or provide the obstruction that will and at intervals, as required by the Fire Inspector. Fire Code 503.3.

When security gates are provided, maintain a minimum access width of 20 feet. The security gate shall be provided with an approved means of emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. Gates shall be of the swinging or sliding type. Construction of gates shall be of materials that allow manual operation by one person. Fire Code 503.5

An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.

PROJECT SUMMARY

APN: 4467-033-014

SCOPE OF WORK:
CONSTRUCT A NEW 2 STORY SINGLE FAMILY DWELLING WITH ATTACHED GARAGE / DETACHED ACCESSORY GUEST HOUSE / DETACHED ACCESSORY BARN

SEPERATE PERMITS: SWIMMING POOL, SPA AND PRIVATE SEWAGE DISPOSAL SYSTEM AND SITE RETAINING WALLS

ZONING: RR5

OCCUPANCY GROUP: R-3 (HOUSE) / U (GARAGE)

CONSTRUCTION TYPE: TYPE VB ; FIRE SPRINKLERED

CODES:

HAZARDS: VHFHSZ

LOT SIZE: 180,044 SQ FT. (4.13 ACRES) - GROSS AREA
34,849 SQ.FT. (0.8 ACRES) - GROSS AREA MINUS STREET EASEMENTS AND SLOPES STEEPER THAN 2:1

SETBACKS: LOT IS 652' DEEP BY 270' WIDE

FRONT:	54.1'
REAR:	40.6'
SIDE:	65.2'
SIDE:	98.7'

IMPERMEABLE COVERAGE:

RESIDENCE:	8,666 SQ.FT.
HARDSCAPE:	8,234 SQ.FT.
	16,900 SQ.FT.

BUILDING AREA:

MAIN HOUSE

FIRST FLOOR	3,131	SQ.FT.
GARAGE	860	SQ.FT.
COVERED WALKWAY	954	SQ.FT.
GROSS FIRST FLOOR	**4,945**	**SQ.FT**
2/3 (-.67 X 4,945 =3,313.15)		
SECOND FLOOR	2,354	SQ.FT.
(1ST FLR. L.R./DINING ABOVE 18')	400	SQ.FT.
SECOND FLOOR-BALCONY	78	SQ.FT.
GROSS SECOND FLOOR	**2,832**	**SQ.FT.**
(TOTAL GROSS 1ST & 2ND FLR.)	**7,777**	**SQ.FT.**
GUEST HOUSE (ACCESSORY	900	SQ.FT.
BARN (ACCESSORY	1,000	SQ.FT.
GROSS TOTAL BUILDING	9,677	SQ.FT.

TOTAL DEVELOPMENT S.F.
ALLOWABLE= 9 719 SQ. FT.

PROJECT CONSULTANTS

OWNER:
SAGE MOUNTAIN RANCH, LLC
28460 VIA ACERO ROAD
MALIBU, CALIFORNIA 90265
PHONE: (310) 213-8848

CIVIL ENGINEER (GRADING & DRAINAGE FOR THE RESIDENCE):
PROJECT ENGINEERING GROUP
15335 MORRISON STREET
SHERMAN OAKS, CALIFORNIA 91403
PHONEI (818) 784-8110 FAX: (818) 784-8116

GEOTECHNICAL ENGINEER & GEOLOGIST:
GEOCONCEPTS, INC.
14428 HAMLIN STEERT #200
VAN NUYS, CALIFORNIA 91401
PHONE: (818) 994-8895

APPROVED FOR ACCESS REQUIREMENTS ONLY
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
By Lonnie Nelson
Fire Prevention Engineer
APRIL 23, 2015

RECEIVED
SEP 07 2016
PLANNING DEPT.

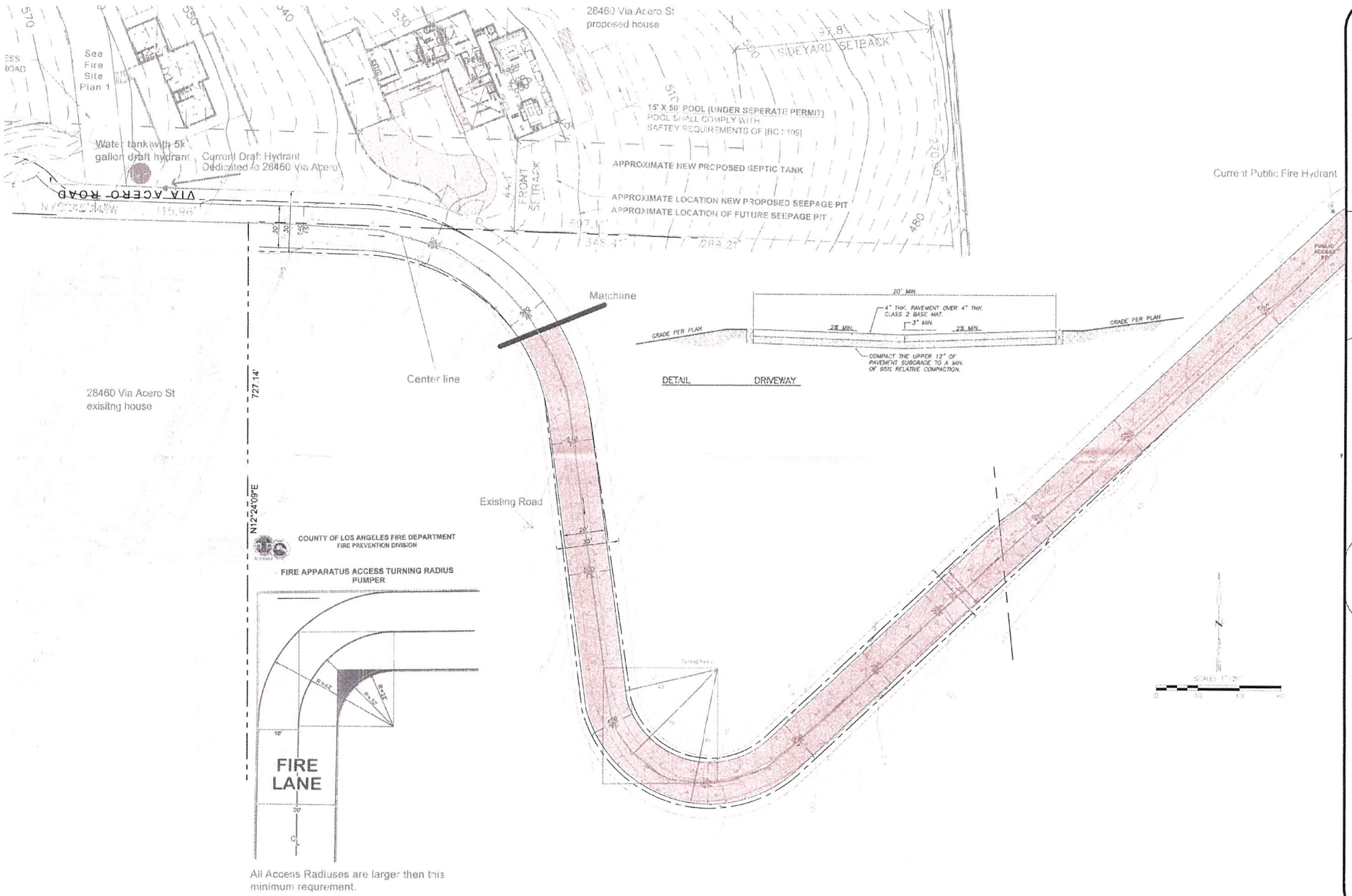
Barricade/Clearance Details

date 04/21/15

28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848

scale: 1" =30'-0"

Fire Site Plan 1 of 3


28460 Via Acero St
proposed house
See Fire Site Plan 1
Water tank with 5k gallon draft hydrant
Current Draft Hydrant Dedicated to 28460 Via Acero
VIA ACERO ROAD
SIDEYARD SETBACK
15' X 50' POOL (UNDER SEPERATE PERMIT)
POOL SHALL COMPLY WITH
SAFTEY REQUIREMENTS OF [BC] 109]
APPROXIMATE NEW PROPOSED SEPTIC TANK
APPROXIMATE LOCATION NEW PROPOSED SEEPAGE PIT
APPROXIMATE LOCATION OF FUTURE SEEPAGE PIT
FRONT SETBACK
Current Public Fire Hydrant
Matchline
Center line
28460 Via Acero St
exisitng house
727.14'
N12°24'09"E
Existing Road
20' MIN.
4" THK. PAVEMENT OVER 4" THK. CLASS 2 BASE MAT.
3" MIN.
2% MIN.
2% MIN.
GRADE PER PLAN
GRADE PER PLAN
COMPACT THE UPPER 12" OF PAVEMENT SUBGRADE TO A MIN. OF 95% RELATIVE COMPACTION.
DETAIL DRIVEWAY
COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
FIRE APPARATUS ACCESS TURNING RADIUS
PUMPER
FIRE LANE
All Access Radiuses are larger then this minimum requirement.
date
04/21/15
28465 VIA ACERO ROAD
MALIBU, CA.
Contact: Jack Gerlach 310.213.8848
scale:
1"=30'-0"
Fire Site Plan 2 of 3

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FOREST NASH, AICP, ACTING
LORI GLASGOW, FIRE MARSHAL

FIRE CHIEF
DARYL L. OSBY

March 18, 2015

Jack Gerlach
28465 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach

This is in response to your revised appeal letter dated March 11, 2015 requesting Fire Department acceptance of an alternative method of protection for the proposed residence located at 28465 Via Acero Street, Malibu. A hour of compliance with the minimum fire flow requirements as specified in the 2014 County of Los Angeles Fire Code (Appendix B Table B105.1). The basis for your request is some relief from the water purveyor stating that the property cannot be served by the existing water facilities.

Fire Code Chapter 5, Section 507.1, stipulates that an approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which buildings are constructed. Additionally, Fire Code Chapter 5, Section 507.4, states the fire code official shall be provided with approved documentation of the water supply test prior to final approval of the water supply system. In accordance with the Table B105.1 in the Fire Code, a 2,777 square foot two story residence including the attached garage, detached 900 square foot guest house and 1,000 square foot barn has a required fire flow of 2,500 gallons per minute at 20 psi, for a 2-hour duration. A reduction in required fire flow of up to 50 percent may be allowed when the building is provided with an approved automatic fire sprinkler system down to a minimum of 1,750 gallons per minute.

The Fire Code does not allow the Department to waive requirements and requires that any alternative method of protection comply with the intent of the code and be at least equivalent to that prescribed in the Fire Code in quality, strength, effectiveness, fire resistance, durability, and safety.

"SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF"

[illegible]

Jack Gerlach
March 18, 2015
Page 2

However, in this case Fire Department has been informed by Los Angeles County Waterworks District No. 29, Malibu, (District) that the parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Additionally, the District has confirmed that there are no plans to construct the required facilities that would be capable of meeting the required fire flow and has denied water service to the parcel based on the above the noted elevation differences.

Therefore, alternatively, the subject project may be approved based on obtaining a total private water supply with the following conditions:

1. Provide a minimum 20,000 gallon private on-site water storage tank. The tank shall be supplied from a private on-site well that is certified sustainable by the Department of Public Health and meet all required health standards. Your proposal to fill the tank by using an existing off-site water vendor is not acceptable. Los Angeles County Waterworks District No. 29, Malibu (District) has informed the Fire Department that the off-site water vendor is for irrigation purposes only. The installation a 24,000 gallon water storage tank is acceptable. The tank shall be installed in accordance with the following:
   a. The tank shall have a connection to a supply source to refill the tank system automatically.
   b. Where a well, pump, tank or combination thereof is the source of supply for the fire sprinkler system, the water supply shall serve both domestic and fire sprinkler systems.
   c. Water tanks must be in good condition and constructed of steel, reinforced concrete, or fiberglass or approved alternate.
   d. When the tank is underground, or height is 1.5 times greater than the dimension of the tank's diameter, a building permit must be obtained from the jurisdictional building and safety office.
   e. The storage tank must be installed, inspected, and accepted by the Fire Department and jurisdictional Building Department prior to any building permit being issued for the residence.
   f. Multiple tanks, if used, shall be piped together in such a manner as to draw equally.

Jack Gerlach
March 18, 2015
Page 3

2. Supply piping requirements:
   a. The tank's connection shall be flexible a minimum of 4 inches above the bottom of the tank. The 8" measurement shall be measured from the tank base to the bottom of the supply pipe. A readily accessible indicating control valve shall be provided for this line at the tank.
   b. A minimum 4" piping shall be used to supply the hydrant.
   c. The pipe may be flexible, but only where buried. Pipe exposed to sunlight or above grade shall be protected metal.
   d. The depth of bury for underground pipe shall be a minimum of 30" with a minimum of 36" where subject to vehicular travel.
   e. Piping thrust blocks, tie rods, or approved retaining glands shall be provided per NFPA 13 and NFPA 24.
   f. Tanks shall be located on the subject property. Supply piping shall not cross property lines.
3. Hydrant requirements:
   a. A single 2½" male National Standard Thread outlet shall be provided whenever a tank is installed.
   b. The hydrant outlet shall face and be unobstructed access from the public road, or within five feet of the access roadway on the approach side of the structure and unobstructed within 15 feet on each side of the outlet.
   c. The hydrant outlet shall be between 50 and 150 feet from the closest point of the structure measured on the vehicular access.
   d. The hydrant outlet shall be gravity fed. The outlet shall be a minimum of one foot higher than the grade level of the tank for each 100 feet of supply pipe. The supply pipe shall have a combination Dresser and gravity fed.
   e. The hydrant outlet shall be located 14 to 24 inches above finished grade as measured from the inside of the curbs.
   f. A minimum square 3 feet by 3 feet horizontal concrete pad shall be provided at grade around the hydrant to provide stability to the hydrant during Department operations.

Jack Gerlach
March 18, 2015
Page 4

4. Provide an approved interior automatic fire sprinkler system throughout the residence, the attached garage, guest house and barn and in all occupied spaces in accordance with NFPA 13 with a maximum four head hydraulic calculation.

For your final Fire Department approval, you must submit your plans architectural plans to the Calabasas Fire Prevention Office and comply with all conditions of approval that result from the plan review.

If you have any further questions, please feel free to contact Mr. James Davey, Engineering Section Chief, at (323) 890-4130.

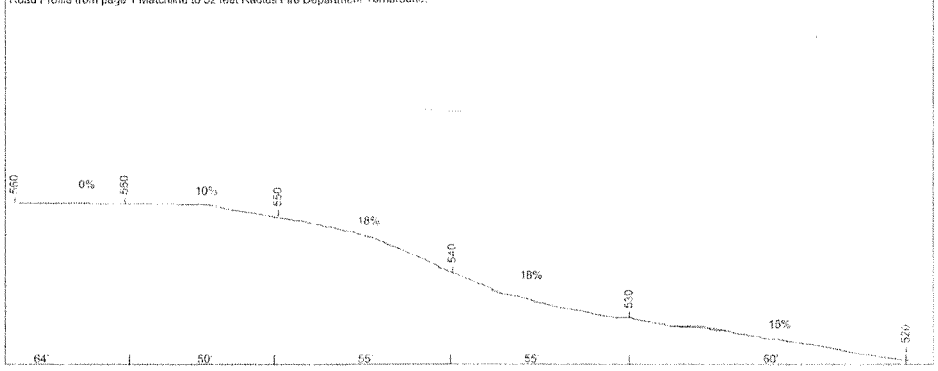
Sincerely

ASSISTANT FIRE CHIEF PHILIP COCKEN
FIRE MARSHAL
FIRE PREVENTION DIVISION

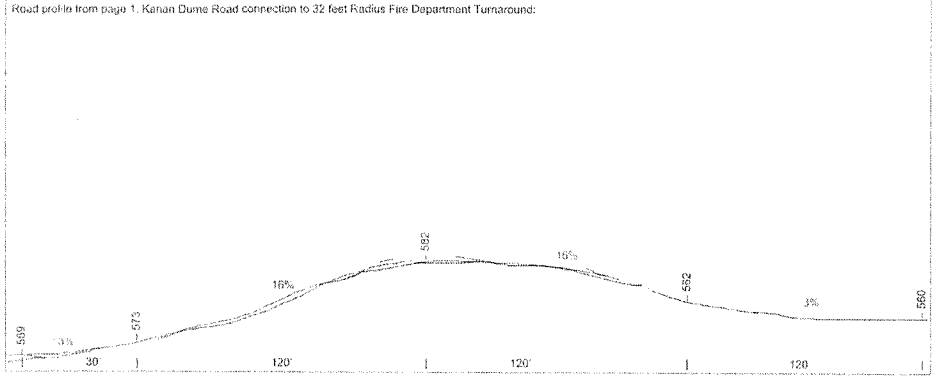
PC:cm

Road Profile from Kanan Dume Road to private emergency access road:

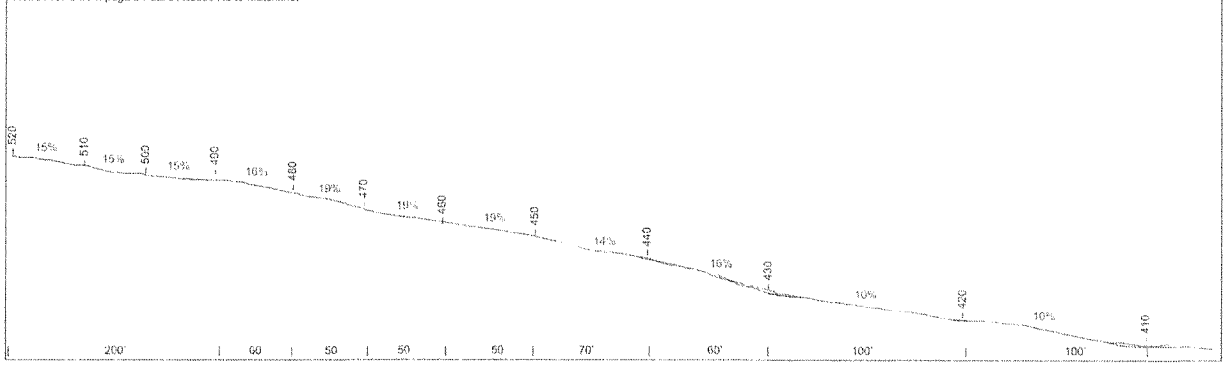
Road Profile from page 1 Matchline to 32 feet Radius Fire Department Turnaround:



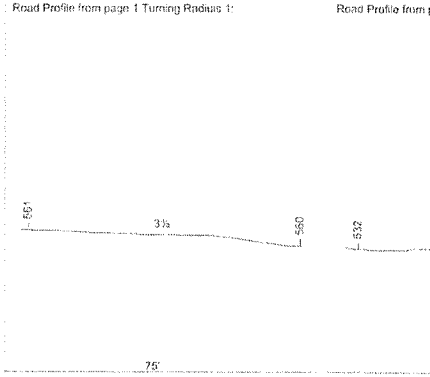
Road profile from page 1, Kanan Dume Road connection to 32 feet Radius Fire Department Turnaround:



Road Profile from page 2 Public Access Rd to Matchline:



Road Profile from page 1 Turning Radius 1:



Road Profile from page 1 Turning Radius 2:

date
04/21/15

28465 VIA ACERO ROAD
MALIBU, CA.

Contact: Jack Gerlach 310.213.8848

scale:
1"=30'-0"

Fire Site Plan 3 of 3

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

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

IN REPLY PLEASE
REFER TO FILE WW-3

January 7, 2015

Mr. Jack Gerlach
Sage Mountain Ranch LLC
28460 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach:

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU
WATER SERVICE TO ASSESSOR PARCEL NO. 4467-033-014
28465 VIA ACERO STREET, MALIBU

This is in response to your recent correspondence regarding water service from the Los Angeles County Waterworks District No. 29, Malibu, to Assessor Parcel No. 4467-033-014. The Waterworks District hereby denies water service as your parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone. .In accordance with the Rules and Regulations of the Los Angeles County Waterworks Districts and the Marina del Rey Water System, Rule 1-C-1c (copy enclosed), the District has the right to deny water service if "no water system exists" in the area of the property requesting new water service.

Alternatively, you may propose a conceptual plan to extend the public water system to your property and submit this plan to the District for review. If the District accepts the conceptual plan and it meets the Fire Department's requirements, the applicant must agree in writing to finance the construction of new water system facilities in order for the District to issue a Will-Serve Letter for your proposed development.

It is important to note that when the needed improvements benefit other vacant properties, the applicant who finances the water system improvements may establish a right to future financial participation by other applicants by filing a Letter of Participation with the District. During the 10-year period commencing from the date of formal transfer of the water system improvements to the District, additional applicants must reimburse the original applicant their pro rata share of the cost of the improvements.

If you have any questions, please contact Mr. Ramy Gindi at (626) 300-3349 or rgindi@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

ADAM ARIKI
Assistant Deputy Director
Waterworks Division

RG:dvt
LTS938

Enc.

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

March 18, 2015

Jack Gerlach
28460 Via Acero Street
Malibu, CA 90265

Dear Mr. Gerlach:

This is in response to your revised appeal letter dated March 11, 2015, requesting Fire Department acceptance of an alternative method of protection for the proposed residence located at 28465 Via Acero Street, Malibu, in lieu of compliance with the minimum fire flow requirements as specified in the 2014 County of Los Angeles Fire Code, Appendix B, Table B105.1. The basis for your request is correspondence from the water purveyor stating that the property cannot be served by the existing water facilities.

Fire Code Chapter 5, Section 507.1, specifies that an approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which buildings are constructed. Additionally, Fire Code Chapter 5, Section 507.4, states the fire code official shall be provided with approved documentation of the water supply test prior to final approval of the water supply system. In accordance with the Table B105.1 in the Fire Code, a 7,777 square foot two story residence including the attached garage, detached 900 square foot guest house and 1,000 square foot barn has a required fire flow of 2,500 gallons per minute at 20 psi, for a 2-hour duration. A reduction in required fire flow of up to 50 percent may be allowed when the building is provided with an approved automatic fire sprinkler system down to a minimum of 1,250 gallons per minute.

The Fire Code does not allow the Department to waive requirements and requires that any alternative method of protection comply with the intent of the code and be at least equivalent to that prescribed in the Fire Code in quality, strength, effectiveness, fire resistance, durability, and safety.

ATTACHMENT 5

However, in this case the Department has been informed by Los Angeles County Waterworks District No. 29, Malibu (District) that the parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Additionally, the District has confirmed that there are no plans to construct the required facilities that would be capable of meeting the required fire flow and has denied water service to the parcel based on the above mentioned elevation differences.

Therefore, alternatively, the subject project may be approved based on obtaining a local private water supply with the following conditions:

1. Provide a minimum 20,000 gallon private on-site water storage tank. The tank shall be supplied from a private on-site well that is certified sustainable by the Department of Public Health and meet all required health standards. Your proposal to fill the tank by using an existing off-site water meter is not acceptable. Los Angeles County Waterworks District No. 29, Malibu (District) has informed the Fire Department that the off-site water meter is for irrigation purposes only. The installation a 24,000 gallon water storage tank is acceptable. The tank shall be installed in accordance with the following:

    a. The tank shall have a connection to a supply source to refill the tank system automatically.

    b. Where a well, pump, tank or combination thereof is the source of supply for the fire sprinkler system, the water supply shall serve both domestic and fire sprinkler systems.

    c. Water tanks must be in good condition and constructed of steel, redwood, concrete or approved UV protected plastic.

    d. When the tank's dimension in height is 1.5 times greater than the dimension of the tank's diameter, a building permit must be obtained from the jurisdictional building and safety office.

    e. The storage tank must be installed, inspected, and accepted by the Fire Department and jurisdictional Building Department prior to any building permit being issued for the residence.

    f. Multiple tanks, if used, shall be piped together in such a manner as to drain equally.

2. Supply piping requirements:

   a. The hydrant connection shall be made a minimum of six inches above the bottom of the tank. The 6" measurement shall be measured from the tank base to the bottom of the supply pipe. A readily accessible indicating control valve shall be provided for this line at the tank.

   b. A minimum 4" piping shall be used to supply the hydrant.

   c. The pipe may be plastic, but only where buried. Pipe exposed to sunlight or above grade shall be protected metal.

   d. The depth of bury for underground pipe shall be a minimum of 30" with a minimum of 36" where subject to vehicular travel.

   e. Piping, thrust blocks, rodding, or approved retaining glands shall be provided per NFPA 13 and NFPA 24.

   f. Tanks shall be located on the subject property. Supply piping shall not cross property lines.

3. Hydrant requirements:

   a. A single 2½" male National Standard Thread outlet shall be provided whenever a tank is installed.

   b. The hydrant outlet shall have unobstructed access from the public road, be within five feet of the access roadway on the approach side of the structure and unobstructed within 15 feet on each side of the outlet.

   c. The hydrant outlet shall be between 50 and 150 feet from the closest point of the structure measured via vehicular access.

   d. The hydrant outlet shall be gravity fed. This outlet shall be a minimum of one-foot below the grade level of the tank for each 100 feet of supply pipe. This supply pipe must have a continuous downward gravity feed.

   e. The hydrant outlet shall be located 14 to 24 inches above finished grade as measured from the middle of the outlet.

   f. A three-foot square by one-foot thick horizontal concrete pad shall be provided at grade around the hydrant to provide stability to the hydrant during Department operations.

4. Provide an approved interior automatic fire sprinkler system throughout the residence the attached garages, guest house and barn and in all concealed spaces in accordance with NFPA 13 with a maximum four head hydraulic calculation.

For your final Fire Department approval, you must submit complete architectural plans to the Calabasas Fire Prevention Office and comply with all conditions of approval that result from the plan review.

If you have any further questions, please feel free to contact Mr. James Bailey, Engineering Section Chief, at (323) 890-4132.

Sincerely,

Philip Cocker

ASSISTANT FIRE CHIEF PHILIP COCKER
FIRE MARSHAL
FIRE PREVENTION DIVISION

PC:em

Notice Continued...

PUBLIC COMMENT PERIOD — Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Department at any time prior to the issuance of a decision. Anyone with concerns or questions about the application is urged to contact the case planner prior to the decision date. Contact Carlos Contreras at ccontreras@malibucity.org, by phone at (310) 456-2489 extension 265, or by mail as indicated on the front of this notice.

NOTICE OF DECISION — On or after **September 13, 2016**, the Planning Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 1000 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

LOCAL APPEAL — Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1 (Local Appeals), a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. Should a decision be issued on **September 13, 2016, the appeal period would expire on Friday, September 23, 2016 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, ext. 245.

REPORTING – The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on **September 19, 2016.** Copies of the agenda report, including the approved or denied permit, will be available at the meeting and also provided to all those persons wishing to receive such notification. An approved permit shall not become effective until completion of the Planning Commission reporting.

If there are any questions regarding this notice, please contact Carlos Contreras, Associate Planner, at (310) 456-2489 extension 265.

Date: **August 18, 2016**

By: Bonnie Blue
Planning Director

Attachment 6

Notice of Application

City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

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

NOTICE OF APPLICATION

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

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005 - An application for the construction of a new two-story, single-family residence with a detached guest house and barn, covered patios, second floor deck, swimming pool, a second driveway to Kanan Dume Road for emergency use only, and installation of a new alternative onsite wastewater treatment system, including a minor modification for a less than 50 percent reduction of the required front yard setback and a site plan review for construction over 18 feet in height

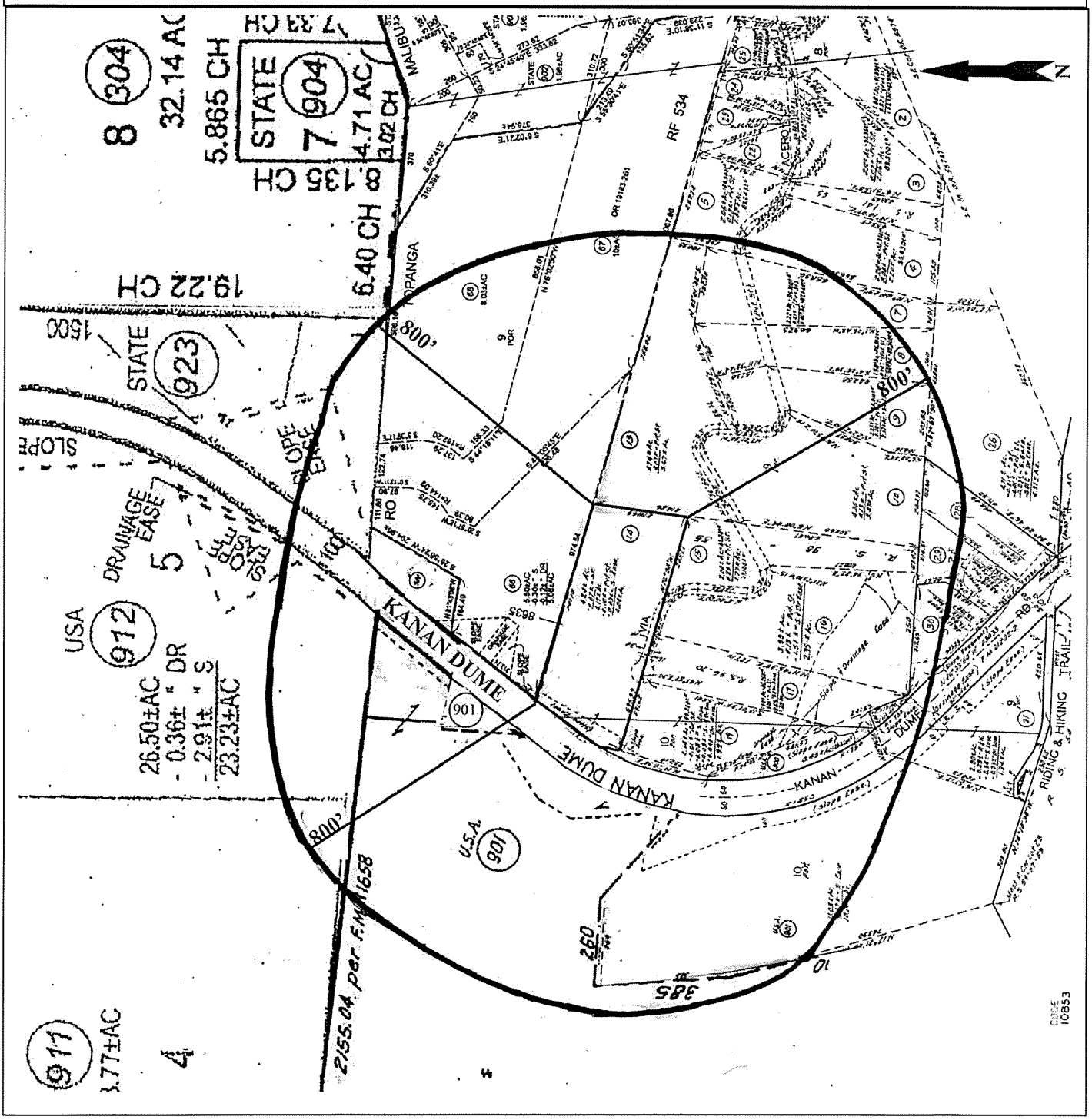
LOCATION:	28465 Via Acero Street, not within the appealable coastal zone
APN:	4467-033-014
ZONING:	Rural Residential–Five Acre (RR-5)
APPLICANT/OWNER:	Sage Mountain Ranch, LLC
APPLICATION FILED:	March 12, 2013
CASE PLANNER:	Carlos Contreras Associate Planner (310) 456-2489 ext. 265 ccontreras@malibucity.org

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

Advanced Listing Services Inc
Ownership Listings & Radius Maps
P.O. Box 2593 • Dana Point, CA • 92624
Office: (949) 361-3921 • Cell: (949) 310-6869
www.Advancedlisting.com denise@advancedlisting.com

Subject APN: 4467-033-014
500' Radius (extended to 800')

Address: 28460 VIA ACERO ST
MALIBU CA 90265



Notice Continued...

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

REPORTING — Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **September 19, 2016** Planning Commission Meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to the California Code of Regulations Section 13153.

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

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals), a decision or any portion of the decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **September 23, 2016 at 4:30 p.m.** The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, ext. 245.

If there are any questions regarding this notice, please contact Carlos Contreras, Associate Planner, at (310) 456-2489, extension 265.

Date: September 8, 2016

By: Bonnie Blue
Planning Director

Notice of Decision

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

PLANNING DEPARTMENT

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

NOTICE OF DECISION

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

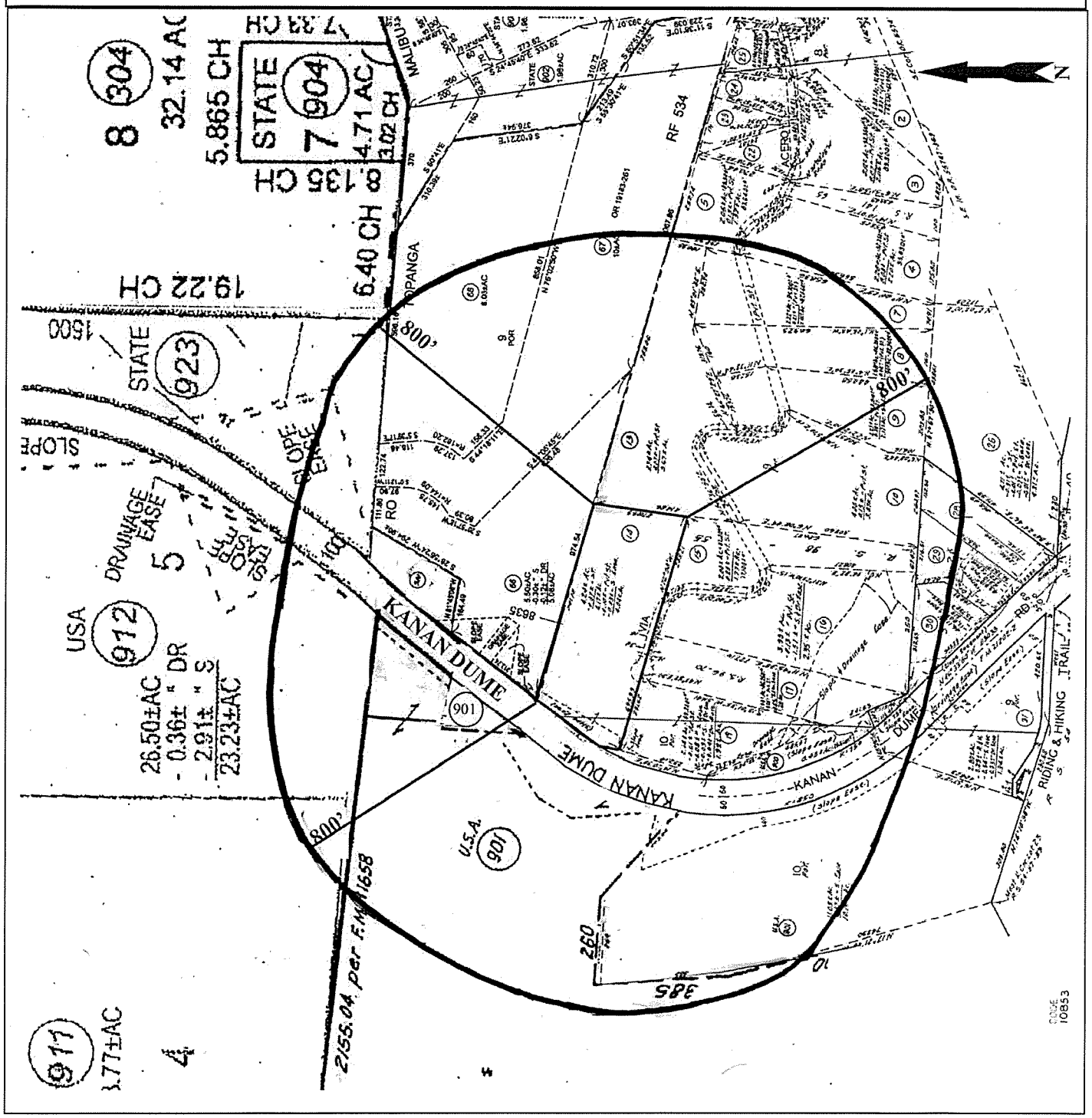
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005 – An application for the construction of a new two-story, single-family residence with a detached guest house and barn, covered patios, second floor deck, swimming pool, water well, and installation of a new alternative onsite wastewater treatment system, including a minor modification for a less than 50 percent reduction of the required front yard setback and a site plan review for construction over 18 feet in height

LOCATION:	28465 Via Acero Street, not within the appealable coastal zone
APN:	4467-033-014
ZONING:	Rural Residential-Five Acre (RR-5)
APPLICANT:	Don Schmitz
OWNER:	Thilo Kuther
APPLICATION FILED:	March 12, 2013
ISSUE DATE:	September 13, 2016
CASE PLANNER:	Carlos Contreras Associate Planner ccontreras@malibucity.org (310) 456-2489, ext. 265

Advanced Listing Services Inc
Ownership Listings & Radius Maps
P.O. Box 2593 • Dana Point, CA • 92624
Office: (949) 361-3921 • Cell: (949) 310-6869
www.Advancedlisting.com denise@advancedlisting.com

Subject APN: 4467-033-014
500' Radius (extended to 800')

Address: 28460 VIA ACERO ST
MALIBU CA 90265



RAMIREZ CANYON PRESERVATION FUND
5969 Ramirez Canyon road
Malibu, CA 90265

Ramirez Canyon Association, Inc.
5924 Ramirez Canyon Road
Malibu, CA 90265

September 6, 2016

Ms. Bonnie Blue
Planning Director
City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Alternate Access and Trail Easement Dedication for CDP 13-014, Site Plan Review 13-006 and Minor Modification 13-005 located at 28465 Via Acero

Dear Director Blue:

The Ramirez Canyon Preservation Fund is dedicated to ensuring that the residential integrity of Ramirez Canyon is preserved and that the Canyon is protected from overdevelopment and overuse. The Ramirez Canyon Association is primarily responsible for maintaining the safety and viability of Ramirez Canyon Road. We are writing in reference to Coastal Development Permit Application No. 13-014 located at 28465 Via Acero in Ramirez Canyon.

In 2015 the applicant's proposed project included the construction of an "emergency access" to his property from Kanan Dume. Although this emergency access is not a part of this application *at this time* we want to make it clear, once again, that there is no neighborhood support for such an alternate driveway for his property whether it be referred to as an emergency exit or by any other name. This desire for an alternate entrance into our neighborhood from a major thoroughfare, Kanan Dume road, would have a severely negative impact on our neighborhood. Should this access ever be put back into the project, it is our desire that the City know that it is not supported by the residents of Ramirez Canyon. We have also attached a previous letter written on this subject for this property dated April 22, 2015. This letter details the neighborhood organizations' position on this desire for the applicant, whether it is part of the project now or not as we suspect that desire may resurface in the future.

Ramirez Canyon is one of the last truly rural communities in the City of Malibu. Part of its charm and peaceful character derives from the fact that it is protected from the very large volume of traffic that comes into the small City of Malibu each year. This proposed access to the neighborhood from Kanan Dume Road would essentially open up the neighborhood to a high speed, high volume thoroughfare. Although the proposed access road is described as being for the sole use of the property owner, once built there will be no control over who enters the neighborhood other than by that individual property owner or future property owner. This

opening to traffic could seriously disrupt the rural, peaceful character of the neighborhood and it is not supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association.

Although there is no offer to dedicate a public trail easement as part of this project at this time, we would like to re-state that there is no neighborhood support for a public trail easement of any kind in Via Acero or anywhere in Ramirez Canyon. The Santa Monica Mountains Conservancy has secured, at significant taxpayer expense, a development permit from the Coastal Commission for a public trail that comes down from a parking lot on Kanan Dume road and goes through the SMMC/MRCA property in Ramirez Canyon and on to Murphy Way and Escondido Falls. In light of this significant effort and expense by the State there is no need for any kind of a public trail easement down Via Acero, which is too narrow and does not meet the minimum requirements for safety for any kind of a public trail. We understand that the applicant has been made aware of an incentive program for these types of trails and want to make it clear to the City that there is no support for any type of public trail in Ramirez Canyon. We have no reason to believe that the applicant wishes to grant one now or any time in the future, but it is the responsibility of the City to protect the serene and rural character of its neighborhoods and this type of a trail easement would degrade the peaceful serenity of our residential neighborhood. In light of the SMMC's trail plans that go through their property, a consideration of a trail on Via Acero is redundant and is not supported by the surrounding community.

Thank you for considering our views. Please contact us if you have any questions.

Lotte Cherin
President
Ramirez Canyon Association
clotte1@gmail.com
310-487-4819

Rick Mullen
President
Ramirez Canyon Preservation Fund
rdmullen@verizon.net
310-457-7502

CC: Carlos Contreras, Case Planner
CC: Adrian Fernandez, Senior Planner

RAMIREZ CANYON PRESERVATION FUND
5969 Ramirez Canyon road
Malibu, CA 90265

Ramirez Canyon Association, Inc.
5924 Ramirez Canyon Road
Malibu, CA 90265

April 22, 2015

Ms. Bonnie Blue
Planning Director
City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Proposal for "Emergency Access"
28465 Via Acero (App. No. 13-014)

Dear Director Blue:

The Ramirez Canyon Preservation Fund is dedicated to ensuring that the residential integrity of Ramirez Canyon is preserved and that the Canyon is protected from overdevelopment and overuse. The Ramirez Canyon Association is primarily responsible for maintaining the safety and viability of Ramirez Canyon Road. We are writing in reference to Coastal Development Permit Application No. 13-014 located at 28465 Via Acero in Ramirez Canyon.

Part of the applicant's proposed project includes the construction of an "emergency access" to his property from Kanan Dume. In actuality, the proposal is for an alternate driveway for his property – and it would connect Via Acero (presently a dead end canyon road) to Kanan Dume. There are numerous problems with this request that could have significant long-term effects on the rural and peaceful character of our unique community in Ramirez Canyon.

Ramirez Canyon is one of the last truly rural communities in the City of Malibu. Part of its charm and peaceful character derives from the fact that it is protected from the very large volume of traffic that comes into the small City of Malibu each year. This proposed access to the neighborhood from Kanan Dume Road would essentially open up the neighborhood to a high speed, high volume thoroughfare. Although the proposed access road is described as being for the sole use of the property owner, once built there will be no control over who enters the neighborhood other than by that individual property owner or future property owner. This opening to traffic could seriously disrupt the rural, peaceful character of the neighborhood and it is not supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association.

The applicant has attempted to "sell the concept" of secondary access, which requires a variance, for the purpose of fire safety. He offers two letters in support of his proposal: one from local attorney John Fletcher and one from LA County Fire Captain Dave Leary from the jurisdictional Fire Station 71.

Mr. Fletcher asserts that in the event of an emergency the only exits from Ramirez Canyon are onto PCH via the tunnel under PCH at the end of Ramirez Canyon road and via Delaplane and Winding Way West. That is not correct. There is another emergency exit up a private driveway located at 5967

and 5969 Ramirez Canyon Road that has been in place for more than 50 years. It connects to Zumirez Drive and then to either Kanan Dume Road or PCH. This access is located 2/3 of the way into Ramirez Canyon from PCH and has been used during emergencies such as fires or flooding when the Arizona Crossings on Ramirez Canyon Road become impassible. This exit is well-known by the residents of Ramirez Canyon; the property owners open this exit for the residents in times of emergency. It has also been depicted on Fire Department Maps for more than 50 years. However, it is a very, very rare occurrence for this alternate exit to be required. Thus, the addition of another exit and potential entrance to Ramirez Canyon from Kanan Dume Road is not necessary.

Additionally, an emergency exit onto Kanan Dume Road would be extremely dangerous. The proposed exit is on the outside of a 50 plus mph turn on Kanan Dume that is dangerous under the best of conditions. The danger would only increase during an emergency.

Mr. Fletcher and the applicant refer to a sign at the bottom of Via Acero, suggesting that Via Acero is already a "Fire Exit." That is not correct either. The photos confirm that the sign says "Fire Access Only" and it is next to a sign that says "Residents Only." The sign is intended to let viewers know that unless they are residents of Via Acero or the Fire Department responding to one of those residents, they should not go up Via Acero because it does not lead anywhere. This is the same set of signs that is at the entrance of Ramirez Canyon Road at the tunnel going under PCH by Paradise Cove and at Delaplane.

The applicant's letter also refers to a previous rarely used potential route onto Kanan Dume that was rendered impassible. He fails to mention that he was the one who rendered it impassible when he built his current residence (28460 Via Acero, adjacent to the subject property). It was not possible to traverse that exit by vehicle (except for rugged 4-wheel) and it was rarely, if ever, used for pedestrian traffic. The fact that the applicant rendered it impassible in the process of building his current residence belies his claim that he and the Canyon now need an "emergency access."

Captain Leary's letter is short and to the point in stating that another access into Ramirez Canyon could help the Fire Department with emergencies. However, that would be true about any access anywhere, just as having a traffic light at every side street on PCH would make PCH safer. The unavoidable fact is that another access into our Canyon – particularly from Kanan Dume – would not be safe and would change the character of our neighborhood forever.

We are also concerned about the applicant's "assurances" that the driveway would be used only for emergencies. Once constructed, there would be nothing to stop the occupants of the residence from using it not only as their primary access but also to potentially open it up to traffic coming from the high volume, high speed Kanan Dume Road and funneling that traffic into and through the very narrow country roads of Via Acero and Ramirez Canyon Road. That is why the proposal is NOT supported by the Board of Directors of the Ramirez Canyon Preservation Fund or the Ramirez Canyon Association, all of whom are cognizant of the fire dangers they face living in this area. As with all residents of Los Angeles County who choose to live in the wildland urban interface communities, proper brush clearance in accordance with the LA County Fire Department Guidelines is the best tool for the protection of one's residence and one's survival in a worst case brush fire scenario.

We take very seriously the City's Mission and Vision Statements from page 1 of the General Plan. We respectfully request that your Department also take them into consideration when considering any development that has the potential for changing the character of any neighborhood in Malibu:

> "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 characteristics."

Ramirez Canyon is not Thousand Oaks or Santa Monica where there are numerous street and road choices for most neighborhoods. Ramirez Canyon, along with all of Malibu, is the way it is partially because of the lack of roads and access ways.

Finally, in a meeting with one of our representatives, the applicant stated that his intention was to use this "emergency only" access to Kanan Dume *during the construction process* to facilitate the movement of building and construction vehicles and material onto his property. That is not "emergency only" and, in light of the fact that some of these projects take years to complete, puts his dangerous Kanan Dume access into a completely different light. Our suspicion is also heightened by the fact that, in support of his request for SPR for height to exceed 28 feet, the applicant states that the project would bring "a visually appealing entry point to the neighborhood." There it is in the applicant's words: He sees this project as an "entry point to the neighborhood." The Board of Directors of the Ramirez Canyon Preservation Fund and the Ramirez Canyon Association do not want a "visually appealing entry" from Kanan Dume into Ramirez Canyon.

For all of these reasons, we are strongly opposed to the applicant's desire to create another access into the neighborhood. The applicant's property is addressed on Via Acero and his access should be from Ramirez Canyon Road onto Via Acero. There is no reason, much less a compelling one, to justify his desire to have a secondary driveway onto Kanan Dume.

Thank you for considering our views. Please contact us if you have any questions.

Kathryn Holguin
President
Ramirez Canyon Association
KJHolguin@yahoo.com
310-457-4954

Rick Mullen
President
Ramirez Canyon Preservation Fund
rdmullen@verizon.net
310-457-7502

CC: Adrian Fernandez, Senior Planner

From: Eric Lauber [redacted]
Sent: Wednesday, September 07, 2016 10:53 AM
To: Carlos Contreras <CContreras@malibucity.org>
Cc: Stephanie Hawner <SHawner@malibucity.org>
Subject: 28465 Via Acero Street

TO: Mr. Carlos Contreras, Case Planner
SUBJECT: NOTICE OF APPLICATION - ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO 13-014, SITE PLAN REVIEW NO. 13-006, AND MINOR MODIFICATION NO. 13-005
APPLICANT: Sage Mountain Ranch, LLC (Jack Gerlach)

Good morning Mr. Contreras,

Yesterday morning on Sept. 6, 2016, I visited the City of Malibu to review the file associated with the notice of application noted above. It was my hope to speak with you yesterday. Although I left you a phone message, you were unavailable since you were in a planning meeting. As a result I am writing you this follow up e-mail to voice my concerns.

It is my hope to schedule a meeting with you to clarify that which is described in the Notice of Application prior to notice of decision scheduled for September 13, 2016. **At a minimum, I am voicing my concerns related to this project as outlined in the PUBLIC COMMENT PERIOD of the Notice of Application.**

First, in the Notice of Application it is stated that "**. . . a second driveway to Kanan Dume Road for emergency use only. . .** " is to be constructed. Upon review of the file and associated drawings, **there does not appear to be any note, keynote, callout, drawing, etc. of any kind describing a road to Kanan Dume whatsoever on those drawings received by the City in 2016** (I believe the date of receipt of those drawing by planning was in March of 2016). There were older drawings dated 2015 and earlier that **did** show a road to Kanan Dume cutting north through the hillside, **but any such road is not being shown on the latest drawings**. In fact, it appears that the locations of some, or all, of the proposed buildings (residence, guest house, and barn) may have been adjusted with the elimination of this road, and any associated grading, in those drawings most recently submitted.

How in fact does the applicant expect to get to Kanan Dume and why is this not shown on the latest drawing submission? Frankly the latest drawings submitted to the City appear to be INCOMPLETE as they do not describe all the work as laid out in the Notice of Application.

Was access to Kanan Dume through a cut in the hillside DENIED by Planning and therefore removed from the drawings? If so, should not the Notice of Application been revised to reflect this?

If the applicant is proposing an alternate access to Kanan Dume, then why is this not reflected on the drawings with all appropriate backup and legal descriptions?

Secondly, the applicant appears to have already started paving a road on the property, subsequent to their initial submission, I suspect without approval/permit by the governing authorities. This causes concern as to what other things the applicant may be doing outside of the government's knowledge.

Your clarification of the matter above would be greatly appreciated.

Thank you.

Eric Lauber

Carlos Contreras

From: Carlos Contreras
Sent: Wednesday, September 07, 2016 11:59 AM
To: 'Eric Lauber'
Cc: Stephanie Hawner
Subject: RE: 28465 Via Acero Street

Good Morning,
Thank you for your inquiry. The project was redesigned since the notice of application was provided on the project site (2015) and the Notice of Application mailer was provided to adjacent property owners. The Public Hearing Notice was the latest notice mailed to adjacent property owners and includes the updated project description. I have provided you with a detailed project description below.
The current project design, as demonstrated on the updated project plans dated March 16, 2016, no longer proposes an "emergency access" from the site to Kanan Dume Road. Additionally, there is an existing dirt road (partially paved) located along the southwestern portion for the site that is a private utility road easement and not considered emergency access. Perhaps this is the road that you are referring to which you believe was recently paved. The private utility road easement may be paved, which would typically require an Administrative Plan Review approval from the Director of Planning. The paving of the entire private utility road is currently not proposed and therefore not included in the scope of work under ACDP13-014. Hopefully the information provided answers your questions and concerns. Feel free to contact me should you need any further clarification.

The following work proposed under ACDP13-014:

a. Construction of a 7,195 square foot, one-story single-family residence that is 28 feet in height;
b. Construction of a 1,054 square foot, detached two car garage;
c. Construction of a 900 square foot detached guesthouse;
d. Construction of a 1,000 square foot barn;
e. The Total Development Square Footage will be 9,095 square feet;
f. Construction of a new AOWTS;
g. Construction of a swimming pool, spa and associated equipment;
h. Construction of retaining walls (six feet high maximum);
i. Installation of new landscaping and new hardscaping;
j. Installation of a permanent water well;
k. Grading; and
l. Installation of underground water tanks to meet the Los Angeles County Fire Department (LACFD) requirements.

Carlos Contreras | Associate Planner | City of Malibu
23825 Stuart Ranch Road, Malibu CA, 90265
Phone: (310) 456-2489 ext. 265
Fax: (310) 456-7650
Email: ccontreras@malibucity.org

Connect with the City of Malibu!

Carlos Contreras

From: Eric Lauber [redacted]
Sent: Thursday, September 08, 2016 11:21 AM
To: Carlos Contreras
Cc: Stephanie Hawner
Subject: Re: 28465 Via Acero Street

Good Morning Mr. Contreras,

Thank you for your quick response yesterday. It is greatly appreciated as I know you are very busy.

As a follow up, however, I still do have concerns.

What you note as a "private utility road easement. . . [that is] not considered emergency access. . . ", I have yet to find any legal description or recorded documents describing such easement(s). I certainly have not found any drawings that indicate such an easement. In addition, it appears that the "utility road easement" crosses the adjoining parcel to the east (inland adjacent) prior to meeting Kanan Dume. **Do you have any recorded information submitted by the applicant, or on file, indicating such an easement actually exists? As is stands, there appears to be no mention of any existing utility easement in the drawings last submitted to the City by the applicant.**

Based upon conversations with other property owners and agents in the immediate vicinity of the applicant's property, **I have every reason to believe that the applicant intends to use such an easement as their "emergency use exit" by trespassing across the adjoining parcel.** In fact, it is known that the applicant has repeatedly trespassed, destroyed property, and utilized the "road" outside of his property lines after repeated demands to cease and desist. **In addition, there is NO DOUBT in my mind that the applicant intends to utilize the "easement" well beyond its actual intent** for construction, convenience, access to their property, emergency exit, etc. In fact, they have already done this by "improving" the road via Kanan Dume without permission. I am concerned that the applicant will continue to disregard the rights of their neighbors by using Kanan Dume as a staging area for construction equipment, trucks, etc. for easier access to their property by trespassing across neighboring lot(s) and utilizing the "private utility road". The applicant has demonstrated a willingness to flagrantly violate the rights of their neighbors and I am afraid will continue to do so.

This matter is of great concern as the applicants actions past and present are greatly offensive. **Is there some means by which either Planning, or Building and Safety, can ensure that the adjoining property owner's rights WILL NOT be violated via enforcement of construction requirements the City places upon the project as required conditions? For example, access to the applicant's property for ALL activity should ONLY be by Via Acero as the applicant has no direct access to Kanan Dume.**

Your help in clarifying this matter would be appreciated.

Thank you.

Respectfully,

Eric Lauber

-----Original Message-----
From: Carlos Contreras <CContreras@malibucity.org>
To: Eric Lauber [redacted]
Cc: Stephanie Hawner <SHawner@malibucity.org>
Sent: Wed, Sep 7, 2016 11:59 am
Subject: RE: 28465 Via Acero Street

Good Morning,

Commission Agenda Report

Planning Commission Meeting
09-19-16
Item 3.B.4.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Bonnie Blue, Planning Director BB for
Trevor Rusin, Assistant City Attorney

Date prepared: September 8, 2016 Meeting Date: September 19, 2016

Subject: Trancas Field Acquisition Conformance with General Plan (APN 440-012-045)

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-78 finding the acquisition of the Trancas Field property for park, recreation or open space purposes conforms with the City of Malibu General Plan, and that this action is exempt from the California Environmental Quality Act (CEQA) located in the Rural Residential-Five Acre (RR-5) zoning district at 6155 Trancas Canyon Road and 30999 Pacific Coast Highway (APN 440-012-045).

DISCUSSION: The Trancas Field property, consisting of approximately 35 acres located on Trancas Canyon Road at Pacific Coast Highway, has been the subject of numerous lawsuits and development proposals since 1978. Currently, only one lawsuit remains pending: a challenge by the current property owner to the City's certification of an Environmental Impact Report that evaluated the potential environmental impacts of the proposed Housing Element and the City's approval of the Housing Element for the period 2008-2014. As part of the settlement of this lawsuit, the property owner has accepted the City's offer to purchase Trancas Field for $11,377,000. The property was appraised at a fair market value of $26,000,000.

At its meeting of August 8, 2016, the City Council approved the terms for the resolution of the lawsuit including the related purchase and sales agreement for the Trancas Field property. The next step in the process is completing the purchase of the property. While a specific use has not been set for the property, it is anticipated that it will be used for park, recreation or open space purposes.

Government Code Section 65402 requires that the Planning Commission report to the City Council its finding whether such acquisition is in conformity with the City's General Plan. General Plan conformity is a limited inquiry into whether the proposed use of the property is permitted under the land use designation and otherwise conforms to the applicable policies in the General Plan.

Trancas Field is currently designated for the land use designation Rural Residential-Five Acre (RR-5) in the General Plan. Parkland, recreation and open space uses are allowed in that district. The acquisition of Trancas Field provides the City with a unique opportunity to acquire a large parcel of scenic and easily accessible land suitable for a community park, recreational activities, preservation as open space, or other similar uses benefitting the community. The fact that the property is currently vacant and largely undisturbed adds to the rarity of the opportunity this acquisition presents. Acquiring the property will allow the City to expand recreational and park access to the City's residents, preserve visual resources, and protect natural and wildlife resources.

In sum, this acquisition conforms to the General Plan and specifically advances several goals of the General Plan, including, but not limited to, the following sections:

1) OS Objective 1.1: "Ample and Diverse Public Parkland and Open Space, Integrated by Circulatory and Visual Links, to Create a Rural Open Feeling." GP § 2.5.1

2) OS Policy 1.1.1: "The City shall encourage acquisition and dedication of appropriate land into parks." GP § 2.5.1.

3) OS Policy 1.1.2: "The City shall pursue all appropriate site acquisition, maintenance and program funding opportunities." GP § 2.5.1.

4) OS Policy 1.1.3: "The City shall preserve, protect, and enhance the character and visual quality of natural open space as a scenic resource of great value and importance to the quality of life of residents and to the enhancement of the scenic experience of visitors." GP § 2.5.1.

5) OS Implementation Measure 2: "Actively seek donations and grants, and when economically feasible fund, purchases of beach access easements and inland and shoreline properties for open space and recreational uses." GP § 2.5.1.

6) LU Policy 1.1.2: "The City shall ensure that land uses avoid or minimize adverse impacts on water quality and other natural resources, such as undisturbed watershed and riparian areas." GP § 1.4.1.

7) LU Policy 1.1.4: "The City shall preserve the City's rural residential character." GP § 1.4.1.

The Planning Commission's finding that the acquisition of Trancas Field complies with the City's General Plan is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) (no possibility making this finding may have a significant effect on the environment); 15316 (transfer of land to establish park); and 15325 (transfer of land for open space or park purposes).

SUMMARY: Staff recommends that the Planning Commission adopt the attached resolution finding the acquisition of the Trancas Field property to be in conformance with the City's General Plan, and exempt from CEQA.

ATTACHMENT: Resolution No. 16-78

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-78

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU FINDING THE ACQUISITION OF THE TRANCAS FIELD PROPERTY FOR PARK, RECREATION OR OPEN SPACE PURPOSES IN CONFORMANCE WITH THE CITY OF MALIBU GENERAL PLAN AND EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, LOCATED IN THE RURAL RESIDENTIAL-FIVE ACRE (RR-5) ZONING DISTRICT AT 6155 TRANCAS CANYON ROAD AND 30999 PACIFIC COAST HIGHWAY (APN 440-012-045)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. The Trancas Field Property constitutes approximately 35 acres located at 6155 Trancas Canyon Road and 30999 Pacific Coast Highway (APN 440-012-045)(the "Property"). The Property is currently vacant and zoned Rural Residential-Five Acres (RR-5). It has been appraised at a fair market value of $26,000,000.

B. On September 27, 2013, the owner of the Property filed a petition for writ of mandate entitled *Trancas PCH, LLC v. City of Malibu,* Los Angeles Superior Court Case Number BS 145311, challenging the City's certification of an Environmental Impact Report that evaluated the potential environmental impacts of the City's proposed housing element, and the City's approval of the Housing Element for the period 2008-2014. The court granted judgment to the owner on its challenge to the City's preparation of the Housing Element and granted judgment to the City with respect to the owner's challenges under CEQA. The City appealed the trial court's orders to the Court of Appeal, in case numbers B265104 and B267189.

C. The owner of the Property has since agreed to settle this matter. As part of the settlement agreement the Property owner has agreed to sell the Property to the City for $11,377,000. The settlement agreement also requires the vacation of both the judgment against the City and the order awarding $119,802.60 in attorney's fees to the owner.

D. On August 8, 2016, the City Council approved terms for the resolution of the lawsuit, including the final settlement agreement and related purchase and sales agreement to acquire the Property.

E. Although a specific project has not been designated for the Property, it is anticipated that it will be used for park, recreational, or open space purposes.

F. On September 19, 2016, the Planning Commission held a duly noticed public meeting, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record to assess whether the acquisition of the Trancas Field Property conforms to the General Plan.

SECTION 2. Environmental Review.

The question answered in this Resolution is limited to whether the acquisition of the Trancas Field Property for park, recreational or open space purposes conforms to the General Plan. The Planning Commission has analyzed that question as described herein. As a matter of common sense, evaluating whether the acquisition of property by the City conforms to the General Plan does not have an effect on the environment as this analysis itself will not lead to any changes to the property. 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. The Planning Commission determined that there is no possibility the project will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies. In addition, and alternatively, this action is exempt from CEQA pursuant to CEQA Guidelines sections 15316(a) (transfer of land to establish park) and 15325(f) (transfer of land for open space or park purposes).

SECTION 3. Findings.

Pursuant to Government Code section 65402, the Planning Commission hereby finds the acquisition of the Trancas Field property conforms to the General Plan. The Planning Commission has considered the location, purpose and extent of the acquisition and hereby reports that the acquisition conforms to the adopted General Plan.

SECTION 4. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September, 2016.

JOHN MAZZA, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-78 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 19th day of September 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

Commission Agenda Report

Planning Commission Meeting 09-19-16

Item 4.A.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner RM

Reviewed: Bonnie Blue, Planning Director BB

Date prepared: September 7, 2016 Meeting date: September 19, 2016

Subject: Coastal Development Permit No. 14-028, and Variance Nos. 14-012 and 15-013 - An application for the construction of a new beachfront single-family residence, accessory structure, and associated development (Continued from September 6, 2016)

Location: 31438 Broad Beach Road, within the appealable coastal zone
APN: 4470-017-065
Owner: Ben Lingo

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-73 (Attachment A) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit (CDP) No. 14-028, an application for the construction of a new 7,237 square foot single-family residence with attached garage, pool, spa, and roof deck on a beachfront lot and removal of an existing rock revetment, including Variance (VAR) No. 14-012 for construction on slopes and VAR No. 15-013 for construction of a shoreline protection device to allow for the continued protection of an existing slope and surrounding properties located in the Single-Family Medium Density (SFM) zoning district at 31438 Broad Beach Road (Lingo).

DISCUSSION: At the August 15, 2016 Planning Commission hearing for the subject CDP, concerns were raised regarding the size of the two proposed lofts. The agenda report for that hearing is attached to this report as Attachment E. The Commission continued the item to give the applicant the opportunity to revise the size of the two lofts to comply with the definition of a loft, which is also referred to as a mezzanine in the Local Coastal Program (LCP).

The LCP[1] defines a loft as, "an intermediate level without walls or partitions, placed in any story or room and open to the space below. When the total of any such mezzanine floor exceeds 33-1/3% of the total floor area in that room, it shall constitute an additional story. The clear height above or below a mezzanine floor shall not be less than seven (7) feet. No more than one continuous mezzanine may be permitted in any one room. A loft shall be considered a mezzanine."

The applicant has revised the loft plans to address the Planning Commission's comments. Below is a summary of the size of each proposed loft:

Upper floor loft
- Room size: 490 square feet
- Allowable loft size: 163 square feet
- Proposed loft size: 163 square feet

Lower floor loft
- Room size: 1,217 square feet
- Allowable loft size: 405 square feet
- Proposed loft size: 405 square feet

Attachment B is a visual representation of the lofts and the rooms they part of. The applicant submitted revised plans for the entire project on August 24, 2016 which include the revised loft designs (Attachment C).

Since the August 15, 2016 Planning Commission hearing, a representative for the owner of a neighboring property submitted correspondence (Attachment D). In that correspondence concern is raised over the size of the proposed structure, the number of floors, and neighboring views. As discussed in the in the associated agenda report and resolution, the proposed structure meets the applicable development standards for beachfront development as defined in Local Implementation Plan (LIP) Section 3.6. In addition, the proposed structure as illustrated by the attached project plans is no greater than two stories at anyone point. The design of the proposed structure is common to neighboring development in that it cascades down the slope from Broad Beach Road to the beach below. Lastly, the project meets the public view requirements of LIP Chapter 6 in that it is located below the road grade of Pacific Coast Highway and view corridors along Broad Beach Road are provided. Neighboring residences have views directed towards the Pacific Ocean and the proposed development complies with both the deck and structure stringlines to protect those neighboring views.

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[1] Local Implementation Plan Section 2.1 (Definitions)

ATTACHMENTS:

A. Planning Commission Resolution No. 16-73
B. Loft Exhibits
C. Project Plans Dated August 24, 2016
D. Correspondence
E. August 15, 2016 Planning Commission Agenda Report Item 5B

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-73

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 14-028, AN APPLICATION FOR THE CONSTRUCTION OF A NEW 7,237 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH ATTACHED GARAGE, POOL, SPA, AND ROOF DECK ON A BEACHFRONT LOT AND REMOVAL OF AN EXISTING ROCK REVETMENT, INCLUDING, INCLUDING VARIANCE NO. 14-012 FOR CONSTRUCTION ON SLOPES AND VARIANCE NO. 15-013 FOR CONSTRUCTION OF A SHORELINE PROTECTION DEVICE TO ALLOW FOR THE CONTINUED PROTECTION OF AN EXISTING SLOPE AND SURROUNDING PROPERTIES LOCATED IN THE SINGLE-FAMILY MEDIUM DENSITY ZONING DISTRICT AT 31438 BROAD BEACH ROAD (LINGO)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On May 5, 2014, an application for Coastal Development Permit (CDP) No. 14-028 and Variance (VAR) Nos. 14-012 and 14-012 was submitted to the Planning Department by applicant, Burdge and Associates, on behalf of the property owner Ben Lingo. The application was routed to the City geotechnical staff, City Environmental Health Administrator, City Coastal Engineer, City Biologist, the City Public Works Department, and the Los Angeles County Fire Department (LACFD) for review.

B. On May 4, 2016, story poles were placed onsite to demonstrate the project mass and bulk.

C. On July 22, 2016, a Notice of Coastal Development Permit Application was posted on the subject property and the application was deemed complete.

D. On July 21, 2016, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

E. On August 15, 2016, the Planning Commission held a duly noticed public hearing on the subject application and continued the hearing to the September 6, 2016 Regular Planning Commission meeting to allow the applicant time to redesign the proposed lofts.

F. On August 24, 2016, the applicant submitted revised project plans to address the concerns regarding the size of the proposed lofts.

G. On September 6, 2016, the Planning Commission continued the item to its September 19, 2016 Regular Planning Commission meeting.

H. On September 19, 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. 14-028, an application for the construction of a new 7,237 square foot single-family residence with attached garage, pool, spa, and roof deck on a beachfront lot, including VAR No. 14-012 for construction on slopes and removal of the existing rock revetment VAR No. 15-013 for construction of a shoreline protection device to allow for the continued protection of an existing slope and surrounding properties located in the Single-Family Medium Density (SFM) zoning district at 31438 Broad Beach Road.

The project is consistent with the LCP's zoning, grading, cultural resources, and water quality requirements. With the inclusion of the proposed variances, the project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project has been reviewed for conformance with the LCP by Planning Department staff, the City Biologist, City Environmental Health Administrator, City Coastal Engineer, City geotechnical staff, the City Public Works Department, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and detailed site investigation, the proposed project with the inclusion of the two variances, as conditioned, conforms to the LCP in that it meets all applicable residential development standards.

2. The project is located on the ocean side of Pacific Coast Highway (PCH) along Broad Beach Road and the site does not provide or have the ability to provide for vertical public access to the beach. Currently there is wet-sand lateral beach access, and that access will remain as part of the proposed project. The California Coastal Trail is located along shoreline at the rear of the property and no development will take place in the area of the trail.

3. Evidence in the record demonstrates that as conditioned, the project will not result in adverse environmental impacts. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

B. Variance for Construction on Slopes in Excess of 2½ to 1 (LIP Section 13.26)

1. The property is characterized by a steep slope that descends from Broad Beach Road to the beach below. In order to develop a driveway, access stairs, and a home on the site, development is required to take place on the slope which occupies the site. In addition, properties in the immediate vicinity are similarly developed with single-family residences with driveways and retaining walls on the steep slopes which descends towards the beach below. Due to the topography of the project site, strict application of the zoning ordinance deprives the subject property of privileges enjoyed by other properties in the vicinity and under the same zoning designation.

2. The project will meet all applicable building and engineering safety codes and will not be detrimental to the public's interest, safety, health or welfare. The development that is proposed to be on the steep slopes has been reviewed by the City geotechnical staff and will be built to the recommendations for the pile foundation made by the project's Geotechnical Engineer. The project will not be detrimental to other properties or improvements in the same vicinity and zone. The proposed project has been reviewed and approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Coastal Engineer, City Public Works Department, and the LACFD. The project, as proposed or conditioned, was found to be consistent with applicable City goals and policies.

3. Granting of the variance will not constitute a special privilege to the applicant or property owner because there are special circumstances on the project site such that strict application of the zoning ordinance would deprive the property owner from developing similarly to other properties within the vicinity and under the same zoning designation.

4. Granting the variance is not contrary to or in conflict with the general purposes or intent of the zoning provisions nor contrary to or in conflict with the goals, objectives and policies of the LCP. The requested variance will allow for the development that is consistent with surrounding beachfront development.

5. The requested variance is for relief from a specific development standard and does not authorize a use or activity not otherwise permitted in the SFM zoning district. The requested variance is for construction of a driveway, access stairs, and a home on slopes in excess of 2½ to 1 in order to accommodate a new single-family residence on the project site.

6. Granting the variance will allow construction of a driveway, access stairs, and a home on a slope steeper than 2½ to 1 as recommended by the project Geotechnical Engineer. Additionally, the project will be required to satisfy all Building Safety standards in the building plan check process. The subject site is physically suitable for the proposed variance.

7. 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 the LACFD.

C. Variance for Construction of a Shoreline Protection Device (LIP Section 13.26)

1. The subject property is a rectangular shaped parcel that contains a steep slope from the public street on the northern side to the ocean and beach below. While the new residence will not be vulnerable to this hazard because of its pile foundation, adjacent properties will be. It has been demonstrated by project's geotechnical consultant geotechnical reports that, without the benefit of a shoreline protection device at the base of the slope to guard against erosional effects, the slope will continue to be geologically unstable. Pursuant to Section 5.7 of the Malibu Geotechnical Guidelines, the project geotechnical consultants must demonstrate in accordance with Section 111 of the Malibu Building Code that the proposed building or grading will not have a negative impact on the geotechnical stability of property outside of the building site. Based on the findings of their investigation, removal of the existing rip-rap revetment will increase the slope instability hazard to the subject site and adjacent properties. Without the implementation of a new engineered shoreline protective device such as a retaining wall, the geotechnical consultant will be unable to demonstrate that the proposed development will not present a hazard to the stability of the subject and adjacent properties in accordance with Malibu Geotechnical Guidelines.

Therefore, the strict application of the code which prohibits the construction of shoreline protection devices for anything other than the protection of a septic system or existing lawful structures would make it infeasible to build a residence and would thus deprive this property of privileges enjoyed by other surrounding properties under identical zoning classification, lot size, shape and topography.

2. The project will meet all applicable building and engineering safety codes and will not be detrimental to the public's interest, safety, health or welfare. The development that is proposed has been reviewed by the City geotechnical staff and will be built to the recommendations made by the project's geotechnical engineer. The project will not be detrimental to other properties or improvements in the same vicinity and zone. The proposed project has been reviewed and approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Coastal Engineer, City Public Works Department, and the LACFD. The project, as proposed or conditioned, was found to be consistent with applicable City goals and policies.

3. Granting of the variance will not constitute a special privilege to the applicant or property owner because there are special circumstances such as the need to protect surrounding development from the unstable slope on the project site such that strict application of the zoning ordinance would deprive the property owner from developing similarly to other properties within the vicinity and under the same zoning designation.

4. Granting the variance is not contrary to or in conflict with the general purposes or intent of the zoning provisions nor contrary to or in conflict with the goals, objectives and policies of the LCP. The requested variance will allow for the development that is consistent with surrounding beachfront development.

5. The requested variance is for relief from a specific development standard and does not authorize a use or activity not otherwise permitted in the SFM zoning district. The requested variance will result in improved on and off-site slope stability and allow the property to be developed similarly to surrounding development.

6. Granting the variance will allow construction of a driveway, access stairs, and a home on the subject property as recommended by the project geotechnical engineer. Additionally, the project will be required to satisfy all Building and Safety standards in the Building Plan Check process. The subject site is physically suitable for the proposed variance.

7. 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 the LACFD.

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

1. There is no feasible development site location on the proposed project site where development would not have potential to be visible from PCH or the beach. Furthermore, the surrounding development, which is similar in size and scale, is currently visible from PCH and the beach. In addition, the subject property is surrounded by existing development of similar size and scale. Story poles were installed onsite which demonstrate that the project is similar to surrounding development. The proposed design includes the required view corridors to maintain public views from Broad Beach Road pursuant to LIP Section 6.5(E)(2). In addition, the height of the building is below the roadway grade of PCH, thereby allowing for bluewater views over the site. Therefore, the project as conditioned will not have significant adverse scenic or visual impacts due to the project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

2. The project will not have significant adverse scenic or visual impacts.

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

4. The project, as conditioned, will result in a less than significant impact on scenic and visual resources.

5. As conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

E. Hazards (LIP Chapter 9)

1. City geotechnical staff determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity and the Public Works Department determined the project is not in a flood hazard area. The submitted geotechnical 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. Included in their recommendations is the construction of a retaining wall at the base of the steep slope which occupies the subject property.

Retaining walls are permitted development; however, the location of the proposed retaining wall is within the wave uprush zone. Since the retaining wall is within the wave uprush zone, the retaining wall meets the definition of a shoreline protection device. Currently, the toe of the existing slope is protected by a slurry mix and rocks. Without protection that stabilizes the slope, the slope has the potential to fail which would affect the foundations of the neighboring properties as well as the stability of Broad Beach Road. Based on review of the project and associated technical submittals, on March 4, 2016, City geotechnical staff approved the project, subject to conditions. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or City geotechnical staff, shall be incorporated into all final design and construction including foundations, grading, and drainage. The project as designed meets the required factor of safety. Final plans shall be reviewed and approved by City geotechnical staff prior to the issuance of a grading permit.

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. The remedial grading that is included as part of the proposed project will result in improved geological stability for the site as well as surrounding properties.

5. No adverse impacts to sensitive resources are expected.

F. Shoreline and Bluff Development (LIP Chapter 10)

1. The project site is located on the ocean side of Broad Beach Road and is located along the shoreline. Given the topography of the site and the location of the proposed development it will not impact shoreline access along the beach below. The property does contain a steep slope, however, the neighboring properties are developed and contain the same type of steep slope. The proposed project is located in a developed neighborhood and neighboring properties which are also beachfront, and are developed similarly to the subject property. Given the location of the proposed project on the subject property, the proposed development will not impact the existing lateral access along the shoreline at the rear of the property. Furthermore, the proposed retaining wall that will be located in the wave uprush is set back, under the proposed residence, and is not expected to affect shoreline access. The project complies with LIP Section 10.4(N), in that a vertical retaining wall is preferred over rock revetments. Neighboring properties have seawalls that are mostly in line with the deck stringline. The proposed development as designed and conditioned, is not expected to have significant adverse impacts on public access, shoreline sand supply or other resources.

2. The project will not have significant adverse impacts on public access or shoreline sand supply or other resources.

3. The project, as designed, constructed, and conditioned, is the least environmentally damaging alternative because the proposed shoreline protection device is set a far landward as possible.

4. The project is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

5. The proposed project does propose a variance to allow for the construction of a retaining wall that will be located in the wave uprush zone. The proposed retaining wall will be sited under the proposed development and is not expected to have adverse impacts on local shoreline sand supply and public access. Various design alternatives were reviewed, however the current location proposes the wall as far landward as possible while still protecting the neighboring development.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 14-028 and VAR Nos. 14-012 and 15-013, 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. Removal of the existing rock revetment;
    b. Construction of a new 7,237 square foot two-story single-family residence that includes an attached two car garage;
    c. Pool and spa;
    d. Pool and spa equipment vault;
    e. Permeable driveway;
    f. Trash enclosure;
    g. Rear yard deck and roof deck;
    h. Retaining walls;
    i. Pile supported foundation;
    j. Fences and gates;
    k. Planter areas for small plants and shrubs;
    l. External staircases;
    m. VAR No. 14-012 to allow for construction on slopes steeper than 2½ to 1; and
    n. VAR No. 15-013 to allow for construction of a retaining wall which protects neighboring properties from the onsite geological slope instability, and serves as a shoreline protection device where there is no onsite wastewater treatment system.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, date-stamped **August 24, 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 property owner signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 days of this decision and/or prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the August 15, 2016 Planning Commission agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.

7. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City geotechnical staff, City Coastal Engineer, City Biologist, City Public Works Department, LACFD, and City Environmental Health Administrator, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the 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.

13. The applicant shall secure all necessary permits from the Los Angeles County Department of Beaches and Harbors and the Army Corp if applicable.

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.

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. Grading permits shall not be issued between November 1 and March 31 each year pursuant to LIP Section 17.2.1. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that is located within or adjacent to ESHA or includes grading on slopes greater than 4 to 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 plans addressing this condition.

19. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3. A note shall be placed on the plans addressing this condition.

20. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project:

    a. Public Works Department General Notes
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
    c. The limits of land to be disturbed during project development shall be delineated on the grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, Areas disturb for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
    d. The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
    e. If the property contains trees that are to be protected they shall be highlighted on the grading plan.
    f. If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
    g. Private storm drain systems shall be shown on the grading plan. Systems with a 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.

21. 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 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 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 BMPs that have been implemented in the design of the project (See LIP Chapter 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.

22. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be prepared in accordance with the LIP Section 17.3.3 and all other applicable ordinances and regulations. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The following elements shall be included within the WQMP:

    a. Site Design Best Management Practices (BMP);
    b. Source Control BMPs;
    c. Treatment Control BMPs;
    d. Drainage improvements;
    e. Methods for onsite percolation, site re-vegetation and an analysis for off-site project impacts;
    f. Measures to treat and infiltrate runoff from impervious areas;
    g. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Building Safety public counter and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. Once the plan is approved and stamped by the Public Works Department, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted prior to the Public Works Department approval of building plans for the project.

23. A state construction activity permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the WDID number prior to the issuance of grading or building permits.

24. Prior to the approval of any permits and prior to the applicant submitting the required Construction General Permit documents to the State Water Quality Control Board, the applicant shall submit to the Public Works Department for review and approval an Erosion and Sediment Control Plan (ESCP). The ESCP shall contain appropriate site-specific construction site BMPs and shall be developed and certified by a Qualified SWPP Developer (QWD). All structural BMPs must be designed by a licensed California Engineer. The ESCP must address the following elements:

    a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area.
    b. Methods used to protect native vegetation and trees.
    c. Sediment/Erosion Control.
    d. Controls to prevent tracking on and off the site.
    e. Non-storm water controls.
    f. Material management (delivery and storage).

g. Spill prevention and control.
h. Waste management.
i. Identification of site Risk Level as identified per the requirements in Appendix 1 of the Construction General Permit.
j. Landowner must sign the following statement on the ESCP:

"I certify that this document and all attachment were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to update the ESCP to reflect current conditions, or failing to properly and/or adequately implement the ESCP may result in revocation of grant and/or other permits or other sanctions

Street Improvements

25. The 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 form the Public Works Department for the proposed work.

26. This project proposes to construct a new driveway 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 form the Public Works Department for the proposed driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inches of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

27. Several private improvements are located within the City 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. Prior to Public Works approval of the grading or building permit, the applicant shall obtain encroachment permits for the removal of the private improvements within the City right of way.

Construction/Framing

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

29. 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.

30. 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.

31. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation, recommended finished floor elevation and elevation of Broad Beach Road, 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.

32. 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

33. Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:

    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
    b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
    c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
    d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
    e. Site perimeter lighting shall be prohibited; and
    f. Outdoor decorative lighting for aesthetic purposes is prohibited.

34. Night lighting for sports courts or other private recreational facilities shall be prohibited.

35. 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.

36. 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

37. 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.

38. 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.

Biology/Landscaping

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

Water Quality/ Water Service

40. 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.

41. The applicant shall obtain all required approvals and permits from the Los Angeles County Department of Public Works for the approval of the sewer connection.

Shoreline Protection

42. All construction debris shall be removed from the beach daily and at the completion of development.

43. No stockpiling of dirt or construction materials shall occur on the beach.

44. Measures to control erosion, runoff, and siltation shall be implemented at the end of each day's work.

45. The applicant shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.

46. No machinery shall be placed, stored or otherwise located in the intertidal zone at any time, unless necessary for protection of life and/or property.

47. Construction equipment shall not be cleaned on the beach.

Deed Restrictions

48. 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.

49. 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.

50. The property owner is required to acknowledge, by recordation of a deed restriction, that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.

View Corridor

51. Pursuant to LIP Section 6.5(E)(1)(e) and in order to ensure the protection of scenic and visual resources, the project is conditioned as follows:

    a. Structures shall extend no higher than the road grade of PCH adjacent to the project site.
    b. Fences shall be located away from the road edge and fences or walls shall be no higher than adjacent road grade of PCH, with the exception of fences that are composed of visually permeable design and material.
    c. The project site shall be landscaped with native vegetation types that have a maximum growth height at maturity and are located such that landscaping will not extend above PCH road grade.
    d. Existing vegetation shall be removed, or trimmed and maintained in perpetuity so as not to extend above the adjacent road elevation of PCH.

52. Pursuant to LIP Section 6.5(E)(2)(e) and in order to ensure the protection of scenic and visual resources, the applicant is required to maintain:

    a. A view corridor a minimum of 5 feet wide adjacent to the western and eastern property lines extending the length of the property.
    b. No portion of any structure shall extend into the view corridor above the elevation of the adjacent street.
    c. Any fencing across the view corridor shall be permanently maintained as visually permeable. Tinted or frosted glass, and louvered or slatted screen fences are not permitted.
    d. Any landscaping in this area shall include only low-growing species that will not obscure or block bluewater views.
    e. If at any time the property owner allows the view corridor to become impaired or blocked, it would constitute a violation of the coastal development permit and the Coastal Act and be subject to all civil and criminal remedies.

Prior to Occupancy

53. 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.

54. 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.

55. 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

56. This coastal development permit shall run with the land and bind all future owners of the property.

57. 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. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September 2016.

JOHN MAZZA, 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.

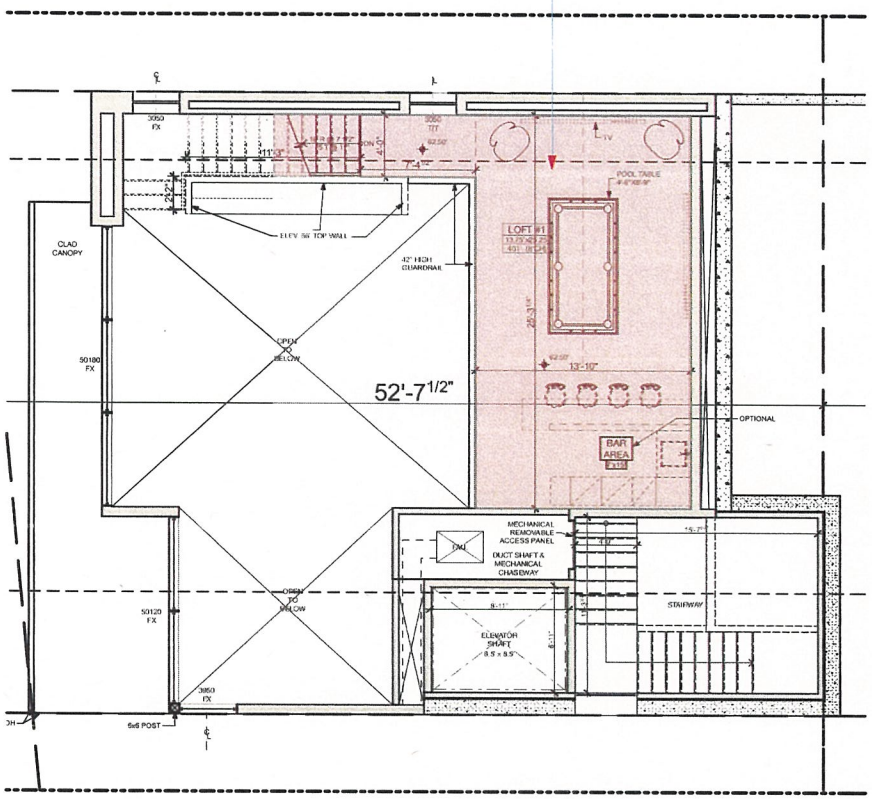
COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Commission's decision to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central 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. 16-73 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 19th day of August 2016 by the following vote:

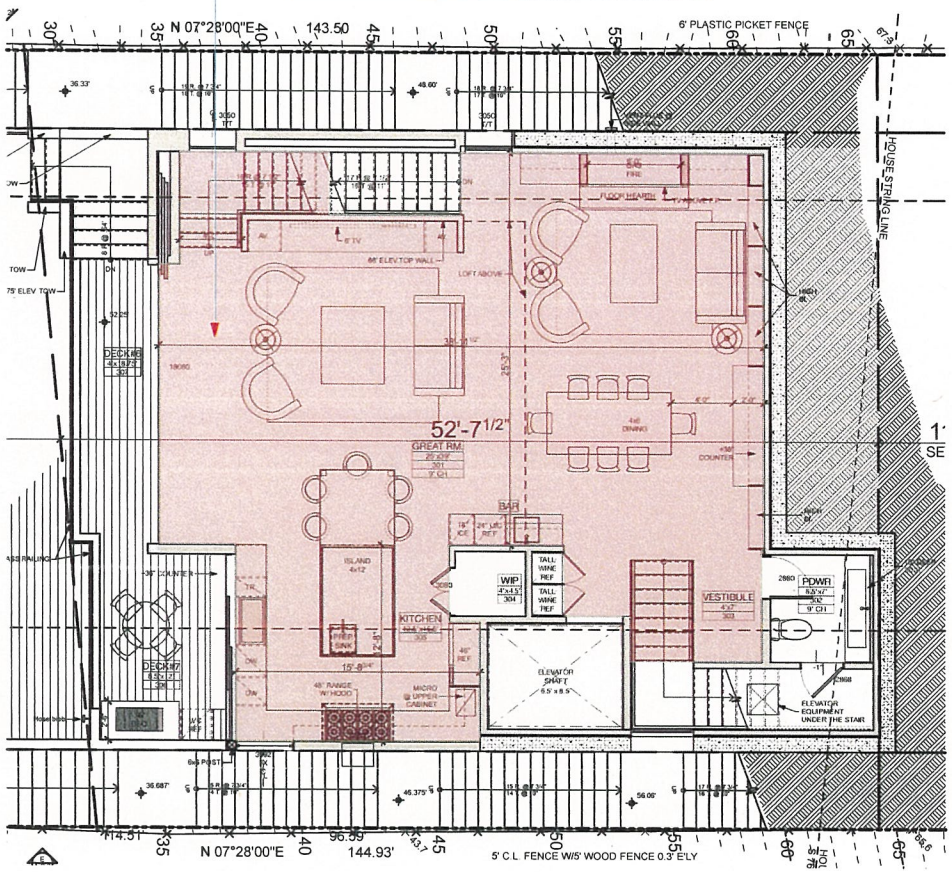
AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

LOFT AREA 405 SQUARE FEET



LOFT TRIBUTARY AREA 1,217 SQUARE FEET



LOFT AREA 405 SF/TRIB. AREA 1,217 = 33.27 ≤ 1/3 OR 33.3%

Malibu LCP LIP Section 2.1 Definitions:
MEZZANINE - an intermediate level without walls or partitions, placed in any story or room and open to the space below. When the total of any such mezzanine floor exceeds 33-1/3% of the total floor area in that room, it shall constitute an additional story. The clear height above or below a mezzanine floor shall not be less than seven (7) feet. No more than one continuous mezzanine may be permitted in any one room. A loft shall be considered a mezzanine.

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 BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO	DATE	ISSUE

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

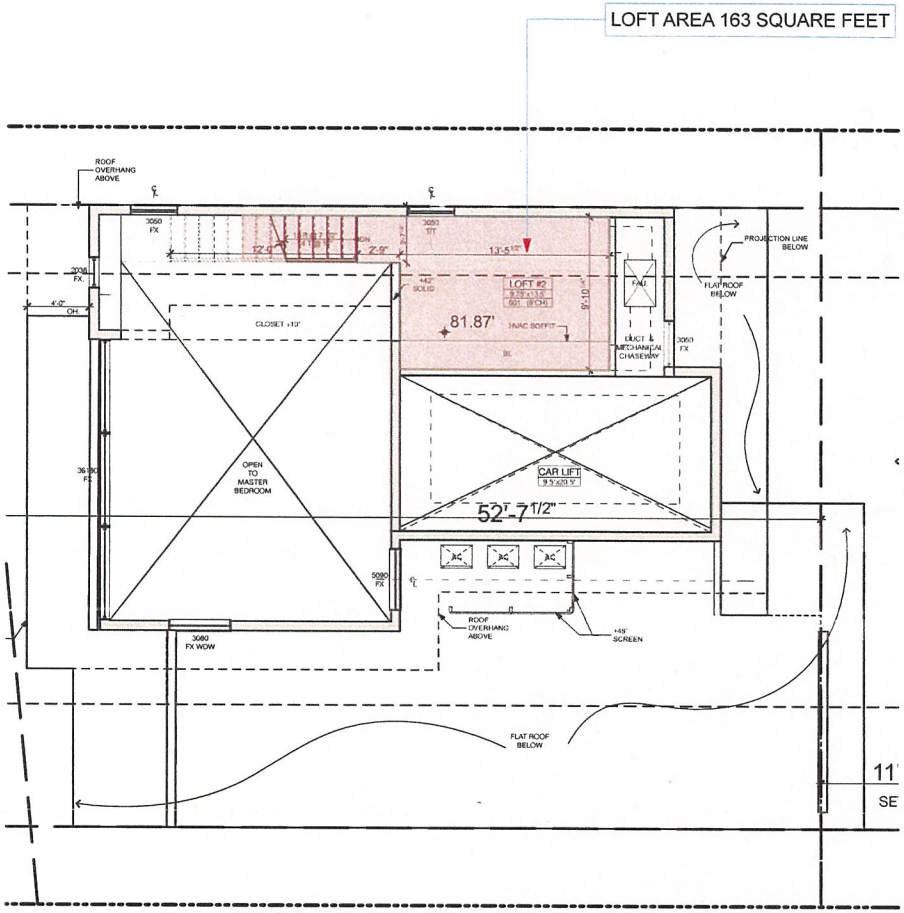
BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
21235 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL: 310-456-5805
480 WASHINGTON AVE.
SUITE 204 C
KETCHUM, ID 83340
TEL: 208-495-3228

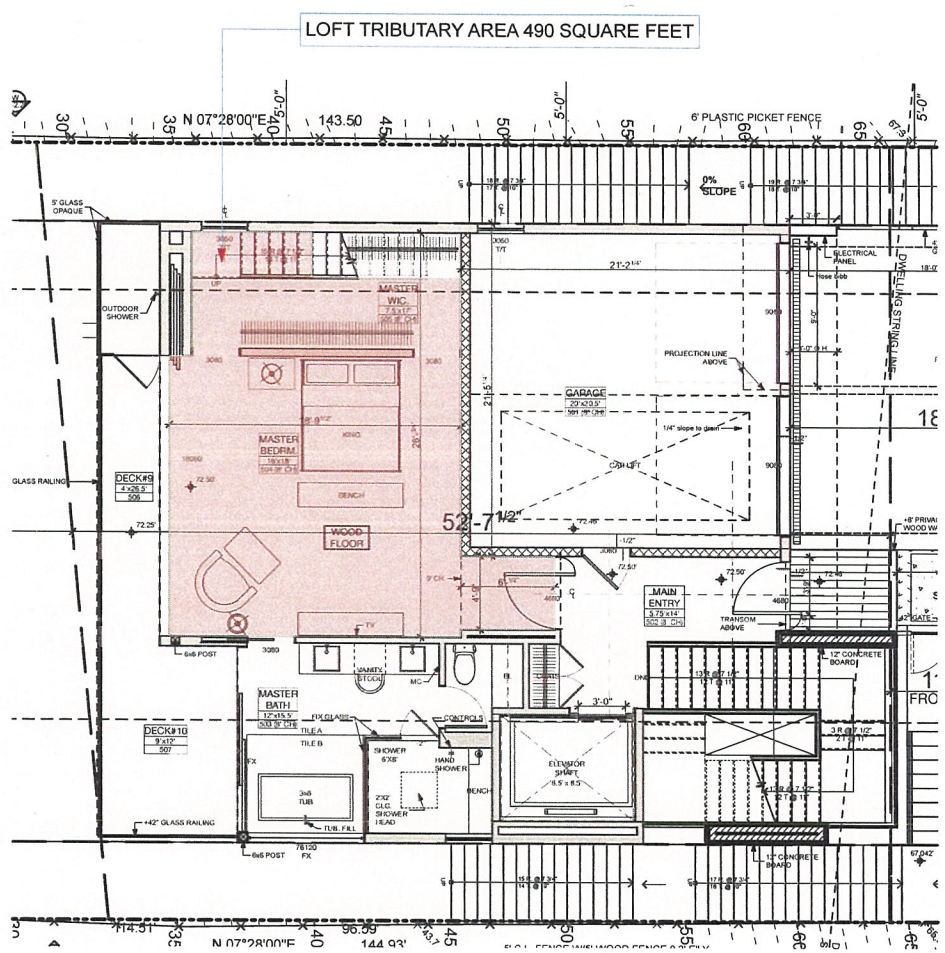
DESCRIPTION: Loft Exhibit #1

DRAWING NO. App B (A)

PROJECT	LINGO RESIDENCE
DATE	Plot Date: 9/7/16
DRAWN BY	D.W.B.,C.Z.
SCALE:	

ATTACHMENT B





LOFT AREA 163 SF/TRIB. AREA 490 = 33.26 % ≤ 1/3 OR 33.3%

Malibu LCP LIP Section 2.1 Definitions:
MEZZANINE - an intermediate level without walls or partitions, placed in any story or room and open to the space below. When the total of any such mezzanine floor exceeds 33-1/3% of the total floor area in that room, it shall constitute an additional story. The clear height above or below a mezzanine floor shall not be less than seven (7) feet. No more than one continuous mezzanine may be permitted in any one room. A loft shall be considered a mezzanine.

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NO	DATE	ISSUE

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
21235 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905
480 WASHINGTON AVE.
SUITE 304 C
KETCHUM, ID 83340
TEL: 208-495-3228

DESCRIPTION: Loft Exhibit #2

DRAWING NO. App B (B)

PROJECT	LINGO RESIDENCE
DATE	Plot Date: 9/7/16
DRAWN BY	D.W.B.,C.Z.
SCALE:	

LINGO RESIDENCE

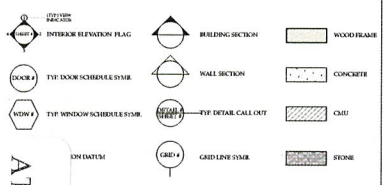
MALIBU, CA

AUGUST, 2016

ABBREVIATIONS

ADDITIONAL	ADD'L.	JOINT	JT.
ADJUSTABLE	ADJ.		
ABOVE FINISHED FLOOR	A.F.F.	MANUFACTURE	MFR.
ABOVE RAISED FLOOR	A.R.F.	MANUFACTURERS	MFR'S.
AIR CONDITIONING	A/C	MATERIAL	MATL.
ALTERNATE	ALT.	MAXIMUM	MAX.
ARCHITECT (URAL)	ARCH.	MECHANICAL	MECH.
AREA DRAIN	A.D.	METAL	MTL.
		MINIMUM	MIN.
BLOCKING	BLKG.	MISCELLANEOUS	MISC.
BOARD	BD.		
BUILDING	BLDG.	NORTH	N
		NOT IN CONTRACT	N.I.C.
CABINET	CAB.	NOT TO SCALE	N.T.S.
CEILING	CLG.	NUMBER	NO. OR #
CENTER	CTR.		
CENTER LINE	C.L.	ON CENTER	O.C.
CERAMIC TILE	C.T.	OUTSIDE DIAMETER	O.D.
CLEAR	CLR.	OPENING	OPG.
CONCRETE	CONC.		
CONCRETE MASONRY UNIT	C.M.U.	PAIR	PR.
CONSTRUCTION	CONST.	PERFORATE(ED)	PERF.
CONTINUOUS	CONT.	PIECE / PIECES	PC./PCS.
CONTROL JOINT	C.J.	PLANTER AREA	P.A.
DIAMETER	D.I.A.	QUANTITY	QTY.
DIMENSION	DIM.		
DOUBLE	DBL.	RADIUS	RAD.
DOUBLE HUNG	D.H.	REFERENCE	REF.
DOWN	DN.	REFRIGERATOR	REFRIG.
DRAWING	DWG.	REINFORCE/REINFORCING	REINF.
		REQUIRED	REQ.
ELECTRIC	ELECT.	RETURN AIR	R.A.
ELECTRIC PANEL	ELECT. PNL.	ROUGH OPENING	R.O.
ELEVATOR	ELEV.		
ENCLOSURE	ENCL.	SHEET	SHT.
ENGINEER	ENGR.	SIMILAR	SIM.
EQUAL	EQ.	SOUTH	S.
EQUIPMENT	EQUIP.	SMOKE DETECTOR	S.D.
EXISTING	EXIST.	SPEAKER	SPKR.
EXTRUDE OR EXTRUSION	EXTR.	SPECIFICATIONS	SPECS.
		SPRINKLER HEAD	S.H.
FABRICATE(ED)	FAB.	SQUARE	SQ.
FINISH	FIN.	STAINLESS STEEL	S.S.
FIXTURE	FIXT.	STANDARD	STD.
FLOOR	FL.	STEEL	STL.
FLUORESCENT	FLUOR.	STRUCTURAL	STRUCT.
FOOT	FT.		
FRESH AIR INTAKE (OR INLET)	F.A.I.	TELEPHONE	TEL.
FURNISH(ED)	FURN.	TELEVISION	TV
FUSIBING	FUS.	TEMPORARY	TEMP.
		TONGUE AND GROOVE	T. & G.
GALVANIZED	GALV.	TYPICAL	TYP.
GAUGE	GA.		
GROUND	GRND.	UNLESS OTHERWISE NOTED	U.O.N.
GYPSUM BOARD	GYP. BD.		
		VERTICAL	VERT.
HEIGHT	HT.	VINYL COMPOSITION TILE	V.C.T.
HOLLOW METAL	H.M.		
HORIZONTAL	HORIZ.	WITH	W/
HOT WATER	H.W.	WITHOUT	W/O
		WOOD	WD.
INSIDE DIAMETER	I.D.		

SYMBOL LEGEND



APPLICABLE CODES

- 2014 County of Los Angeles Building Code
- 2014 County of Los Angeles Mechanical Code
- 2014 County of Los Angeles Plumbing Code
- 2014 County of Los Angeles Electrical Code
- 2013 California Energy Code
- 2013 California Residential Code
- 2013 Residential Building Energy Efficiency Standards

• APPLICABLE CODES:
- 2013 CALIFORNIA BUILDING CODE (RESIDENTIAL, PLUMBING, MECHANICAL AND ELECTRICAL CODES) / 2014 L.A. COUNTY BUILDING CODE & 2014 L.A. COUNTY AMENDMENTS TO THE 2014 CALIFORNIA CODES LISTED ABOVE.

DEFERRED SUBMITTAL

PROJECT TEAM

•Architect:
Douglas W. Burdge, A.I.A.
Burdge & Associates Architects, Inc.
21235 Pacific Coast Hwy
Malibu, CA 90265
Tel. (310) 456-5905
Fax. (310) 456-2467

•Surveyor:
Pearson Land Surveying
4229 Kingfisher Rd.,
Calabasas, CA 91302
Tel. (818) 591-8709
Fax: (818) 591-
Contact: Larry Pearson, L.S.

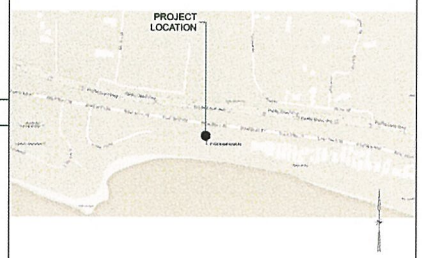
•Coastal Engineer:
Pacific Engineering Group, Inc.
3500 E. Camino Ave., Ste 250
Oxnard, CA 93030
Tel. (805) 278-9283
Fax.(805) 485-6730
Contact: Reg Brown, PE

•Geology & Soils:
Geosystem, Inc.
1545 Victory Blvd., 2nd Floor
Glendale, CA 91201
Tel. (818) 500-9533
Fax. (818) 500-0134
Contact: Richard Gladson, CEG

•Civil Engineer:
BLH Construction, Inc.
5951 Variel Avenue.
Woodland Hills, CA 91367
Tel. (818) 905-2430
Fax. (818) 905-2440
Contact: Matt Walsh, PE

•Structural Engineer:
LC Engineering Group, Inc.
889 Pierce Court, Ste 101.,
Thousand Oaks, CA 91360
Tel. (818) 991-7148
Fax. (818) 991-5942
Contact: Leonard Liston, PE

VICINITY MAP



PROJECT DATA

•PROJECT ADDRESS:	31438 Broad Beach Road, Malibu CA 90265
•A.P.N:	4470-017-065
•LEGAL DESCR.:	See Survey
•LCP Zoning designation:	SFM (Single Family Residence - Medium)
•OWNER:	Ben Lingo 4963 Summit View Drive. Westlake Village, CA 91362
•APPLICANT:	Burge & Associates, Architects 21235 Pacific Coast Highway Malibu, CA 90265
•VERTICAL DATUM:	NAVD 88
•OCCUPANCY GROUP:	R-3/U
•TYPE OF CONSTRUCTION:	VB
•NUMBER OF STORIES:	2
•FIRE ZONE:	VHFHSZ
•SPRINKLERS:	YES (Sprinklers required per LACo. Fire Department Requirement)
•SEWAGE:	PUBLIC (no OSWWTS required)

•SCOPE OF WORK:

- Proposed Two-Story, Beach front, Single Family Residence w/ Attached Garage.
- New Swimming Pool w/ Attached Spa on the first floor beach side and Equipment Vault below deck.
- New 5' wide stairs on each side of the house for Fire Dept walkable access.

NO NEW LANDSCAPE IS PROPOSED WITH THIS PROJECT

DISCRETIONARY REQUESTS:
Variance for construction on slope steeper then 2.5:1 to 1.1

AREA TABULATION

•LOT INFO.:

Area:
Gross: 7,210 Sq Ft. (0.165 Acres) Net: N/A

Width/Depth:
Width: 50'
Depth: 145.93' (East), 143.50' (West)

Setbacks:	Required	Proposed
Front:	Average side neighbors's min. setbacks) 11-6 1/2"	11-6 1/2"
Side:	5'	5'
Side:	5'	5'
Rear:	Building and Deck stringlines Also see Wave uprush report by PEG.	

Required and Proposed Parking spaces:
Enclosed: Two (2)
Unenclosed: Two (2)
Total : Four (4) Parking Spaces

PROPOSED SQUARE FOOTAGE TABULATION:

Ocean side:	
First Floor	1,454 Sq Ft.
Second Floor	1,654 Sq Ft.
Total Ocean side	3,108 Sq Ft.
Street side:	
First Floor	1,667 Sq Ft.
Mezzanine at First Floor	405 Sq Ft.
Second Floor	932 Sq Ft.
Attached Garage	430 Sq Ft
Mezzanine at Second Floor	163 Sq Ft.
Total Street side	3,597 Sq Ft.
Unenclosed covered areas with projection over 6':	
Covered Decks	475 Sq Ft.

T.D.S.F Grand total.....7,180 Sq Ft.

PROPOSED IMPERMEABLE COVERAGE:

Home Footprint	3,136 Sq Ft.
Deck & Patio	260 Sq Ft.
Fire Department access	1,101 Sq Ft.
Misc Hardscape	22 Sq Ft.

TOTAL.....4,598 Sq Ft.

PROPOSED PERMEABLE COVERAGE:

Driveway pavers	605 Sq Ft.
Pool/Spa area	564 Sq Ft.

TOTAL.....941 Sq.Ft.

MAX. IMPERMEABLE COVERAGE: NOT APPLICABLE

MAX. TDSF: NOT APPLICABLE

20RD RULE: NOT APPLICABLE

SHEET INDEX

GENERAL

T-1.1 COVER SHEET / PROJECT INDEX
T-1.2 SITE SURVEY

ARCHITECTURAL

A-0.1 SITE PLAN
A-0.2 PARTIAL SITE PLAN
A-1.1 PRELIMINARY FOUNDATION PLAN
A-1.2 FIRST FLOOR PLAN - OCEAN SIDE
A-1.3 SECOND FLOOR PLAN - OCEAN SIDE
A-1.4 FIRST FLOOR PLAN - STREET SIDE
A-1.5 MEZZANINE FLOOR
A-1.6 SECOND FLOOR PLAN - STREET SIDE
A-1.7 LOFT FLOOR PLAN ABOVE GARAGE
A-1.8 ROOF PLAN
A-2.1 PROPOSED SOUTH AND NORTH ELEVATIONS
A-2.3 PROPOSED EAST ELEVATION
A-2.2 PROPOSED WEST ELEVATION
A-3.1 PROPOSED A-A SECTION
A-3.2 PROPOSED B-B SECTION

RECEIVED
AUG 2 4 2016
PLANNING DEPT.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18888
EXP. 11/30/16
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/3/2014	CDP Initial Submittal
	9/15/2015	CDP Sheet swap

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
21235 PACIFIC COAST HWY. MALIBU, CA 90265 TEL. 310-456-5905
460 WASHINGTON AVE. SUITE 204 C KETCHUM, ID 83340 TEL. 208-726-3228

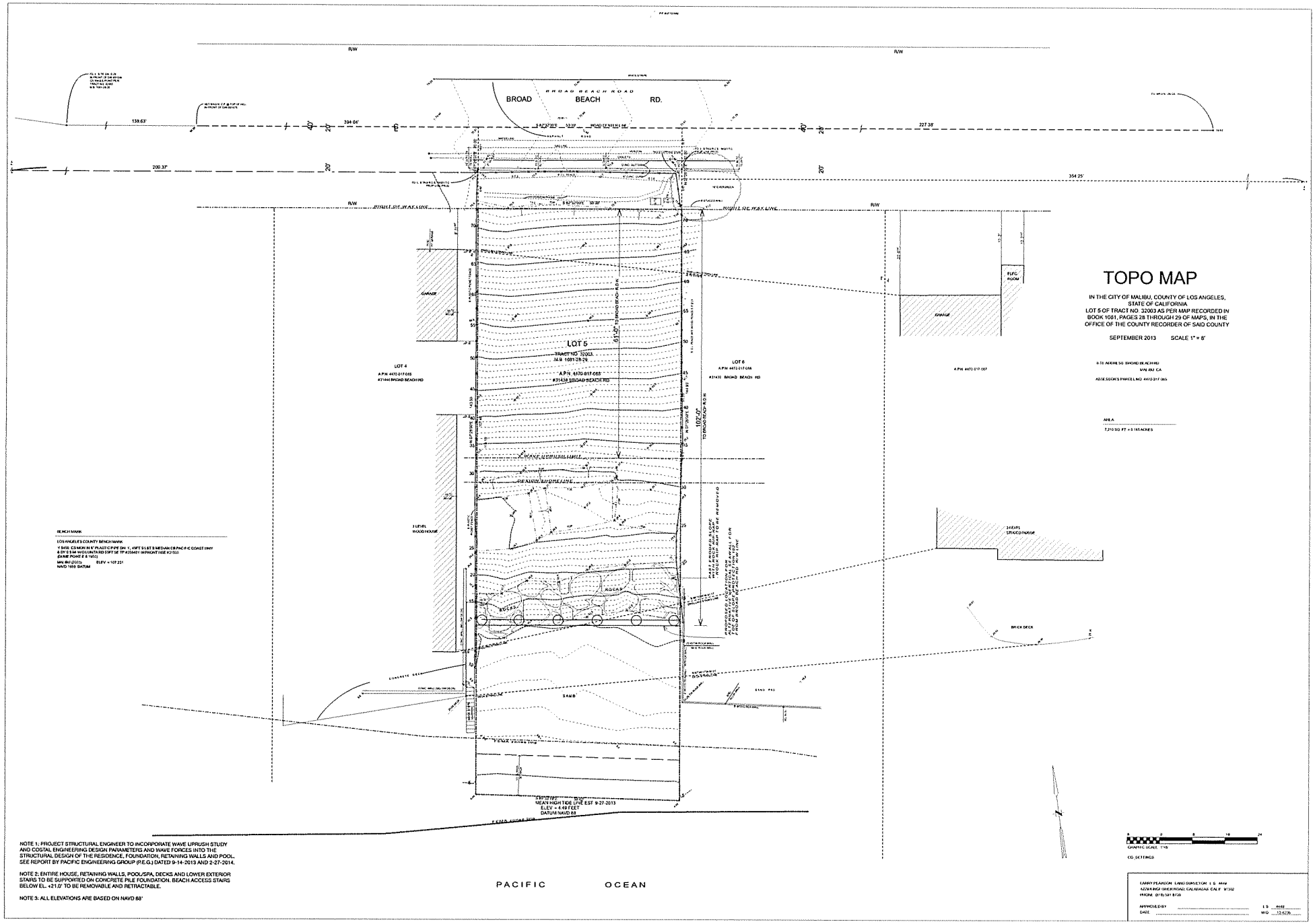
DESCRIPTION:

COVER SHEET / PROJECT INDEX

DRAWING NO. **T-1.1**

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	
DRAWN BY	D.W.B., K.T., A.M.

ATTACHMENT C



TOPO MAP

IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA
LOT 5 OF TRACT NO. 32003 AS PER MAP RECORDED IN
BOOK 1081, PAGES 28 THROUGH 29 OF MAPS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

SEPTEMBER 2013 SCALE 1" = 8'

31438 BROAD BEACH RD
MALIBU CA
ASSESSOR'S PARCEL NO 4470-017-065

AREA
7,210 SQ FT = 0.16 ACRES

NOTE 1: PROJECT STRUCTURAL ENGINEER TO INCORPORATE WAVE UPRUSH STUDY AND COSTAL ENGINEERING DESIGN PARAMETERS AND WAVE FORCES INTO THE STRUCTURAL DESIGN OF THE RESIDENCE, FOUNDATION, RETAINING WALLS AND POOL. SEE REPORT BY PACIFIC ENGINEERING GROUP (P.E.G.) DATED 9-14-2013 AND 2-27-2014.

NOTE 2: ENTIRE HOUSE, RETAINING WALLS, POOL/SPA, DECKS AND LOWER EXTERIOR STAIRS TO BE SUPPORTED ON CONCRETE PILE FOUNDATION. BEACH ACCESS STAIRS BELOW EL. +21.0' TO BE REMOVABLE AND RETRACTABLE.

NOTE 3: ALL ELEVATIONS ARE BASED ON NAVD 88'

LARRY PEARSON LAND SURVEYOR L.S. 4449
5239 KINGS GREEN ROAD, CALABASAS CALIF 91302
PHONE (818) 591 8108

APPROVED BY ..... L.S. 4449
DATE ..... W.O. 13-5226

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16889
EXP 11/05/25
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/5/2021	CDP Initial Submittal
	7/19/2021	CDP Sheet swap

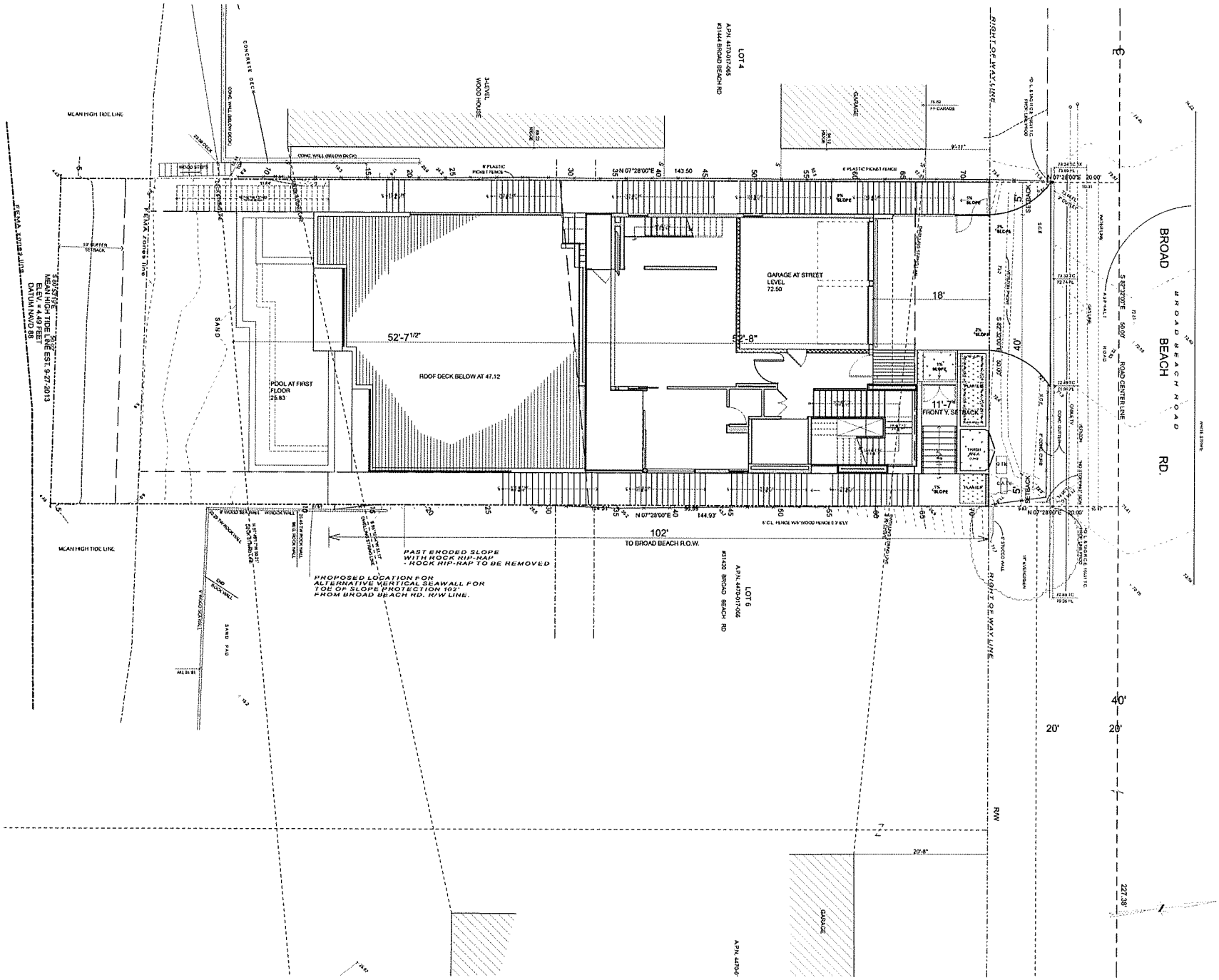
BURDGE & Associates
ARCHITECTS
MALIBU
SUN VALLEY
WWW.BUAIA.COM
21126 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5465
466 WASHINGTON AVE.
SUITE 204 D
KETCHUM, ID 83340
TEL. 208-726-3029

DESCRIPTION:

SITE PLAN

DRAWING NO.
A-0.1

PROJECT	BEN LINGO RESIDENCE
DATE	First Date: 6/22/21
SCALE	1/16"=1'-0"
DRAWN BY	DWB, KT, AM



LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18899
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9/3/2014	CDP Initial Submittal
	9/15/2015	CDP Sheet swap

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

27126 PACIFIC COAST HWY
MALIBU, CA 90265
TEL: 310-456-5656

446 WASHINGTON AVE
SUITE 250 C
RITCHMAN, ID 83440
TEL: 208-495-3228

DESCRIPTION:

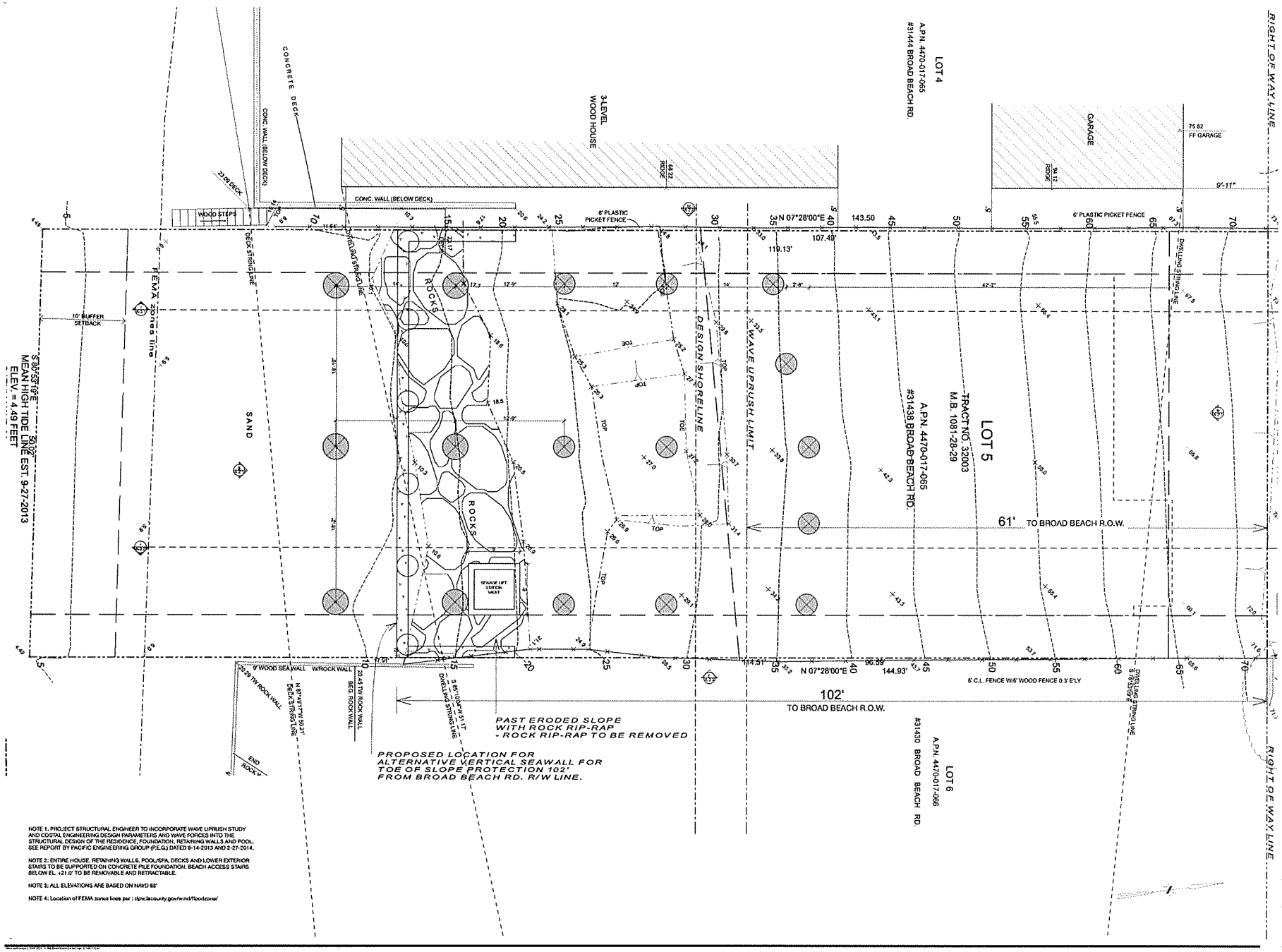
PARTIAL SITE PLAN

DRAWING NO.
A-0.2

PROJECT	BUN LINGO RESIDENCE
DATE	Del Date 8/22/14
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



NOTE 1. PROJECT STRUCTURAL ENGINEER TO INCORPORATE WAVE UPRUSH STUDY AND COASTAL ENGINEERING DESIGN PARAMETERS AND WAVE FORCES INTO THE STRUCTURAL DESIGN OF THE RESIDENCE, FOUNDATION, RETAINING WALLS AND POOL. SEE REPORT BY PACIFIC ENGINEERING GROUP (P.E.G.) DATED 9-14-2013 AND 2-27-2014.

NOTE 2: ENTIRE HOUSE, RETAINING WALLS, POOL/SPA, DECKS AND LOWER EXTERIOR STAIRS TO BE SUPPORTED ON CONCRETE PILE FOUNDATION. BEACH ACCESS STAIRS BELOW EL. +21.0' TO BE REMOVABLE AND RETRACTABLE.

NOTE 3: ALL ELEVATIONS ARE BASED ON NAVD 88'

NOTE 4: Location of FEMA zones lines per ; dpw.lacounty.gov/wrd/floodzone/

LICENSED ARCHITECT
DOUGLAS P. BURDGE
C-18899
EXP 11/30/25
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/5/2014	CDP Initial Submittal
	9/25/2015	CDP Sheet swap

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ARCHITECTS
MALIBU
SUN VALLEY
WWW.
BUAIA.COM
27235 PACIFIC COAST HWY
MALIBU CA 90265
TEL. 310-456-5656
400 WASHINGTON AVE
SUITE 250 C
KETCHUM, ID 83340
TEL. 208-726-3228

DESCRIPTION:

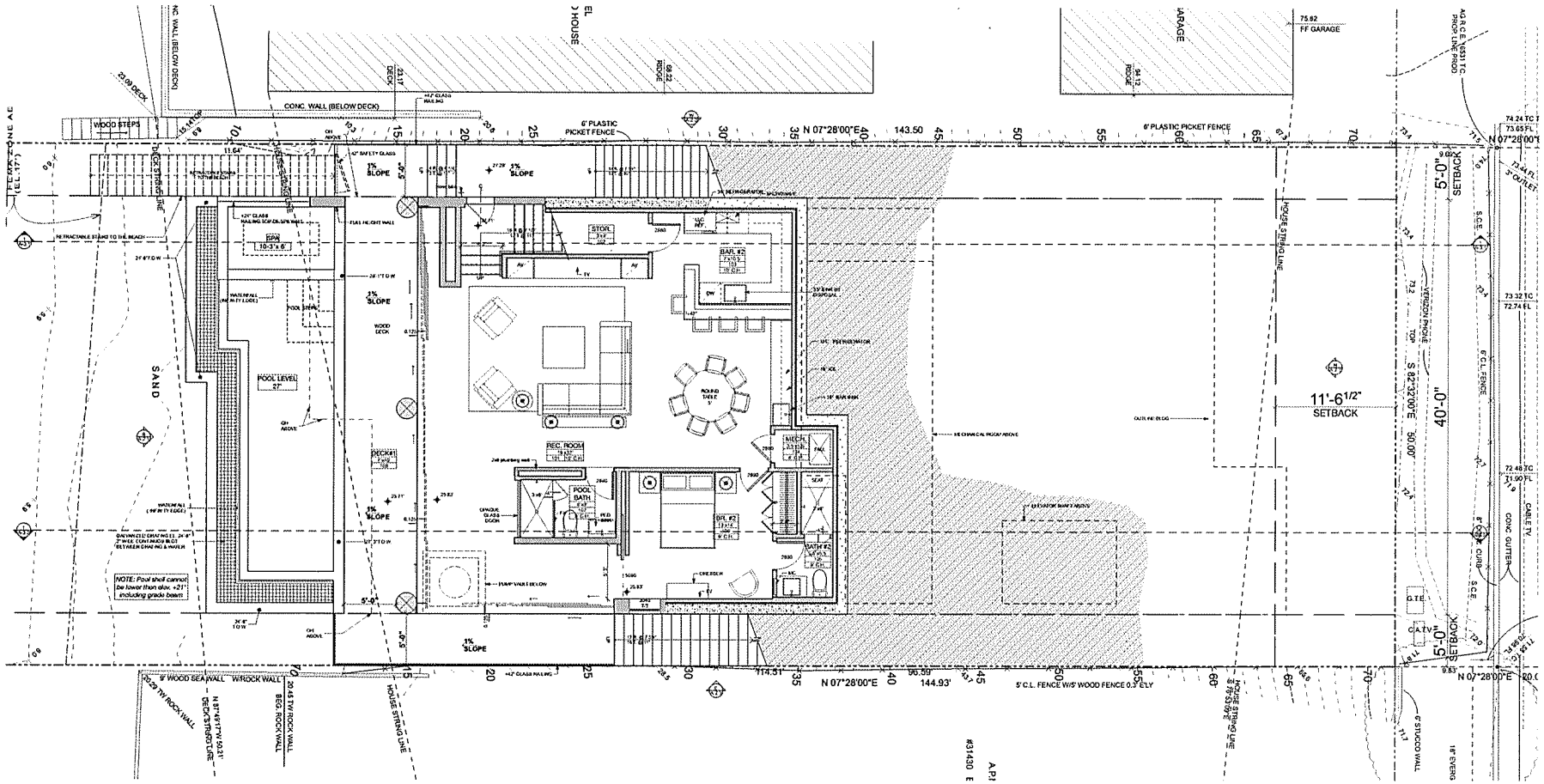
PRELIMINARY
FOUNDATION PLAN

DRAWING NO.
A-1.1

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., K.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18669
EXP. 11/30/16
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9-3-2014	CDP Initial Submittal
	7/15/2015	CDP Sheet swap

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

27126 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5656

460 WASHINGTON AVE.
SUITE 204 C
KETCHUM, ID 83340
TEL. 208-726-3278

DESCRIPTION:

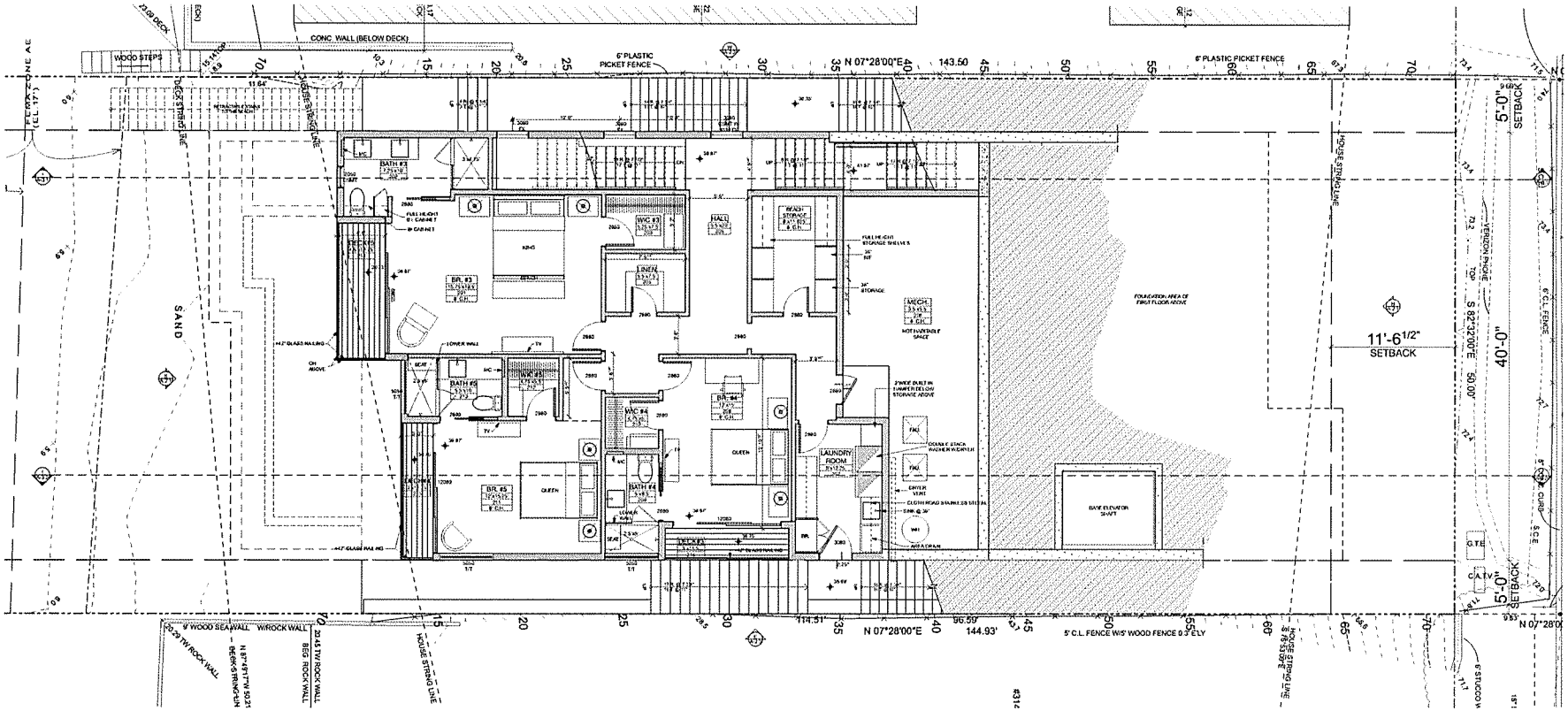
FIRST FLOOR PLAN - OCEAN SIDE

DRAWING NO.
A-1.2

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 6/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18889
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/5/2014	CDP Initial Submittal
	9/15/2015	CDP Sheet swap

BURDGE & Associates
ARCHITECTS
MALIBU
SUN VALLEY
WWW.
BUAIA.COM
2128 PACIFIC COAST HWY
MALIBU, CA 90265
TEL 310-456-5656
450 WASH BUSTON AVE.
SUITE 250 C
KITCHENER, ID 83348
TEL 208-745-3228

DESCRIPTION:

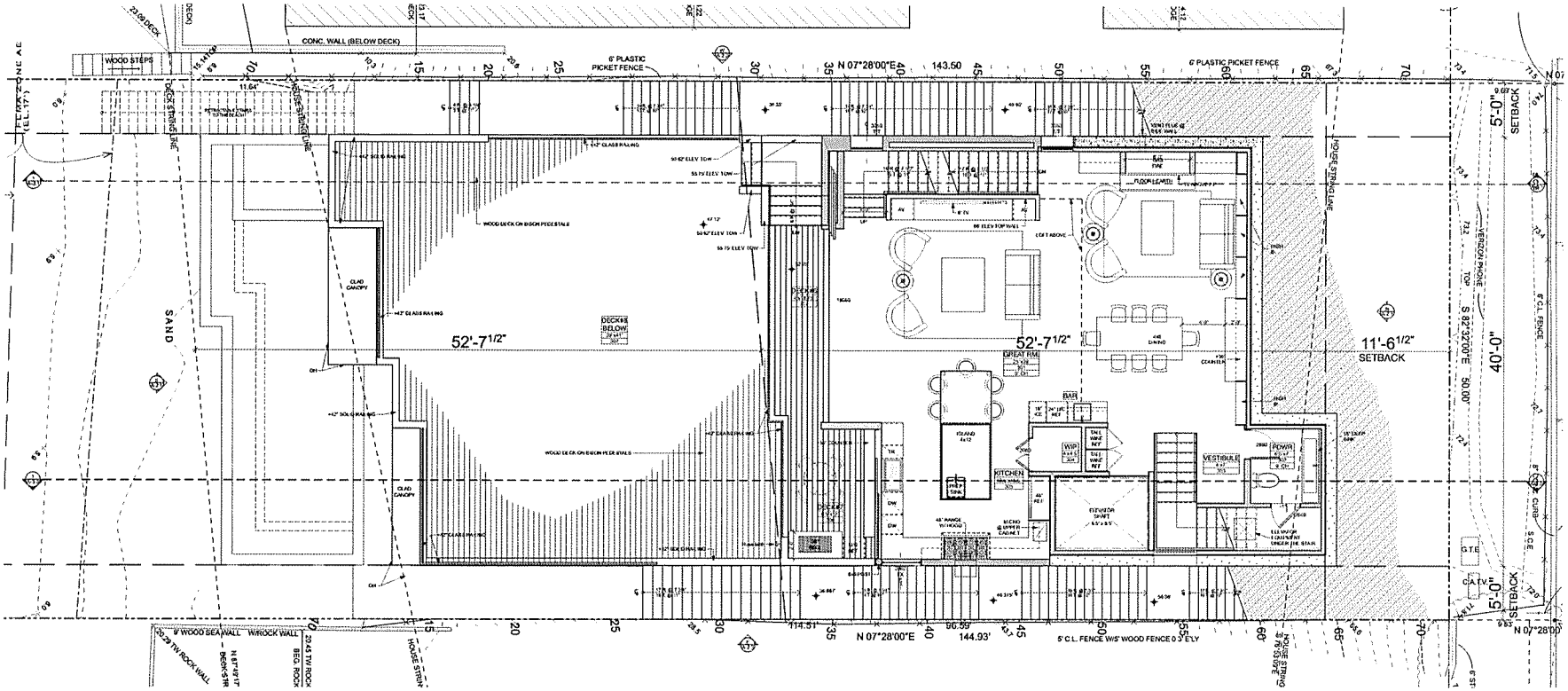
SECOND FLOOR PLAN - OCEAN SIDE

DRAWING NO.
A-1.3

PROJECT	BEN LINGO RESIDENCE
DATE	15th Date: 8/22/14
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., K.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-10888
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/5/2015	CDP Initial Submittal
	9/15/2015	CDP Sheet re-up

BURDGE & Associates
ARCHITECTS
MALIBU
SUN VALLEY
WWW.BUAIA.COM
21236 PACIFIC COAST HWY.
MALIBU CA 90265
TEL. 310-456-5365
440 WASHINGTON AVE.
SUITE 250 C
NOTCH LAND, ID 83548
TEL. 208-745-3128

DESCRIPTION:

FIRST FLOOR PLAN - STREET SIDE

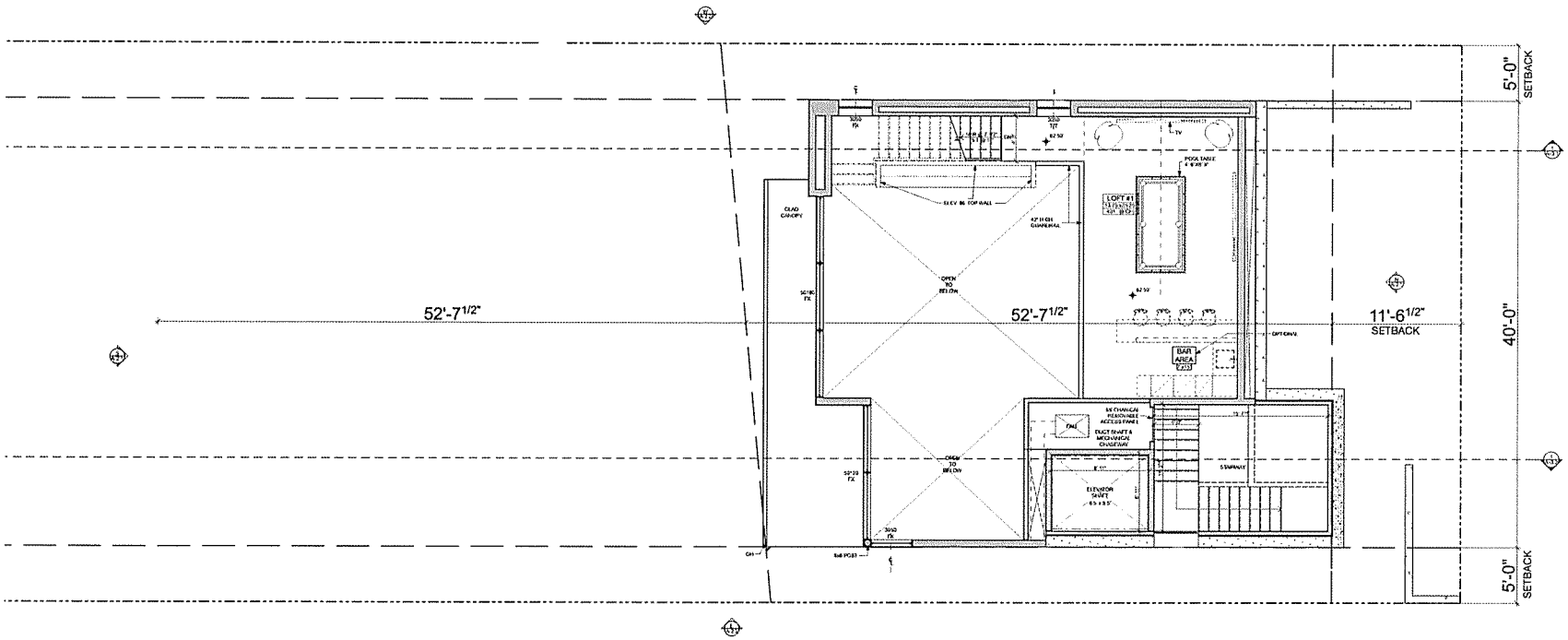
DRAWING NO.

A-1.4

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



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DOUGLAS W. BURDGE
C-18889
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/15/2014	CDP Initial Submittal
	4/22/2015	CDP Sheet swap

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
21226 PACIFIC COAST HWY. MALIBU, CA 90265 TEL: 310-456-5656
480 WASHINGTON AVE. SUITE 250 C SAN ANTONIO, TX 78215 TEL: 210-496-3226

DESCRIPTION:

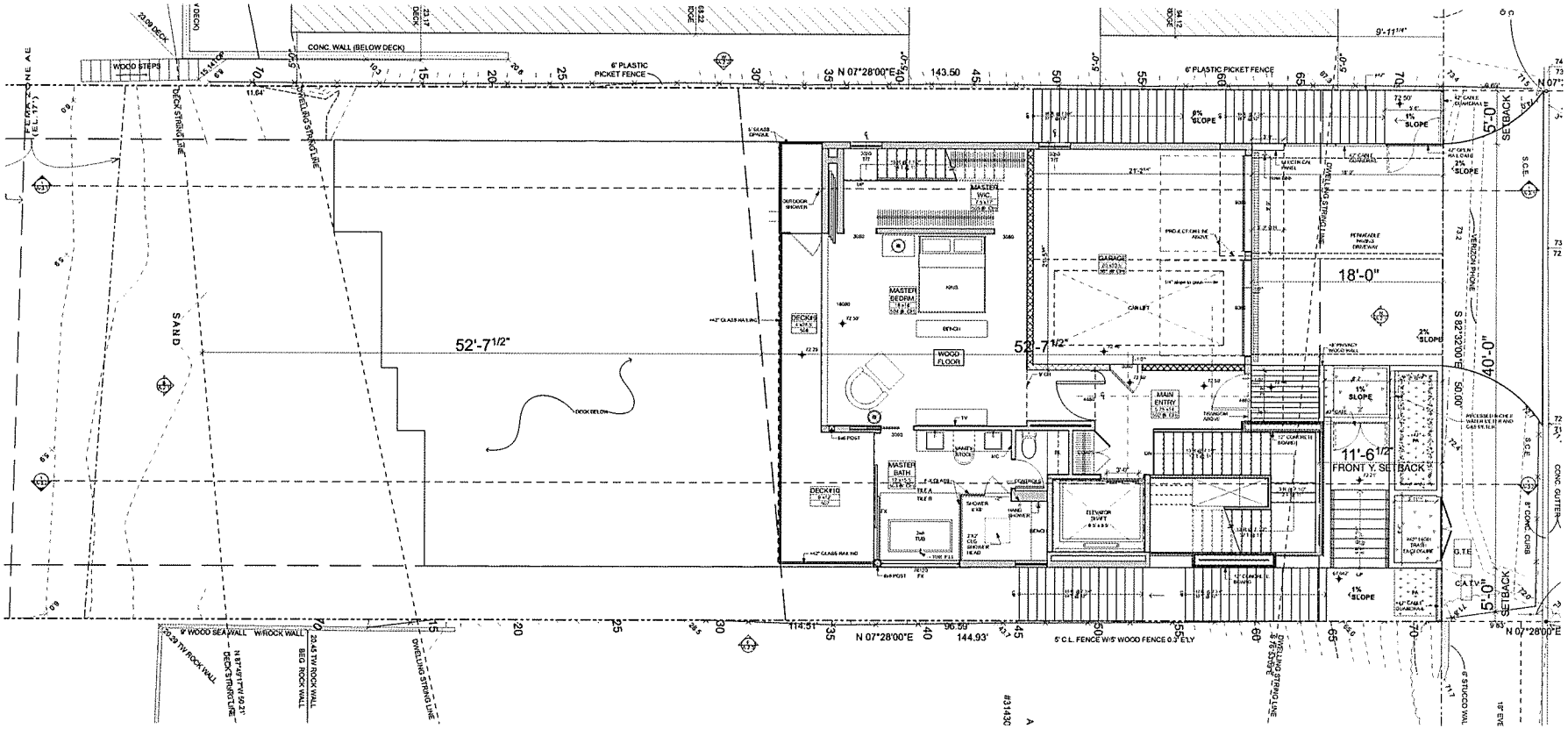
MEZZANINE FLOOR

DRAWING NO.
A-1.5

PROJECT	BEN LINGO RESIDENCE
DATE	Bid Date: 8/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., E.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



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DOUGLAS W. BURDGE
C-18889
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9/3/2014	CDP Initial Submittal
	9/15/2015	CDP Sheet swap

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MALIBU SUN VALLEY
WWW.BUAIA.COM
27126 PACIFIC COAST HWY MALIBU, CA 90265 TEL 310-456-5656
440 WASHINGTON AVE. SUITE 250 C NEW YORK, NY 10314 TEL 718-816-2128

DESCRIPTION:

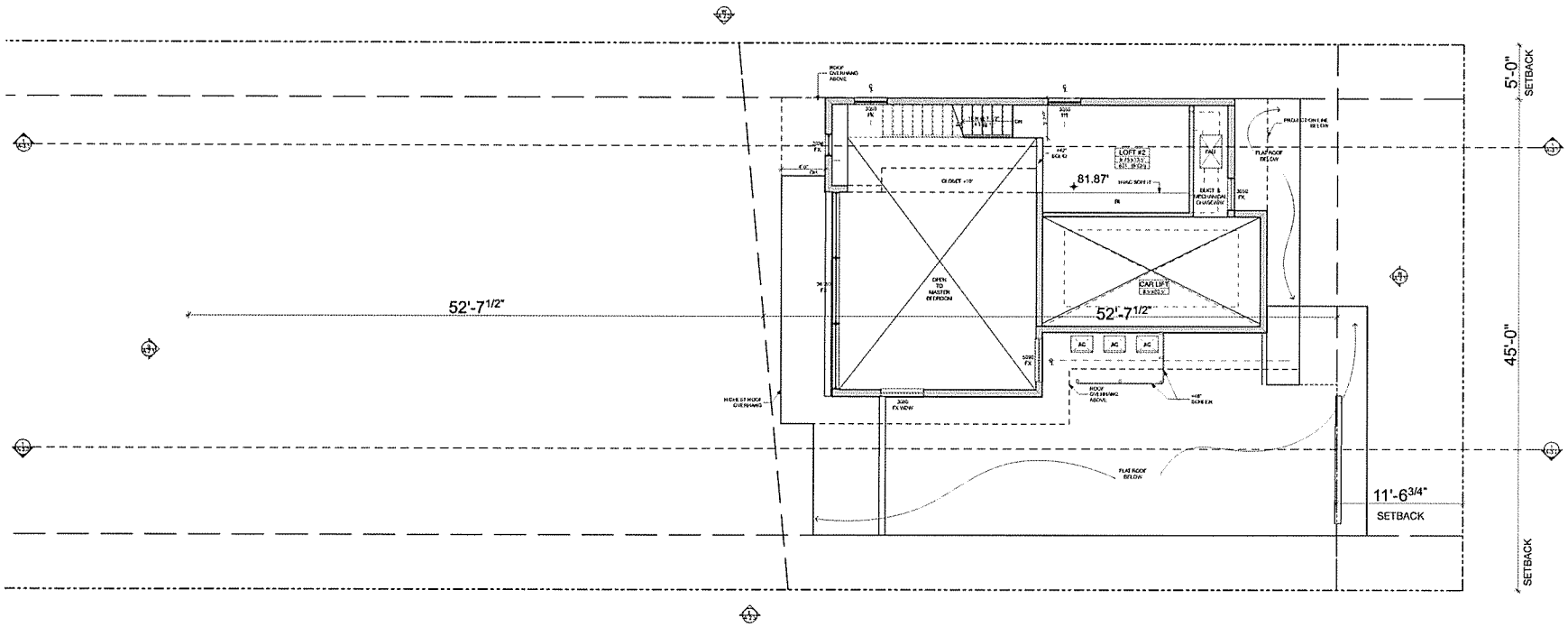
SECOND FLOOR PLAN - STREET SIDE

DRAWING NO.
A-1.6

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 6/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



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NO	DATE	ISSUE
	9/3/2014	CDP Initial Submittal
	4/13/2016	CDP Sheet swap

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MALIBU
SUN VALLEY

WWW.
BUAIA.COM

27126 PACIFIC COAST HWY.
MALIBU CA 90265
TEL. 310-456-5656

460 WARM SPRINGS AVE.
SUITE 250 C
KETCHUM, ID 83340
TEL. 208-726-3228

DESCRIPTION:

LOFT FLOOR PLAN
ABOVE GARAGE

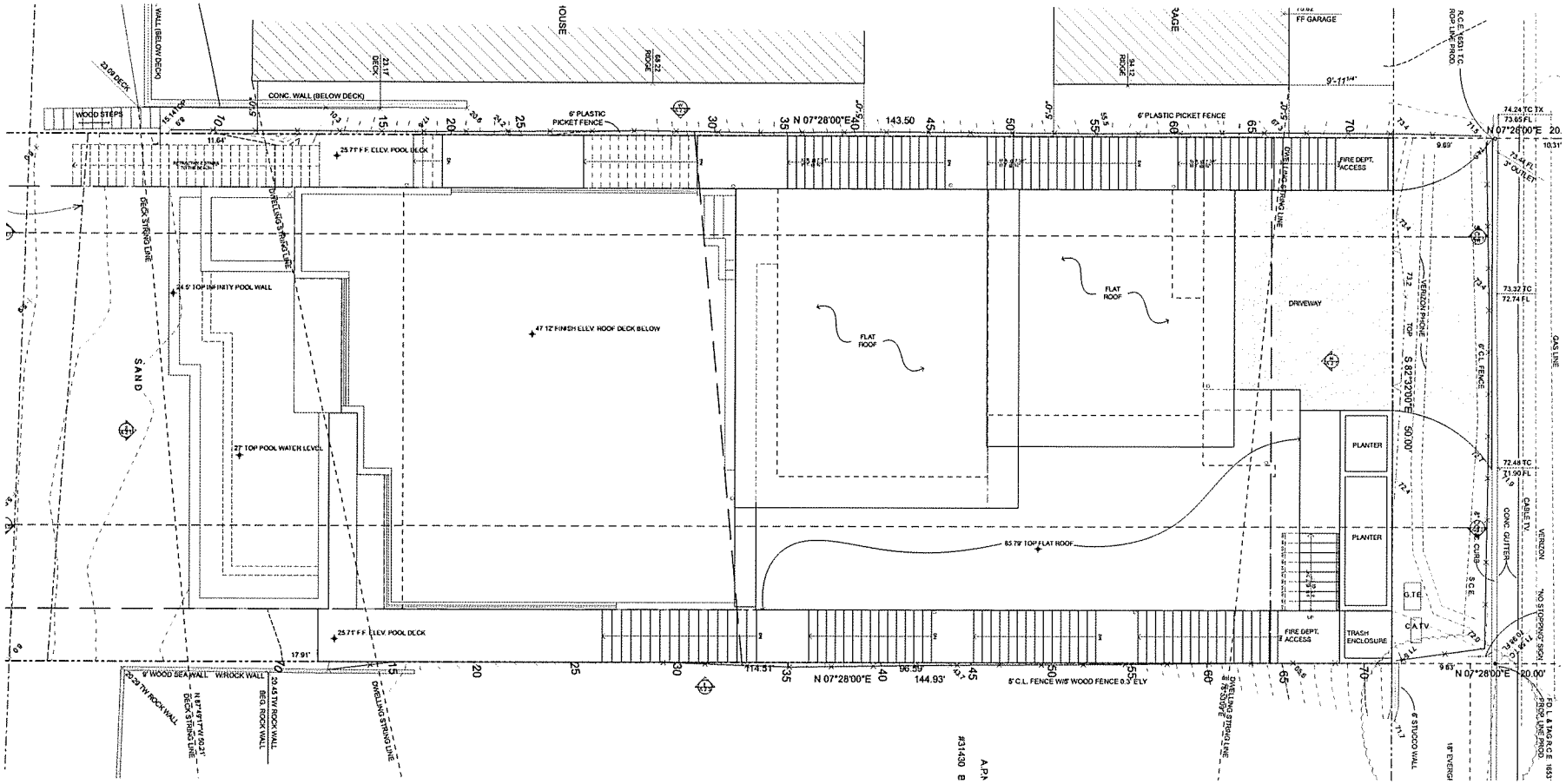
DRAWING NO.

A-1.7

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date 8-22-16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., K.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18889
EXP 11/30/09
STATE OF CALIFORNIA

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	5/13/2008	CDP Initial Submittal
	9/15/2009	CDP Sheet swap

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ARCHITECTS
MALIBU
BUN VALLEY
WWW.
BUAIA.COM
21036 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5656
460 WEST BOSTON AVE.
SUITE 202 C
IDAHO FALLS, ID 83402
TEL. 208-496-5226

DESCRIPTION:

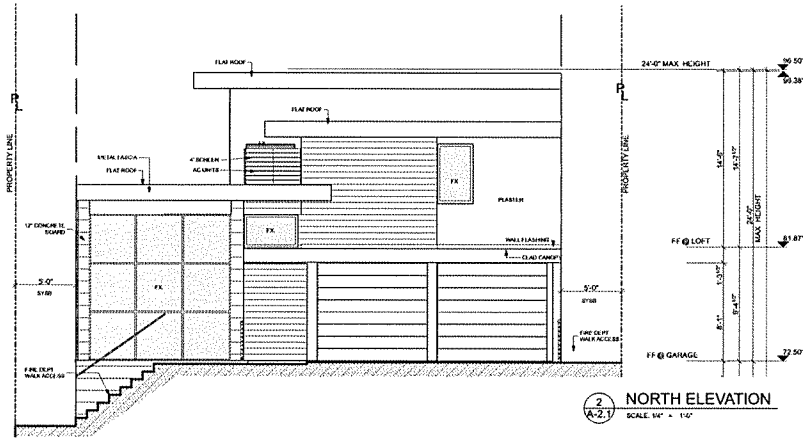
ROOF PLAN

DRAWING NO.
A-1.8

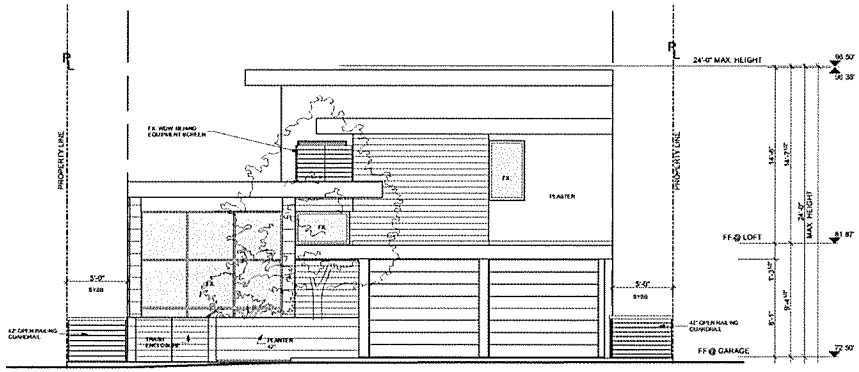
PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., K.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

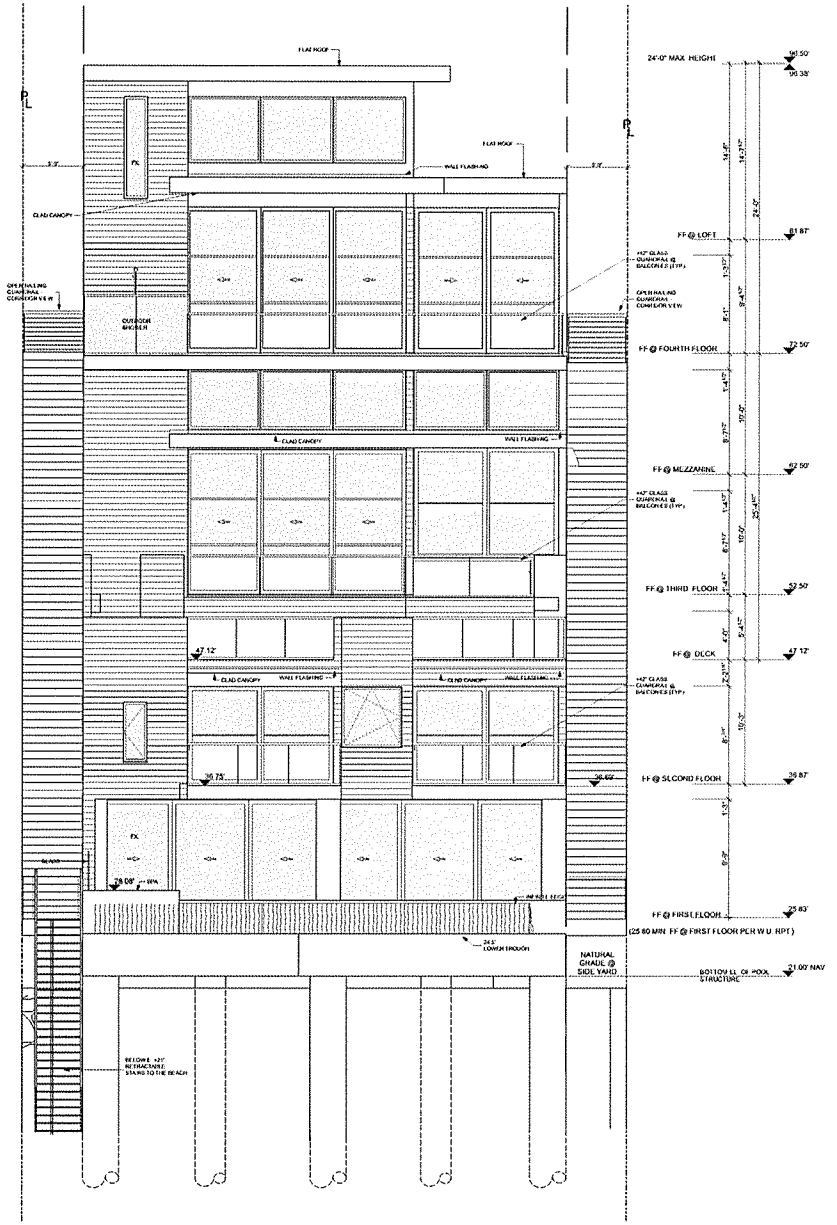


2 A-2.1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



3 A-2.1 STREET VIEW
SCALE: 1/4" = 1'-0"

NOTE 1 ALL ELEVATIONS ARE BASED ON NAVD 1988



1 A-2.1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18888
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	5/5/2014	CDP Initial Submittal
	7/15/2015	CDP Sheet swap

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
2122N PACIFIC COAST HWY MALIBU CA 90265 TEL 310-456-5656
460 WASHINGTON AVE. SUITE 204 C KETCHUM, ID 83340 TEL. 208-726-3228

DESCRIPTION:

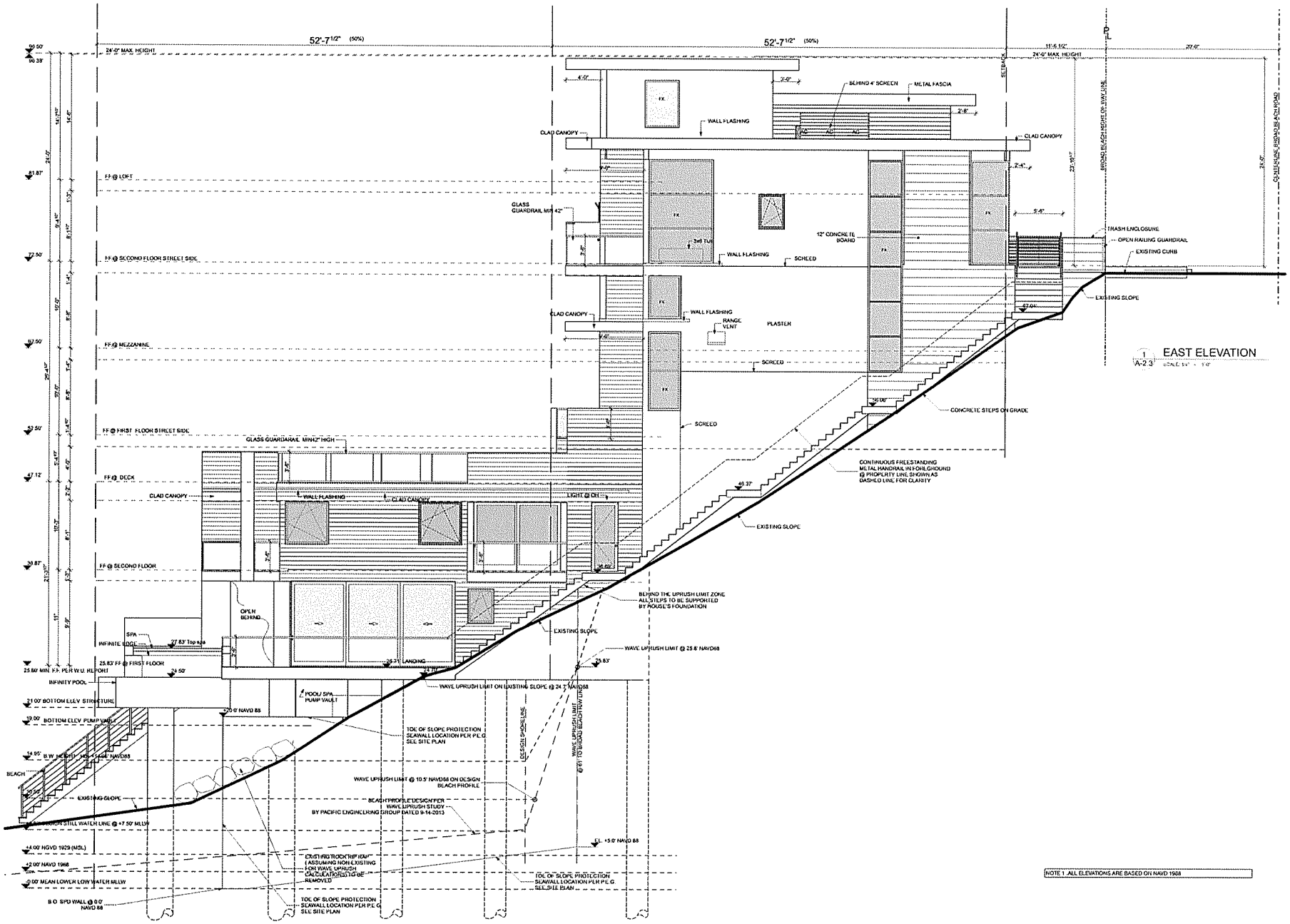
PROPOSED SOUTH AND NORTH ELEVATIONS

DRAWING NO. **A-2.1**

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., E.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18889
EXP 11/31/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9/3/2014	CDP Initial Submittal
	9/15/2015	CDP Sheet swap

BURDGE & Associates
ARCHITECTS
MALIBU
SUN VALLEY
WWW.
BUAIA.COM
21726 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL 310-456-5656
460 WASHINGTON AVE.
SUITE 204 C
RETCHURIL, ID 83340
TEL 208-726-3228

DESCRIPTION:

PROPOSED EAST ELEVATION

DRAWING NO.
A-2.3

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 6/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., E.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS P. BURDGE
C-18889
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9/3/2014	CDP Initial Submittal
	9/15/2014	CDP Sheet swap

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

21726 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL: 310-456-5656

140 WEST BURTON AVE.
SUITE 204 C
SUN VALLEY, ID 83340
TEL: 208-726-3228

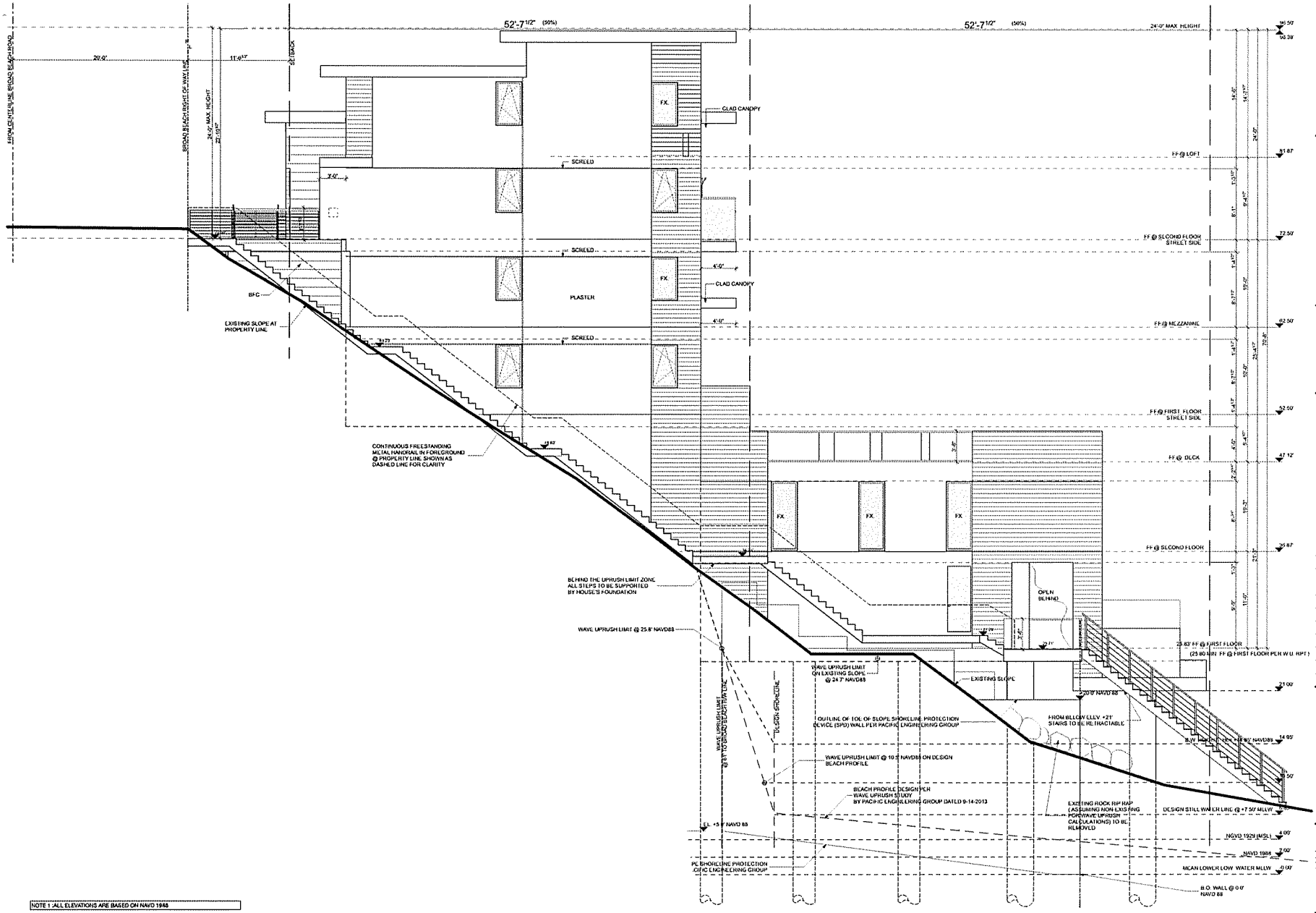
DESCRIPTION:

PROPOSED WEST ELEVATION

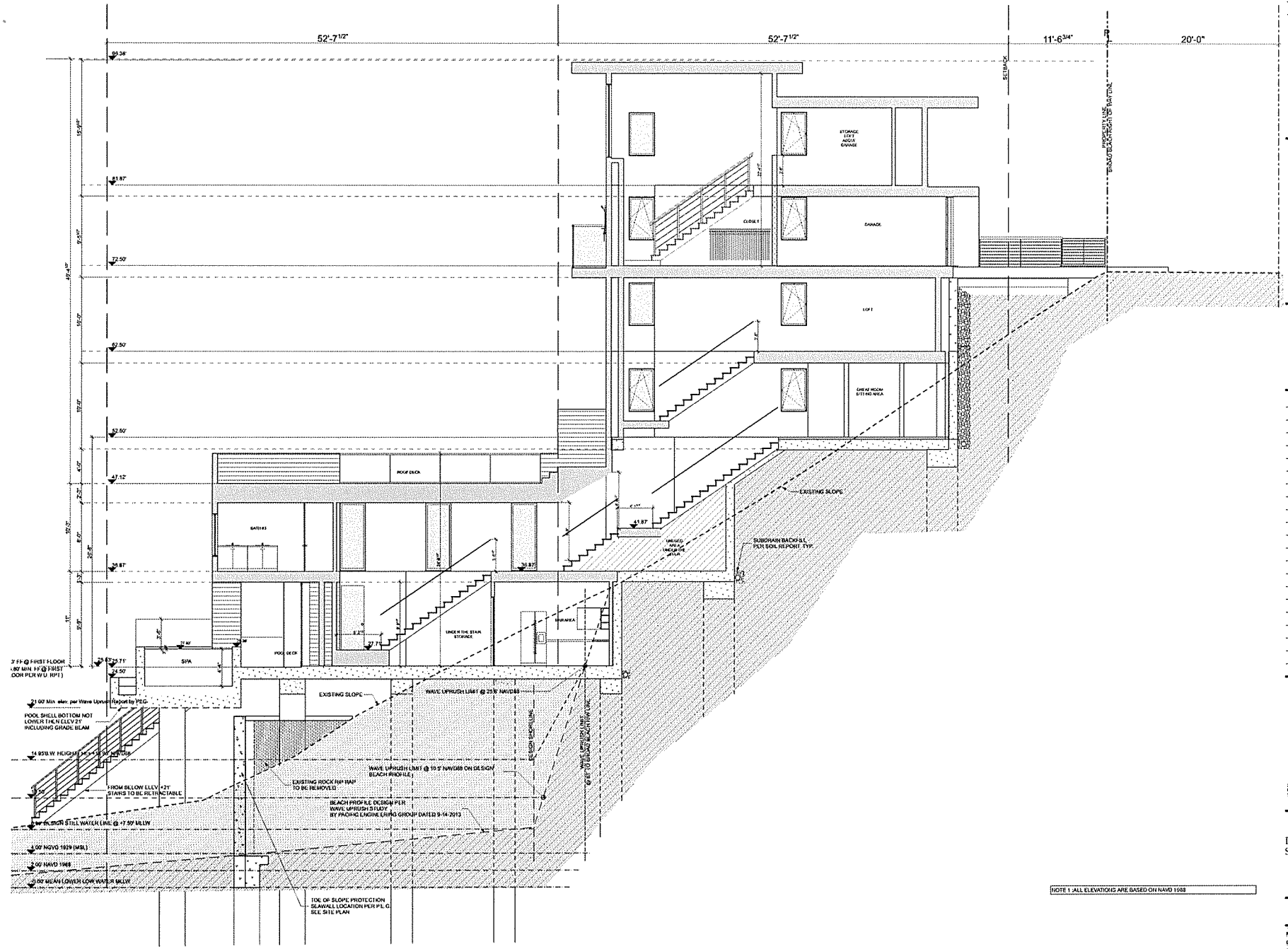
DRAWING NO.

A-2.2

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 9/22/14
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.



NOTE 1: ALL ELEVATIONS ARE BASED ON NAVD 1988



LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-18669
EXP 11/30/20
STATE OF CALIFORNIA

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 BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NO	DATE	ISSUE
	5/19/2014	CDP Initial Submittal
	9/18/2015	CDP Sheet swap

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
27126 PACIFIC COAST HWY
MALIBU, CA 90265
TEL 310-456-5656
480 WASHINGTON AVE
SUITE 204 C
PETCHAM, ID 83340
TEL 208-945-3028

DESCRIPTION:

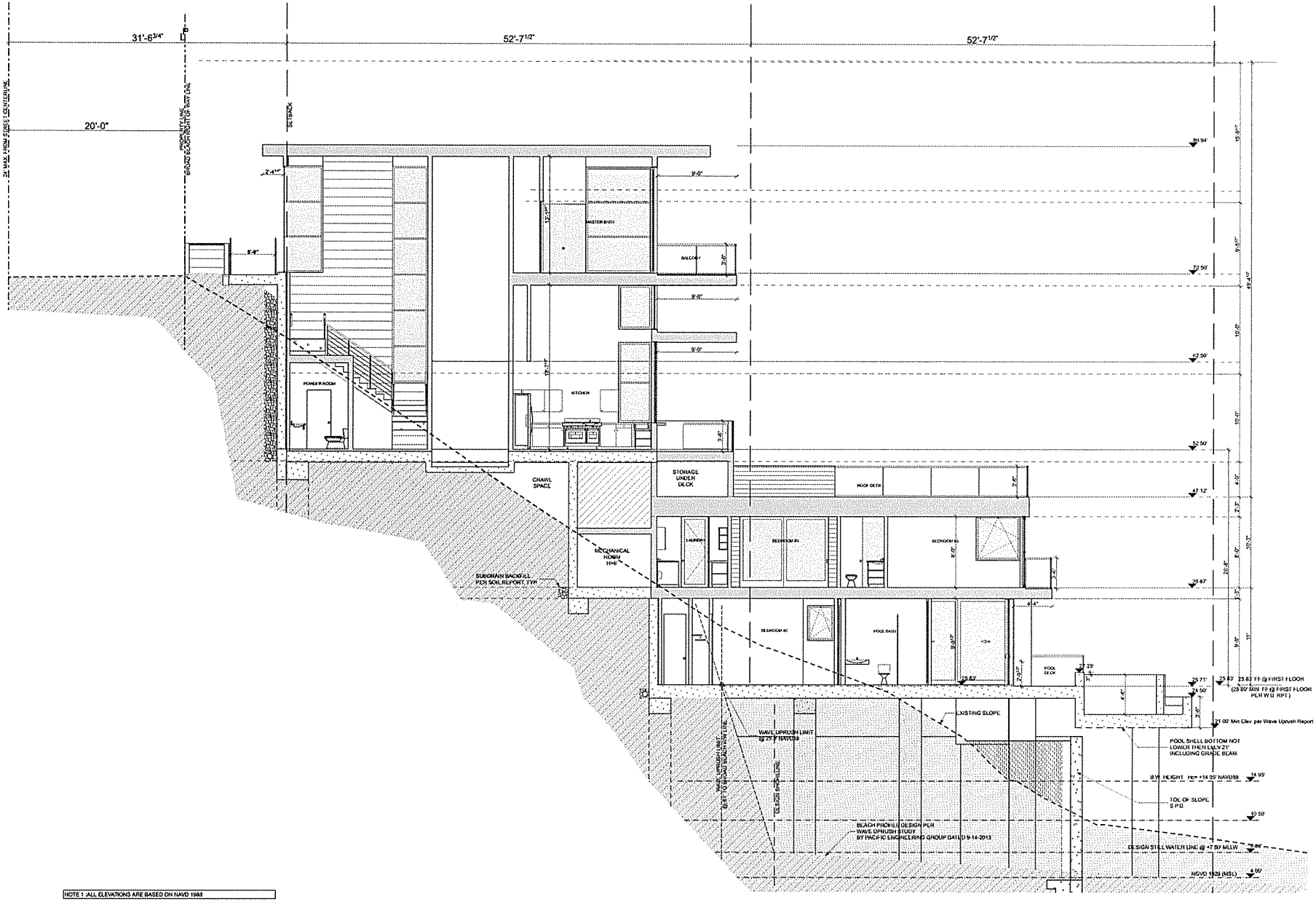
PROPOSED A-A SECTION

DRAWING NO.
A-3.1

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date: 8/22/16
SCALE	1/4" = 1'-0"
DRAWN BY	D.W.B., K.T., A.M.

LINGO RESIDENCE

31438 BROAD BEACH Rd.
MALIBU, CA 90265



NOTE 1 :ALL ELEVATIONS ARE BASED ON NAVD 1988

LICENSED ARCHITECT
DOUGLAS W. BURDGE
C-16888
EXP 11/30/20
STATE OF CALIFORNIA

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NO	DATE	ISSUE
	9/5/2014	CDP Initial Submittal
	9/15/2015	CDP Street Swap

BURDGE & Associates ARCHITECTS
MALIBU SUN VALLEY
WWW.BUAIA.COM
21021 N. PACIFIC COAST HWY. MALIBU CA 90265 TEL: 310-456-5656
440 WASHINGTON AVE. SUITE 201 C KETCHUM, ID 83340 TEL: 208-726-3028

DESCRIPTION:

PROPOSED B-B SECTION

DRAWING NO.
A-3.2

PROJECT	BEN LINGO RESIDENCE
DATE	Plot Date 6/22/16
SCALE	1/4"=1'-0"
DRAWN BY	D.W.B., L.T., A.M.

Richard Mollica

From:	Bruce Linden <[redacted]>
Sent:	Tuesday, September 06, 2016 1:49 PM
To:	Richard Mollica
Cc:	Bonnie Blue; [redacted]
Subject:	Proposed development at 31438 Broad Beach Road ("Property") Agenda Item, 8. 4A 9.6.16
Attachments:	2016-09-05 Lingo Residence DSCN3842 straight 002 mod FIN.JPG; Ben_Lingo_CAM1 _[UPD_09.28.2015].jpg

"Re: Proposed development at 31438 Broad Beach Road ("Property") Agenda Item, 8. 4A

Dear Mr. Mollica:

I am writing this on behalf of Crista Levitan & Mark Attanasio

We write to express our concerns with the proposed residence at 31348 Broad Beach Road ("Project"). We own the residences surrounding the proposed Project (immediately to the west and east of the Project), we have significant concerns regarding the massing of the proposed structure and its multiple effects on the enjoyment of our existing homes.

We enclose for your review a rendering the Project based on the existing plans. As you can see, in its present form, the Project will be a massive 7-story structure extending from road grade down to the beach. Incredibly, the entire lot on which the Project would sit spans approximately 7,000 square feet, but the proposed structure would exceed 7,200 square feet. The massing required for such a floorplan causes substantial impediments on our upcoast and downcoast views. We understand that the Project applicant may have a right to build a residence on the Property, but the proposed massive structure would be out of character with neighboring residences and severely impair views.

We hope that the Planning Commission postpones the hearing on this matter to take the time to study the proposal and visit the Project site. We would be happy to facilitate a meeting to further specify our position.

We appreciate your consideration of our position.

Sincerely,

Best Regards,

Bruce A. Linden,ccpm
President
Linden & Associates, Inc.
[redacted]
bruce@lindenconstruction.com

The above referenced information is believed to be accurate. Unless Linden & Associates, Inc. receives written notice to the contrary within 72 hours from the date of issuance of this communication all information contained herein shall be assumed to be factual & correct. This email and any attached files are confidential and intended solely for the intended recipient(s). If you are not the named recipient you

ATTACHMENT D

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Kathleen Stecko

From:	Richard Mollica
Sent:	Monday, August 15, 2016 3:05 PM
To:	Grace, Jordan@Coastal
Cc:	Bonnie Blue; Kathleen Stecko; Lezama Joe (joseph@buaia.com)
Subject:	RE: 31438 Broad Beach Road

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AUG 15 2016
PLANNING DEPT.

Jordan,

Thank you for your letter and here is some additional information:

The lot is currently vacant and was created through a subdivision (CDP No. 05-81-007) and stabilization of the slope was part of that approval. The slope was benched, shot-creted, and rocks were placed at the base of the slope. As homes were built on the newly created lots, the shot-crete and rocks were removed and replaced by sea walls below the dripline of the associated decks. The wall that is proposed has been placed as far landward as possible and will not impact sand supply based on the associated geotechnical and coastal engineering reports that are referenced in the project approvals. The applicant has been copied on this email, if additional information is needed.

Currently there are two vertical access ways near the project site. One is 800 feet to the east and the second is 900 feet to the west.

Also, the applicant has agreed to offer lateral access along the rear of the property, staff will recommend the inclusion of an OTD.

Richard

-----Original Message-----
From: Grace, Jordan@Coastal [mailto:Jordan.Grace@coastal.ca.gov]
Sent: Friday, August 12, 2016 2:37 PM
To: Richard Mollica <RMollica@malibucity.org>
Cc: Bonnie Blue <BBlue@malibucity.org>
Subject: 31438 Broad Beach Road

Hi Richard,

Please see our attached comment letter regarding the project at 31438 Broad Beach Road, which will be heard at the August 15,
2016 City of Malibu Planning Commission meeting.

Thanks,

Jordan Grace
Coastal Program Analyst
South Central Coast District
California Coastal Commission
89 South California Street, Suite 200
Ventura, CA 93001
(805) 585-1800

Date Received 08/15/16 Time 3:05pm
Planning Commission meeting of 08/15/16
Agenda Item No. 5B
Total No. of Pages 2

CC: Planning Commission, PD, PM, Recording Secretary, Reference Binder, File

STATE OF CALIFORNIA -- NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., *Governor*

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

August 11, 2016

Richard Mollica, Senior Planner
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Subject: Coastal Development Permit No. 14-028, 31438 Broad Beach Road

Dear Mr. Mollica:

Staff has reviewed the staff report for the subject permit application that is scheduled to be considered by the Malibu Planning Commission at its hearing of August 15, 2016, and we have several comments. The subject application includes the demolition of an existing single-family residence, and the construction of a new single-family residence, septic system and seawall extension on a beach fronting parcel. The project includes two variances to allow for construction on slopes steeper than 2 1/2 to 1, and to allow for the construction of a shoreline protection device where it would otherwise be prohibited.

The staff report claims that removal of an existing "revetment" at the bottom of the property's slope and not constructing the proposed wall would destabilize the slope on the project site and adjacent properties. However, it does not indicate whether the existing revetment is permitted, or if it was engineered or designed to protect/support the slope, nor does it address the type of foundations of the adjacent houses (which the report claims will be negatively affected should the wall not be built). Further, the staff report fails to indicate if the proposed wall is located as far landward as possible.

Also, the staff report does not provide evidence that the proposed shoreline protective device will not affect sand supply and public access, particularly given that the shoreline protective device would be located within the wave uprush zone. Further, the report states that lateral public access exists on the site, however it does not describe if there is a recorded lateral access easement on the property. The report states that vertical access is provided nearby to the west and east of the site, but it fails to specify where such accessways are located and how far they are from the site.

Therefore, we recommend that the staff report should include additional information in order to properly evaluate the impacts of the project on public access and sand supply, and support the staff report findings, which are required the City's LCP. Finally, in order to mitigate impacts to public access and sand supply, we feel it is appropriate in this case to require lateral access to be provided across the project site, consistent with Policy 2.64 of the Malibu LUP.

Please consider these comments in your action on Coastal Development Permit 14-020. Please feel free to contact me if you have questions.

Sincerely,

Jordan Grace
Coastal Program Analyst

cc: Bonnie Blue

Kathleen Stecko

Subject: 31438 Broadbeach Road CDP #14-028 Variance #14-012;15-013

RECEIVED
AUG 15 2016
PLANNING DEPT.

-----Original Message-----
From: [redacted]
Sent: Monday, August 15, 2016 3:36 PM
To: Richard Mollica <RMollica@malibucity.org>
Cc: Bonnie Blue <BBlue@malibucity.org>
Subject: Re: 31438 Broadbeach Road CDP #14-028 Variance #14-012;15-013

Dear Richard-
I received a Notice of Public Hearing by U.S. mail in the past couple of weeks for the above referenced project.
The project requires a number of variances.
I have serious concerns about the projects' massing (building 7,237 approximate square feet on a 7,210 square foot lot, which in renderings appears to be a 4 story home); the requested sea wall and its potential impact on our property; and a garage which notably exceeds heights in the neighborhood and also is much closer to the street.
I will appear in person to request that the project not be approved this evening to afford us more time to evaluate the issues addressed here, as well as others that may be presented in the CDP request.
I have cc'd Bonnie Blue on this. Thank you for your consideration.
Sincerely,
Mark Attanasio

Sent from my iPhone

Date Received 08-15-16 Time 4:30pm
Planning Commission meeting of 08-15-16
Agenda Item No. 5B
Total No. of Pages 1

CC: Planning Commission, PD, PM, Recording Secretary, Reference Binder, File

31.08.2016

Date Received 8/15/16 Time 6:30pm
Planning Commission meeting of 8/15/16
Agenda Item No. 5B
Total No. of Pages 1
Submitted by: Mark Attanasio

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AUG 15 2016
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Commission Agenda Report

Planning Commission Meeting
08-15-16
Item 5.B.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner RM

Reviewed: Bonnie Blue, Planning Director BB

Date prepared: August 4, 2016 Meeting date: August 15, 2016

Subject: Coastal Development Permit No. 14-028, Variance Nos. 14-012 and 15-013 - An application for the construction of a new beachfront single-family residence, accessory structure, and associated development

Location: 31438 Broad Beach Road, within the appealable coastal zone
APN: 4470-017-065
Owner: Ben Lingo

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-73 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 14-028, an application for the construction of a new 7,237 square foot single-family residence with attached garage, pool, spa, and roof deck on a beachfront lot and removal of an existing rock revetment, including Variance (VAR) No. 14-012 for construction on slopes and VAR No. 15-013 for construction of a shoreline protection device to allow for the continued protection of an existing slope and surrounding properties located in the Single-Family Medium Density (SFM) zoning district at 31438 Broad Beach Road (Lingo).

DISCUSSION: This agenda report provides an overview of the project, summary of the surrounding land uses, description of the proposed project and a summary of staff's analysis of the project's consistency with the applicable provisions of the Malibu Local Coastal Program (LCP) and the CEQA. The analysis and findings discussed herein demonstrate that the project is consistent with the LCP.

Project Overview

The application proposes the construction of a new single-family residence and accessory development on a lot that is currently vacant. The property is a beachfront parcel and contains a steep slope which descends from Broad Beach Road to the beach below. A variance for construction on steep slopes has been included in the project as well as a variance to allow for the construction of a retaining wall parallel to the beach at the base of the slope which protects surrounding properties as well as the slope which supports Broad Beach Road. Since the retaining wall will be within the limits of the wave uprush zone, it will function as a shoreline protection device. The proposed home will feature a pile foundation and will not rely on the shoreline protection device. Because LCP Local Implementation Plan (LIP) Section 10.4(K) only allows a shoreline protection device for protection of an onsite wastewater treatment system (OWTS) or legal nonconforming residences. Based on review by both the City's Coastal Engineer and the applicant's Coastal Engineer, the wall has been sited as far landward as possible. The existing rock revetment will be removed to make room for the new pile foundation. The proposed project does not include a wastewater treatment system because the subject parcel will be served by a centralized wastewater treatment system that is located in the Malibu West neighborhood.

Surrounding Land Uses and Project Setting

Figure 1 identifies the subject property and surrounding vicinity.

Figure 1 – Aerial photograph of the subject property

As outlined in Table 1, the surrounding land uses consist of single-family residential homes within the Rural Residential Five- Acre (RR-5) lot size minimum and Single-Family Medium Density (SFM) zoning districts. The surrounding residential development is a mix of single-story and multi-story homes.

Table 1 – Surrounding Land Uses				
Direction	**Address/ Parcel No.**	**Parcel Size**	**Zoning**	**Land Use**
North	31250 Anacapa View Drive	0.63 acres	RR5	Vacant
East	31430 Broad Beach Road	0.26 acres	SFM	Residential
South	Pacific Ocean			
West	31444 Broad Beach Road	0.26 acres	SFM	Residential

The project site is located within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. Furthermore, the subject parcel does not contain environmentally sensitive habitat area (ESHA) based on the LCP ESHA and Marine Resources Map. In addition, there are no trails located on the subject parcel. Table 2 contains a summary of the property information.

Table 2 – Property Data	
Lot Depth	145 ft.
Lot Width	50 ft.
Gross Lot Area	7,210 sq. ft. (0.165 acre)
Area of Street Easements	0 sq. ft.
Area of 1 to 1 Slopes	0 sq. ft.
Net Lot Area[1]	7,210 sq. ft. (0.165 acre)

Project Description

The proposed project includes the following work:

- Removal of the existing rock revetment;
- Construction of a new 7,237 square foot two-story single-family residence that includes an attached two car garage;
- Pool and spa;
- Pool and spa equipment vault;
- Permeable driveway;
- Trash enclosure;
- Rear yard deck and roof deck;
- Retaining walls;
- Pile supported foundation;
- Fences and gates;
- Planter areas for small plants and shrubs; and
- External staircases.

[1] Net Lot Area = Gross Lot Area minus the area of street easements and 1 to 1 slopes.

The project includes two variance requests:

- VAR No. 14-012 to allow for construction on slopes steeper than 2½ to 1, and
- VAR No. 15-013 to allow for construction of a retaining wall which protects neighboring properties from the onsite geological slope instability, and serves as a shoreline protection device where there is no onsite wastewater treatment system.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the 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 findings including the two variance findings, Scenic, Visual and Hillside Resource Protection, Hazards, and Shoreline and Bluff Development, findings apply to this project.

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

LIP Conformance Analysis

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

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	11 Feet, 6.5 inches	11 Feet, 6.5 inches	Complies
Rear yard building setback	Stringline	Stringline	Complies
Rear yard deck setback	Stringline	Stringline	Complies
Side yard setback (min. 10%)	5 Feet	5 Feet	Complies
View Corridor (20% of lot width)	10 Feet total	10 Feet total	Complies
CONSTRUCTION ON SLOPES	3:1 or flatter	2:1 or flatter	VAR No. 14-012
HEIGHT	24 feet (Flat Roof)	24 feet (Flat Roof)	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE	No Limit	7,237 sq. ft.	Complies
PARKING	2 Cars enclosed 2 Cars unenclosed	2 Cars enclosed 2 Cars unenclosed	Complies
FENCE / WALL HEIGHT			
Front Yard	42 Inches impermeable 30 inches view permeable	6 Feet view permeable	Complies
Side Yard	6 Feet	6 Feet	Complies
View Corridor	6 Feet, view permeable	6 Feet, view permeable	Complies

The proposed development, as demonstrated in the above table, will comply with the applicable beachfront residential development standards. The property that is located to the east of the subject site is made up of two parcels, one is developed while the other parcel is not. However, pursuant to the LIP, the stringline is drawn from the nearest upcoast and downcoast structures and therefore the vacant lot to the east does not require the applicant to file for an application for a stringline modification. The proposed structure steps down the slope and at no point is greater than two stories. In addition, since it is not feasible to site the development below the grade of Broad Beach Road,

pursuant to LIP Section 6.5(E)(2) the design incorporates the required view corridors. As discussed throughout this report, the proposed development has been determined to be consistent with all applicable LCP codes, standards, goals, and policies with the inclusion of the two variances.

Grading (LIP Chapter 8)

The project proposes a total of 1,143 cubic yards of grading. Of that, 17 cubic yards meet the definition of 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 4.

Table 4 – LCP Grading Conformance

	Exempt**			Non-Exempt	Remedial	Total
	*R&R**	*Understructure*	*Safety****			
Cut	0	1,039	12	12	0	1,063
Fill	0	2	73	5	0	80
Total	0	1,041	85	17	0	1,143
Import	0	0	61	0	0	0
Export	0	1,037	0	7	0	983

All quantities listed in cubic yards unless otherwise noted
*R&R= Removal and Re-compaction
**Exempt grading includes all R&R, understructure and safety grading.
***Safety grading is the incremental grading required for Fire Department access (such as turnouts, hammerheads, and turnarounds and any other increases in driveway width above 15 feet required by the LACFD).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. Based on existing site disturbance, topography and the City's Cultural Resources Map, the subject site has a low potential of containing cultural resources and it is not expected that the subject project would impact any archaeological resources.

The resolution contains conditions of approval that require all work to immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources which are uncovered, and until the Planning Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department has reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval require that prior to grading permit issuance, final grading and

drainage plans incorporating construction-phase erosion control and storm water pollution prevention, as well as post-construction storm water management, 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)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The project does not includes a new wastewater treatment system because it will be connected to a centralized wastewater treatment system which serves the residences along Broad Beach Road and the community of Malibu West. The project has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the Malibu Municipal Code (MMC), and the LCP.

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 Coastal Engineer, City geotechnical staff, the City Public Works Department, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and detailed site investigation, the proposed project with the inclusion of the two variances, as conditioned, conforms to the LCP in that it meets all applicable residential development standards.

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

The project is located on the ocean side of Pacific Coast Highway (PCH) along Broad Beach Road and the site does not provide or have the ability to provide for vertical public access to the beach. Currently there is wet-sand lateral beach access, and that access will remain as part of the proposed project. The California Coastal Trail is located along shoreline at the rear of the property and no development will take place in the area of the trail.

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 undeveloped with the exception of the existing rock revetment. The project site is designated for single-family development. The no project alternative would not accomplish any of the project objectives.

2. Alternative Design – The applicant could propose a design that does not extend up to the allowable rear yard building and deck stringlines. This design would allow for the existing rock revetment to be maintained and approved with a variance to allow for protection of neighboring development. However, retaining the rock revetment would take away from the sandy beach below and still require a variance. Given that the impacts on the site would be virtually the same as the proposed project, the alternative design does not offer any environmental advantages.

3. Alternative Design – The project objective is for the construction of a new single-family residence. The applicant could also propose a smaller home, however, given the site's topography, any development would still require a variance for construction on slopes as well as a variance for a retaining wall which stabilizes the slope for the existing surrounding development. Given that the impacts on the site would be virtually the same as the proposed project, the alternative design does not offer any environmental advantages.

4. Proposed Project – The proposed project will result in the construction of a new single-family residence and associated development on a lot designated for such uses. Furthermore, the project complies with the scenic requirements of the LIP and allows for ocean views. The project as conditioned will comply with all applicable requirements of state and local law. The project will not result in potentially significant impacts on the physical environment.

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, therefore this finding does not apply.

B. Variance for Construction on Slopes in Excess of 2½ to 1 (LIP Section 13.26)

The applicant is requesting a variance from LIP Section 13.27.1(A)(4) which allows construction to be located on slopes flatter than 2½ to 1 with a site plan review. The proposed project includes construction of a driveway and residence on a steep slope that dominates the subject property. Through the use of the slope analysis that was

submitted for the project it was determined that the site does not offer any alternative locations for development where steep slopes can be avoided. The required findings in support of Variance No. 14-012 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 property is characterized by a steep slope that descends from Broad Beach Road to the beach below. In order to develop a driveway, access stairs, and a home on the site, development is required to take place on the slope which occupies the site. In addition, properties in the immediate vicinity are similarly developed with single-family residences with driveways and retaining walls on the steep slopes which descends towards the beach below. Due to the topography of the project site, strict application of the zoning ordinance deprives the subject property of privileges enjoyed by other properties in the vicinity and under the same zoning designation.

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 project will meet all applicable building and engineering safety codes and will not be detrimental to the public's interest, safety, health or welfare. The development that is proposed to be on the steep slopes has been reviewed by the City geotechnical staff and will be built to the recommendations for the pile foundation made by the project's Geotechnical Engineer. The project will not be detrimental to other properties or improvements in the same vicinity and zone.

The proposed project has been reviewed and approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Coastal Engineer, City Public Works Department, and the LACFD. The project, as proposed or conditioned, was found to be consistent with applicable City goals and policies.

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

As discussed in Finding B1, granting the variance will not constitute a special privilege to the applicant or property owner because there are special circumstances on the project site such that strict application of the zoning ordinance would deprive the property owner from developing similarly to other properties within the vicinity and under the same zoning designation.

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.

Granting the variance is not contrary to or in conflict with the general purposes or intent of the zoning provisions nor contrary to or in conflict with the goals, objectives and policies of the LCP. As discussed in Finding B1, granting the requested variance will allow for development that is consistent with surrounding beachfront development.

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 subject property does not contain ESHA, therefore, this finding does not apply.

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

The proposed variance is not 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 or activity not otherwise permitted in the SFM zoning district. The requested variance is for construction of a driveway, access stairs, and a home on slopes in excess of 2½ to 1 in order to accommodate a new single-family residence on the project site.

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

Granting the variance will allow construction of a driveway, access stairs, and a home on a slope steeper than 2½ to 1 as recommended by the project Geotechnical Engineer. Additionally, the project will be required to satisfy all Building and Safety standards in the Building Plan Check process. The subject site is physically suitable for the proposed variance.

Finding B9. The variance complies with all 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 the LACFD.

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

The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parklands.

C. Variance for Construction of a Shoreline Protection Device (LIP Section 13.26)

The applicant is requesting a variance from LIP Section 10.4(K) which does not allow for the construction of a shoreline protection device to protect an existing slope. Shoreline protection devices may only be constructed for the purpose of protecting certain existing lawful development and wastewater treatment systems. The existing slope currently has a protection device at the base of the slope located on the beach. As part of the construction, this device, which consists of rocks and a slurry mix will be removed and replaced by a retaining wall that is set back under the proposed residence. While this wall will be located underground, it is within the limits of the wave uprush and therefore meets the definition of a shoreline protection device. The purpose of this wall is to improve the stability of the slope; without it, the instability of the slope could adversly affect the neighboring properties as well as Broad Beach Road. The required findings in support of Variance No. 15-013 are made as follows.

Finding C1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

The subject property is a rectangular shaped parcel that contains a steep slope from the public street on the northern side to the ocean and beach below. While the new residence will not be vulnerable to this hazard because of its pile foundation, adjacent properties will be. It has been demonstrated by project's geotechnical consultant geotechnical reports that, without the benefit of a shoreline protection device at the base of the slope to guard against erosional effects, the slope will continue to be geologically unstable. Pursuant to Section 5.7 of the Malibu Geotechnical Guidelines, the Project Geotechnical Consultants must demonstrate in accordance with Section 111 of the Malibu Building Code that the proposed building or grading will not have a negative impact on the geotechnical stability of property outside of the building site. Based on the findings of their investigation, removal of the existing rip-rap revetment will increase the slope instability hazard to the subject site and adjacent properties. Without the implementation of a new engineered shoreline protective device such as a retaining wall, the geotechnical consultant will be unable to demonstrate that the proposed development will not present a hazard to the stability of the subject and adjacent properties in accordance with Malibu Geotechnical Guidelines.

Therefore, the strict application of the code which prohibits the construction of shoreline protection devices for anything other than the protection of a septic system or existing lawful structures would make it infeasible to build a residence and would thus deprive this property of privileges enjoyed by other surrounding properties under identical zoning classification, lot size, shape and topography.

Finding C2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The project will meet all applicable building and engineering safety codes and will not be detrimental to the public's interest, safety, health or welfare. The development that is proposed has been reviewed by the City geotechnical staff and will be built to the recommendations made by the project's geotechnical engineer. The project will not be detrimental to other properties or improvements in the same vicinity and zone.

The proposed project has been reviewed and approved by the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Coastal Engineer, City Public Works Department, and the LACFD. The project, as proposed or conditioned, was found to be consistent with applicable City goals and policies.

Finding C3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

As discussed in Finding C1, granting the variance will not constitute a special privilege to the applicant or property owner because there are special circumstances such as the need to protect surrounding development from the unstable slope on the project site such that strict application of the zoning ordinance would deprive the property owner from developing similarly to other properties within the vicinity and under the same zoning designation.

Finding C4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

Granting the variance is not contrary to or in conflict with the general purposes or intent of the zoning provisions nor contrary to or in conflict with the goals, objectives and policies of the LCP. As discussed in Finding C1, granting the requested variance will allow for the development that is consistent with surrounding beachfront development.

Finding C5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The subject property does not contain ESHA, therefore, this finding does not apply.

Finding C6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

The proposed variance is not associated with stringline standards. Therefore, this finding is not applicable.

Finding C7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The requested variance is for relief from a specific development standard and does not authorize a use or activity not otherwise permitted in the SFM zoning district. The requested variance will result in improved on and off-site slope stability and allow the property to be developed similarly to surrounding development.

Finding C8. The subject site is physically suitable for the proposed variance.

Granting the variance will allow for construction of a retaining wall that will allow for stabilization of a slope on the subject property as recommended by the project geotechnical engineer. Additionally, the project will be required to satisfy all Building and Safety standards in the Building Plan Check process. The subject site is physically suitable for the proposed variance.

Finding C9. The variance complies with all 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 the LACFD.

Finding C10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parklands.

D. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

As discussed previously the site does not contain ESHA and therefore, the findings in LIP Chapter 4 do not apply.

E. Native Tree Protection (LIP Chapter 5)

No protected native trees exist within the project area. Therefore, the findings in LIP Chapter 5 do not apply.

F. 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, provides views to or is visible from any scenic area, scenic road or public viewing area. The project site is in the vicinity of the beach, PCH and the California Coastal Trail which is located along shoreline. Since the project is located adjacent to scenic resources, the findings set forth in LIP Section 6.4 are enumerated herein.

Finding F1. The project, as proposed, 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 site location on the proposed project site where development would not have potential to be visible from PCH or the beach. Furthermore, the surrounding development, which is similar in size and scale, is currently visible from PCH and the beach. In addition, the subject property is surrounded by existing development of similar size and scale. Story poles were installed onsite which demonstrate that the project is similar to surrounding development. The proposed design includes the required view corridors to maintain public views from Broad Beach Road pursuant to LIP Section 6.5(E)(2). In addition, the height of the building is below the roadway grade of PCH, thereby allowing for bluewater views over the site. Therefore, the project as conditioned will not have significant adverse scenic or visual impacts due to the project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

Finding F2. 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 F1, as conditioned, the project will not have significant adverse scenic or visual impacts.

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

The project has been conditioned to include limitations on lighting and colors of the materials used to prevent any adverse visual impacts to surrounding areas and properties. As discussed in Finding A3 the project is the least environmentally damaging feasible alternative.

Finding F4. 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 F1, the project, as conditioned, will result in a less than significant impact on scenic and visual resources.

Finding F5. 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 F1, as conditioned, development on the site will not have significant adverse impacts on scenic and visual resources.

G. 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.

H. 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. With the inclusion of the variance for the construction of the construction of a shoreline protection device, the site will be geologically stable and not pose a threat to surrounding developed properties.

Finding H1. 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 and the Public Works Department determined the project is not in a flood hazard area. These conclusion are based on review of the following reports prepared by the consulting specialists:

- GeoSystems, Inc. dated May 5, 2015, February 27, 2015, November 3, 2014, October 16, 2013 and June 4, 2008; and
- Pacific Engineering Group dated September 14, 2013.

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. Included in their recommendations is the construction of a retaining wall at the base of the steep slope which occupies the subject property. Retaining walls are permitted development; however, the location of the proposed retaining wall is within the wave uprush zone. Since the retaining wall is within the wave uprush zone, the retaining wall meets the definition of a shoreline protection device. Currently, the toe of the existing slope is protected by a slurry mix and rocks. Without protection that stabilizes the slope, the slope has the potential to fail which would affect the foundations of the neighboring properties as well as the stability of Broad Beach Road. Based on review of the project and associated technical submittals, on March 4, 2016, City geotechnical staff approved the project, subject to conditions. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or City geotechnical staff, shall be incorporated into all final design and construction including foundations, grading, and drainage. The project as designed meets the required factor of safety. Final plans shall be reviewed and approved by City geotechnical staff prior to the issuance of a grading permit.

Fire Hazard

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

Nonetheless, a condition of approval has been included in the resolution which requires that the property owner indemnify and hold the City harmless from hazards associated with wildfire. The project, as conditioned, will incorporate all recommendations of City geotechnical staff, City Public Works Department and the LACFD.

Finding H2. 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 H1, the project as designed, conditioned, and approved by City geotechnical staff, City Coastal Engineer, and City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

Finding H3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

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

Finding H4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As stated in Finding H1, the project as designed, and conditioned, and approved by City geotechnical staff and City Public Works Department does not have any significant adverse impacts on the site stability or structural integrity.

Finding H5. 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 H1, no adverse impacts to sensitive resources are anticipated.

I. Shoreline and Bluff Development (LIP Chapter 10)

The project site is located on the ocean side of Broad Beach Road and is located along the shoreline. Given the steep topography of the site and the location of the proposed development it will not impact shoreline access along the beach below. In accordance with LIP Section 10.2, the requirements of LIP Chapter 10 are applicable to the project and the required findings are made as follows.

Finding I1. The project, as proposed, will have no significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

The proposed project is located in a developed neighborhood and neighboring properties which are also beachfront, and are developed similarly to the subject property. Given the location of the proposed project on the subject property, the proposed development will not impact the existing lateral access along the shoreline at the rear of the property. Furthermore, the proposed retaining wall that will be located in the wave uprush is set back, under the proposed residence, and is not expected to affect shoreline access. The project complies with LIP Section 10.4(N), in that a vertical retaining wall is preferred over rock revetments. Neighboring properties have seawalls that are mostly in line with the deck stringline. The proposed development as designed and conditioned, is not expected to have significant adverse impacts on public access, shoreline sand supply or other resources.

Finding I2. The project, as conditioned, will not have significant adverse impacts on public access, shoreline sand supply or other resources due to required project modifications or other conditions.

As discussed previously in Finding I1, the project as designed, constructed and conditioned, and approved is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources. In accordance with LIP Section 10.4(I) the pile foundation has been designed to elevate the proposed structure above the wave uprush limits and protect the structure from the effects of shoreline erosion.

Finding I3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project, as designed, constructed, and conditioned, is the least environmentally damaging alternative because the proposed shoreline protection device is set a far landward as possible.

Finding I4. There are not alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

As stated in Finding I1, as designed, constructed, and conditioned, the project is not expected to have any significant adverse impacts on public access or shoreline sand supply or other resources.

Finding I5. The shoreline protective device is designed or conditioned to be sited as far landward as feasible to eliminate or mitigate to the maximum feasible extent adverse impacts on local shoreline sand supply and public access, and there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and it is the least environmentally damaging alternative.

The proposed project does propose a variance to allow for the construction of a retaining wall that will be located in the wave uprush zone. The proposed retaining wall will be sited under the proposed development and is not expected to have adverse impacts on local shoreline sand supply and public access. Various design alternatives were reviewed, however, the current location proposes the wall as far landward as possible while still protecting the neighboring development.

J. Public Access (LIP Chapter 12)

The subject parcel is located between the first road and the sea as it is located on the ocean side of Broad Beach Road. Currently there are existing vertical access ways which provide public access to the beach below located to the east and west of the subject property. Furthermore, there is currently lateral access along the rear of the property. The project meets that LIP's requirement of a ten foot setback from the mean high tide line and is in line with neighboring development. Therefore, complies with the provisions of Chapter 12 and no findings are required.

K. Land Division (LIP Chapter 15)

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

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) – New Construction and 15303(e) – new construction of accessory structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: To date, staff has not received any comments on the subject application.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu on July 21, 2016 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 5).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 16-73. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department and appropriate City departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-73
2. Project Plans
3. Department Review Sheets
4. Site Photo
5. Public Hearing Notice

ATTACHMENT 1

Planning Commission Resolution 16-73

See Attachment A (Resolution No. 16-73) of the September 19, 2016 Planning Commission Agenda Report Item No. 4.A.

ATTACHMENT 2

Project Plans

See Attachment C of the September 19, 2016 Planning Commission Agenda Report Item 4.A.

City of Malibu

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

FIRE DEPARTMENT REVIEW
REFERRAL SHEET

TO: Los Angeles County Fire Department DATE: 5/5/2014
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-028, VAR 14-012
JOB ADDRESS: 31438 BROAD BEACH RD
APPLICANT / CONTACT: Joseph Lezama, Burdge & Associates
APPLICANT ADDRESS: 21235 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310)456-5905
APPLICANT FAX #: (310) 456-2467
PROJECT DESCRIPTION: NSFR with attached garage, pool, spa, roof deck on beach front

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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 1125 gallons per minute at 20 pounds per square inch for a 2 hour duration. (Provide flow information from the water dept.)	X
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	X

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.	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	NA	

*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. Bonner
SIGNATURE

7/24/14
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 Cc
26600 Agoura Road, Suite 110, Calabasas, CA 91302; Hours: Monday – Thursday between 7:00 AM and 11:

ATTACHMENT 3

City of Malibu

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

CDP 14-028

COASTAL ENGINEERING REVIEW
REFERRAL SHEET

TO: City of Malibu Coastal Engineer Staff **DATE:** 5/5/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-028, VAR 14-012, VAR 15-013

JOB ADDRESS: 31438 BROAD BEACH RD

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: NSFR with attached garage, pool, spa, roof deck on beach front

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TO: Malibu Planning Division and/or Applicant

FROM: Coastal Engineering Reviewer

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

____ The project CANNOT proceed through the planning process until geotechnical feasibility is determined. Depending upon the nature of the project, this may require engineering geologic and/or geotechnical engineering (soils) reports which evaluate the site conditions, factor of safety, and potential geologic hazards.

SIGNATURE DATE 7/24/15

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

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

* see attached review sheet

Rev 120910

City of Malibu

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

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: July 24, 2015 **Review Log #:** C394
Site Address: 31438 Broad Beach Road **Lat:** **Lon:**
Lot/Tract/PM #: 4470-017-065 **Planning #:** CDP 14-028
Applicant: Joseph Lezama **BPC/GPC #:** N/A
Phone #: 310-456-5905 **Email:** joseph@buaia.com **Planner:** R. Mollica
Project Type: NSFR, NSPD

Submittal Information

Consultant(s): Pacific Engineering Group, Inc. (R. Browne, RCE 40552)
Report Date(s): PEG: 9-14-13, 2-27-14, 10-30-14, 2-24-15; GeoSystems: 2-27-15; BUAIA: 3-12-15, 3-12-15 (revised 7-7-15).
Project Plan(s): Submittal 3-16-15
Previous Reviews: 7-11-14, 12-9-14, 4-20-15; CSLC: 3-26-15
FEMA SFHA: VE/AE/D

Review Findings

Planning Stage

☒ **APPROVED** in **PLANNING-STAGE** from a coastal engineering perspective. The listed Building Plan-Check Stage Review Comments shall be addressed prior to Building Plan-Check Stage approval.

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

Building Plan-Check Stage

☒ **AWAITING BUILDING PLAN CHECK SUBMITTAL**. The listed 'Building Plan-Check Stage Review Comments' may be deferred for Planning Stage approval but shall be addressed prior to Building Plan-Check Stage approval.

☐ **APPROVED** from a coastal engineering perspective.

☐ **NOT APPROVED** from a coastal engineering perspective. Please respond to the listed 'Building Plan-Check Stage Review Comments.

Remarks:

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

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

The proposed project will include construction of a new residence and new shore protection, exterior decks, spa and other site improvements. The BUAIA letter (revised 7-7-15) indicates the applicant is now pursuing a variance to allow construction of a shore protection device.

Building Plan Check Stage Review Comments:

1. Provide responses to Comments 2 and 3 of the previous Coastal Engineering Review Sheet dated 4-20-15. Comment 2 requires submittal of a revised cross-section from the Project Geotechnical Consultant, and Comment 3 requires submittal of a revised design beach profile from the Project Coastal Engineering Consultant. The final design of the proposed seawall and recommendations of the project Coastal Engineering Consultant should be adjusted as necessary based on the requested revised design beach profile.
2. The design and constructability of the proposed seawall shore protection device (SPD) and associated return walls as recommended by the Coastal Engineering Consultant shall be reviewed by the project Geotechnical Consultant. The final design of the proposed SPD and return walls shall incorporate recommendations provided by the project Geotechnical Consultant, including appropriate earth and seepage pressures. The design of the SPD shall be designed to provide, directly or indirectly as required, overturning and shear resistance for global stability of the slope extending above the SPD at the toe of slope.
3. The Coastal Engineering Consultant recommended that the SFR and SPD be supported on concrete pile foundation. The pile foundation should extend to an appropriate depth and established in bedrock for uniform structural support at the Geotechnical Consultant's recommendation. Where bedrock is at shallow depth, a deepened continuous foundation extending to an appropriate depth into bedrock may be considered for the SPD and portion of the return walls, particularly at and near the toe of slope for increased protection against scour and soil migration from potential piping.
4. The Project Coastal Engineer's recommendations, contained in the coastal engineering report and addendums, shall be incorporated into the plans as notes and details, and referenced on the project plans. One set of plans shall be submitted for Building Plan Check. The Project Coastal Engineer shall review, sign and wet-stamp the final building plans.

Limitations:

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

Reviewed by: _____ *July 24, 2015*
Michael B. Phipps, PG 5748, CEG 1832 — Date
Coastal Engineering Review Consultant (x 307)

Reviewed by: _____ *July 24, 2015*
Franklin Fong, RCE 24179, GE 315 — Date
Coastal Engineering Review Consultant

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

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

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

FILE

City of Malibu

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

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu City Biologist **DATE:** 5/5/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-028, VAR 14-012

JOB ADDRESS: 31438 BROAD BEACH RD

APPLICANT / CONTACT: Joseph Lezama, Burdge & 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: NSFR with attached garage, pool, spa, roof deck on beach front

---

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 6/3/14

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: 31438 Broad Beach Road
Applicant/Phone: Joseph Lezama/ 310.456.5905
Project Type: NSFR, attached garage, pool, spa, roof deck
Project Number: CDP 14-028
Project Planner: Richard Mollica

REFERENCES: Site Survey, site plans

RECOMMENDATIONS:

1. The project is **APPROVED** with the following conditions:

   A. Some of the plans indicate a planter in the front yard, but there is no indication of what would be planted. If the applicant intends to plant anything with a potential to exceed 6 feet in height (considering future growth), then those plants must be identified as part of a landscape plan. Anything that does not have any potential to exceed 6 feet does not require a landscape plan, but also must not include any species considered to be invasive in the City of Malibu.

   B. Construction fencing shall be placed no more than five feet seaward of the grading/construction footprint. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

   C. 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.

   D. Lighting of the shore is prohibited.

Reviewed By: _____ Date: 6/3/14

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.

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	June 5, 2015	**Review Log #:**	**3612**
Site Address:	31438 Broad Beach Road		
Lot/Tract/PM #:	n/a	**Planning #:**	**CDP 14-028** PA 14-010
Applicant/Contact:	Ryan Levis, ryan@buaia.com Joseph Lezama, joseph@buaia.com	**BPC/GPC #:**	
Contact Phone #:	310-456-5905 **Fax #:** 310-456-2467	**Planner:**	**Richard Mollica**
Project Type:	Feasibility review for a new single-family residential development		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	GeoSystems, Inc. (Gladson, CEG 1758; Tsai, RGE 2268): **5-5-15**, 2-27-15, 11-3-14, 10-16-13; Ref: 6-4-08 Pacific Engineering Group (Brown, RCE 40552): 9-14-13 Building plans prepared by Burdge & Associates Architects dated March 2, 2015 Grading plans prepared by Matthew R. Walsh, P.E. dated May 2, 2014.
Previous Reviews:	4-7-15, 11-19-14, 5-8-14, Geotechnical Review Referral Sheet dated 5-6-14

Review Findings

Coastal Development Permit Review

☒ The residential development project is **APPROVED** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage approval.

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

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced geotechnical response report was reviewed from a geotechnical perspective. The project comprises constructing a new 7,237 square foot multi-level single-family residence and attached garage, retaining walls, swimming pool and spa, and grading (1,039 yards of cut and 2 yards of fill under structure; 12 yards of cut and 73yards of fill for safety; 12 yards of cut and 5 yards of fill non-exempt; and

RM

983 yards of export). It is the reviewers understanding that the residence will be connected to the Trancas Wastewater Treatment Plant. A new seawall will be installed on a pile foundation system in the area of the existing rip rap.

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

Building Plan-Check Stage Review Comments:

1. Please provide a 'Will-Serve' letter acknowledging that the residence will be connected to the Trancas Wastewater Treatment Plant.
2. Please submit a PDF of the referenced June 4, 2008 Preliminary Soils and Engineering-Geologic Investigation report to the City so that the report is discoverable within the current Malibu file systems.
3. 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.*"
4. In accordance with Section 7.2.1 of the City's Geotechnical Guidelines, the structural engineer shall provide the anticipated lateral deflections of the laterally loaded piles. The calculations need to show that, upon loading of the foundation elements, the foundations and superstructure are designed to prevent excess deflection that could damage the residence or cause catastrophic failure resulting in the loss of life. The calculations need to be submitted to the City for review.
5. The Project Geotechnical Consultant should provide installation criteria for friction piles including temporary excavations, cleanliness requirements, and a discussion of considerations for the construction of the friction piles, including, but not limited to, construction below water.
6. Corrosion tests were provided for the shallow fill materials. The tests need to be updated for the bedrock materials. Please provide additional corrosion testing. If this is impractical at this time, the following note must appear on the grading and foundation plans: "*Tests shall be performed prior to pouring pile foundations, 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. Please provide weighted plasticity index and expansion index for the upper soils per the **2013** Guidelines, Section 6.2.1. If these tests were not performed during this phase of work, the following note must appear on the grading and foundation plans: "*Tests shall be performed prior to pouring footings and slabs to evaluate the Weighted Plasticity and the Expansion Index of the supporting soils, and foundation and slab plans should be reviewed by the Civil or Structural Engineer and revised, if necessary.*"
8. Section 7.4 of the City's geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. Building plans shall reflect this requirement.
9. Foundation setbacks from descending slopes must meet the minimum requirements of Section 1808 of the 2014 Los Angeles County Building Code. Please show all setbacks from slopes on the foundation plans, as appropriate.
10. Include the following note on the building plans: "*The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, depth to groundwater, and a map depicting the locations of the piles*".

11. Two sets of final grading, retaining wall, swimming pool/spa, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

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

Engineering Geology Review by: 6/5/15

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: *June 5, 2015*

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

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** 5/5/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 14-028, VAR 14-012
JOB ADDRESS:	31438 BROAD BEACH RD
APPLICANT / CONTACT:	Joseph Lezama, Burdge & 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:	NSFR with attached garage, pool, spa, roof deck on beach front

---

TO: Malibu Planning Department and/or Applicant

FROM: Andrew Sheldon, City Environmental Health Administrator

✓ ____ **An Onsite Wastewater Treatment System (OWTS) Plot Plan approval <u>IS NOT REQUIRED</u> for the project.** *

____ **An OWTS Plot Plan approval <u>IS REQUIRED</u> for the project. DO NOT grant your approval until an approved Plot Plan is received.**

SIGNATURE _____ DATE 6-5-2014

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System 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.

* Project was authorized by LA County Dept. of Public Works to connect to Trancas Water Pollution Control Plant. See attached LA County DPW conditions of approval.

Andrew Sheldon

From: Bouse, Jeffrey <JBOUSE@dpw.lacounty.gov>
Sent: Monday, May 19, 2014 2:24 PM
To: Matt Walsh
Cc: Erik Fuentes; Villarama, Alex; Torossian, Kirk; Andrew Sheldon; Craig George; La, Linh
Subject: RE: Sewer for 31438 Broad Beach Road, Malibu (APN 4470-017-065)
Attachments: PC 10697 Page 3.pdf

Mr. Walsh,

The subject property (APN 4470-017-065, Tract 32003 Lot 5) is located within the Trancas Zone of the Consolidated Sewer Maintenance District and may be served by the Trancas Water Pollution Control Plant.

The property owner must provide written notice of pending connection to the Sewer Maintenance Division of the County of Los Angeles Department of Public Works prior to June 30th of the fiscal year in which the property will be connected to the sewer system (fiscal year is July 1 through June 30). Annual sewer service charges for operation, maintenance, and repair of the public sewer facilities will be collected on the property tax bill following the written notification.

The building sewer may be connected to the existing sewer lateral serving the subject lot (refer to attached sewer plan P.C. No. 10697 Page 3). The existing sewer lateral has not been in use since its original construction and may need to be cleaned, inspected and possibly lined by the property owner prior to use. Connection to the public sewer shall be made in compliance with the City/County Plumbing Code and inspected by the City of Malibu. An approved backwater valve may be necessary in accordance with Section 710.0 of the Plumbing Code (this may not be applicable if sewage from the lot is pumped to the sewer lateral).

As required by Section 714.0 of the Plumbing Code, no rain, surface, or subsurface water shall be connected to or discharged into the sanitary sewer system. No water softener regeneration brine, pool/spa water, or pool/spa filter backwash waste shall be discharged to the sanitary sewer system connected to the Trancas Water Pollution Control Plant.

Please let me know if you have any questions.

Jeff Bouse
Senior Civil Engineer
County of Los Angeles Department of Public Works
Sewer Maintenance Division
Pump Station & Treatment Plant Section
Work: (626) 300-3373
Cell: (626) 476-6709
e-mail: jbouse@ladpw.org

From: Matt Walsh [mailto:mwalsh@blhconstruction.net]
Sent: Thursday, May 15, 2014 3:11 PM
To: Bouse, Jeffrey
Cc: Erik Fuentes
Subject: Sewer for 31438 Broad Beach Road, Malibu (APN 4470-017-065)

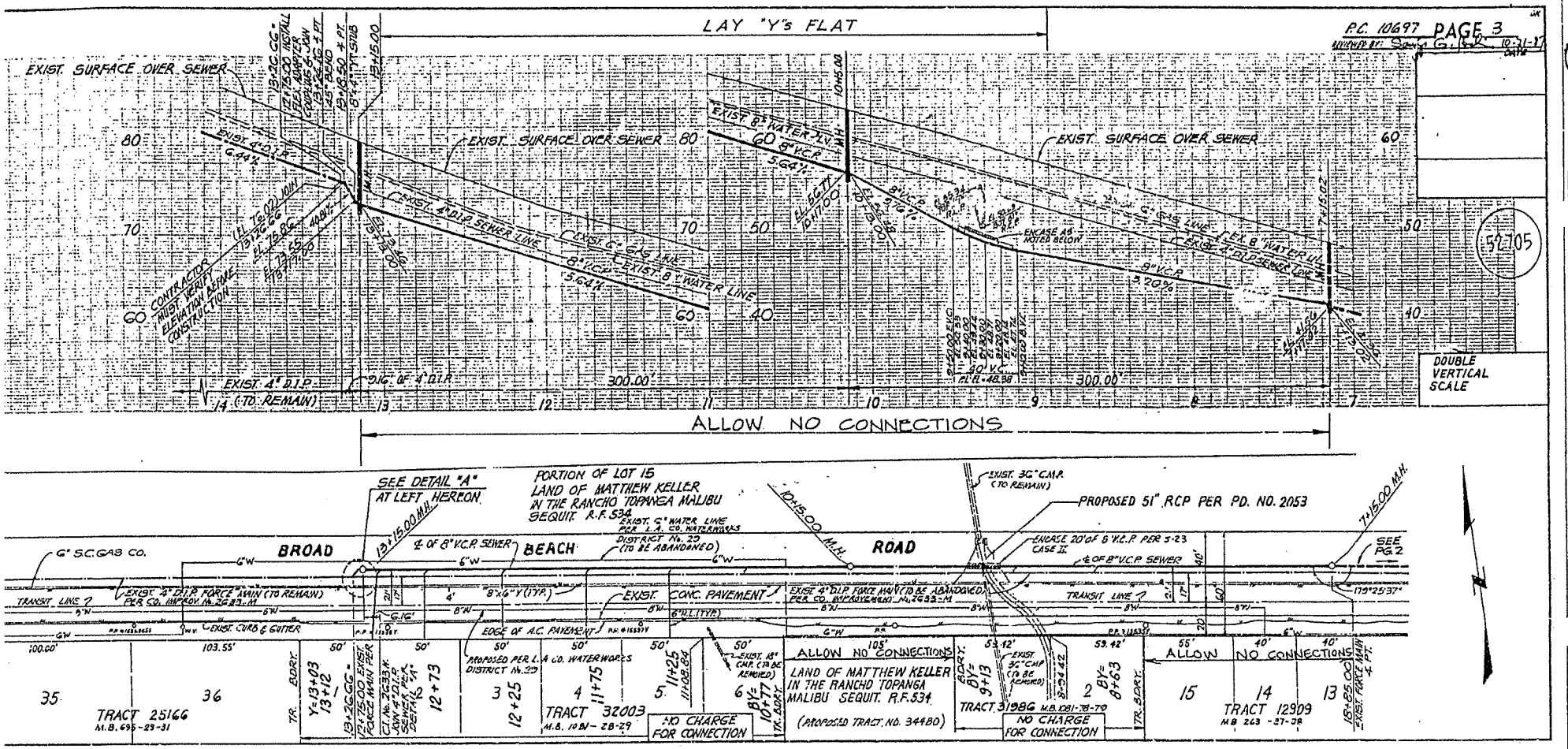
Jeff,

The proposed single family residence is located at 31438 Broad Beach Road, Malibu CA (APN 4470-017-065). It is currently a vacant lot. We are seeking a sewer connection permit. Is this lot included within your district? Is this lot able to be served? Is there an as-built plan verifying a lateral exists or will we need to apply for a saddle permit?

Please let me know if I can provide anything further regarding the project. Again, I thank you for your coordination.

Best regards,

Matt Walsh, PE, QSD, QSP
5951 Variel Avenue
Woodland Hills, CA 91367
O.818.905.2430.x205~C.805.441.4899
PLEASE DIRECT ALL ENGINEERING CORRESPONDENCE TO MY NEW EMAIL: mwalsh@blhconstruction.net



BROAD BEACH ROAD P.C. 10697

(3)

Rm

City of Malibu

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department **DATE:** 5/5/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 14-028, VAR 14-012
JOB ADDRESS:	31438 BROAD BEACH RD
APPLICANT / CONTACT:	Joseph Lezama, Burdge & 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:	NSFR with attached garage, pool, spa, roof deck on beach front

---

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

5.8.14
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Jorge Rubalcava, Assist. Civil Engineer

Date: May 8, 2014

Re: Proposed Conditions of Approval for 31438 Broad Beach Road CDP 14-028

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. This project proposes to construct a new driveway 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 driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inch of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

GRADING AND DRAINAGE

3. Grading permits shall not be issued between November 1 and March 31 each year LCP Section 17.2.1. Projects approved for grading permit shall not receive grading permits unless the project can be rough graded before November 1. A note **shall be placed on the project that addresses this condition.**

4. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. **A note shall be placed on the project that addresses this condition.**

5. 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.

6. 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.

7. The applicant shall label all City/County storm drain inlets within 250 feet from each property line per the City of Malibu's standard label template. A note shall be placed on the project plans that address this condition.

STORMWATER

8. The Ocean between Latigo Point and the West City Limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation allows discharge of storm water only where it is essential for flood control or slope stability, including roof, landscape, road and parking lot drainage, to prevent soil erosion, only occurs during wet weather, and is composed of only storm water runoff. The applicant shall provide a drainage system that accomplishes the following:

    - Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
    - Prohibits the discharge of trash.
    - Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
    - Elimination of non-storm water discharges.

9. 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.
    - 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.

10. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate

Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:

- Site Design Best Management Practices (BMP's)
- Source Control BMP's
- Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
- Drainage Improvements
- A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
- A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
- The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original singed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

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

12. POOLS, SPAS OR DECORATIVE WATER FEATURES – The discharge of the water contained in a Pool, spa and decorative water feature such as a fountain or fish pond is an illegal discharge unless it is discharged to a sanitary sewer system. Malibu has limited sewers available so it is likely that your property cannot legally discharge the contents of the proposed pool or spa to the street without violating the Clean Water Act or the Malibu Water Quality Ordinance. The plans should include the following information and or construction notes:
    - Provide information on the plans regarding the type of sanitation that you propose to use for this installation. Ozonization systems are an acceptable alternative to Chlorine. The release of clear water from this system is permitted to either landscaping or sanitary sewer. Salt water sanitation is an acceptable alternative, but the discharge of the salt water is prohibited to both sewer systems and landscape. Highly chlorinated water from pools or spas shall be discharged to a public sewer or may be trucked to a POTW for discharge.

- Provide a construction note that directs the contractor to install a new sign stating **"It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5)."** The new sign shall be posted in the filtration and/or pumping equipment area for the property.

13. 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 (residential and nonresidential, 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.

Site Photo

Project Site

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 (fifteen days for tentative parcel maps) 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 – An aggrieved person may appeal the Planning Commission's approval 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: July 21, 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

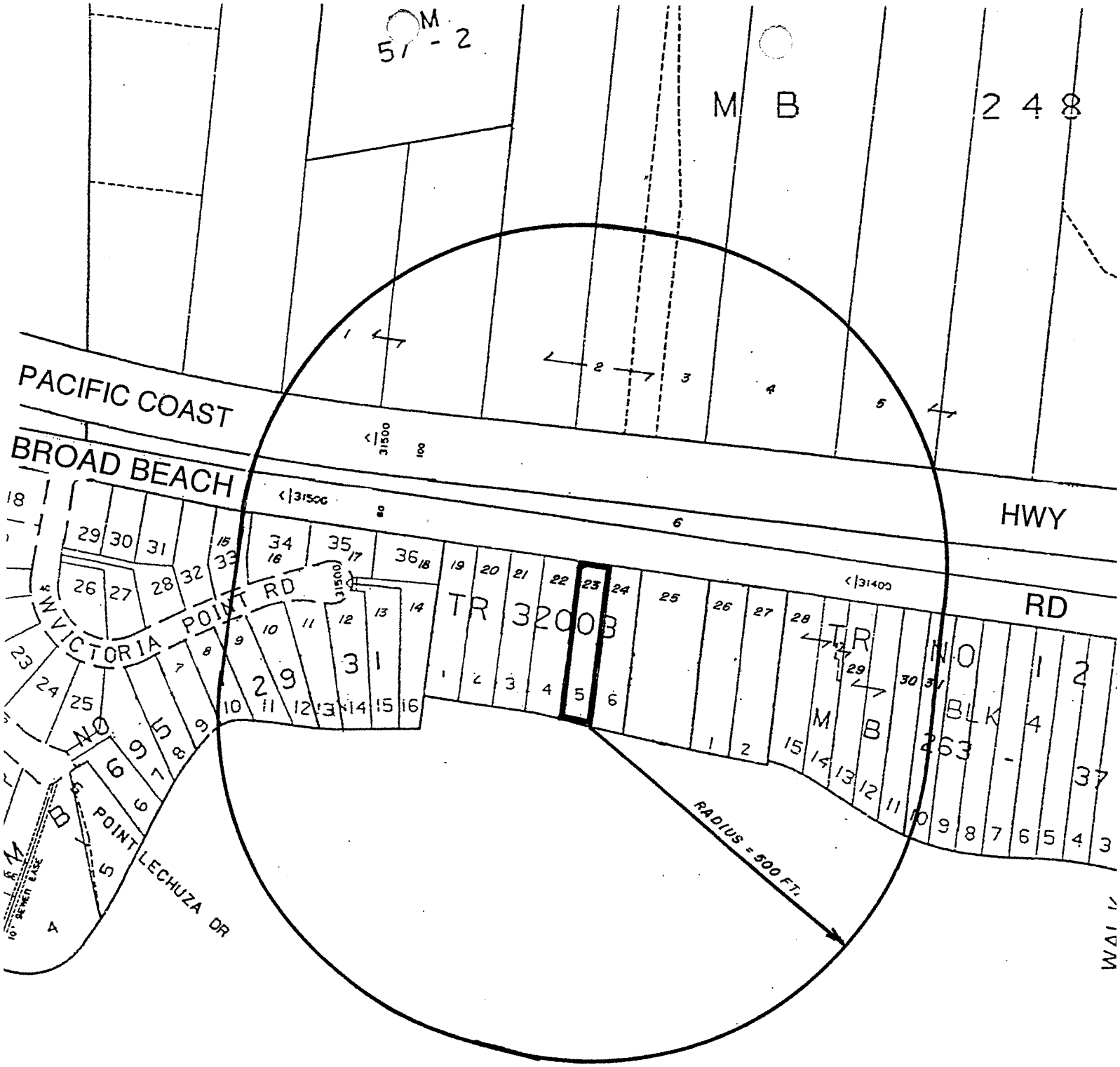
The Malibu Planning Commission will hold a public hearing on **MONDAY, August 15, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

COASTAL DEVELOPMENT PERMIT NO. 14-028, AND VARIANCE NOS. 14-012 AND 15-013 – An application for the construction of a new single-family residence with attached garage, pool, spa, and roof deck on a beachfront lot, with a variance for construction on slopes and a variance for construction of a shoreline protection device to allow for the continued protection of an existing slope and surrounding properties

LOCATION:	31438 Broad Beach Road, within the appealable coastal zone
APN:	4470-017-065
ZONING:	Single-Family Medium (SFM)
APPLICANT:	Burdge and Associates
OWNER:	Ben Lingo
APPLICATION FILED:	May 5, 2014
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 Section 15303 – 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).

ATTACHMENT 5



HERON MAPS

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

Planning Commission Meeting
09-19-16
Item 4.B.

Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Adrian Fernandez, Senior Planner A.F.

Approved by: Bonnie Blue, Planning Director A.F. for

Date prepared: September 8, 2016 Meeting date: September 19, 2016

Subject: Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 – An application for the installation of a new wireless telecommunications facility within the public right-of-way (Continued from September 6, 2016)

Location:	29970.5 Harvester Road
Nearest APN:	4469-013-021
Owner:	City of Malibu Public Right-of-Way
Applicant:	Carver Chiu of Crown Castle NG West, Inc.

RECOMMENDED ACTION: Continue the item to the October 5, 2016 Regular Planning Commission meeting.

Commission Agenda Report

Planning Commission Meeting
09-19-16
Item 5.A.

To: Chair Mazza and Members of the Planning Commission

Prepared by: Jessica Colvard, Associate Planner JC

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 8, 2016 Meeting date: September 19, 2016

Subject: Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, and Minor Modification No. 15-016 – An application for a new single-family beachfront residence and associated development

Location: 25306 Malibu Road, within the appealable coastal zone
APN: 4459-016-013
Owner: Chambers Creek, LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-74 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 14-003, for the construction of a new 5,094 square foot, two-story, single-family beachfront residence with attached garage, decks, return wall, retaining walls, installation of a new alternative onsite wastewater treatment system (AOWTS), and removal of existing timber walls, Variance (VAR) No. 16-010 for the installation of a new bulkhead sited seaward of the shoreline protection device stringline, VAR No. 16-023 for construction on slopes steeper than 2.5 to 1, and Minor Modification (MM) No. 15-016 for a reduced front yard setback located in the Multi-Family Beachfront (MFBF) zoning district at 25306 Malibu Road (Chamber Creek, LLC).

DISCUSSION: This agenda report provides a project overview, a summary of project setting and surrounding land uses, a description of the project scope, an analysis of the project's consistency with applicable provisions of the Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC), and environmental review pursuant to CEQA. The analysis and findings contained herein demonstrate the project is consistent with the LCP and MMC.

Project Overview

The approximate 7,960 square foot beachfront parcel is zoned MFBF for residential use, and is located along the south side of Malibu Road (Figure 1).

Figure 1 – Aerial Photograph

The proposed project includes the construction of a new single-family residence comprised of two stories with: a 2,580 square foot first floor, of which 592 square feet is a garage and 1,988 square feet is living area; and, the second floor is 2,514 square feet of living area. The residence consists of a flat roof which will not exceed 24 feet in height as measured from the centerline elevation of Malibu Road for the street side half and the lowest recommended finished floor elevation on the ocean side half. The project plans are included as Attachment 2.

The project also includes three discretionary requests to allow the development of the single-family residence as proposed. One variance request is for the construction of the new bulkhead seaward of the shoreline protection device stringline as measured from adjacent properties. A second variance request is for construction on slopes steeper than 2.5 to 1 for the placement of the three most landward caissons. The minor

modification request reduces the front yard setback from the required 11.6 feet to the proposed 8 feet.

Project Setting

The subject property is a beachfront lot on the ocean side of Malibu Road. The parcel has a 50 foot wide street frontage along Malibu Road with a lot depth of 159 feet, as measured from the most landward mean high tide line (MHTL). Table 1 provides a summary of property data for the project site.

Table 1 - Property Data	
Lot Depth	159 ft.
Lot Width	50 ft.
Malibu Road Frontage	50 ft.
Gross Lot Area	7,960 sq. ft.
Area of 1 to 1 slopes	None
Net Lot Area*	7,960 sq. ft.

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

The subject site is located within the Malibu Road Landslide Assessment District. The site was previously developed with a single-family residence and associated development built without the benefit of permits. On August 1, 2010, demolition permits for the demolition of all unpermitted development, including the existing OWTS, were issued to the previous property owner. At that time, the stairs to the beach and timber walls were allowed to remain for temporary site access and site protection.

According to a survey completed by Peak Surveys in February of 2010, all unpermitted development has been removed from the site with the exception of the timber walls. As part of the proposed project, the timber walls will be removed and a code compliant bulkhead will be constructed in its place.

The project site is entirely within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. It does not contain Environmentally Sensitive Habitat Area (ESHA) as shown on LCP ESHA and Marine Resources Map. The project site has no trails on or adjacent to it according to the LCP Park Lands Map. The proposed, unimproved and unofficial California Coastal Trail alignment, as depicted in the pending LCP Parkland and Trails System Map, runs along the shore of the beach. The property owner has declined to grant an offer to dedicate a lateral public access easement along the ocean-side of the property to effectuate the trail at this time.

Surrounding Land Uses

Oceanfront properties in the immediate area are developed with single-family and multi-family residences with understructure shoreline protection devices. Table 2 provides a summary of surrounding land uses.

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Parcel Size**	**Zoning**	**Land Use**
North	APN: 4459-013-001	17,323 sq. ft. (0.40 acre)	RR2	Vacant
	25307 Malibu Rd	17,853 sq. ft. (0.41 acre)	RR2	Residential
East	25302 Malibu Rd	7,852 sq. ft. (0.18 acre)	MFBF	Residential
South	Pacific Ocean	NA	NA	NA
West	25308 Malibu Rd	7,885 sq. ft. (.018 acre)	MFBF	Residential

The adjacent property to the west (25308 Malibu Road) lacks a visible shoreline protection device and no other records showing a seawall were identified. As such, the submitted survey maps the shoreline protection stringline from the next adjacent property located at 25316 Malibu Road. To the east of the subject property (25302 Malibu Road), the shoreline projection device is landward by approximately 25 feet from its adjacent neighbor at 25272 Malibu Road.

With the lack of, and varying location of, the adjacent properties' shoreline projection devices, the project proposes utilizing the next adjacent neighbors (25316 and 25272 Malibu Road) seawall locations as the determining anchor points for the bulkhead stringline. The Peak Survey is attached as page 2 of Attachment 2.

According to the OWTS Supplemental Report, dated February 8, 2016, prepared by GeoConcepts, Inc., using the adjusted shoreline protection device stringline, the proposed bulkhead would be sited, at most, approximately 18 feet further seaward than the existing stringline, allowing for optimal placement of the proposed leach field and septic tank. The report also states that the AOWTS proposed beneath the new residence has been sited to have the least potential adverse effect on future movement from the known landslide area and the safest effluent dispersal with an acceptable percolation rate. Locating the proposed leach field as far seaward as possible will reduce effluent levels into the ground water of the known landslide area.

The proposed residence follows the building and deck stringlines as drawn from the closest corners of the nearest adjacent development to the east and west (25302 and 25308 Malibu Road, respectively).

Project Description

The proposed scope of work is as follows:

<u>Demolition</u>

- Two unpermitted timber retaining walls.

<u>Construction</u>

- A new 5,094 square foot, two-story, single-family residence with attached two-car garage and decks;

- Roof mounted solar panels;
- Retractable stairs to the beach;
- New bulkhead with a top of wall elevation of 18 feet and return wall;
- AOWTS; and
- 10 foot wide view corridor along the linear frontage of the lot, equally split, so that 5 foot wide view corridors run parallel to the east and west property lines.

The following additional applications are included:

- VAR No. 16-010 for the bulkhead to extend seaward of the shoreline protection device stringline;
- VAR No. 16-023 for construction on slopes steeper than 2.5 to 1; and
- MM No. 15-016 for a reduced front yard setback.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the Local Implementation Plan (LIP). The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP carries out LUP policies and contains specific requirements to which every project requiring a coastal development permit must adhere.

The LIP contains 14 chapters that potentially apply depending on the nature and location of the proposed project. Of these 14, five are for conformance review only and require no findings: Zoning; Grading; Archaeological/Cultural Resources; Water Quality; and OWTS. These chapters are discussed in the *LIP Conformance Analysis* section of this report.

The nine remaining LIP chapters contain specific findings: Coastal Development Permit, including discretionary requests; Environmentally Sensitive Habitat Area (ESHA); Native Tree Protection; Scenic, Visual and Hillside Resource Protection; Transfer of Development Credits; Hazards; Shoreline and Bluff Development; Public Access; and 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 chapters and associated findings are applicable or required for the project: Coastal Development Permit, including the required findings for the VARs and MM; Scenic Visual and Hillside Resource Protection; Hazards and Shoreline and Bluff Development and Public Access. These chapters are discussed in the LIP Findings section of this report.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, City Coastal Engineer, California State Lands Commission (CSLC),

Los Angeles County Waterworks District No. 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 3 – Department Review Sheets). WD29 provided a Will Serve Letter to the applicant stating that WD29 can serve water to the property. The CSLC issued a letter acknowledging the proposed project does not fall within the 10 foot setback from the most landward MHTL. The other specialists determined the project, as proposed and conditioned, to be consistent with all applicable LCP codes, standards, goals and policies, with the inclusion of VAR Nos. 16-010 and 16-023, and MM No. 15-016.

Zoning (LIP Chapter 3)

The project is subject to development and design standards set forth under LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards, with the inclusion of the variances and minor modification.

Table 3 – LCP Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
SETBACKS (ft.)			
Front Yard (20 ft. or avg. of 2 immediate neighbors)	*11.6 ft.*	*8 ft.*	*MM 15-016*
• *Neighbor 1 (East)*	*20 ft.*		
• *Neighbor 2 (West)*	*3.2 ft.*		
Rear Yard (Stringline)			
• Building	Nearest Corners on Nearest Adjacent Buildings	Nearest Corners on Nearest Adjacent Buildings	Complies
• Deck	Nearest Corners on Nearest Adjacent Decks	Nearest Corners on Nearest Adjacent Decks	Complies
• *Seawall/Bulkhead*	*Nearest Corners on Nearest Adjacent Seawalls*	*Nearest Corners on 2nd Nearest Adjacent Seawalls*	*VAR 16-010*
Rear Yard (MHTL)	10 ft.	70 ft.	Complies
Side Yard			
Side Yard (East)	5 ft.	5 ft.	Complies
Side Yard (West)	5 ft.	5 ft.	Complies
View Corridor (20% of lineal frontage of lot)	10 ft.	10 ft.	Complies
Split View Corridor	5 ft.	5 ft.	Complies

Table 3 – LCP Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
PARKING			
Enclosed	2	2	Complies
Unenclosed	2	2	Complies
TOTAL DEVELOPMENT SQUARE FOOTAGE	NA	NA	Complies
IMPERMEABLE COVERAGE	NA	NA	Complies
HEIGHT (ft.)			
Ocean Side half of Structure - measured from lowest recommended finished floor elevation (30 ft.)	24 foot flat roof	24 foot flat roof	Complies
Street Side Half of Structure - measured from centerline of Malibu Road (30.9 ft.)	24 foot flat roof	24 foot flat roof	Complies
SITE OF CONSTRUCTION	*3 to 1*	*>2.5 to 1*	*VAR 16-023*
FENCES/WALLS/HEDGES/ GATES			
Front Yard			
• Solid	42 in.	None proposed	Complies
• View Permeable	6 ft.	6 ft.	Complies
Side Yard	6 ft.	None proposed	Complies
View Corridor			
• Solid	Not permitted	None proposed	Complies
• View Permeable	6 ft.	6 ft.	Complies

The view corridor of 10 feet was established based upon the lineal frontage of the site, which is 50 feet. The view corridor is split equally on each side of the residence, and runs parallel to the east and west property lines. The mechanical equipment (two HVAC units) will be located under the house, but out of the wave uprush and suspended on platforms.

As previously discussed in the *Project Overview* section, VAR No. 16-010 would allow the construction of the bulkhead further seaward than the existing seawall stringline. VAR No. 16-023 would allow the three most landward caissons to be constructed on slopes steeper than 2.5 to 1. The MM request would reduce the front yard setback from 11.6 feet to eight feet, a reduction of 31 percent. With the inclusion of the variances and minor modification, the proposed project complies with the LCP and MMC, and the applicable beachfront residential development standards.

Grading (LIP Chapter 8)

The proposed project does not require any non-exempt grading. The project will require only minor excavation for the installation of the proposed AOWTS. This excavation is exempt from the grading requirements contained in the LIP, which ensures that the 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 residential parcel. Therefore, the project conforms to the grading requirements as set forth under LIP Section 8.3.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. The subject parcel is on the ocean side of, and immediately adjacent to, Malibu Road. The City's Cultural Resources Sensitivity Map shows that the subject site has a low potential to contain sensitive cultural resources because much of the property is subject to wave action. Therefore, no impacts to cultural resources are expected from the proposed project and no studies are required at this time.

Nevertheless, a condition of approval is included in the resolution 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 reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development including a water quality mitigation plan recorded against the property. 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 the installation of a new AOWTS. The project geotechnical engineer, project coastal engineer, City Environmental Health Administrator, City Coastal Engineer and the City geotechnical staff have determined that the proposed AOWTS location is the most landward feasible. The City Environmental Health Administrator has reviewed the proposed AOWTS 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 AOWTS.

LIP Findings

A. General Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

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

The project is located in the MFBF residential zoning district, an area designated for residential uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, City Coastal Engineer, CSLC, WD29, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable beachfront residential development standards, inclusive of the requested VARs and MM.

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

The project is located between the first public road and the sea. According to the LCP's Public Access Map, there is an existing recorded public vertical access way located approximately 1,200 feet to the east at 25120 Malibu Road. Dan Blocker Beach is located approximately 1,250 feet to the west and provides additional public access. The proposed project is not expected to interfere with the public's ability to use the beach as the proposed development complies with the required rear yard setbacks established by the building stringline and deck stringline and the required 10 foot setback from the MHTL. 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.

<u>No Project</u> – The no project alternative would avoid any change in the project site including leaving the unpermitted, deteriorating timber walls on the subject site. The project site is zoned MFBF and the proposed development is a permitted use in this zoning district. The no project alternative would not accomplish the project objective and, therefore was found to not be feasible.

<u>Alternative Project</u> – A smaller project could be proposed on the project site. However, the project complies with heights, view corridors and setback requirements with the inclusion of the MM for a reduced front yard setback and VARs for a bulkhead seaward

of the shoreline projection device stringline and construction on steep slopes. The project is also similar in size and scope to existing development throughout the neighborhood. It is not anticipated that a smaller project would be an environmentally superior alternative. A smaller project would also not accommodate the proposed AOWTS nor would it accomplish the project objectives requested by the property owner. Given the proposed project is consistent with the LCP and General Plan, the proposed project is found to be the most feasible and consists of no negative environmental impacts.

Proposed Project – The proposed project consists of the demolition of the remaining unpermitted timber walls and the construction of a new single-family residence and associated development. The proposed project will provide a five foot wide view corridor on each side of the residence, running parallel to the east and west property lines. The view corridor preserves views in perpetuity, where no such view protection currently exists. The proposed new development meets the beachfront development requirements of LIP Chapters 3 and 6, with the inclusion of the VARs and MM.

The variance for the bulkhead sited seaward of the shoreline projection device stringline will provide adequate space for the proposed AOWTS as far from of the landslide area as possible. The variance for construction on slopes will allow for the placement of three caissons near Malibu Road to support the proposed residence. The discretionary requests allow for development consistent with that in the neighborhood. In summary, the project serves to improve visual resources along the shore, is the least environmentally damaging feasible alternative, and as conditioned, 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 [Environmentally Sensitive Habitat Area (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, and this finding does not apply.

B. Variance for Stringline Standards (LIP Section 13.26)

The applicant is requesting a variance for relief of LIP Section 10.4(G) development standards to allow a new seawall approximately 18 feet seaward of the existing shoreline protection device stringline. The adjusted stringline will allow for adequate placement of the proposed AOWTS. The proposed AOWTS has been sited in a location that will reduce effluent into the ground water. Reducing effluent into the ground water will help reduce instability of the soil in a designated landslide area. The proposed stringline is measured from the second most adjacent neighboring property to the west rather than the closest adjacent property because one could not be visibly located and no records

have been identified indicating a seawall is present. The requested stringline is 70 feet landward from the required 10 foot MHTL setback pursuant to LIP Section 10.4(B). Pursuant to LIP Section 13.26.5, the Planning Commission may approve and/or modify an application for a variance in whole or in part, with or without conditions, provided that it makes ten findings of fact. Based on the evidence in the record, the findings in support of VAR No. 16-010 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.

Strict application of the zoning ordinance would prevent the construction of the proposed seawall, which is required to protect the proposed AOWTS. The proposed AOWTS has been designed and sited in a location on the subject property that will reduce effluent into the ground water. An increased amount of effluent in the ground water table can destabilize a slope in a known landslide area. The proposed leach field is approximately 300 square feet, 150 square feet of which is sited seaward of the existing shoreline protection device stringline. Even though the proposed seawall was designed to be the most landward as possible, the seawall is approximately 18 feet seaward of the existing shoreline protection device stringline. Given the surveyor could not locate the seawall for the property to the west (25308 Malibu Road) and the seawall to the east is approximately 25 feet landward from the next adjacent neighbor (25272 Malibu Road), strict application of the code would deprive the property owner of the ability to install an adequate AOWTS. Therefore, strict application of the zoning ordinance would deny the property owner of privileges enjoyed by other surrounding property owners which have been developed with similar improvements.

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.

In order to safely protect the proposed AOWTS from wave action, the applicant must install a code compliant seawall. The project has been reviewed and approved by City geotechnical staff, City Coastal Engineer, and City Public Works Department for consistency with all applicable regulations and policies. Therefore, the granting of the variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located.

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

The second nearest property to the east (25272 Malibu Road) currently has a seawall that is approximately 65 feet seaward from the edge of Malibu Road. The subject project is requesting a seawall that would be approximately 62 feet seaward from the edge of

Malibu Road and 70 feet landward from the 10 foot MHTL setback. Therefore, the granting of the variance will not constitute a special privilege to the applicant or the property owner because another nearby seawall has been constructed further seaward than the subject application and the subject seawall meets all other applicable development standards.

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

As previously discussed, with the inclusion of the variance, the project is consistent with the LCP, the Coastal Act, and other applicable regulations. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP. Additionally, the proposed seawall exceeds the required 10 foot setback from the MHTL by an addition 70 feet.

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

As discussed previously, the project does not contain ESHA. 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 proposed variance is for a deviation of shoreline protection device stringline standards; however, given the new bulkhead will maintain a 70 foot MHTL setback and is located under the house, well landward of the dripline of the structure, the project will not impede the public's access across the property. Therefore, the project provides the maximum feasible protection to public access.

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 variance request is for the placement of a proposed seawall for the protection of an AOWTS. The variance request does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

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

According to the GeoConcepts, Inc. report dated August 4, 2015, the proposed seawall has been designed to be located as landward as feasible in order to avoid the known

landslide area. The subject site is physically suitable for the proposed variance in that there is no feasible alternate location or configuration which would provide an environmental advantage or that would eliminate the need for the variance request. In addition, the proposed project has been reviewed and approved by the City Coastal Engineer, City geotechnical staff, and City Public Works Department as being physically suitable for the proposed variance.

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

The variance complies with all requirements of state and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies.

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

The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parkland.

C. Variance for Construction on Slopes Steeper than 2.5 to 1 (LIP Section 13.26)

The applicant is requesting a variance to allow the placement of the three most landward caissons on slopes steeper than 2.5 to 1. Pursuant to LIP Section 13.26.5, the Planning Commission may approve and/or modify an application for a variance in whole or in part, with or without conditions, provided that it makes ten findings of fact. Based on the evidence in the record, the findings in support of VAR No. 16-023 are made as follows:

Finding C1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings, such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

The proposed residence has been designed to be the most landward feasible in order to comply with the existing building and deck stringlines as measured from the nearest adjacent neighbors. Complying with the stringlines reduces negative view impacts for the neighboring properties. Steep slopes, however, exist on the subject property within the first 19 feet from Malibu Road. The proposed construction on these slopes includes the placement of three caissons for the residence's foundation. Grading is not proposed for the project with the exception of the limited grading required for the placement of the AOWTS. Neighboring properties share similar setbacks from Malibu Road and were constructed on similar slopes. Given the existing topography of the site, the strict application of the code would deprive the property owner of privileges enjoyed by other surrounding property owners.

Finding C2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

As previously stated in Findings A1 and A3, the project has been reviewed and approved by City geotechnical staff, City Coastal Engineer and City Public Works Department and determined not to detrimental to the public interest safety, health or welfare, nor detrimental or injurious to the property.

Finding C3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

As previously stated in Finding C1, neighboring properties along Malibu Road have been constructed on similar slopes. The proposed residence is sited as landward as feasible to comply with the building and deck stringlines to minimize visual impacts for the adjacent neighboring properties. Therefore, the granting of the variance will not constitute a special privilege to the applicant or the property owner.

Finding C4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

As previously stated in Finding B4, with the inclusion of the variance, the project is consistent with the LCP, the Coastal Act, and other applicable regulations. The granting of the variance will not be contrary to or in conflict with the general purposes and intent of LIP Chapter 13, nor the goals, objectives, and policies of the LCP.

Finding C5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

As discussed previously, the project does not contain ESHA. Therefore, this finding is not applicable.

Finding C6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

VAR 16-023 is not for a deviation of stringline standards; therefore, this finding is not applicable.

Finding C7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The variance request is for development on slopes steeper than 2.5 to 1 for the construction of a single-family residence in the MFBF zoning district. The variance request does not authorize a use or activity that is not expressly authorized by the zoning regulations for the subject property.

Finding C8. The subject site is physically suitable for the proposed variance.

The subject property was previously developed with a single-family residence and is surrounded by similar development along Malibu Road. In addition, the proposed project has been reviewed and approved by the City Coastal Engineer, City geotechnical staff, and City Public Works Department as being physically suitable for the proposed variance.

Finding C9. The variance complies with all requirements of state and local law.

As previously stated in Finding B9, the variance complies with all requirements of state and local laws.

Finding C10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

The proposed project does not include any reduction or elimination of public parking for access to the beach, public trails or parkland.

D. Minor Modification for a reduction of the front yard setback (LIP Section 13.27)

LIP Section 13.27 requires that the City make three findings in consideration and approval of a minor modification to reduce the required front yard setback up to 50 percent. The project proposes a 31 percent reduction of the required front yard setback. Based on evidence in the record, the findings in support of MM No. 15-016 are made herein.

Finding D1. The project is consistent with the policies of the Malibu LCP.

As previously stated in Finding A1, the project has been reviewed and analyzed for conformance with the LCP. The project is consistent with the policies and provisions of the LCP.

Finding D2. The project does not adversely affect neighborhood character.

The subject property is located along the south side of Malibu Road, a stretch of public road with existing front yard setbacks that vary from approximately two feet to 20 feet. Predominantly, the front yard setbacks for other properties along Malibu Road measure less than 10 feet in width. The front yard setback is the average of the two adjacent properties. The property to the east has a 20 foot front yard setback which is

considerably more than the average front yard setback along Malibu Road. Therefore, the required setback for the proposed residence is increased to more than the average. The proposed minor modification would allow the proposed residence to be sited similar to most residences along Malibu Road. The project proposes a 31 percent reduction in the front yard setback which allows ample space to accommodate the two required unenclosed parking spaces directly in front of the proposed garage. Given the similar size of the front yard setbacks throughout the neighborhood, the proposed project will not adversely affect the neighborhood character.

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

As previously stated in Finding B9, the proposed project complies with all applicable state and local law requirements.

E. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, the findings of LIP Section 4.7.6 are not applicable.

F. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

G. Scenic, Visual and Hillside Resource Protection Chapter (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. As the subject property is located along the beach, a public viewing area, the following five findings need to be made:

Finding G1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

The proposed project is a new single-family residence on a parcel previously developed with a single-family residence, in a predominantly developed single-family residential area. Story poles were placed on the project site to demonstrate the size, mass, height, and bulk of the proposed project, and photos of the site with the story poles in place are included in Attachment 4. An analysis of the project's visual impact from the beach was conducted through site inspections, architectural plans and review of neighborhood character.

Due to the limited lot dimensions, view corridors and setback requirements, there is no feasible alternative building site location where the development would not be visible from a scenic area. Furthermore, the project has been designed and conditioned to minimize any adverse or scenic impacts. The project provides the required view corridor pursuant to LIP Section 6.5, providing public ocean views on both sides of the residence. The project incorporates a total of 10 feet of view corridor, equally split between, and running parallel to the east and west property lines pursuant to LIP Section 6.5(E)(2)(a). The proposed project complies with beachfront residential standards for height, side yard and rear yard setbacks for the building and decks and requests a minor modification for a front yard setback for a similar setback to other properties along Malibu Road. The variance request will allow for adequate space for the proposed AOWTS and construction of three caissons on steep slopes.

Finding G2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

The project is subject to conditions of approval pertaining to permissible exterior colors, materials and lighting restrictions. The proposed project is conditioned so that the project will not result in significant adverse scenic or visual impacts and will be compatible with the character of the surrounding neighborhood.

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

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

Finding G4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As discussed in Finding G1, the proposed project will be visible from a public viewing area. However, the project complies with the required view corridor ordinance and will not protrude further seaward than the previously established building and deck stringlines.

Finding G5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

As discussed in Finding G1, the project as proposed and conditioned will result in less than significant impacts on scenic and visual resources. The location proposed for development would result in a less than significant visual impact to public views from the beach and will not impact sensitive resources. All proposed development conforms to the view corridor requirements, and will be constructed landward of the required building stringline and deck stringlines, and the 10 foot MHTL setback.

H. Transfer of Development Credit (LIP Chapter 7)

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

I. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards listed in LIP Sections 9.2(A)(1-7) 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, City Coastal Engineer, CSLC, WD29, and LACFD. The required findings are made as follows:

Finding I1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

Analysis for potential hazards included review of the submitted geotechnical reports which were prepared by Land Phases, Inc., dated August 8, 2013, and Mountain Geology, Inc., dated April 24, 2013, and a Wave Uprush Report prepared by David C. Weiss Structural Engineer, dated April 14, 2015. According to the geotechnical reports the proposed development was determined not to increase instability of the site or structural integrity from a geologic, flood or fire hazards perspective and to be sited the most landward feasible.

The Wave Uprush Report, dated April 14, 2015, addresses the MHTL and depth of beach scour. The City Coastal Engineer has reviewed and conditionally approved the proposed project based on the National Research Council (2012) estimate of sea level rise over a 100-year period. Conditions of approval have been incorporated in the resolution requiring that a shoreline protection monitoring program be provided and that the proposed design of the seawall be amenable to adaptation strategies in the future should the maximum projected sea level rise of 66 inches occur. The proposed distance above the bulkhead to the structure is eight feet, two inches. The maximum sea level rise is not anticipated to affect the recommended finish floor elevation, and therefore, not anticipated to affect the proposed building envelope.

Liquefaction

The subject site is located in a designated landslide assessment district. To prevent damage from liquefaction, the applicant's Geotechnical Engineer has recommended the use of deepened foundation footings. To accomplish this, the piles supporting the residence will extend deeper than the liquefiable alluvial deposits and into bedrock. The applicant's Geotechnical Engineer has also recommended siting the proposed leach field as seaward as possible to limit the amount of effluent entering the ground water table. These recommendations have been reviewed and conditionally approved by City geotechnical staff.

Flood Hazard/Tsunami

As confirmed by the FEMA Flood Insurance Rate Map (FIRM) No. 06037C1536F, the site is located in the VE zone. As a result, the project has been designed so that the proposed structure is above the level of the identified flood plain. The proposed finished floor elevation of the building pad has been reviewed by the City's Public Works Department and City Coastal Engineer and has been given a conditional approval. The proposed residence is designed to meet the lowest recommended finish floor elevation (+26.70 feet) as outlined in the David C. Weiss Structural Engineer & Associates, Inc. (DCW) Wave Uprush, report dated December 4, 2013. The proposed finish floor elevation of +30.0 feet places the structure outside of the estimated wave uprush.

Fire Hazard

The entire city limits of Malibu are within an identified fire hazard zone. The property is currently subject to wildfires. 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 the use of appropriate building materials 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. Nonetheless, a condition of approval has been included in the resolution which requires that the property owner indemnify the City from wildfire hazards.

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. The project, as conditioned, will incorporate all recommendations contained in the geotechnical report and wave uprush report and conditions required by the City Coastal Engineer, 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 I2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As discussed 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 I3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

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

Finding I4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

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

Finding I5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Finding A3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

J. Shoreline and Bluff Development (LIP Chapter 10)

The Shoreline and Bluff Development Chapter governs those coastal development permit applications that include development on a parcel located along the shoreline as defined by the LCP. The required findings are made as follows.

Finding J1. The project, as proposed, will have no significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

The proposed project includes the removal of unpermitted timber walls and the construction of a new residence, AOWTS. The proposed seawall is only for the protection of the AOWTS. The residence and all accessory development is designed with a pile foundation that does not require a shoreline protection device for the life of the project pursuant to LIP Section 10.4(H). As previously discussed in this report, the proposed bulkhead is sited 70 feet from the most landward MHTL, the proposed deck is 60 feet from the MHTL and, as such, will not result in negative impacts on public access or other resources. As indicated in the Engineering Report for the proposed AOWTS submitted by EPD Consultants, dated February 9, 2016, the seawall has been sited as landward as possible. The proposed location of the AOWTS, and seawall have also been reviewed and conditionally approved by the City Coastal Engineer and City Environmental Health Administrator. Therefore, due to its design, the project is not anticipated to result in significant adverse impacts to public access, shoreline sand supply or other resources.

Finding J2. The project, as conditioned, will not have significant adverse impacts on public access, shoreline sand supply or other resources due to required project modifications or other conditions.

As discussed in Finding J1, the proposed project, as designed and conditioned, and approved by the City Coastal Engineer, City Environmental Health Administrator and City geotechnical staff, the project will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

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

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

Finding J4. 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 previously discussed in Findings A3 and J1, the proposed project, as designed and conditioned, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

Finding J5. The shoreline protective device is designed or conditioned to be sited as far landward as feasible to eliminate or mitigate to the maximum feasible extent adverse impacts on local shoreline sand supply and public access, and there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and it is the least environmentally damaging alternative.

As previously discussed in Finding B1, the proposed AOWTS has been sited as landward as feasible. Nonetheless, pursuant to LIP Section 10.6, as a condition of approval, the property owner is required to acknowledge, by the recordation of deed

restriction, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he / she expressly waives any right to such activities that may exist under Coastal Act Section 30235. Said deed restriction shall be submitted to the Planning Department for approval prior to recordation.

K. Public Access (LIP Chapter 12)

The subject site is located seaward of the first public road (Malibu Road). No onsite vertical or lateral access is currently provided on the subject parcel. Bluff-top, trail and recreational access are not applicable. No issue of public prescriptive rights has been raised. The property owner has declined an offer to dedicate a lateral access easement across the subject property.

Lateral Access - A lateral public access easement provides public access and use along or parallel to the sea or shoreline. The LCP Public Access Map indicates that a lateral accessway has not been recorded on the subject property. However, lateral public access exists along the State of California's "wet sand right-of-way" which allows public use of lands seaward of the MHTL and provides public access along and parallel to the sea or shoreline.

Vertical Access - As indicated previously, the project is located along the shoreline; however, adequate public access is available approximately 1,250 feet to the west of the project site at Dan Blocker Beach, located at the western end of Malibu Road. Consistent with LIP Section 12.5, due to the ability of the public, through other reasonable means to reach nearby coastal resources, an exception for public vertical access has been determined to be appropriate for the project and no condition for vertical access has been required.

Due to the close proximity of available public access, no potential project-related or cumulative impacts on vertical public access are anticipated. Furthermore, the proposed development is setback an additional 60 feet from the MHTL. Based on these factors, the project is not expected to affect the public's ability to cross the sand located seaward of the structure. Therefore, the project conforms to LIP Chapter 12 and the findings do not apply.

L. Land Division (LIP Chapter 15)

This project does not involve a division of land as defined in LIP Section 15.1; therefore, LIP Chapter 15 does not apply.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is

categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e) - New Construction. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: Staff has had verbal correspondence from neighbors on the east and west of the subject property. Staff has offered to review the plans with these neighbors and answered questions regarding the discretionary requests. Staff has also received correspondence from Jun Fujita and Gordon Newman, neighbors to the north of the subject property. Staff conducted a site visit to Mr. Newman's property on September 7, 2016, and documented photographs of the story poles. The correspondence and photographs are included as Attachment 5.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu on August 25, 2016 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 5).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 16-74. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department staff and appropriate City, state and county departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-74
2. Project Plans
3. Department Review Sheets
4. Story Poles Photographs
5. Correspondence
6. Public Hearing Notice

Copies of all related documents are available at City Hall during regular business hours.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-74

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 14-003 FOR THE CONSTRUCTION OF A NEW 5,094 SQUARE FOOT, TWO-STORY, SINGLE-FAMILY BEACHFRONT RESIDENCE WITH ATTACHED GARAGE, DECKS, RETURN WALL, RETAINING WALLS, INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM AND REMOVAL OF EXISTING TIMBER WALLS, VARIANCE NO. 16-010 FOR THE INSTALLATION OF A NEW BULKHEAD SITED SEAWARD OF THE SHORELINE PROTECTION DEVICE STRINGLINE, VARIANCE NO. 16-023 FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, AND MINOR MODIFICATION NO. 15-016 FOR A REDUCTION OF THE REQUIRED FRONT YARD SETBACK, LOCATED IN THE MULTI-FAMILY BEACHFRONT ZONING DISTRICT AT 25306 MALIBU ROAD (CHAMBER CREEK, LLC)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On August 1, 2010, a demolition permit was issued by the City of Malibu Building Safety Division for the removal of a single-family residence built without the benefit of permit.

B. On January 23, 2014, an application for Coastal Development Permit (CDP) No. 14-003 for the construction of a new two-story, single-family beachfront residence with attached garage, decks, return wall, retaining walls, installation of a new alternative onsite wastewater treatment system (AOWTS), and removal of existing timber walls was submitted to the Planning Department, on behalf of property owner, Chamber Creek, LLC. The application was routed to the City Coastal Engineer, City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, California State Lands Commission (CSLC), Los Angeles County Fire Department (LACFD) and Los Angeles County Waterworks District No. 29 (WD29) for review.

C. On March 20, 2014, a courtesy notice of the proposed project was mailed to all property owners and occupants within a 500-foot radius of the subject property.

D. On March 17, 2016, an application for Minor Modification (MM) No. 15-016 was submitted to the Planning Department for a reduced front yard setback.

E. On May 2, 2016, an application for Variance (VAR) No. 16-010 was submitted to the Planning Department for the construction of a bulkhead sited seaward of the shoreline protection device stringline.

F. On June 20, 2016, a Notice of CDP Application was posted on the subject property.

G. On July 27, 2016, story poles were installed on the subject property and photo documented by staff.

H. On August 11, 2016, an application for Variance (VAR) No. 16-023 was submitted to the Planning Department for construction on slopes steeper than 2.5 to 1 and the CDP application was deemed complete for processing.

I. On August 25, 2016, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On September 19, 2016, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff 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 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 Sections 15303(a) and (e) - New Construction. 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 Local Coastal Program (LCP) Local Implementation Plan (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, for CDP No. 14-003, VAR No. 16-010, VAR No. 16-023, and MM No. 15-016 to construct a new 5,094 square foot, two-story, single-family beachfront residence, including an attached garage, decks, return wall, retaining walls, installation of a new AOWTS, and removal of existing timber walls, VAR No. 16-010 to site the proposed bulkhead seaward of the shoreline protection device stringline, VAR No. 16-023 for construction on slopes steeper than 2.5 to 1, and MM No. 15-016 for a reduced front yard setback in the Multi-Family Beachfront (MFBF) zoning district located at 25306 Malibu Road.

The project is consistent with the zoning, grading, cultural resources, water quality, and onsite wastewater treatment requirements of the LCP. With the inclusion of the proposed variances and minor modification, 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. Evidence in the record demonstrates that the proposed project, with the inclusion of the variances and minor modification and as conditioned, conforms to the LCP in that it meets all of the required beachfront residential development standards of the MFBF residential zoning district.

2. Evidence in the record demonstrates that the project is not expected to interfere with the public's ability to use the beach. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976.

3. The proposed project consists of the demolition of the remaining unpermitted timber walls and the construction of a new single-family residence and associated development. The proposed project will provide a five foot wide view corridor on each side of the residence, running parallel to the east and west property lines. The view corridor preserves views in perpetuity, where no such view protection existed before. The project includes a variance for a seawall sited seaward of the shoreline protection device stringline to address site-specific conditions and allow adequate area outside the landslide area to accommodate the leach field. The proposed project meets the development policies of the LCP and has been determined to be the least environmentally damaging feasible alternative.

B. Variance Findings for Stringline Standards (LIP Section 13.26)

VAR No. 16-010 from LIP Section 10.4(G) will allow an adjusted shoreline protection device stringline as measured from the second closest neighboring properties to the east and adjacent property to the west.

1. Due to the limited depth of the lot, strict application of the zoning ordinance would prevent the construction of the proposed seawall that is necessary for the protection of the leach field outside of the landslide area. The AOWTS has been sited as landward as feasible while still reducing the amount of effluent that could enter the ground water table. Given the surveyor could not locate the seawall for the property to the west (25308 Malibu Road), the mapped seawall stringline was measured from the second closest neighbor to the west (25316 Malibu Road). The seawall to the east is approximately 25 feet landward from the next adjacent neighbor (25272 Malibu Road). Due to the lack of, and varying location of the adjacent seawalls, strict application of the code would deprive the property owner of the ability to install an adequate AWOTS.

2. Evidence in the record demonstrates that granting of the variance will not be detrimental to the public's interest, safety, health or welfare.

3. The granting of the variance does not constitute a special privilege as a neighboring property to the east (25272 Malibu Road) currently has a seawall that is approximately 65 feet from the edge of Malibu Road. The subject application is for a seawall located approximately 62 feet from the edge of Malibu Road which is more landward than the adjacent neighboring property.

4. Evidence in the record demonstrates that 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 will provide adequate space for the protection of the proposed AOWTS.

5. The proposed variance is for a deviation of shoreline protection device stringline standards. Due to the location of the seawall, which is 70 feet landward from the required 10 foot MHTL setback, the project will not impede the public's access. Therefore the project provides the maximum feasible protection to public access.

6. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the MFBF zoning designation. The granting of the variance will allow construction of a new single-family residence with associated development that is compatible with the surrounding built environment and permitted in the zone.

7. The project site is physically suitable for the proposed variance in that there is no feasible alternative location or configuration which would provide an environmental advantage or that would eliminate the need for the variance request.

8. Evidence in the record demonstrates that the variance complies with all requirements of state and local law.

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

VAR No. 16-023 from LIP Section 3.6(J) will allow for construction on slopes steeper than 2.5 to 1 for the placement of three caissons sited at the most landward location feasible.

1. The proposed residence has been designed to be sited the most landward feasible in order to comply with the existing building and deck stringlines as measured from the nearest adjacent neighbors. A minimal amount of construction is proposed on steep slopes. The proposed construction on slopes includes the placement of three caissons for the foundation. Neighboring properties were constructed on similar slopes along Malibu Road. Therefore, strict application of the code would deprive the property owner of privileges enjoyed by other surrounding property owners.

2. Evidence in the record demonstrates that granting of the variance will not be detrimental to the public's interest, safety, health or welfare. The project was reviewed by City geotechnical staff, City Coastal Engineer and City Public Works Department for consistency with all applicable regulations and policies.

3. The residence is being proposed as landward as feasible to comply with building and deck stringlines. Additionally, similar development on steep slopes exists along Malibu Road. Therefore, granting of the proposed variance will not constitute a special privilege to the applicant as the development is compatible with the existing neighborhood character.

4. Evidence in the record demonstrates that 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.

5. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the MFBF zoning designation.

6. The subject site is physically suitable for the proposed variance in that there is no feasible alternative location or configuration which would be less environmentally damaging or that would eliminate the need for the variance request.

7. Evidence in the record demonstrates that the variance complies with all requirements of state and local law.

D. Minor Modification for a Reduced Front Yard Setback (LIP Section 13.27)

MM No. 15-016 from LIP Section 3.6(G) will allow a 31 percent reduction in the front yard setback creating an eight foot setback instead of the required 11 feet, 6 inch setback.

1. The project has been reviewed and analyzed for conformance with the LCP and determined to be consistent with the policies and provisions of the LCP.

2. The project is being proposed along a stretch of Malibu Road that is currently developed with single-family and multi-family residences. The front yard setbacks for the existing neighboring development vary from 2 feet to 20 feet. The project proposes an 8 foot setback, which is similar to the neighboring properties. Therefore, granting the minor modification will not adversely affect the neighborhood character.

3. Evidence in the record demonstrates that the minor modification complies with all requirements of state and local law.

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

1. Due to the lot dimensions, view corridors and setbacks, there is no feasible alternative building site location where the development would not have the potential to be visible from Malibu Road or the beach, which are public viewing areas. With the inclusion of the conditions set forth in Section 5 of this resolution, pertaining to permissible exterior colors, materials and lighting restrictions, the required view corridor pursuant to LIP Section 6.5, and conformance with LIP beachfront development standards, the project will blend in with the surrounding environment.

2. With the implementation of the conditions set forth in Section 5 of this resolution, the project, as proposed and conditioned, will not have significant adverse scenic or visual impacts.

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

4. The project has been designed to minimize any adverse or scenic impacts from the beach and adjacent structures by providing the required view corridor pursuant to LIP Section 6.5. The total view corridor provided is 10 feet to preserve views in perpetuity pursuant to LIP Section 6.5(E)(2)(a). The view corridor is split equally on both sides of the residence, with a five foot wide view corridor running parallel to the east and west property lines.

5. The location proposed for development would result in a less than significant visual impact to public views from the beach and will not impact sensitive resources. All proposed development conforms to the view corridor requirement and will be constructed landward of the required building stringline and deck stringline, and set back 60 feet from the most landward MHTL. The project, as proposed and conditioned, will result in less than significant impacts on scenic and visual resources.

F. Hazards (LIP Chapter 9)

1. Based on review of project plans, geotechnical reports and Wave Uprush Study, the project engineers 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.

The project Geotechnical Engineer determined that the project is located within a landslide assessment district and in a Federal Emergency Management Agency (FEMA) identified VE Zone. The project site is subject to wave action and the entire city limits of Malibu are located within a high fire hazard area.

The project, as conditioned, will incorporate all recommendations contained in the geotechnical report and wave uprush report and conditions required by the City Coastal Engineer, City geotechnical staff, City Public Works Department and 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. Additionally, there are conditions included in Section 5 of this resolution that require the property owner to acknowledge the potential for damage or destruction from wildfire and that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

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.

G. Shoreline and Bluff Development (LIP Chapter 10)

1. The proposed project includes the removal of unpermitted timber walls and the construction of a new two-story, single-family residence, AOWTS. The proposed seawall is only for the protection of the AOWTS. The residence and all accessory development is designed with a pile foundation that does not require a shoreline protection device fot the life of the project. The proposed development is sited 60 feet from the most landward MHTL, a location as landward as feasible. Due to the project design, the project is not anticipated to result in significant adverse impacts to on public access, shoreline sand supply or other resources.

2. The proposed location of the AOWTS and seawall have been reviewed and conditionally approved by the City Coastal Engineer, City geotechnical staff and City Environmental Health Administrator for compliance with LIP Chapter 10. The proposed project, as designed and conditioned, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

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

4. The proposed project, as designed and conditioned, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

5. The seawall and return walls will protect the new AOWTS only. The existing shoreline protection device is located in the most landward location feasible on the project site and is in compliance with LIP Section 10.4. A condition is included in Section 5 of this resolution that requires the property owner to acknowledge, by recordation of a deed restriction that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he/she expressly waives any right to such activities that may exist under Coastal Act Section 30235. The deed restriction shall also acknowledge that the intended purpose of the shoreline protection structure is solely to protect the proposed septic disposal system and that any future development on the subject site landward of the subject shoreline protection structure including changes to the foundation, major remodels, relocation or upgrade of the septic disposal system, or demolition and construction of a new structure shall be subject to a requirement that a new coastal development permit be obtained for the shoreline protection structure unless the City determines that such activities are minor.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 14-003, VAR Nos. 16-010 and 16-023, and MM No. 15-016, 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 the following:

   Demolition
   a. Two unpermitted timber retaining walls.

   Construction
   b. A new 5,094 square foot, two-story, single-family residence with attached two-car garage and decks;
   c. Roof mounted solar panels;
   d. Retractable stairs to the beach;
   e. New bulkhead with return walls, and piles;
   f. AOWTS;
   g. View corridor of 10 feet wide along the linear frontage of the lot, equally split, so that 5 foot wide view corridors run parallel to the east and west property lines.
   h. VAR No. 16-010 for the bulkhead sited seaward of the shoreline protection device stringline;
   i. VAR No. 16-023 for construction on slopes steeper than 2.5 to 1; and
   j. MM No. 15-016 for a reduced front yard setback.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, date-stamped **August 30, 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 property owner signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 days of this decision and/or prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the 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 structures shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City geotechnical staff, City Environmental Health Administrator, City Public Works Department, WD29, and 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. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.

12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

Cultural Resources

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

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

Demolition/Solid Waste

15. 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.

16. 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.

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. An Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) signed by the Owner or Contractor shall be submitted to the Environmental and Sustainability Department for review and approval. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction waste generated by the project.

19. 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.

20. 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.

Construction / Framing

21. 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.

22. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the highest roof member elevation, lowest finish floor elevation and elevation of centerline of Malibu Road. 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.

23. 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.

24. 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.

25. 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

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

Street Improvements

27. The project proposes to construct a new driveway 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 driveway. The driveway shall be constructed of either six inches of concrete over four inches of aggregate base or four inches of asphalt concrete over six inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

Grading and Drainage

28. Exported soils 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 plans that addresses this condition.

29. A Grading and Drainage Plan for the excavation 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 existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
    d. The grading limits shall include the temporary cuts made for buttresses, and over-excavation for fill slopes shall be shown;
    e. Any native trees required to be protected;
    f. Any rare or endangered species as identified in the biological assessment, along with fencing of these areas if required by the City Biologist;
    g. Private storm drains, and systems greater than 12-inch diameter shall also include a plan

and profile; and

h. 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.

30. 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.

31. All City/County storm drain inlets within 250 feet from each property line shall be labeled per the City of Malibu's standard label template. A note shall be placed on the project plans to address this condition.

Stormwater

32. 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

33. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WAMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:

a. Site Design Best Management Practices (BMPs);
b. Source Control BMPs;
c. Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
d. Drainage Improvements;

e. A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure;
f. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits;
g. The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

Geology

34. Applicant shall provide assurances that the abandonment of the existing OWTS has been completed.

35. Two sets of final grading, retaining wall, OWTS and residence plans (approved by the Building Safety Division) incorporating the project geotechnical consultant's recommendations and building plan check review comments must be reviewed and wet stamped and manually signed by the project engineering geologist and project Geotechnical Engineer and submitted to City geotechnical staff for review and approval.

Coastal Engineering

36. The property owner shall comply with the requirements for recorded documents and deed restrictions outlined in LIP Sections 10.6(A) and 10.6(B)(1).

37. The City requires that allowances for both storm surge and sea level rise be included in the design life of new coastal developments. In addition to the allowance given for storm surge, the design Stillwater Level should include a minimum 100-year projected sea level rise, i.e., 17 inches or greater, in accordance with NRC projections which were adopted as interpretive guidelines by the California Coastal Commission in August 2015. The Consultant shall design the seawall so that it is amenable to adaptation strategies in the future, such as increasing the height of the seawall, should the maximum projected sea level rise of 66 inches occur.

38. The property owner shall record at the County of Los Angeles Recorder's office and submit a certified copy, a covenant providing constructive notice to any future purchaser for value that monitoring of the shore protection device is required according to the approved shoreline protection device monitoring plan prior to issuance of a building permit.

Environmental Health

39. 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).

40. 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).

41. 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. 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 conceptual design for custom 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. 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

e. 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.

42. 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.

43. All proposed reductions in setback from the OWTS 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 verify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

All proposed reductions in setback from the OWTS to buildings also must be supported by a letter from the project Architect, who must verify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building. If the building designer is not a California licensed architect, then the required Architect's verification 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 setbacks(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 the City of Malibu Building Safety Division prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building 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 OWTS 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).

44. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

45. 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.

46. 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.

47. 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 MPC, 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.

48. 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 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 fields(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 dispersal 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 dispersal system and therefore, any buildings(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. 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.

49. Final approval by the City of Malibu Coastal Engineer, City geotechnical staff and Geotechnical Engineer, and City Planning Department shall be submitted to the City Environmental Health Administrator.

50. A final Planning Department approval shall be submitted to the City Environmental Health Administrator.

51. 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

52. 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 install 2,500 square feet or more of new landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

53. Grading should be scheduled only during the dry season from February 1 through October 31. If it becomes necessary to conduct grading activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and / or grading activities.

54. All construction equipment shall access the site from Malibu Road. No equipment shall be operated within the surf zone and no equipment or materials shall be staged anywhere on the beach.

55. 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.

56. Lighting of the shore is prohibited.

Site Specific Conditions

57. All air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3(A). All rooftop equipment shall comply with the LIP Section 3.6.3 height requirements.

Colors and Materials

58. The residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material. Reflective glossy, polished and/or roll-formed type metal siding is prohibited.

59. New structures 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;

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; and
c. All windows shall be comprised of non-glare glass.

Lighting

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

62. 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. Lighting of the shore and up-lighting of landscaping are prohibited.

Water Service

63. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from WD29 indicating the ability of the property to receive adequate water service.

U.S. Army Corps of Engineers

64. The applicant/property shall obtain all required permits, if any, including any necessary permits from the U.S. Army Corps of Engineers, prior to commencement of construction.

Beaches and Harbors

65. The applicant/property owner shall obtain all required permits, including approval for mechanized equipment to access to the beach, from Beaches and Harbor prior to commencement of construction.

Shoreline Construction Protection

66. No stockpiling of dirt or construction materials shall occur on the beach.

67. 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, and construction equipment shall not be cleaned on the beach.

68. No machinery shall be allowed in the intertidal zone at any time unless necessary for protection of life and/or property.

69. The applicant/property owner shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.

70. The applicant/property owner shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion, and all construction debris shall be removed from the beach daily and at the completion of development.

View Corridor

71. Pursuant to LIP Section 6.5(E)(2) and in order insure the protection of scenic and visual resources, the applicant is required to maintain:
    a. A view corridor a minimum of 10 feet wide across along the linear frontage of the lot, equally split, resulting in five foot wide view corridors running parallel to the east and west property lines.
    b. No portion of any structure shall extend into the view corridor above the elevation of the adjacent street.
    c. Any fencing across the view corridor shall be permanently maintained as visually permeable. Tinted or frosted glass, and louvered or slatted screen fences are not permitted.
    d. Any landscaping in this area shall include only low-growing species that will not obscure or block bluewater views.
    e. If at any time the property owner allows the view corridor to become impaired or blocked, it would constitute a violation of the coastal development permit and the Coastal Act and be subject to all civil and criminal remedies.

Deed Restrictions

72. The property owner is required to acknowledge, by recordation of a deed restriction, that the property is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, and that the property owner assumes said risks and waives any future claims of damage or liability against the City of Malibu and agrees to indemnify the City of Malibu against any liability, claims, damages or expenses arising from any injury or damage due to such hazards. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final Planning Department approval.

73. 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 Department approval.

74. Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth previously under Lighting. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final Planning Department approval.

75. The property owner is required to acknowledge, by the recordation of a deed restriction, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protection structure which extends the seaward footprint of the subject structure shall be undertaken and that he/she expressly waives any right to such activities that may exist under Coastal Act Section 30235. Said deed restriction shall be submitted to the Planning Department for approval prior to recordation. The deed restriction shall also acknowledge that the intended purpose of the shoreline protection structure is solely to protect the proposed septic disposal system and that any future development on the subject site landward of the subject shoreline protection structure including changes to the foundation, major remodels, relocation or upgrade of the septic disposal system, or demolition and construction of a new structure shall be subject to a requirement that a new coastal development permit be obtained for the shoreline protection structure unless the City determines that such activities are minor.

Prior to Occupancy

76. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Environmental and Sustainability Department. A Certificate of Occupancy shall not be issued until the Planning Department has determined that the project complies with this 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.

77. 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

78. This coastal development permit shall run with the land and bind all future owners of the property.

79. 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. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September 2016.

JOHN MAZZA, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to LCP 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 approval 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. 16-74 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 19th day of September, 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

25306 MALIBU ROAD
NEW CONSTRUCTION

25306 Malibu Road
Malibu, CA 90265

CONFORMANCE REVIEW REVISED HEARING
AUGUST 30, 2016

LIST OF DRAWINGS

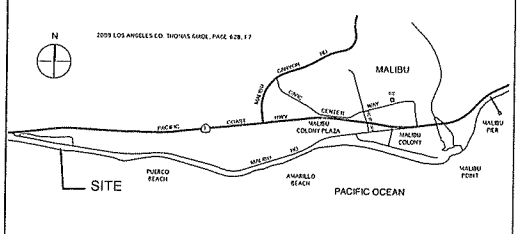
ARCHITECTURAL

G000	COVER AND PROJECT INFORMATION
	SURVEY
A100	PROPOSED SITE PLAN
A200	PROPOSED FOUNDATION PLAN
A201	PROPOSED FIRST FLOOR PLAN
A202	PROPOSED SECOND FLOOR PLAN
A203	PROPOSED ROOF PLAN
A300	PROPOSED ELEVATIONS
A301	PROPOSED ELEVATIONS
A302	PROPOSED ELEVATIONS
A303	PROPOSED ELEVATIONS
A400	PROPOSED SECTIONS
A401	PROPOSED SECTIONS

PROJECT DIRECTORY

OWNER:	CHAMBERS CREEK LLC, AN OREGON LIMITED LIABILITY COMPANY CONTACT: LUCAS RALSTON 503-913-0226
ARCHITECT:	RALPH MECHUR ARCHITECTS 3400 AIRPORT AVE., SUITE 5 SANTA MONICA, CA 90405 TEL: (310) 398-2940 FAX: (310) 398-2950
STRUCTURAL ENGINEER:	TAYLOR & SYFAN 1276 E. Colorado Blvd., Suite 201 Pasadena, CA 91106 626-793-7438
CIVIL ENGINEER	PEAK ENGINEERING, INC. 2483 TOWNSGATE RD., WESTLAKE VILLAGE, CA 91361 (805) 497-6102

VICINITY MAP



ABBREVIATIONS

ABV	ABOVE	E	EAST	OC	ON CENTER (S)
AFF	ABOVE FINISHED FLOOR	ELEC	ELECTRIC (AL)	OPG	OPENING
ACT	ACOUSTICAL TILE	EL	ELEVATION	OPP	OPPOSITE
ADD	ADDENDUM	ELEV	ELEVATOR	OD	OUTSIDE DIAMETER
ADH	ADHESIVE	EMER	EMERGENCY	OA	OVERALL
ADJ	ADJACENT	EQ	EQUAL		
A/C	AIR CONDITIONING	(E)	EXISTING	PLAM	PLASTIC LAMINATE
ALT	ALTERNATE	EXP	EXPOSED	℄	PROPERTY LINE
ALUM	ALUMINUM	EXT	EXTERIOR	PWD	PLYWOOD
AB	ANCHOR BOLT			PT	POINT
ANOD	ANODIZED	FOF	FACE OF FINISH	PTD	PAINTED
ARCH	ARCHITECT (URAL)	FOS	FACE OF STUD	PVC	POLY VINYL CHLORIDE
AD	AREA DRAIN	FIN	FINISH (ED)	PL	PROPERTY LINE
ASPH	ASPHALT	FFE	FINISHED FLOOR ELEVATION		
		FE	FIRE EXTINGUISHER	QT	QUARRY TILE
BSMT	BASEMENT	FLR	FLOOR (ING)		
BEL	BELOW	FD	FLOOR DRAIN	RAD	RADIUS
BET	BETWEEN			REF	REFERENCE
BLK	BLOCK	GA	GAGE, GAUGE	R	RISER
BLKG	BLOCKING	GV	GALVANIZED	RD	ROOF DRAIN
BD	BOARD	GL	GLASS, GLAZING	RM	RODM
BS	BOTH SIDES	GLB	GLASS BLOCK	RO	ROUGH OPENING
BW	BOTH WAYS	GB	GRAB BAR		
BOT	BOTTOM	GD	GRADE, GRADING	SHT	SHEET
BLDG	BUILDING	GYP BD	GYPSUM BOARD	SIM	SIMILAR
				S	SOUTH
CPT	CARPET (ED)	HDW	HARDWARE	SPEC	SPECIFICATION (S)
CSMT	CASEMENT	HWD	HARDWOOD	SQ	SQUARE
CLG	CEILING	HVAC	HEATING / VENTILATION / AIR-CONDITIONING	SS	STAINLESS STEEL
CEM	CEMENT			STD	STANDARD
CM	CENTIMETER	HD	HEAVY-DUTY	STL	STEEL
CT	CERAMIC TILE	HT	HEIGHT	STR	STRUCTURAL
CIR	CIRCLE	HOR	HORIZONTAL	SYM	SYMMETRY (ICAL)
CIRC	CIRCUMFERENCE	HB	HOSE BIBB		
CLR	CLEAR (ANCE)			TEL	TELEPHONE
COL	COLUMN	INS	INSULATE (D) (ING)	TV	TELEVISION
CONC	CONCRETE	INT	INTERIOR	THK	THICK (NESS)
CMU	CONCRETE MASONRY UNIT			TOL	TOLERANCE
CONT	CONTINUOUS OR CONTINUE	LAM	LAMINATE (D)	T&G	TONGUE & GROOVE
CONTR	CONTRACT (OR)	L	LAVATORY	TSL	TOP OF SLAB
CJT	CONTROL JOINT			TW	TOP OF WALL
CORR	CORRUGATED	MFR	MANUFACTURER	T	TOILET
CTR	CENTER	MAS	MASONRY	TYP	TYPICAL
℄	CENTERLINE	MO	MASONRY OPENING		
CRS	COURSE (S)	MAX	MAXIMUM	VERT	VERTICAL
		MECH	MECHANIC (AL)	VCT	VINYL COMPOSITION TILE
DTL	DETAIL	MIN	MINIMUM		
DIAG	DIAGONAL	MISC	MISCELLANEOUS	WC	WATER CLOSET
DIAM	DIAMETER			WP	WATER PROOFING
DIM	DIMENSION	NAT	NATURAL	WWF	WELDED WIRE FABRIC
DF	DRINKING FOUNTAIN	NOM	NOMINAL	W	WEST
DS	DOWNSPOUT	N	NORTH	W	WIDTH
D	DRAIN	NIC	NOT IN CONTRACT	WIN	WINDOW
DWG	DRAWING	NTS	NOT TO SCALE	WO	WITHOUT
				WD	WOOD

ARCHITECTURAL SYMBOLS

- A1 / A501 — DETAIL
- A1 / A304 — BUILDING SECTION
- A1 / A304 — WALL SECTION
- SHOWN — NOT SHOWN
- A1 / A500 — INTERIOR ELEVATION
- A1 / A500 — EXTERIOR ELEVATION
- ELEVATION MARK
- N16 — NOTE
- W — WINDOW MARK
- 1 — DOOR MARK
- 1 — WALL TYPE
- WP — WORK POINT
- SECURITY OPENING
- ACCESSIBLE PATH OF TRAVEL
- TEL — PAY PHONE
- TRACT
- FENCE
- DF — DRINKING FOUNTAIN
- EXIT — EXIT SIGN
- ALIGN FINISHES
- MC — FLOOR MATERIAL CHANGE REFER TO FINISH SCHED.
- SD — SMOKE DETECTOR
- FE — FIRE EXTINGUISHER

PROJECT SCOPE

THE SCOPE OF WORK INCLUDES THE CONSTRUCTION OF A NEW TWO STORY SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE, DECKS, DRIVEWAY, OWTS, AND BULKHEAD, RETURN WALL, RETAINING WALLS AND STAIRS TO THE BEACH. (E)XISTING TIMBER WALLS PER SURVEY TO BE REMOVED.

THE SUBJECT SITE IS A BEACHFRONT LOT WITH AN IRREGULAR SHAPE OF APPROXIMATELY +/- 7950 SF LOCATED IN THE CITY OF MALIBU. THE SITE OPENS TO THE PACIFIC OCEAN FROM MALIBU ROAD. THE BEACH FRONTAGE ROAD. THE SUBJECT SITE IS LOCATED EAST OF DAN BLOCKER BEACH NEAR THE INTERSECTION OF MALIBU ROAD AND BAYSHORE ROAD

NOTE: NO GRADING IS REQUIRED FOR THIS PROJECT PER PEAK CIVIL ENGINEERS

PROJECT INFORMATION

PROJECT ADDRESS:	25306 MALIBU ROAD MALIBU, CA 90265
APN:	4459-016-013
LEGAL DESCRIPTION:	PARCEL 1: LOT 31, TRACT NO 12939 (283 MB 29/40) PARCEL 2: LAND RELINQUISHED TO THE COUNTY BY RESOLUTION RECORDED MARCH 16, 1949 29000 O.R. 281, (PER DEED 2009-1034100 O.R.)
ZONE:	MFBF
USE:	SINGLE FAMILY RESIDENTIAL
CONST. TYPE:	TYPE V-B, SPRINKLERED PER NFPA 13R
CODE:	2013 CALIFORNIA BUILDING CODE
LOT AREA:	+/-7950 SF
PROJECT SQUARE FOOTAGE:	
GARAGE:	502 SF
ENTRY LEVEL:	1,998 SF
UPPER LEVEL:	2,514 SF
TOTAL:	5,014 SF
HEIGHT:	
CENTERLINE @ MALIBU RD	30'-11"
HT @ MALIBU RD	24'-0"
LOWEST RECC. FIN. FLR	30'-0"
HT @ BEACH	24'-0"
STORIES:	
PROPOSED STORIES:	2
ALLOWABLE STORIES:	2
PARKING:	2 ENCLOSED SPACES 2 ON SITE UNENCLOSED GUEST SPACES
SETBACK REQUIREMENTS	
FRONT	5'-0" PER MINOR MODIFICATION SEE A100 SITE PLAN FOR SETBACK CALCULATION (28+3.5+29.5/2=14.75 FT REDUCED TO 5'-0".)
REAR	NO STRUCTURES WITHIN 10'-0" OF MHTL REQUIRED AND PROVIDED
SIDE	5'-0" REQUIRED AND PROVIDED

THIS PROJECT SHALL COMPLY WITH THE TITLE 24 AND 2013 CALIFORNIA RESIDENTIAL CODE (CRC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA ENERGY CODE (CENC) AND THE CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSC)

COPIES OF NOTIFICATION TO AQMD SHALL BE PROVIDED TO BUILDING AND SAFETY PRIOR TO THE REMOVAL OF ANY ASBESTOS CONTAINING MATERIAL, PER AQMD RULE 1403.

NOTE: NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT — RALPH MECHUR — C-31603 — REN. 10-31-16 — STATE OF CALIFORNIA

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REVISIONS	
CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
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PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO. 01322.00

DATE 08.30.16

SCALE

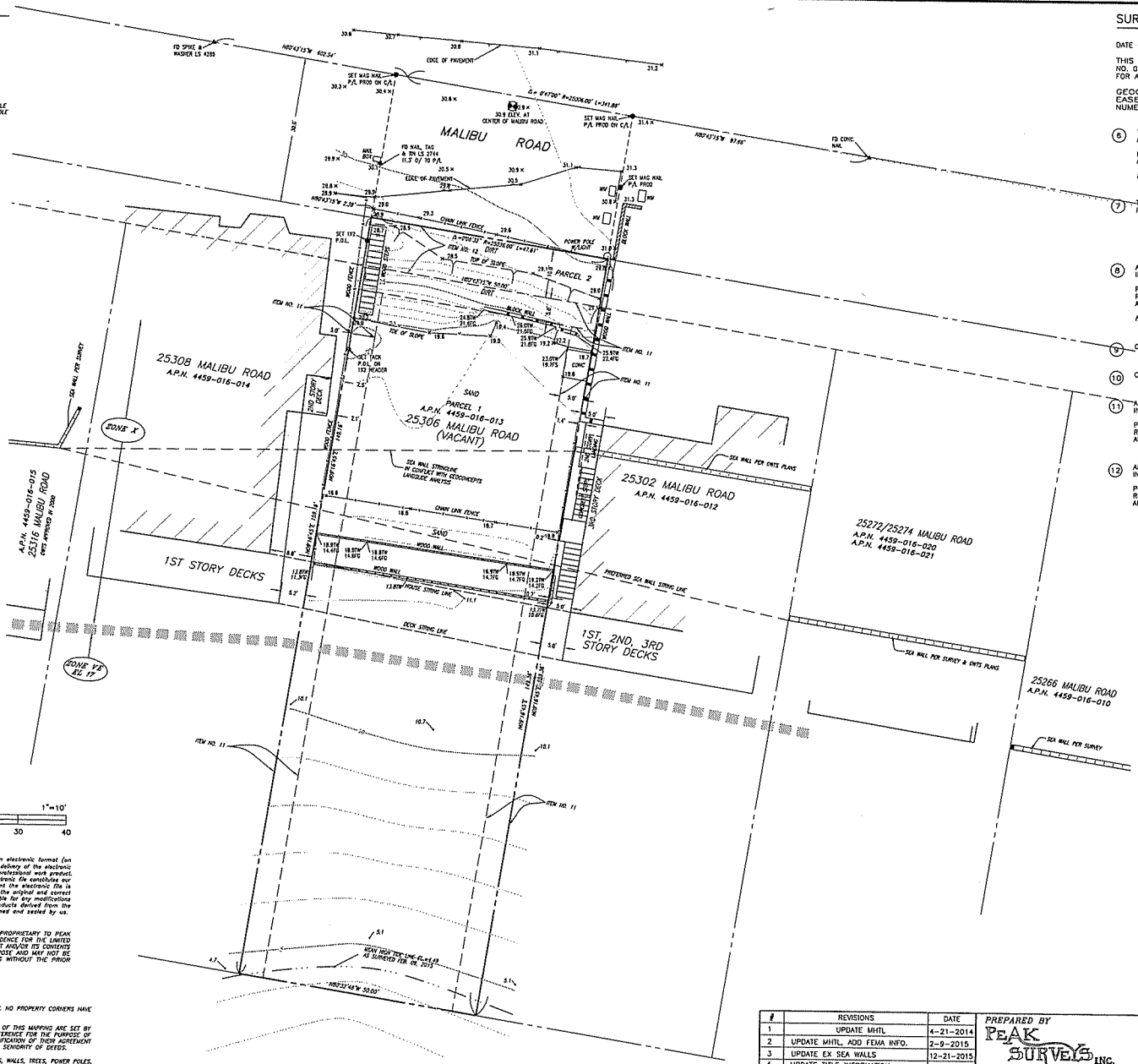
SHEET TITLE
Cover Sheet & Project Info

SHEET NUMBER
G000

ATTACHMENT 2

LEGEND

CATV	CABLE TV
CB	CATCH BASIN
EDIS	EDISON
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FS	FINISH SURFACE
O/S	OFF-SET
P/L	PROPERTY LINE
P.O.L.	POINT ON LINE
PROD	PRODUCE
PP	POWER POLE
SDMH	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER MANHOLE
TC	TOP CURB
TEL	TELEPHONE
TG	TOP GRATE
TW	TOP WALL
WM	WATER METER
WV	WATER VALVE
12.34	SPOT ELEVATION
	BOUNDARY LINE
	CENTER LINE
	FLOW LINE
	RETAINING WALL
	SITE WALL



GRAPHIC SCALE 1"=10'

0 10 20 30 40

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THIS IS NOT A MAP OF A BOUNDARY SURVEY. NO PROPERTY CORNERS HAVE BEEN SET AS PART OF THIS WORK.

SURVEY MONUMENTS FOUND IN THE COURSE OF THIS MAPPING ARE SET BY OTHERS, AND HAVE BEEN USED ONLY AS REFERENCE FOR THE PURPOSE OF TOPOGRAPHICAL MAPPING, WITHOUT OUR VERIFICATION OF THEIR AGREEMENT WITH APPLICABLE LEGAL DESCRIPTIONS AND SENIORITY OF DEEDS.

RELATION OF TOPOGRAPHIC FEATURES (FENCES, WALLS, TREES, POWER POLES, ETC.) TO PROPERTY LINES AS SHOWN ON THIS MAP IS SUBJECT TO THE ADJUSTMENTS THAT A BOUNDARY SURVEY MAY REQUIRE.

SURVEYOR'S NOTES:

DATE OF SURVEY: FEBRUARY 2010

THIS SURVEY WAS BASED ON USA NATIONAL TITLE COMPANY PRELIMINARY REPORT NO. 071535503-30 DATED NOVEMBER 10, 2015. THE ABOVEMENTIONED REPORT SHOULD BE REFERENCED FOR ACTUAL TEXT AND COMPLETE EXCEPTIONS AND EXCLUSIONS.

GEOGRAPHICALLY LOCATABLE ITEMS FROM SAID TITLE REPORT (SUCH AS EASEMENTS) WHICH AFFECT THE TITLE TO THE SUBJECT PROPERTY ARE NUMERICALLY KEYED TO SAID TITLE REPORT AND ARE AS FOLLOWS:

(6) THE PRIVILAGE AND RIGHT TO EXTEND AND MAINTAIN DRAINAGE STRUCTURES, EXCAVATION SLOPES AND EMBANKMENT SLOPES AND SAID LAND ADJACENT TO STATE HIGHWAY, AS PROVIDED IN A DOCUMENT

RECORDED: IN BOOK 15228, PAGE 342, OFFICIAL RECORDS
AFFECTS: PARCEL 2

BLANKET IN NATURE, NOT PLOTTED

(7) THIS EASEMENT HAS BEEN REMOVED, PER QUIT CLAIM DEED, DOCUMENT NO. 20160692885, RECORDED JUNE 6, 2016.

(8) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

PURPOSE: TELEPHONE LINES AND INCIDENTAL PURPOSES
RECORDED: IN BOOK 17146, PAGE 339, OFFICIAL RECORDS
AFFECTS: SAID LAND

NOT PLOTTABLE

(9) COVENANTS, CONDITIONS, AND RESTRICTIONS

(10) COVENANTS, CONDITIONS, AND RESTRICTIONS

(11) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

PURPOSE: POLE LINES AND CONDUITS
RECORDED: IN BOOK 22423, PAGE 245, OFFICIAL RECORDS
AFFECTS: PARCEL 1

(12) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

PURPOSE: POLE LINES AND CONDUITS
RECORDED: IN BOOK 30152, PAGE 87, OFFICIAL RECORDS
AFFECTS: PARCEL 2

PREPARED FOR:

TIM RALSTON

LEGAL DESCRIPTION

PARCEL 1: LOT 31, TRACT NO. 12939 (263 MB 39/40)
PARCEL 2: LAND RELINQUISHED TO THE COUNTY BY RESOLUTION RECORDED MARCH 16, 1949 29600 O.R. 281. (PER DEED 2009-1034100 O.R.)

BENCH MARK

BM#Y 10046 ELEV=18.104
L&BN IN S CB 300MM E/O BCR @ SE COR PACIFIC COAST HWY & WEBB WY 24.5M E & 16M S/O C/L INT.
2003 ADJ NAVD 88 DATUM

FLOOD ZONE

FLOOD ZONES SHOWN HEREON, ARE MAPPED USING F.E.M.A. MAP NO. 06037C1536F
EFFECTIVE DATE: SEPTEMBER 26, 2008
NAVD 88 DATUM

#	REVISIONS	DATE
1	UPDATE MHTL	4-21-2014
2	UPDATE MHTL, ADD FEMA INFO.	2-9-2015
3	UPDATE EX SEA WALLS	12-21-2015
4	UPDATE TITLE INFORMATION	05-12-2016

PREPARED BY
PEAK SURVEYS INC.
CIVIL ENGINEERING & LAND SURVEYING
2488 TOWNSGATE RD suite D
WESTLAKE VILLAGE CA 91361
(805) 497-002 FAX(805) 495-7014

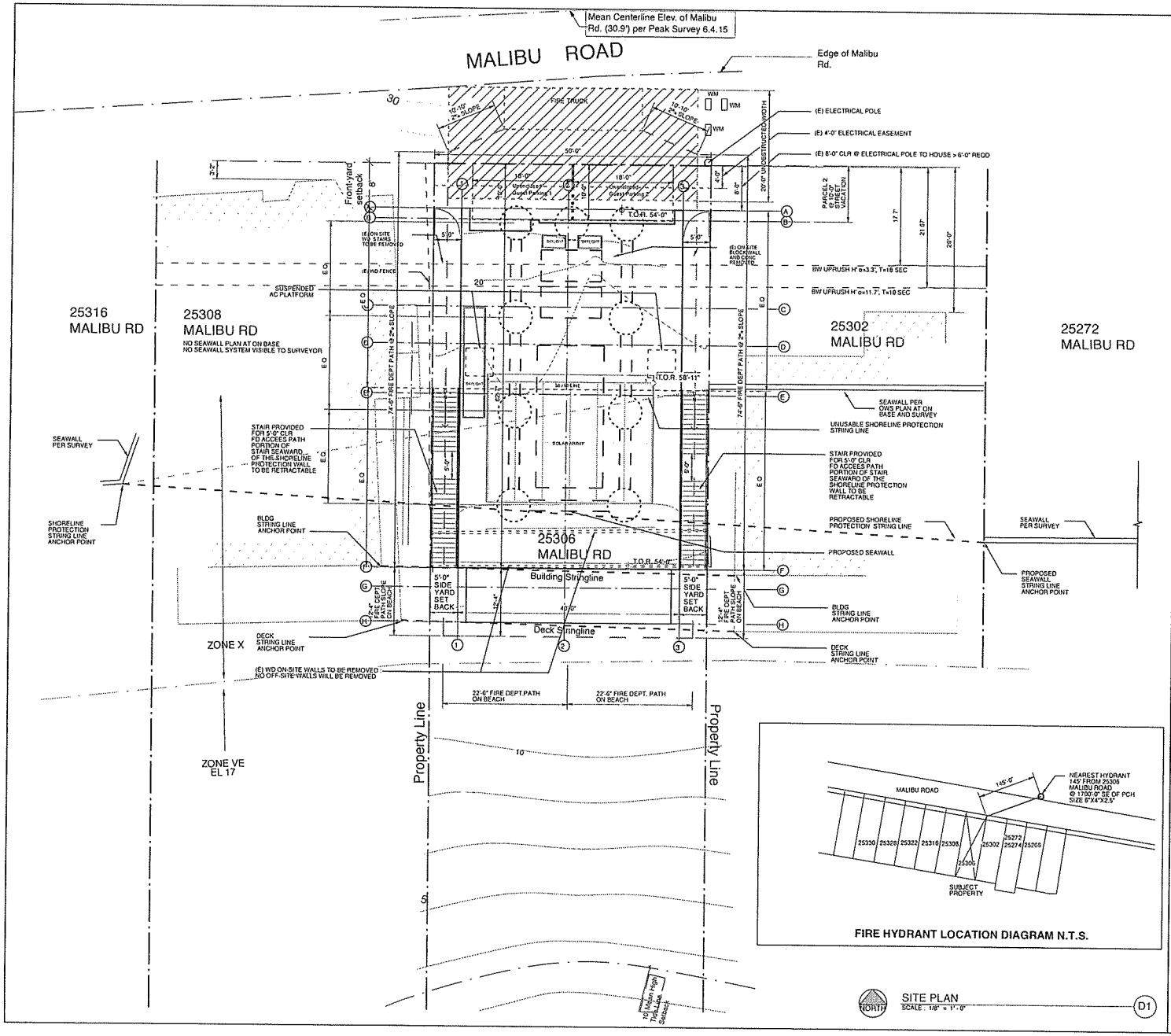
A.P.N. 4459-016-013

CITY OF MALIBU

TOPOGRAPHY

25306 MALIBU ROAD

DRAWN BY / DATE	CHECKED BY / DATE	SHEET 1 OF 1
10 FEB 2010		



FIRE HYDRANT LOCATION DIAGRAM N.T.S.

NOTES

NOTE: NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

APN: 4459-016-013

FRONT YARD SET BACK CALCULATIONS
SETBACK AT 25302 = 20'-0"
SETBACK AT 25308 = 3'-0"
AVG = 20' + 3'-0" = 23'-0" / 2 = 14'-8"

MINOR MODIFICATION OF THE FRONT YARD SETBACK REQUESTED = 8'-0" < MAX 50% ALLOWANCE OF 7'-4"

NOTES ADDED 05.02.16:

NO OFF-SITE WALLS OR FENCES TO BE REMOVED

EDISION ENCROACHMENT LETTER ALLOWS FOR UNENCLOSED GUEST PARKING @ 4'-0" ELECTRICAL EASEMENT

GEOCONCEPTS OWTS SUPP REPORT NO.1 P. 1.5 STATES "PROPOSED LOCATION OF THE SEPTIC DISPERSAL SYSTEM IS THE MOST LANDWARD POSITION AVAILABLE"

FIRE DEPARTMENT NOTES

STRUCTURE TO BE SPRINKLERED

1. 20'-0" UNOBSTRUCTED WIDTH SHOWN AND DIMENSIONED ON SITE PLAN

2. MIN. 5'-0" WIDE FIREFIGHTER ACCESS ROUTES SHOWN AND DIMENSIONED ON SITE PLAN. SLOPE INDICATED THROUGHOUT.

ACCESS ROUTE DISTANCES
WEST AND EAST SIDES:
10'-10" + 74'-6" + 12'-4" + 22'-6" = 120'-2" < 150'-0"

3. REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1000 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 8.

CALCULATIONS

THE REQUIRED FIRE FLOW IS BASE ON THE FOLLOWING CALCULATION:

TYPE OF CONSTRUCTION PER BLDG CODE:	TYPE VB
FIRE FLOW BASED ON TOTAL FLOOR AREA OF ALL FLOOR LEVELS WITHIN THE EXTERIOR WALLS AND UNDER THE HORIZONTAL PROJECTIONS OF THE ROOF OF THE BUILDING	2000 GPM
REUCTION FOR FIRE SPRINKLERS (MAX 50%)	1000 GPM
TOTAL FIRE FLOW REQUIRED	1000 GPM

4. SIZE AND LOCATION OF ALL EXISTING FIRE HYDRANTS PER FFA AND SITE PLAN. THE HYDRANT IS LOCATED 145 ' FROM THE PROPERTY LINE ON MALIBU ROAD 1700 SE OF PCH WITH SIZE OF 6"X4"X2.5".

5. COMPLETED "FIRE FLOW AVAILABILITY" FORM 195/196 PROVIDED FROM WATER DIVISION 29.

6. AUTOMATIC FIRE SPRINKLER SYSTEM TO BE PROVIDED. PLANS TO BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPPROVAL PRIOR TO INSTALLATION PER RESIDENTIAL FIRE CODE 903.3.1
TYPE OF FIRE SPRINKLER SYSTEM 903.3.1.1, 903.3.1.2, 903.3.1.3

REASON: RESIDENTIAL CODE & FIRE CODE 903.1 & FIRE FLOW REDUCTION

ACCESS ROUTE: MIN 5'-0" WIDE CLEAR PATH

20'-0" WIDE ROAD HATCH

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

LICENSED ARCHITECT RALPH MECHUR C-11603 REN. 10-31-16 STATE OF CALIFORNIA

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
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CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

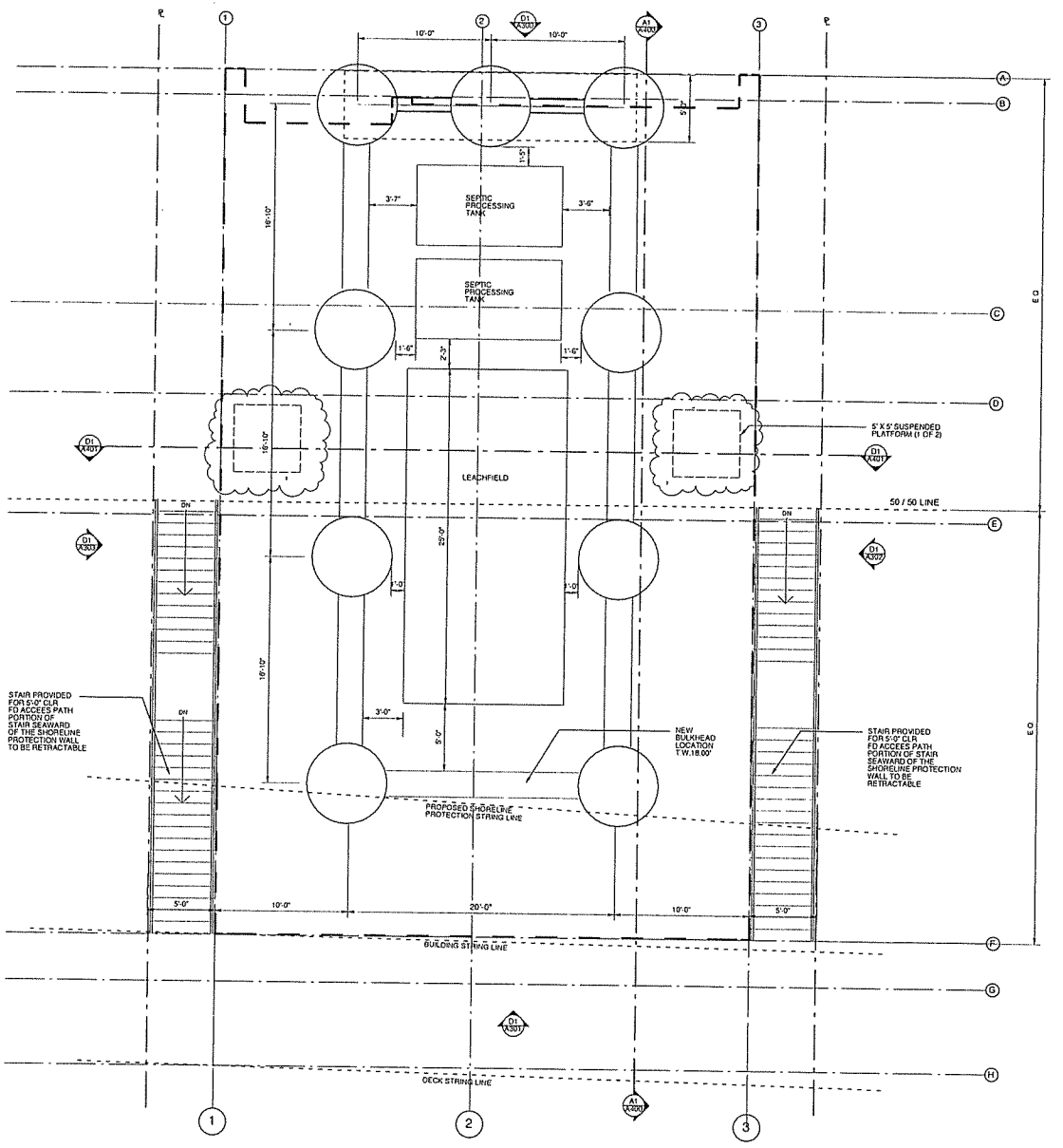
JOB NO 01322.00

DATE 08.30.16

SCALE

SHEET TITLE
SITE PLAN

SHEET NUMBER
A100



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

D1

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT
RALPH MECHUR
C-21663
REN. 10-31-16
STATE OF CALIFORNIA

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CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO. 01322.00

DATE 08.30.16

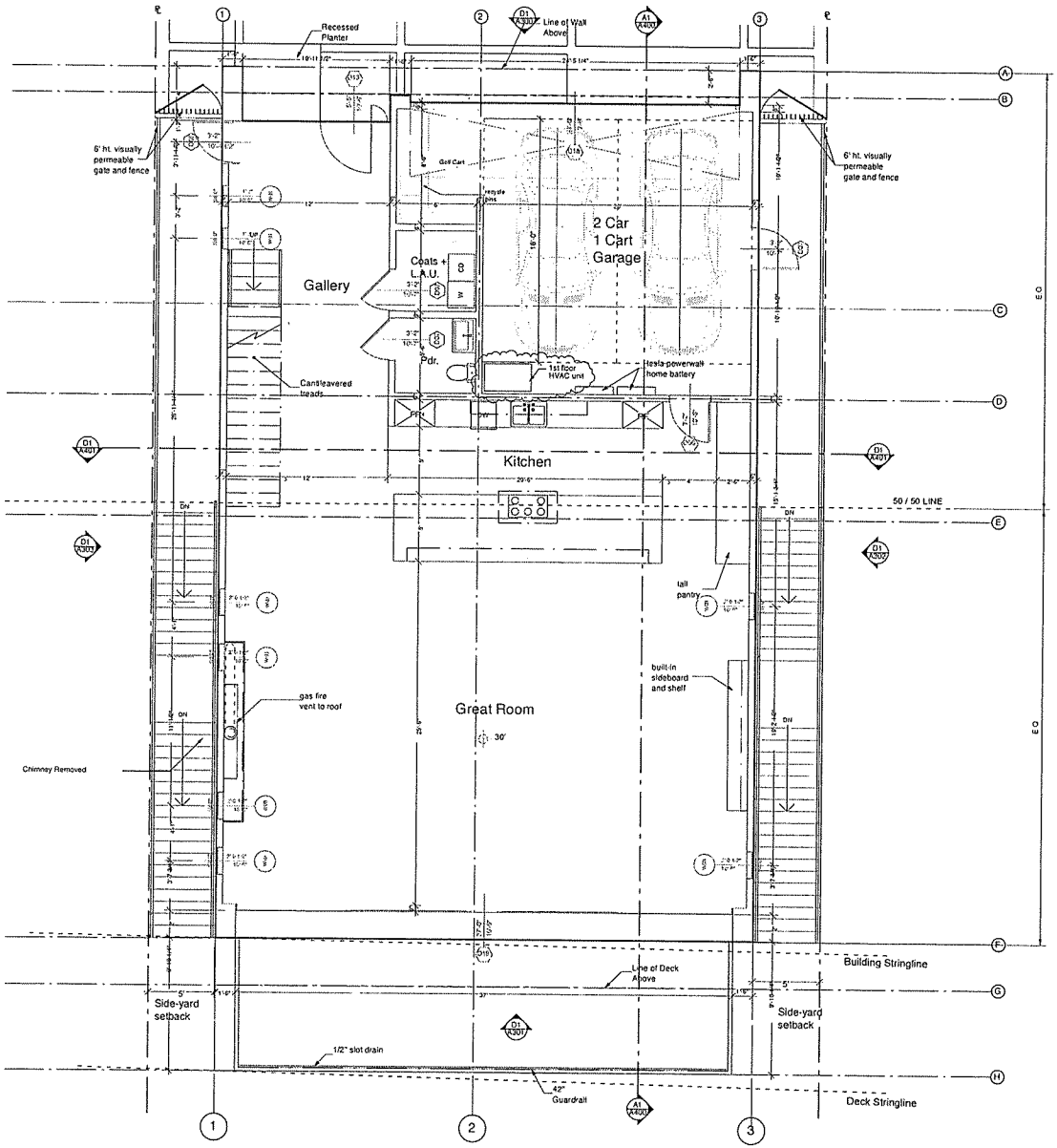
SCALE

SHEET TITLE

Foundation Plan

SHEET NUMBER

A200



FIRST FLOOR PLAN
SCALE : 1/4" = 1'-0"

D1

NOTES

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT
RALPH MECHUR
C-11653
REN. 10-31-15
STATE OF CALIFORNIA

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REVISIONS

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FFA / FD SUBMITTAL	04.04.16
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CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

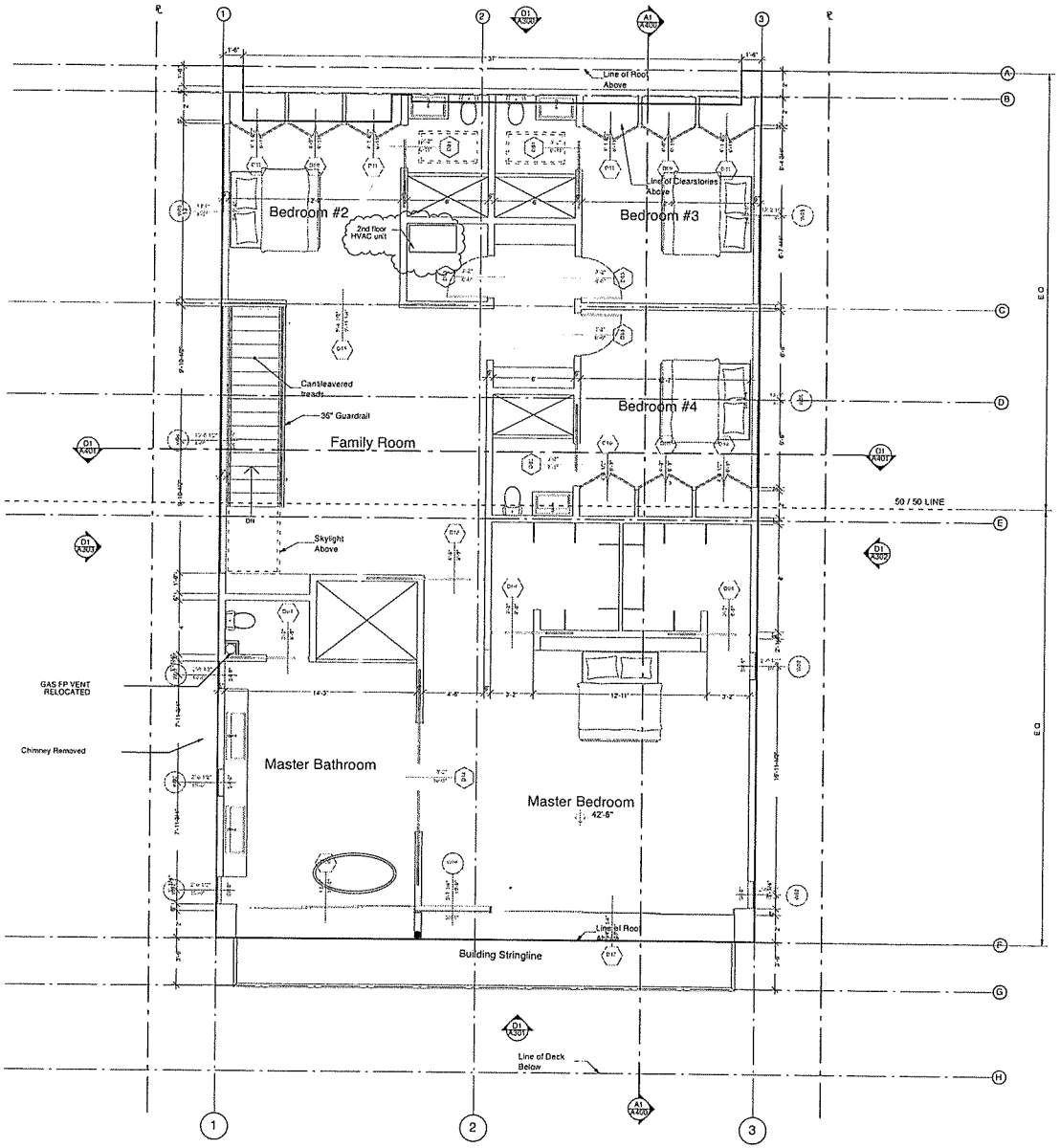
JOB NO: 01322.00

DATE: 08.30.16

SCALE:

SHEET TITLE: First Floor Plan

SHEET NUMBER: A201



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOTES

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT RALPH MECHUR C-16683 REN. 10-31-16 STATE OF CALIFORNIA

Ralph Mechur Architects
3400 Airport Ave. Suite #5
Santa Monica, CA 90405
310.398.2940 v
310.398.2950 f
www.rmechurarchitects.com

REVISIONS:

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

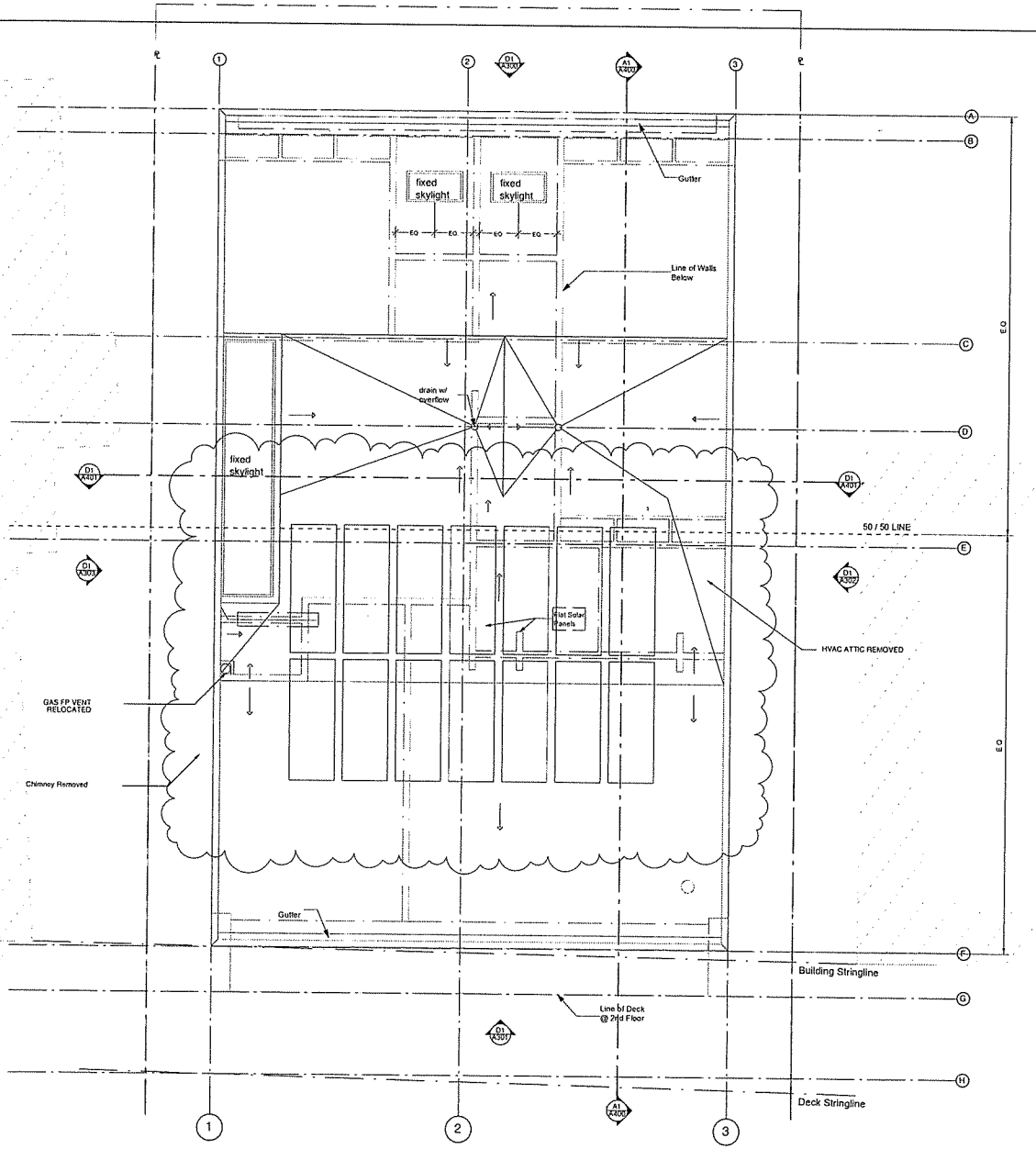
JOB NO: 01322.00

DATE: 08.30.16

SCALE:

SHEET TITLE: 2nd Floor Plan

SHEET NUMBER: A202



NORTH

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

D1

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT
RALPH MECHUR
C-16663
REN. 10-31-16
STATE OF CALIFORNIA

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310 398 2950
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REVISIONS:

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

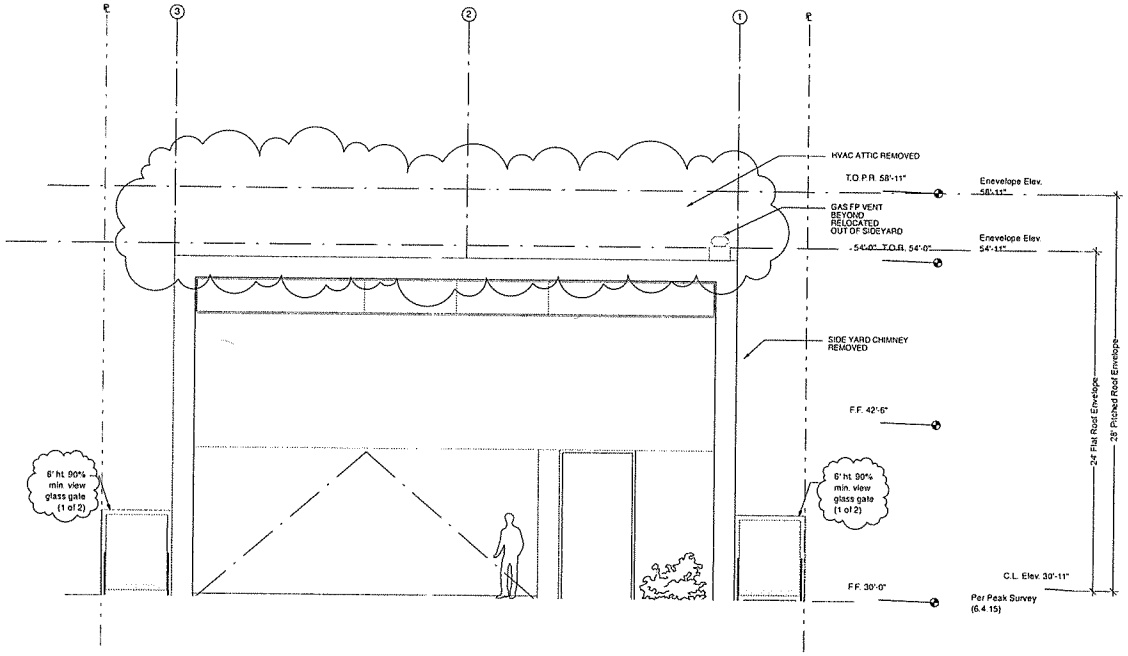
JOB NO: 01322.00

DATE: 08.30.16

SCALE:

SHEET TITLE: Roof Plan

SHEET NUMBER: A203



NORTH ELEVATION (D1)
SCALE : 1/4" = 1'-0"

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO 01322.00

DATE 08.30.16

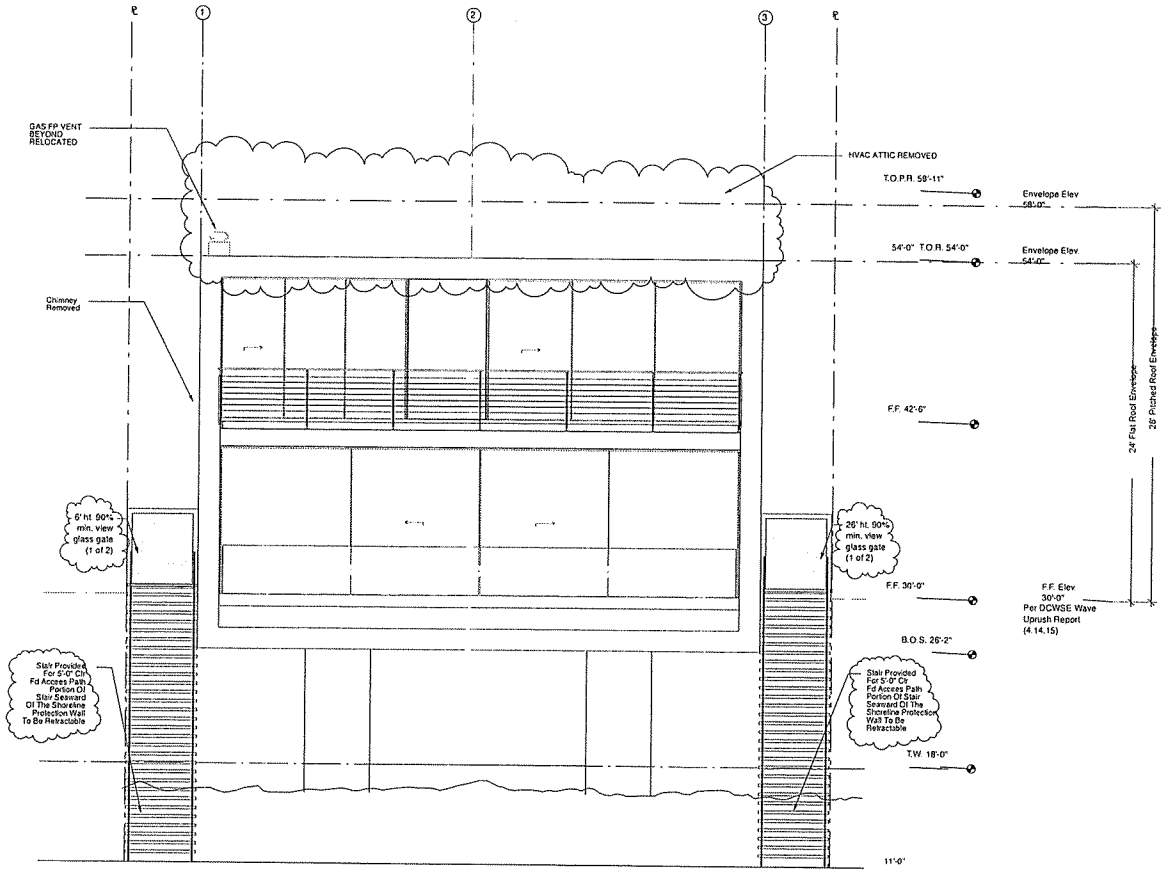
SCALE

SHEET TITLE

Elevation

SHEET NUMBER

A300



SOUTH ELEVATION
SCALE : 1/4" = 1'-0"
D1

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

LICENSED ARCHITECT RALPH MECHUR C-14603 10-31-16 STATE OF CALIFORNIA

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310.398.2950 f
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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO. 01322.00

DATE 08.30.16

SCALE:

SHEET TITLE:

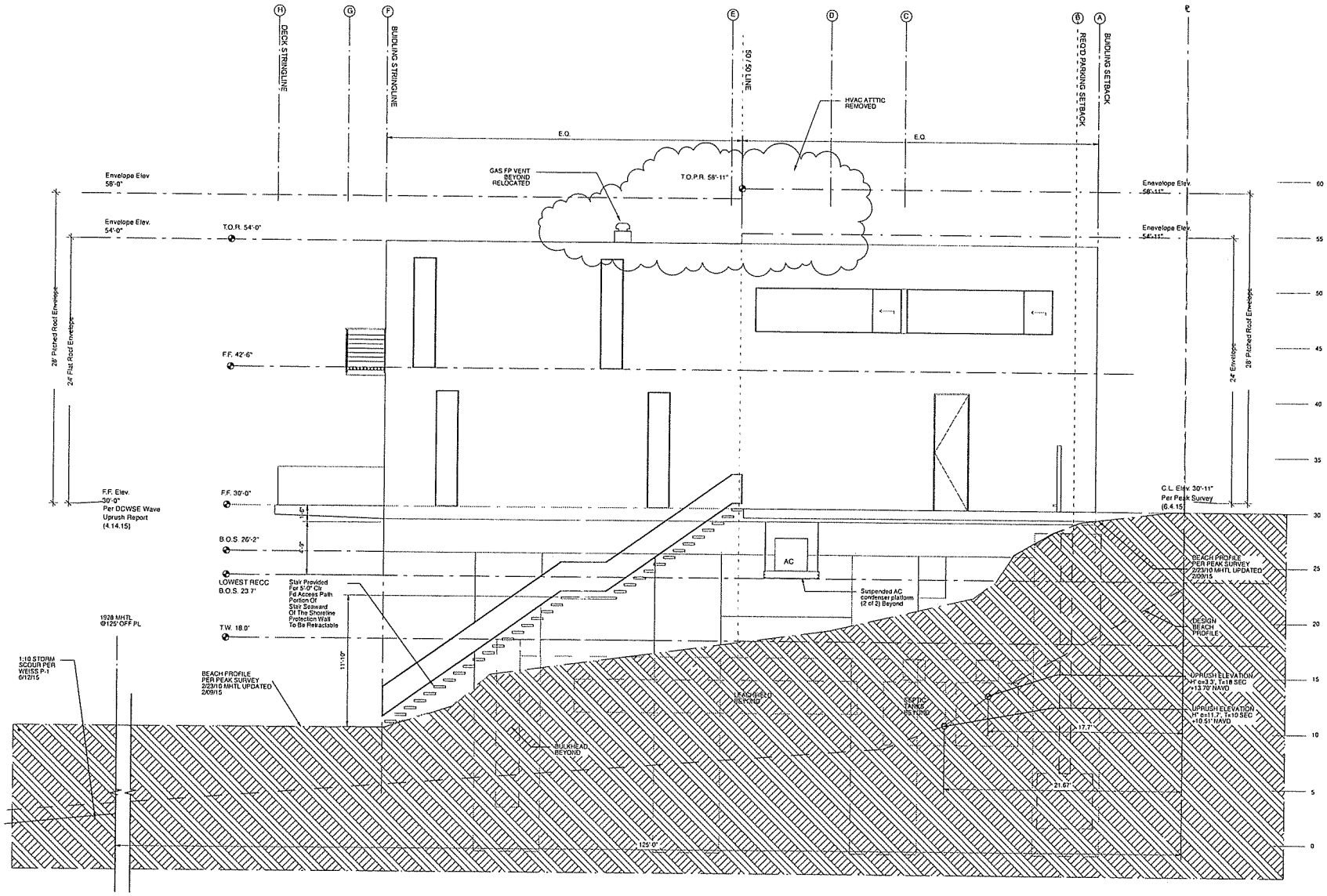
Elevation

SHEET NUMBER:

A301

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS



EAST ELEVATION (D1)
SCALE: 1/4" = 1'-0"

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

Ralph Machur Architects
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310.398.2240 T
310.398.2950 F
www.rmachurarchitects.com

REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO. 01322.00

DATE 08.30.16

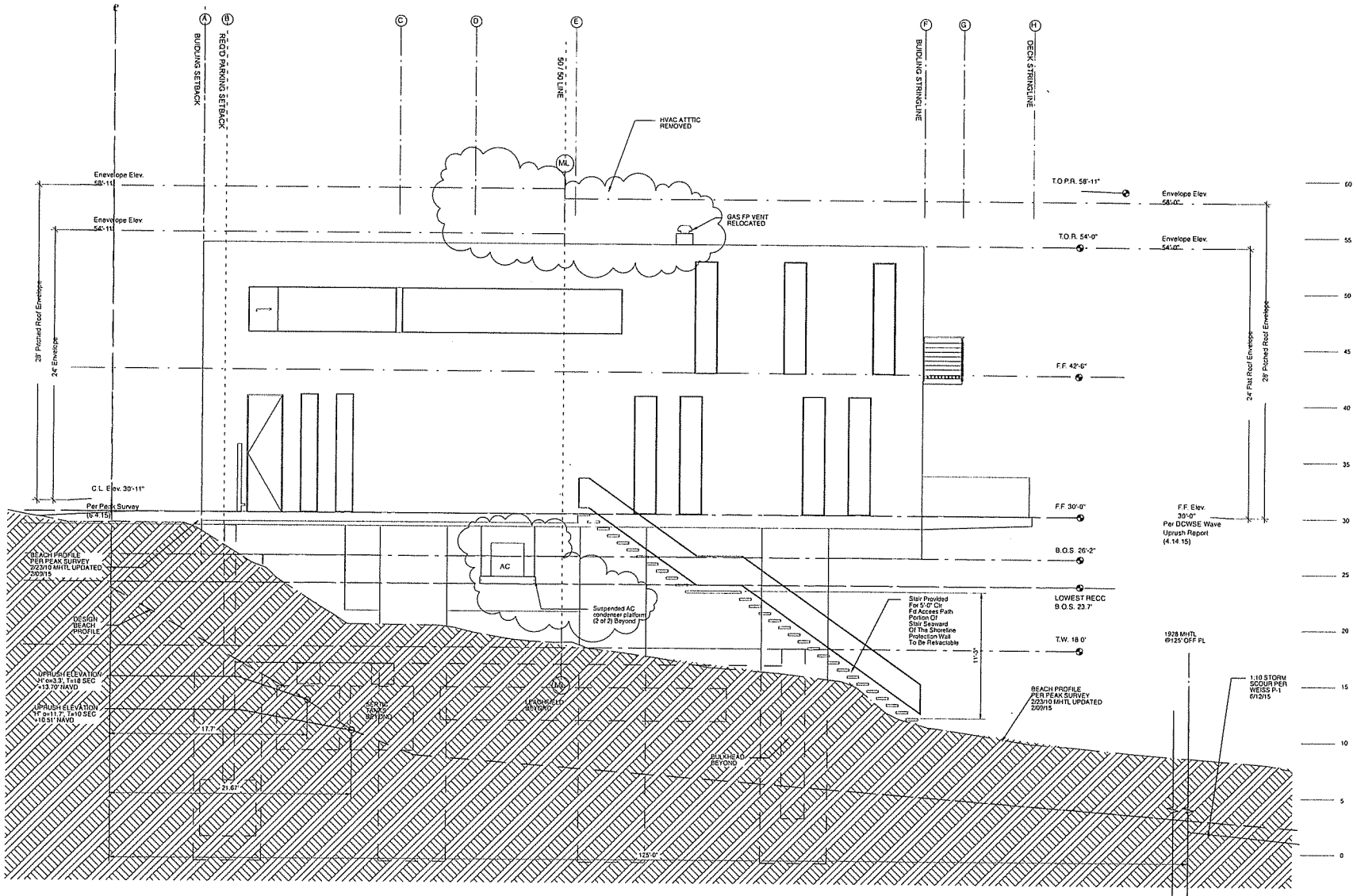
SCALE

SHEET TITLE: Elevation

SHEET NUMBER A302

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS



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

D1

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

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310.398.2950 f
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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO 01322.00

DATE 08.30.16

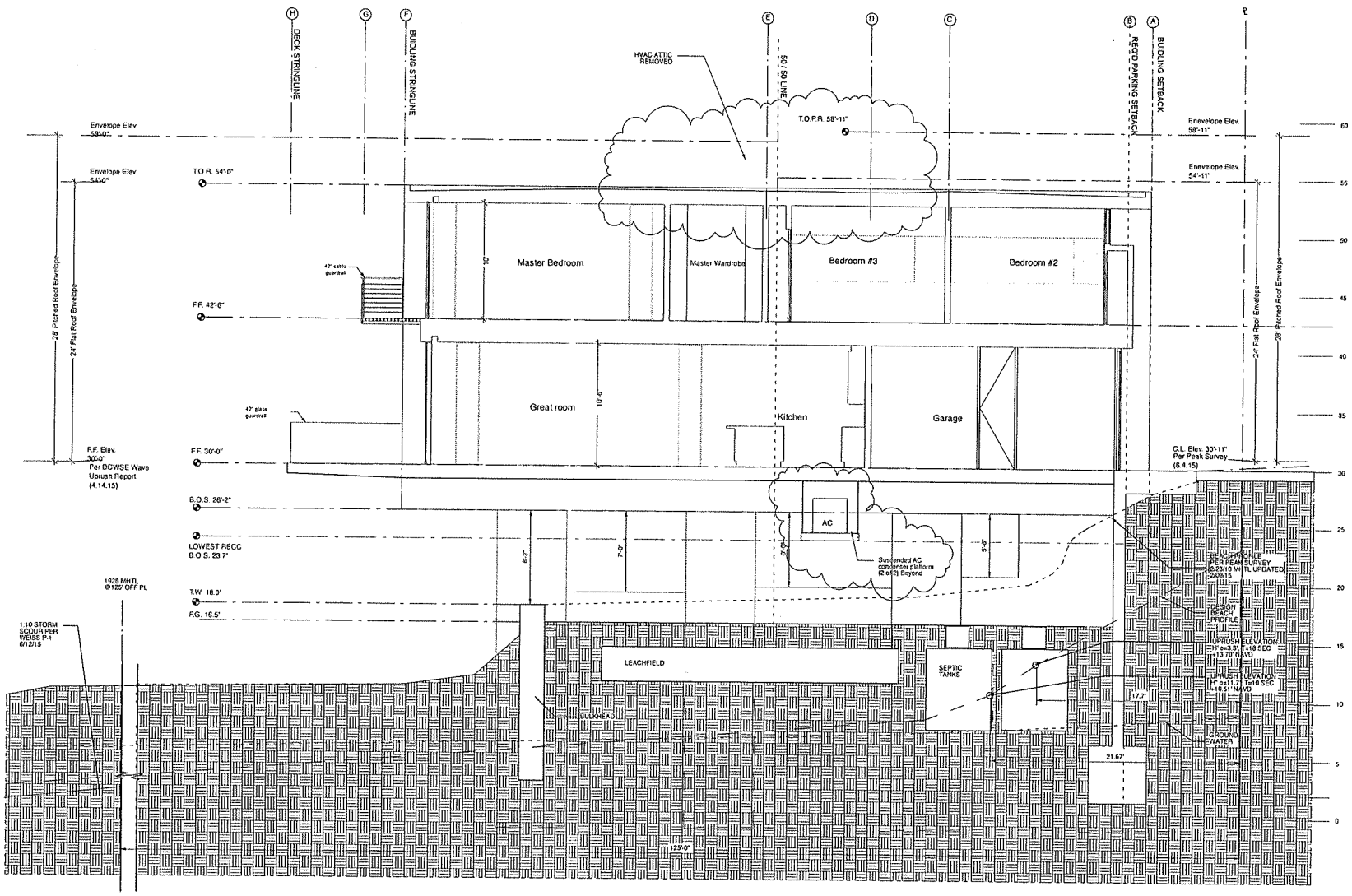
SCALE

SHEET TITLE

Elevation

SHEET NUMBER

A303



25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
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FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO. 01322.00

DATE 08.30.16

SCALE

SHEET TITLE:

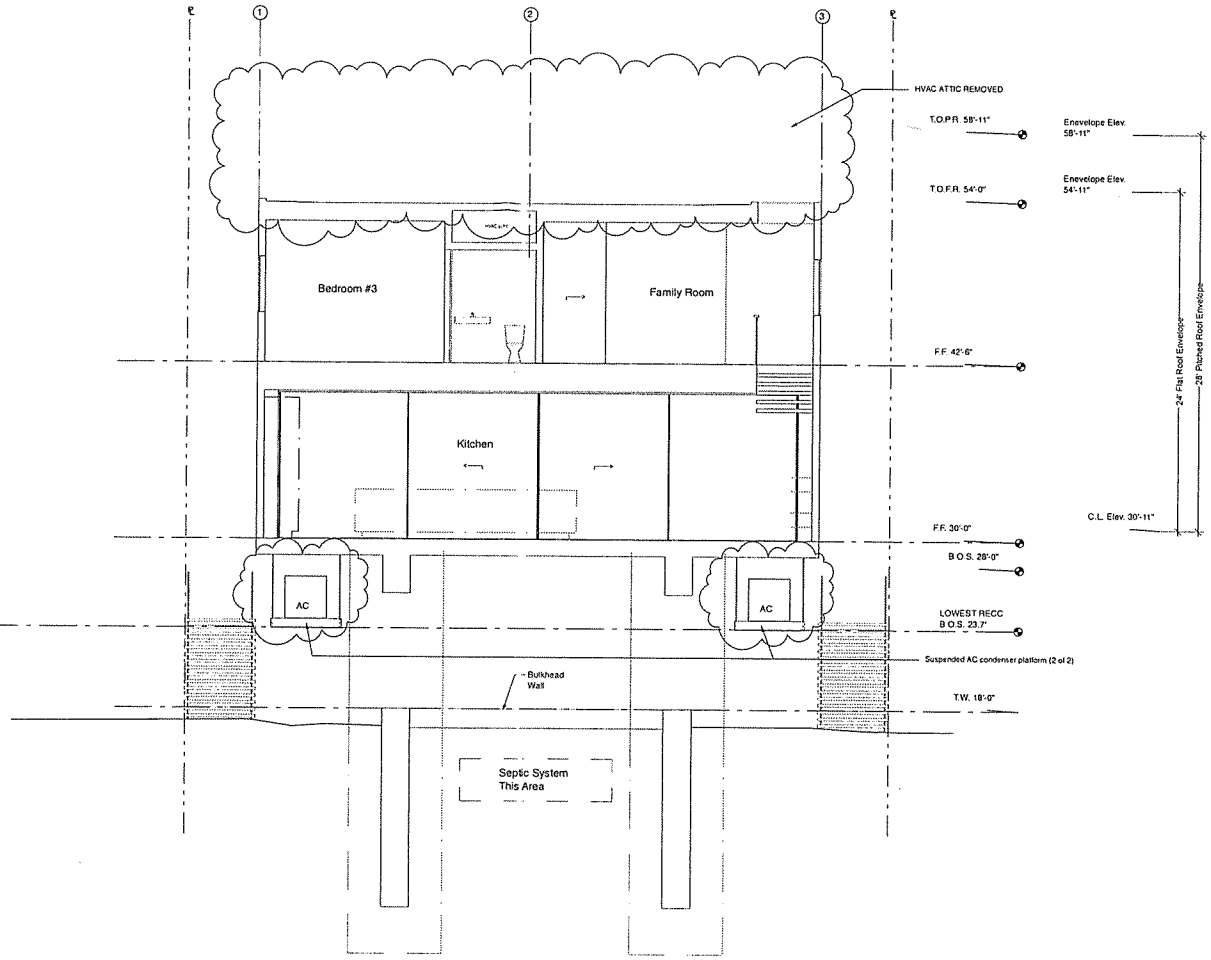
SECTION

SHEET NUMBER

A400

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS



SECTION D1
SCALE : 1/4" = 1'-0"

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

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REVISIONS:

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
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CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.30.16

JOB NO: 01322.00

DATE: 08.30.16

SCALE:

SHEET TITLE: Section

SHEET NUMBER: A401

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	April 12, 2016	**Review Log #:**	**3574**
Site Address:	25306 Malibu Road		
Lot/Tract/PM #:		**Planning #:**	**CDP 14-003**
Applicant/Contact:	Jennifer Doublet, jdoublet@rmechurarchitects.com	**BPC/GPC #:**	
Contact Phone #:	310-398-2940 **Fax#:** 310-398-2950	**Planner:**	**Chris Deleau**
Project Type:	New single-family residential development; new onsite wastewater treatment system (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in Bold.)*	GeoConcepts, Inc. (Barrett, CEG 2088; Walter, GE 2476): **3-15-16, 2-9-16, 2-8-16**, 12-29-15, 11-24-15, 8-24-15, 8-4-15 EPD Consultants (Poffenbarger, RCE 69089): **2-11-16**, 8-24-15 **Building plans prepared by Ralph Mechur Architects dated March 12, 2016.** **OWTS Plan prepared by EPD Consultants dated 1-28-16.**
Previous Reviews:	Environmental Health Review Sheet dated 3-31-16, 2-10-16, 12-14-15, Environmental Health Review Sheet dated 1-12-15, 10-23-15, 2-12-14, Geotechnical Review Referral Sheet dated 1-27-14

Review Findings

Coastal Development Permit Review

☒ The residential development project is **APPROVED** from a geotechnical perspective.

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

Building/Grading Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced supplemental report, OWTS reports, and building plans were reviewed by the City from a geotechnical perspective. The project includes constructing a new 5,094 square foot two-story single-family residence and attached garage, decking, a new bulkhead, driveway, retaining walls, and a new onsite

wastewater treatment system (OWTS) that consists of a treatment tank system and 456 square foot gravity-fed leach field in 4 zones. Treated effluent will be dispersed to the new gravity leach field at a peak loading rate of 1.64 gpd/sf and an average loading rate of 0.88 gpd/sf. The proposed leach field rock shall be installed in beach sand deposits. During construction, the contractor shall remove all artificial fill and non-beach sand category soils as detailed in the proposed leach field dispersal area, and replace with clean double washed sand per the plans and specifications.

The site lies within historically active and ancient landslide complexes and will require stabilization to achieve long-term stability of the building site.

Building Plan-Check Stage Review Comments:

1. In accordance with Section 7.1.2 of the City's Geotechnical Guidelines, the structural engineer shall provide the anticipated lateral deflections of the laterally loaded piles. The calculations shall be submitted to the City for review.
2. Section 7.4 of the City's geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. The Project Geotechnical Engineer has recommended that the vapor barrier be a minimum thickness of 15 mils and conform to ASTM E1745 Class A requirements. Building plans shall reflect the Consultant's recommendation.
3. Please provide assurance that abandonment of the existing onsite wastewater treatment system has been completed.
4. 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 and soldier pile stabilization system for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, depth below the critical plane, and a map depicting the locations of the piles*".
5. Two sets of final grading, retaining wall, seawall, soldier pile, bentonite walls along the property lines, OWTS, and residence plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical/Civil Engineer.** City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

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

Engineering Geology Review by:

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

Date 4/12/16

Geotechnical Engineering Review by:

Kenneth Clements, G. E. # 2010, Exp. 6-30-16
Geotechnical Engineering Reviewer (805-963-4450)
Email: kclements@fugro.com

April 12, 2016
Date

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. One set of grading, retaining wall, seawall, soldier pile, residence, and OWTS plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.**
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building and Grading Plans.
3. Include the following note on the Foundation Plans: *"All foundation excavations must be observed and approved by the Geotechnical Consultant prior to placement of reinforcing steel."*
4. The Foundation Plans for the improvements shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Geotechnical Consultant's recommendations.
5. Show the onsite wastewater treatment system on the Site Plan.
6. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

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

FILE

City of Malibu

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

BIOLOGY REVIEW
REFERRAL SHEET

TO: City of Malibu City Biologist **DATE:** 1/23/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-003

JOB ADDRESS: 25306 MALIBU RD

APPLICANT / CONTACT: Lester Tobias, Tobias Architecture

APPLICANT ADDRESS: 22223 Pacific Coast Highway
Malibu, CA 90265

APPLICANT PHONE #: (310)317-0507

APPLICANT FAX #:

APPLICANT EMAIL: lester@tobiasarchitecture.com

PROJECT DESCRIPTION: NSFR, OWTS, Garage

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 3/27/14

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: 25306 Malibu Road
Applicant/Phone: Lester Tobias/ 310.317.0507
Project Type: NSFR, OWTS, garage
Project Number: CDP 14-003
Project Planner: Amanda Lafond

REFERENCES: Site Plans

DISCUSSION:

1. Pursuant to Section 9.22.030 of City of Malibu Ordinance No. 343 (Landscape Water Conservation Ordinance), the proposed project is not subject to the Landscape Water Conservation Ordinance as it is a beach front property with no proposed landscaping.

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 install 2,500 sq.ft. or more of new landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

   B. Grading should be scheduled only during the dry season from F 1-October 31st. If it becomes necessary to conduct grading activities from November 1 –March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

   C. All construction equipment shall access the site from Malibu Road. No equipment shall be operated within the surf zone and no equipment or materials shall be staged anywhere on the beach.

   D. 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.

E. Lighting of the shore is prohibited.

Reviewed By: _____ Date: 3/27/14

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.

City of Malibu

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

RECEIVED
MAR 21 2016
PLANNING DEPT.

CDP 14-003

COASTAL ENGINEERING REVIEW
REFERRAL SHEET

TO: City of Malibu Coastal Engineer Staff **DATE:** ~~1/23/2014~~

FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 14-003, MM 15-016

JOB ADDRESS: 25306 MALIBU RD

APPLICANT / CONTACT: Ralph Mechur, Ralph Mechur Architects

APPLICANT ADDRESS: 3400 Airport Avenue, Suite 5
Santa Monica, CA 90405

APPLICANT PHONE #: (310) 398-2940

APPLICANT FAX #: (310) 398-2950

APPLICANT EMAIL: ralph@rmechurarchitects.com

PROJECT DESCRIPTION: NSFR, OWTS, Garage

TO: Malibu Planning Division and/or Applicant

FROM: Coastal Engineering Reviewer

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

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

SIGNATURE DATE 4/20/2016

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

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

* see attached review sheet for conditions of approval and BPC comments.

City of Malibu

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Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: April 20, 2016		**Review Log #:**	C385
Site Address:	25306 Malibu Road	**Lat:**	**Lon:**
Lot/Tract/PM #:	Lot 31/ Tract 12939	**Planning #:**	CDP 14-003
Applicant:	Ralph Mechur, Ralph Mechur Architects	**BPC/GPC #:**	
Phone #:	310-398-2940 **Email:** ralph@rmechurarchitects.com	**Planner:**	C. Deleau
Project Type:	NSFR, NOWTS, NSPD		

Submittal Information

Consultant(s):	David C. Weiss Structural Engineer & Associates, Inc. (DCW)
Report Date(s):	DCW: 04-14-15, 12-4-13, 02-06-16; Geo-Concepts: 02-08-16, 02-09-16; Taylor & Syfan: 03-17-16
Project Plan(s):	Submittal 10-14-15, 03-12-16 (Ralph Mechur Architects)
Previous Reviews:	2-6-14, 4-8-14; 11-24-15; 8-20-15 (CSLC)
FEMA SFHA:	X, VE

Review Findings

Planning Stage

☒ **APPROVED** in **PLANNING** - stage from a coastal engineering perspective, with conditions. The listed Building Plan-Check Coastal Review Comments shall be addressed prior to Building Plan-Check approval.

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

Building Plan-Check Stage

☒ **AWAITING BUILDING PLAN CHECK SUBMITTAL.** The listed 'Building Plan-Check Stage Review Comments' may be deferred for Planning Stage approval but shall be addressed prior to Building Plan-Check Stage approval.

Remarks:

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

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

The proposed project will include construction of a new residence, new onsite wastewater treatment system, and new shore protection for the onsite wastewater treatment system. Existing wall structures on the property will be demolished. According to the recent survey (Peak Surveys, June 2015) the project is located in FEMA Zone X. The proposed project is to be located landward of FEMA Zone VE in which

the base flood elevation is +17 feet NAVD88. The project is located within a historically active landslide that is also part of the Malibu Road Landslide Assessment District.

Planning Stage Conditions of Approval:

1. The Project Coastal Engineer's wave uprush analyses utilized a Stillwater Level of +7.5 ft MLLW, which consisted of a +6.0 ft high tide plus 0.75 ft storm surge and 0.75 ft for sea level rise for design. In response to the review comments regarding sea level rise, the Project Coastal Engineer acknowledged the published range of sea level rise of between 17 inches and 66 inches based on National Research Council (2012) projections for sea level rise by year 2100. The Project Coastal Engineer presented an independent estimate of sea level rise based on variable rates of change, to arrive at a projected sea level rise of 13.87 inches by the year 2100. The Project Coastal Engineer suggested that storm surge is insignificant in the local coastal region and the combined allowance for storm surge and sea level rise of 1.50 ft (18 inches) is more than his minimum computed sea level rise of approximately 14 inches. With due respect, we take exception to this assumption. Storm surge and sea level rise are different naturally occurring phenomenon and must be considered as unique factors in design. The City requires that allowances for both storm surge and sea level rise be included in the design life of new coastal developments. In addition to the allowance given for storm surge, the design Stillwater Level should include a minimum 100-year projected sea level rise, i.e., 17 inches or greater, in accordance with NRC (National Research Council, 2012) projections which were adopted as interpretive guidelines by the California Coastal Commission in August 2015. The Consultant should also discuss potential impacts and whether the proposed project design is amenable to adaptation strategies in the future, such as increasing the height of the seawall, should the maximum projected sea level rise of 66 inches occur (NRC, 2012).

   Please re-evaluate sea level rise and its effects on the proposed development. As necessary, revise design recommendations affected by the change in the design Stillwater Level. This comment is provided as a condition of approval under the assumption that design changes will not affect the building envelope and design footprint of the seawall, but could slightly affect the recommended height of the seawall.

2. The property owner shall comply with the requirements for recorded documents and deed restrictions outlined in Sections 10.6A and 10.6B.1 of the LCP/LIP.

Building Plan Check Stage Review Comments

1. The Project Coastal Engineer should submit a Shoreline Protection Device Monitoring Program, prepared in accordance with the City's requirements (see attachment).
2. A "*Covenant and Agreement Regarding Maintenance of the Shoreline Protection Device and the use and Transfer of Ownership of Property*" shall be signed and recorded by the property owner. The approved Shoreline Protection Device Monitoring Program shall be attached to the covenant and agreement as Exhibit B. A template for this document is available from the City.
3. Provide the proposed elevation of the bottom of the lowest horizontal structural member of the lowest floor, on the project structural plans.
4. The Project Coastal Engineer's recommendations, contained in the coastal engineering report, addendums, and response to this review sheet, shall be incorporated into the plans as notes and details, and referenced on the project plans. One set of plans shall be submitted for coastal engineering Building Plan Check, along with a building plan check fee of $672. Additional review comments may be raised at that time that may require a response. The Project Coastal Engineer shall review, sign and wet-stamp the final building plans.

5. After the initial plan review and corrections have been completed, provide two sets of final building plans (**APPROVED BY THE BUILDING SAFETY DIVISION**) incorporating the Project Coastal Engineering Consultant's recommendations and items in this review sheet. Plan sets must be **reviewed, stamped, and manually signed by the Project Coastal Engineering Consultant.** The review must clearly be identified as applying to the entire plan set. **Appointments for final review and approval of the plans may be made by calling or emailing City Coastal Engineering review staff.**

Limitations:

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

Reviewed by: Michael B. Phipps, PG 5748, CEG 1832
Coastal Engineering Review Consultant (x 269)
April 20, 2016
Date

Reviewed by: Franklin Fong, RCE 24179, GE 315
Coastal Engineering Review Consultant
April 20, 2016
Date

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

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

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

City of Malibu

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

CITY OF MALIBU SHORELINE PROTECTION DEVICE MONITORING PLAN MINIMUM REQUIREMENTS

Prior to the issuance of the Coastal Engineering Review Approval for any Shoreline Protection Device (SPD) in the Building Plan Check Stage, the applicant shall submit for review and approval a long-term monitoring plan for any existing, repaired, renovated, or new SPD. The purpose of the plan is to monitor and identify damage or changes to the SPD(s) such that repair and maintenance is completed in a timely manner to avoid damage to the property or adjacent property and to ensure no further encroachment of the SPD onto the beach. The applicant shall also record a Covenant with the County of Los Angeles Recorders Office informing any future assigns of the property of these requirements.

Monitoring Reports prepared by a licensed civil engineer with expertise in coastal structures and processes shall be submitted to the Coastal Engineering Review staff every five (5) years with the time commencing on the date the SPD received final City approval. Such reports shall be provided to the City throughout the life of the SPD or until the SPD is removed or replaced under separate Coastal Development Permit. Each Monitoring Report shall contain the following:

1. An evaluation of the current condition and performance of the approved SPD and offsite SPDs required for protection of the property including an assessment of whether any weathering or damage has occurred that may adversely impact future performance of the device.
2. Plans and/or photographs showing any weak or potential failure areas;
3. An analysis of erosional trends, annual retreat, and rate of retreat of the beach fronting the SPD including identification of repeatable measurement benchmarks for these analyses. Changes in the beach profile fronting the site shall be documented and the potential impact of these changes on the effectiveness of the SPD evaluated.
4. A description and documentation of any migration or movement of rocks that has occurred onsite as applicable.
5. Recommendations for the repair, maintenance, improvement or other work to the SPD needed to correct any structural damage or rock migration, failures or weaknesses. Such recommendations shall include the materials and methods of repair to be utilized.

If a monitoring report contains recommendations for repair, maintenance, or other improvements, the permittee shall apply for a permit with the Planning Division to complete the work.

AL

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: 1/23/2014

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 14-003
JOB ADDRESS:	25306 MALIBU RD
APPLICANT / CONTACT:	Lester Tobias, Tobias Architecture
APPLICANT ADDRESS:	22223 Pacific Coast Highway Malibu, CA 90265
APPLICANT PHONE #:	(310)317-0507
APPLICANT FAX #:	
APPLICANT EMAIL:	lester@tobiasarchitecture.com
PROJECT DESCRIPTION:	NSFR, OWTS, Garage

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 7/14/14

Rev 120910

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Jorge Rubalcava Assist. Civil Engineer

Date: July 14, 2014

Re: Proposed Conditions of Approval for 25306 Malibu Road CDP 14-003

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

STREET IMPROVEMENTS

1. This project proposes to construct a new driveway within 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 driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inch of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

GRADING AND DRAINAGE

2. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's Local Implementation Plan (LIP), Section 8.3. **A note shall be placed on the project that addresses this condition.**

3. A Grading and Drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.
   - Public Works Department General Notes
   - The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).

Recycled Paper

- 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.

4. 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.

5. The applicant shall label all City/County storm drain inlets within 250 feet from each property line per the City of Malibu's standard label template. A note shall be placed on the project plans that address this condition.

STORMWATER

6. 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.
    - 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

7. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
   - Site Design Best Management Practices (BMP's)
   - Source Control BMP's
   - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
   - Drainage Improvements
   - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
   - A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
   - The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original singed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

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

9. 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 (residential and nonresidential), 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.

CD

City of Malibu

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RECEIVED
MAR 21 2016
PLANNING DEPT.

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** ~~1/23/2014~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 14-003, MM 15-016
JOB ADDRESS:	25306 MALIBU RD
APPLICANT / CONTACT:	Ralph Mechur, Ralph Mechur Architects
APPLICANT ADDRESS:	3400 Airport Avenue, Suite 5 Santa Monica, CA 90405
APPLICANT PHONE #:	(310) 398-2940
APPLICANT FAX #:	(310) 398-2950
APPLICANT EMAIL:	ralph@rmechurarchitects.com
PROJECT DESCRIPTION:	NSFR, OWTS, Garage

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

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

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

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

Signature: [signature] Date: MARCH 31, 2016

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

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

- REVISED OWTS PLOT PLAN ATTACHED
- REFER TO EH CONFORMANCE REVIEW DATED 11-12-2015 FOR CONDITIONS OF APPROVAL

Rev 141008

City of Malibu

Environmental Health • Environmental Sustainability Department
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Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Jennifer Doublet jdoublet@rmechurarchitects.com		
Project Address:	**25306 Malibu Road** Malibu, CA 90265		
Planning Case No.:	CDP 14-003		
Project Description:	NSFR, OWTS, Garage		
Date of Review:	March 31, 2016		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489 ext. 307	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Ralph Mechur Architects (10-14-2015, **3-12-2016**)
Grading Plans:	
OWTS Plan:	EPD Consultants (12-23-2013, 8-24-2015, **1-28-2016**)
OWTS Report:	EPD Consultants (8-24-2015, **2-11-2016**)
Geology Report:	Land Phases, Inc. (8-8-2013). GeoConcepts, Inc. (8-4-2015, 11-4-2015, **2-8-2016**)
Miscellaneous:	David C. Weiss (12-4-2013, **2-6-2016**) Setback reduction letter by Taylor & Syfan (11-4-2015)
Previous Reviews:	2-6-2014, 4-24-2014, 11-12-2015

REVIEW FINDINGS

Planning Stage:	☒	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.
	☐	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:	☐	APPROVED
	☒	NOT APPROVED Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	☐	NOT REQUIRED
	☒	REQUIRED (attached hereto) ☐ REQUIRED (not attached)

Please refer to Environmental Health conformance review completed 11-12-2015 for conditions of approval.

25306 MALIBU RD (CDP 14-003)
MALIBU, CA 90265 SUPERSEDES ALL PRIOR APPROVALS

S.F.D.:	4 Bedroom/53 Fixture Units (N)
PRIMARY TANK:	1,500 Gallon Jensen Precast (N)
TREATMENT UNIT:	SeptiTech M550UV Processor (N)
DISINFECTION:	SeptiTech Gravity UV Unit (N)
ACTIVE:	456 ft² (1.5 gpsfd) incl./sidewalls(N)
FUTURE:	N/A
PERC RATE:	Sand Category
LOADING RATE:	1.5 gpsfd
DESIGNER:	EPD (Poffenbarger,RCE 69089)
DESIGN REPORT:	EPD (12-23-13)
GEOLOGY REPORT:	Land Phases, Inc. (08-08-13)
	GeoConcepts (8-4-2015)

NOTES:

1. This conformance review is for a new 3 bedroom house (53 fixture units) single family dwelling. The new alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
MAR 31 2016
SIGNATURE: Matt Sanok
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.

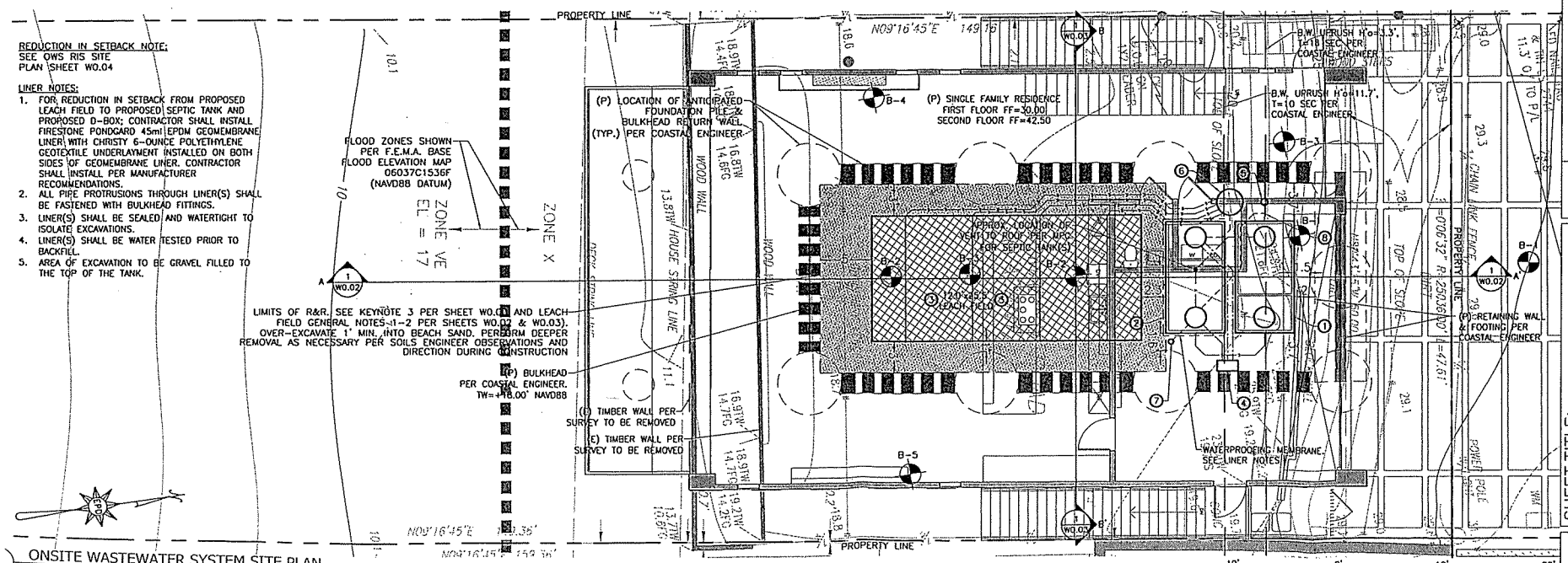
EPD consultants
sustainable water systems & solutions
20722 MAIN STREET
CARSON, CA 90745
Phone (310) 241-6565
Fax (310) 241-6566

REGISTERED PROFESSIONAL ENGINEER
KEVIN V. POFFENBARGER
Exp. 06-30-16
No. 69089
CIVIL
STATE OF CALIFORNIA

▽ NO.	REVISIONS:	DATE:	BY:
1	CITY CORRECTIONS	8/24/15	CB
2	SHIFT SEAWALL	1/28/16	RL

REDUCTION IN SETBACK NOTE:
SEE OWS RIS SITE PLAN SHEET W0.04

LINER NOTES:
1. FOR REDUCTION IN SETBACK FROM PROPOSED LEACH FIELD TO PROPOSED SEPTIC TANK AND PROPOSED D-BOX; CONTRACTOR SHALL INSTALL FIRESTONE PONDCARD 45mil EPDM GEOMEMBRANE LINER WITH CHRISTY 6-OUNCE POLYETHYLENE GEOTEXTILE UNDERLAYMENT INSTALLED ON BOTH SIDES OF GEOMEMBRANE LINER. CONTRACTOR SHALL INSTALL PER MANUFACTURER RECOMMENDATIONS.
2. ALL PIPE PROTRUSIONS THROUGH LINER(S) SHALL BE FASTENED WITH BULKHEAD FITTINGS.
3. LINER(S) SHALL BE SEALED AND WATERTIGHT TO ISOLATE EXCAVATIONS.
4. LINER(S) SHALL BE WATER TESTED PRIOR TO BACKFILL.
5. AREA OF EXCAVATION TO BE GRAVEL FILLED TO THE TOP OF THE TANK.



ONSITE WASTEWATER SYSTEM SITE PLAN

Scale: 1"=10'-0"

GRAPHIC SCALE

KEY:

- PROPERTY LINE
- BUILDING OUTLINE
- (P) SS PIPES (GRAVITY)
- (P) SS PIPES (PRESSURE)
- (P) SS PIPES (VENTILATION)
- (P) ELECTRICAL LINES
- (P) WATERPROOFING
- (P) LEACH FIELD
- (P) LIMITS OF LEACH FIELD R&R W/ CLEAN DOUBLE WASHED SAND
- APPROX. LOCATION OF BORING (B-x) PER MGI GEOLOGIC MAP DATED JULY 2012
- APPROX. LOCATION OF BORING (B-X) PER GCI GEOLOGIC MAP DATED AUGUST 2015

(E)	EXISTING
(P)	PROPOSED
FF	FINISHED FLOOR
FS	FINISHED SURFACE
R&R	REMOVAL AND REPLACEMENT
RIS	REDUCTION IN SETBACK
SS	SANITARY SEWER

NOTES:
1. THE OVERALL SITE PLAN PER DETAIL 1, SHEET W0.00 ENCOMPASSES THE ENTIRE SITE BOUNDARY FOR REFERENCE ONLY, NO WASTEWATER SHOWN.
2. ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC PER DETAIL 2, SHEET W0.00.
3. ONSITE WASTEWATER SYSTEM GENERAL NOTES PER DETAIL 3, SHEET W0.00.
4. ONSITE WASTEWATER SYSTEM KEYNOTES PER DETAIL 4, SHEET W0.00.
5. ONSITE WASTEWATER SYSTEM REDUCTION IN SETBACKS PER DETAIL 5, SHEET W0.00 & SHEETS W0.04, W0.05, AND W0.06.
6. SYSTEM CALCULATIONS PER DETAIL 6, SHEET W0.00.

PRELIMINARY - NOT FOR CONSTRUCTION

SHEET TITLE: ONSITE WASTEWATER SYSTEM SITE PLAN
PROJECT: 25306 MALIBU ROAD MALIBU, CA 90265

DATE	SCALE	DRAWN BY
12/23/13	AS SHOWN	CB

PROJECT NO. Q168
DRAWING NO. W0.01
SHEET 2 OF 7 SHEETS

City of Malibu

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ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** ~~1/23/2014~~ 10/14/15

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDP 14-003
JOB ADDRESS:	25306 MALIBU RD
APPLICANT / CONTACT:	~~Jaime Harnish~~ JENNIFER DOUBLET
APPLICANT ADDRESS:	P.O. Box 6363 Malibu, CA 90265
APPLICANT PHONE #:	(310) 589-2473
APPLICANT FAX #:	(310) 457-9240
APPLICANT EMAIL:	jaimeharnish@hotmail.com
PROJECT DESCRIPTION:	NSFR, OWTS, Garage

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

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

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

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

Signature: [signature] Date: NOVEMBER 12, 2015

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
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Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Jennifer Doublet jdoublet@rmechurarchitects.com		
Project Address:	**25306 Malibu Road** Malibu, CA 90265		
Planning Case No.:	CDP 14-003		
Project Description:	NSFR, OWTS, Garage		
Date of Review:	November 12, 2015		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489 ext. 307	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Ralph Mechur Architects (10-14-2015)
Grading Plans:	
OWTS Plan:	EPD Consultants (12-23-2013, 8-24-2015)
OWTS Report:	EPD Consultants (8-24-2015)
Geology Report:	Land Phases, Inc. (8-8-2013); GeoConcepts, Inc. (8-4-2015, 11-4-2015)
Miscellaneous:	Coastal engineering report by David C. Weiss (12-4-2013) Setback reduction letter by Taylor & Syfan (11-4-2015)
Previous Reviews:	2-6-2014, 4-24-2014

REVIEW FINDINGS

Planning Stage:	☒	**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.
	☐	**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:	☐	**APPROVED**
	☒	**NOT APPROVED** Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **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.]

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

4) **Architect / Engineer Certification for Reduction in Setbacks to Buildings or Structures**:
All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the onsite wastewater treatment system, and will not adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in Table H 1.7) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect's certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the Engineer must include in his letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check

The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building and Safety prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building and Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate

waterproofing plan may be required. The architectural/structural/waterproofing plans must show the location of onsite wastewater treatment system components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

5) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

6) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.

7) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. ***Please note only original "wet signature" documents are acceptable***.

8) **AOWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified copy issued by the Los Angeles County Recorder.***

9) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. ***Please submit a certified copy issued by the Los Angeles County Recorder.***

10) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan shall be submitted.

11) **City of Malibu Coastal Engineering Approval:** City of Malibu Coastal Engineering final approval of the AOWTS plan shall be submitted.

12) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.

13) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.

14) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

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

cc: Environmental Health file
Planning Department

Story Pole Photographs

ATTACHMENT 4

Jessica Colvard

From: Jun Fujita <[redacted]>
Sent: Thursday, September 8, 2016 12:27 PM
To: Jessica Colvard
Cc: Tony Canzoneri
Subject: Re: 25306 Malibu Road correspondence and letter of support attached

Thank you!

Jun

On Thu, Sep 8, 2016 at 12:21 PM, Jessica Colvard <JColvard@malibucity.org> wrote:

Thank you Jun,

I will attach this as correspondence.

Regards,

Jessica Colvard

Associate Planner

City of Malibu

Phone: (310) 456-2489 ext. 234

Email: jcolvard@malibucity.org

From: Jun Fujita [redacted]
Sent: Thursday, September 8, 2016 12:16 PM
To: Jessica Colvard <JColvard@malibucity.org>
Cc: Tony Canzoneri [redacted]
Subject: Re: 25306 Malibu Road correspondence and letter of support attached

Hello Jessica,

ATTACHMENT 5

Please find attached my correspondence and letter of support for 25306 Malibu Road.

Thank you for all your help in this matter.

Jun

On Wed, Aug 31, 2016 at 12:36 PM, Jun Fujita <[redacted]> wrote:

Thank you Jessica.

We will prepare a package for the files.

Jun

On Wed, Aug 31, 2016 at 12:23 PM, Jessica Colvard <JColvard@malibucity.org> wrote:

Hi Jun,

Yes, I have received the updated plans showing the height lowered to 24 feet (HVAC units relocated to under the structure) and the clear glass gates at the front. I have updated these changes in the staff report and will report the changes during the presentation when I discuss "correspondence". Your correspondence (letter of support and any email discussions) will also be included as correspondence in the packet for the Commissioners and general public.

A signed agreement between neighbors and property owners is a civil agreement that the City does not typically get involved with; however, the revised plans and conditions of approval will restrict the developers from verging from the agreed upon design. It is also helpful for the City to track correspondence for potential future development.

It is helpful to have the correspondence submitted prior to the packet being released (September 8th for the September 19th hearing).

Thank you for working with the developer on the resolution of the issues.

Jessica Colvard

Associate Planner

City of Malibu

Phone: (310) 456-2489 ext. 234

Email: jcolvard@malibucity.org

From: Jun Fujita [redacted]
Sent: Wednesday, August 31, 2016 12:04 PM
To: Jessica Colvard <JColvard@malibucity.org>
Cc: Tony Canzoneri [redacted]

Subject: Re: 25306 Malibu Road

Hi Jessica,

We would like to prepare a letter of support for the project that would say that in discussions with the architect, the owner and the purchaser in escrow, they have agreed to remove the attic space and move the hvac to under the deck, structure height will be limited to 24 feet, change the gates to glass, and I will include a statement supporting the project. We would like for this to be filed as part of the permanent record for the project file with the City.

Have you received the new drawings? The description of the change is in an email below.

Is it typical for the Owners to sign such a letter also?

Could the staff report state that the height is limited to 24 feet and clear glass gates as a condition of approval? How will the staff report address this change?

Here is a draft of what we are preparing for the letter of support:

> In discussions with the Architect, Developer and Owner of 25306 Malibu Rd, Chambers Creek, LLC(Developer and Owner) and ____new owner_____have agreed to eliminate the attic space, maintain a flat roof at 24 feet and hang the

hvac units off the deck. The drawings have been revised and have been resubmitted to the City. Chambers Creek, LLC and _____new owner_____ have also agreed to use clear glass at the gates on either side of the house as part of the view corridor. The owners agree not to alter or modify the plan in the future to build above the 24 feet or further obscure the view through the gates. We have also obtained concurrence from the future owner in escrow, -- name_____.

I am now in support this project. Please file this letter as part of the permanent record for the project in the project file at the City.

Please let us know what is typical for the City and by when we need to send the Letter of Support to you for your record.

Thanks,

Jun

Begin forwarded message:

From: Ralph Mechur <ralph@rmechurarchitects.com>
Date: August 29, 2016 at 12:59:59 PM PDT
To: Tony Canzoneri [redacted]
Subject: Re: 25306 Malibu Road

Tony, Here are the modified plans for Jun To review. Please let us know if these resolve the issues discussed.

- removed roof mechanical housing and showing FAU's in side

- hanging AC condensors from the deck, behind and above the FEMA line

- changing sideyard gates to glass

If you have any questions, please contact us.

Sincerely,

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

On Fri, Aug 12, 2016 at 4:24 PM, Tony Canzoneri [redacted] wrote:

Thanks Jessica - Jun is copied above and she will send u her contact info.

Appreciate your time today - have a great weekend!

Tony Canzoneri

[redacted]

[redacted]

Strategic Solutions for Business and Government

Sent from my iPhone

On Aug 12, 2016, at 3:55 PM, Jessica Colvard <JColvard@malibucity.org> wrote:

> Hi Tony,
>
> I was mistaken, it does not look like I have June's email, could you please forward this information to her as well?
>
> The packet for the September 6th Planning Commission is due out on August 25th.
>
> Please let me know if you have any additional questions.
>
> Regards,
>
> ***Jessica Colvard***
>
> Associate Planner

City of Malibu

Phone: (310) 456-2489 ext. 234

Email: jcolvard@malibucity.org

Letter of Support for 25306 Malibu Rd.

On August 9, 2016, a request was made to the Architects(Ralph Mechur) of 25306 Malibu Rd to have the architect show and explain the drawings for the new house. The architect asked that the developers be contacted and they give their approval for the architect to spend time to do this.

The developers were originally contacted on August 9, and there was no response to requests.

A Land Use Attorney, Tony Canzoneri was retained to assist with communications and concerns.

A meeting with Jessica Colvard, Planner with the City of Malibu took place on August 11 to view drawings.

The primary concern was the viewshed particularly for the public.

Tony Canzoneri contacted the Architect who contacted the developers, Chambers Creek LLC, and the buyer in escrow. The request was made to change the metal gates to have thinner pickets for views from the pedestrian viewpoint as well as eliminating the attic. This concern came from recent new construction on Malibu Road having gates with deep pickets, allowing views only from straight on in elevation and not from an angle for the pedestrian. Eliminating the attic also reduces the roof height to 24 feet and allows for more view to the West.

The Architect, Ralph Mechur, proposed the following on August 29 (email correspondence is attached)

Tony, Here are the modified plans for Jun To review. Please let us know if these resolve the issues discussed.

- removed roof mechanical housing and showing FAU's in side
- hanging AC condensors from the deck, behind and above the FEMA line
- changing sideyard gates to glass

If you have any questions, please contact us.

Sincerely,

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

The drawings sent are attached.

In discussions with the Architect, who represented Developer and Owner of 25306 Malibu Rd, Chambers Creek, LLC(Developer and Owner) and buyer in escrow have agreed to eliminate the attic space, maintain a flat roof at 24 feet and hang the hvac units off the deck. In addition, the side gates were changed from metal picket gates to glass to increase visibility. The drawings have been revised and have been resubmitted to the City. Chambers Creek, LLC and buyer in escrow have also agreed to use clear glass at the gates on either side of the house as part of the view corridor. The owners agree not to alter

or modify the plan in the future to build above the 24 feet or further obscure the view through the gates. The architect also obtained concurrence from the buyer in escrow.

The architect confirmed the revisions addressing the concerns in the email below.

On Aug 24, 2016, at 4:20 PM, Ralph Mechur <ralph@rmechurarchitects.com> wrote:

Tony,

Seems like all are in general agreement and the City has been notified. I will try to send you Friday updated drawings to review.
We need to submit updated plans to City staff Tuesday to keep the Sept. 19 hearing date.

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

I am now in support of this project provided that the project is built as a 24 foot height structure with clear glass gates on either side. Please file this letter as part of the permanent record for the project in the project file at the City. Correspondence is attached.

Jun Fujita Hall
[redacted]

On Aug 29, 2016, at 12:59 PM, Ralph Mechur <ralph@rmechurarchitects.com> wrote:

Tony, Here are the modified plans for Jun To review. Please let us know if these resolve the issues discussed.

- removed roof mechanical housing and showing FAU's in side
- hanging AC condensors from the deck, behind and above the FEMA line
- changing sideyard gates to glass

If you have any questions, please contact us.

Sincerely,

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

<25306 A100 SITE PLAN.pdf>
<25306 A200 FOUNDATION PLAN.pdf>
<25306 A201 FIRST FLOOR PLAN.pdf>
<25306 A202 SECOND FLOOR PLAN.pdf>
<25306 A203 ROOF PLAN.pdf>
<25306 A300 NORTH ELEVATION.pdf>
<25306 A301 SOUTH ELEVATION.pdf>
<25306 A302 EAST ELEVATION.pdf>
<25306 A303 WEST ELEVATION.pdf>
<25306 A400 SECTION B1.pdf>
<25306 A401R SECTION D1.pdf>

On Aug 24, 2016, at 8:21 PM, Tony Canzoneri [redacted] wrote:

Thanks Ralph - will have Jun look at the plans as soon as email them over to me.

Tony Canzoneri
Canzoneri Gottheim Law LLP
Strategic Solutions for Business and Government
[redacted]
[redacted]

Privilege and Confidentiality Statement
This email and any files transmitted with it may contain privileged, confidential and/or trade secret information . It is intended solely for the use of the intended addressee. If you are not the intended addressee, or a person responsible for delivering it to that person, you are hereby notified that any disclosure, copying, dissemination, distribution, or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you are not the intended addressee, please notify the sender by replying to this message and then delete it from your system. Thank you.

On Aug 24, 2016, at 4:20 PM, Ralph Mechur <ralph@rmechurarchitects.com> wrote:

Tony,

Seems like all are in general agreement and the City has been notified. I will try to send youFriday updated drawings to review.
We need to submit updated plans to City staff Tuesday to keep the Sept. 19 hearing date.

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

On Aug 24, 2016, at 10:52 AM, Ralph Mechur <ralph@rmechurarchitects.com> wrote:

Tony,

Per our conversation, we have agreement from the interested parties to remove the HVAC units from the roof and to restrict the sideyard gates.

The forced-air units will be located in closets and/or the garage inside the house and the AC condensing units will be hung below the structural deck.

The sideyard gates will either be metal conforming to the City's requirements for transparency with no fins or all glass.

If this is acceptable to your client we will modify the appropriate drawings for her review and then provide to the City for the Planning Commission hearing.

Sincerely,

Ralph Mechur
Ralph Mechur Architects
3400 Airport Avenue, Suite 5
Santa Monica, CA 90405
t: 310-398-2940
c: 310-721-1254

September 7, 2016

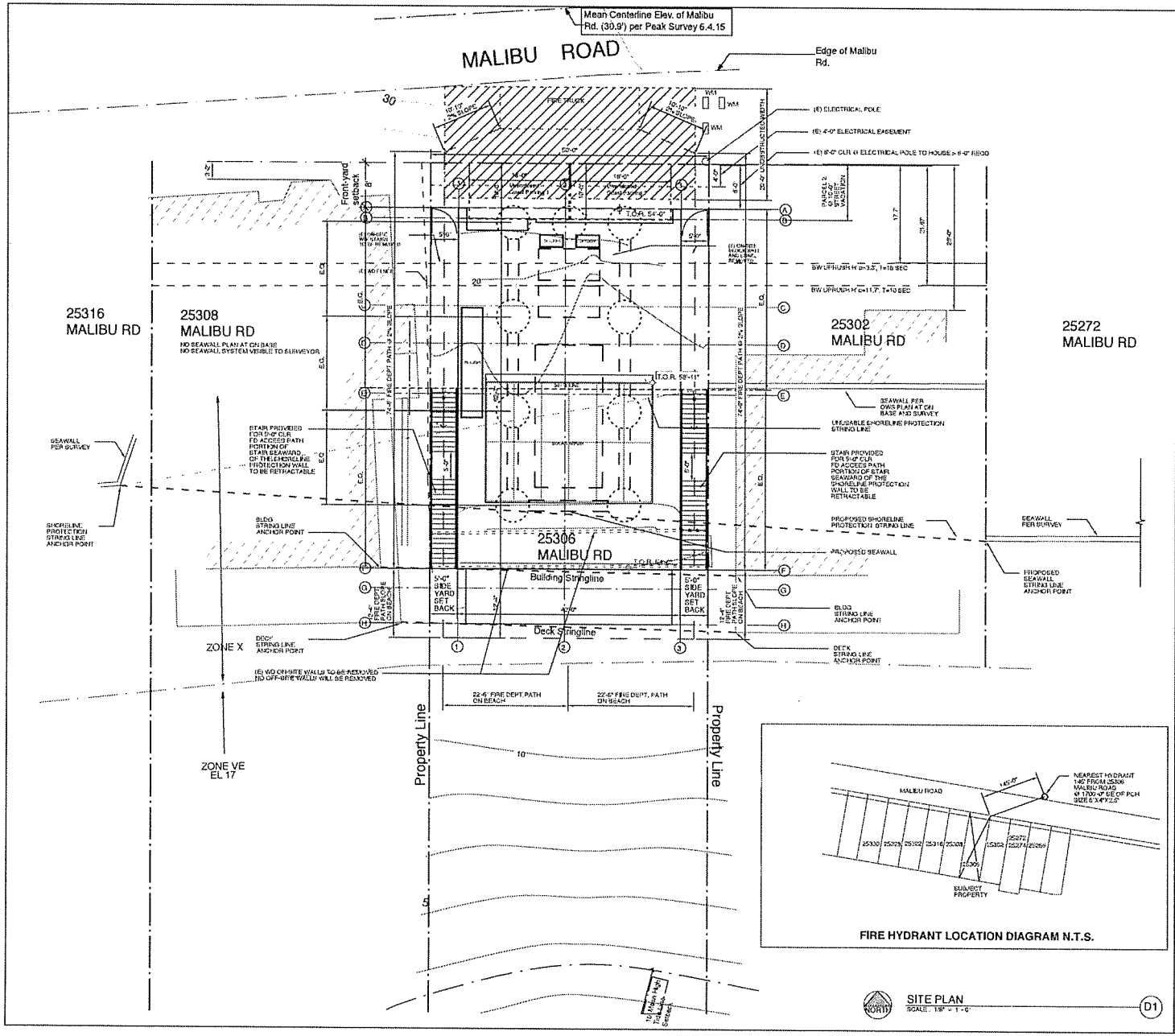
Lucas Ralston
Chambers Creek LLC
[redacted]

To Whom It May Concern:

As the Owner of 25306 Malibu Rd, Chambers Creek, LLC (Owner/Developer), I Lucas Ralston agree to eliminate the attic space, maintain a flat roof at 24 feet and hang the hvac units off the deck. The drawings have been revised and have been resubmitted to the City. Further, Chambers Creek, LLC also agrees to use clear glass at the gates on either side of the house as part of the view corridor and not to alter or modify the plan in the future to build above the 24 feet or to further obscure the view through the gates.

Sincerely,

Lucas Ralston
Chambers Creek LLC



FIRE HYDRANT LOCATION DIAGRAM N.T.S.

NOTES

NOTE: NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

APN: 4459-016-013

FRONT YARD SET BACK CALCULATIONS
SETBACK AT 25302 = 26'-0"
SETBACK AT 25308 = 3'-0"
AVG = 26' + 3'-0" = 29'-0" / 2 = 14'-6"
MINOR MODIFICATION OF THE FRONT YARD SETBACK REQUESTED = 8'-0" < MAX 50% ALLOWANCE OF 7'-4"

NOTES ADDED 05.02.16

NO OFF-SITE WALLS OR FENCES TO BE REMOVED

EDISON ENCROACHMENT LETTER ALLOWS FOR UNENCLOSED GUEST PARKING @ 4'-0" ELECTRICAL EASEMENT

GEOCONCEPTS GWTS SUPP REPORT NO.1 P. 1 STATES PROPOSED LOCATION OF THE LEPTIC DISPERSAL SYSTEM IS THE MOST LANDWARD POSITION AVAILABLE"

FIRE DEPARTMENT NOTES

STRUCTURE TO BE SPRINKLERED

1. 20'-0" UNOBSTRUCTED WIDTH SHOWN AND DIMENSIONED ON SITE PLAN

2. MIN. 5'-0" WIDE FIREFIGHTER ACCESS ROUTES SHOWN AND DIMENSIONED ON SITE PLAN. SLOPE INDICATED THROUGHOUT.

ACCESS ROUTE DISTANCES
WEST AND EAST SIDES:
10'-10" + 74'-6" + 12'-4" + 22'-6" = 120'-2" < 150'-0"

3. REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1000 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 8.

CALCULATIONS

THE REQUIRED FIRE FLOW IS BASE ON THE FOLLOWING CALCULATION:

TYPE OF CONSTRUCTION PER BLDG CODE:	TYPE VB
FIRE FLOW BASED ON TOTAL FLOOR AREA OF ALL FLOOR LEVELS WITHIN THE EXTERIOR WALLS AND UNDER THE HORIZONTAL PROJECTIONS OF THE ROOF OF THE BUILDING	2000 GPM
REUCTION FOR FIRE SPRINKLERS (MAX 50%)	1000 GPM
TOTAL FIRE FLOW REQUIRED	1000 GPM

4. SIZE AND LOCATION OF ALL EXISTING FIRE HYDRANTS PER FFA AND SITE PLAN. THE HYDRANT IS LOCATED 145 ' FROM THE PROPERTY LINE ON MALIBU ROAD 1700 SE OF PCH WITH SIZE OF 6"X4"X2.5".

5. COMPLETED "FIRE FLOW AVAILABILITY" FORM 195/196 PROVIDED FROM WATER DIVISION 29.

6. AUTOMATIC FIRE SPRINKLER SYSTEM TO BE PROVIDED. PLANS TO BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION PER RESIDENTIAL FIRE CODE 903.3.1
TYPE OF FIRE SPRINKLER SYSTEM 903.3.1.1. 903.3.1.2. 903.3.1.3

REASON: RESIDENTIAL CODE & FIRE CODE 903.1 & FIRE FLOW REDUCTION

ACCESS ROUTE: MIN 5'-0" WIDE CLEAR PATH

20'-0" WIDE ROAD HATCH

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

Ralph Mechur Architects
3400 Airport Ave, Suite #5
Santa Monica, CA 90405
310.398.2940 V
310.398.2950 F
www.mechurarchitects.com

REVISIONS	
CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

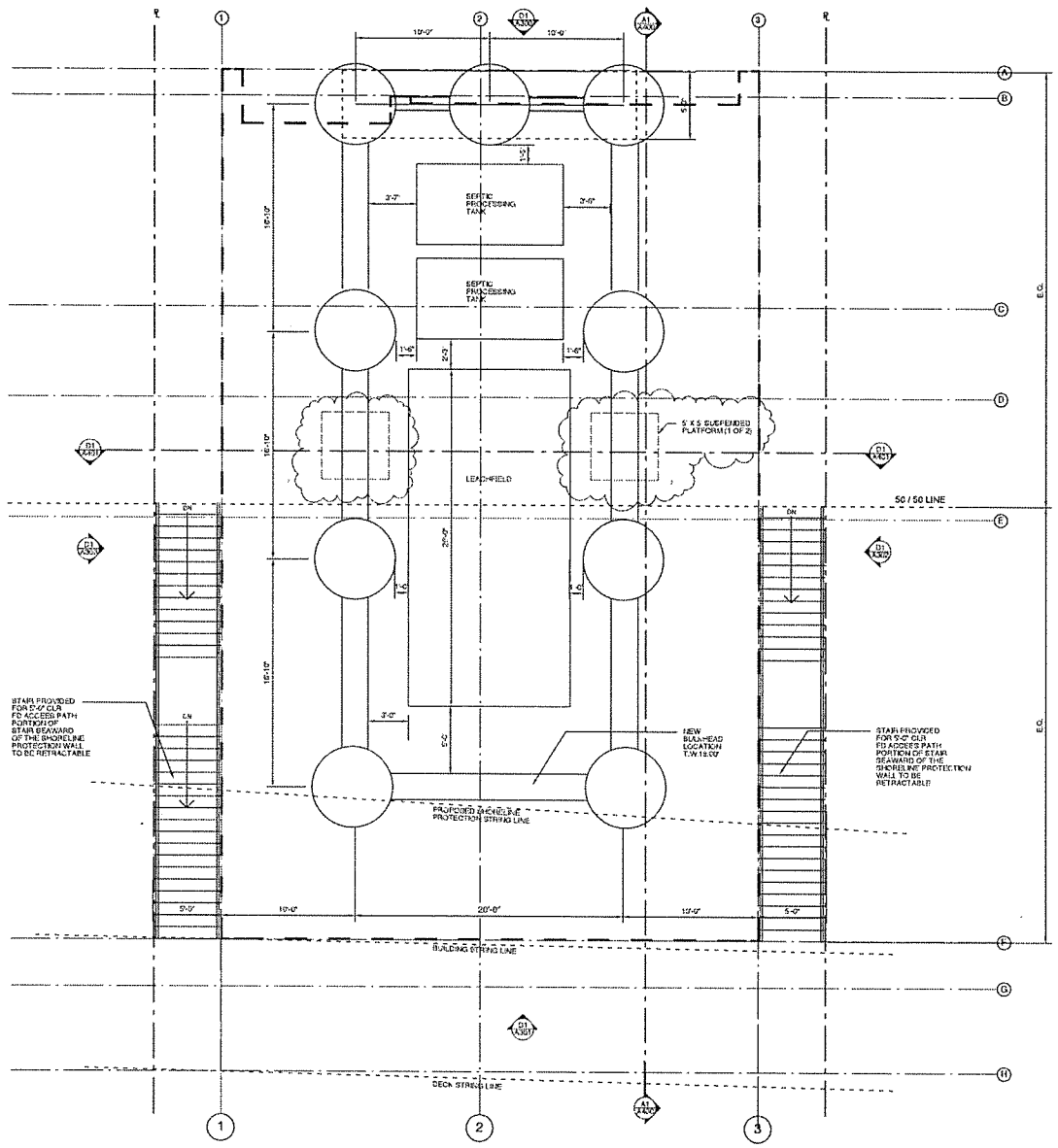
JOB NO. 01322.00

DATE: 08.26.16

SCALE:

SHEET TITLE: SITE PLAN

SHEET NUMBER: A100



NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

Ralph Machur Architects
3400 Airport Ave. Suite #5
Santa Monica, CA 90405
310.399.2340 v
310.399.2950 f
www.machurarchitects.com

REVISIONS:	
CONFORMANCE REVIEW	10.14.15
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FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	06.04.16
ROOF MODIFICATION	06.26.16

JOB NO. 01322.00

DATE 06.26.16

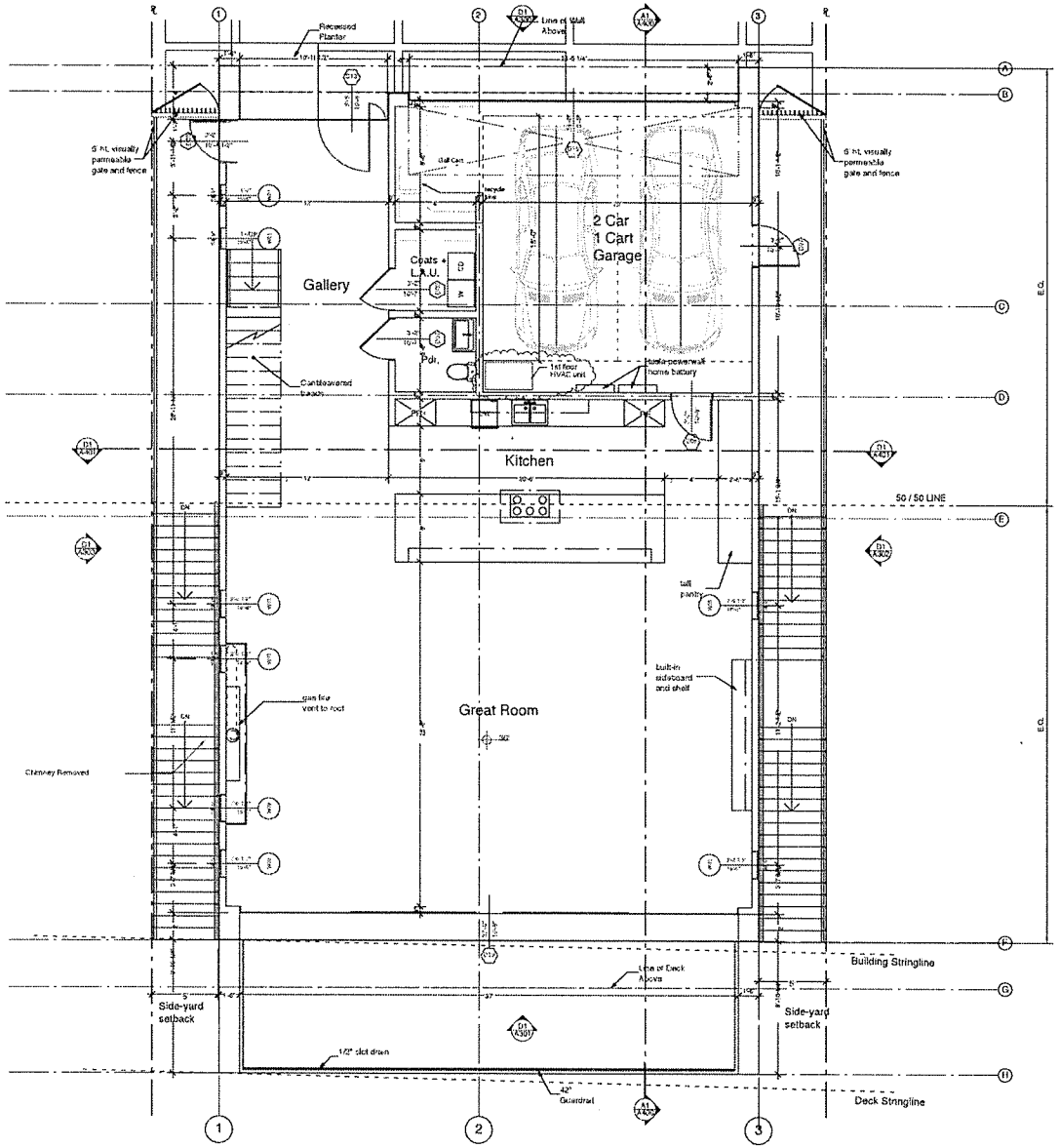
SCALE

SHEET TITLE

Foundation Plan

SHEET NUMBER

A200



FIRST FLOOR PLAN
SCALE : 1/4" = 1'-0"
D1

NORTH

NOTES

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
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MALIBU CA

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REVISIONS

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PROGRESS SET	05.16.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

JOB NO. 01322.00

DATE 08.26.16

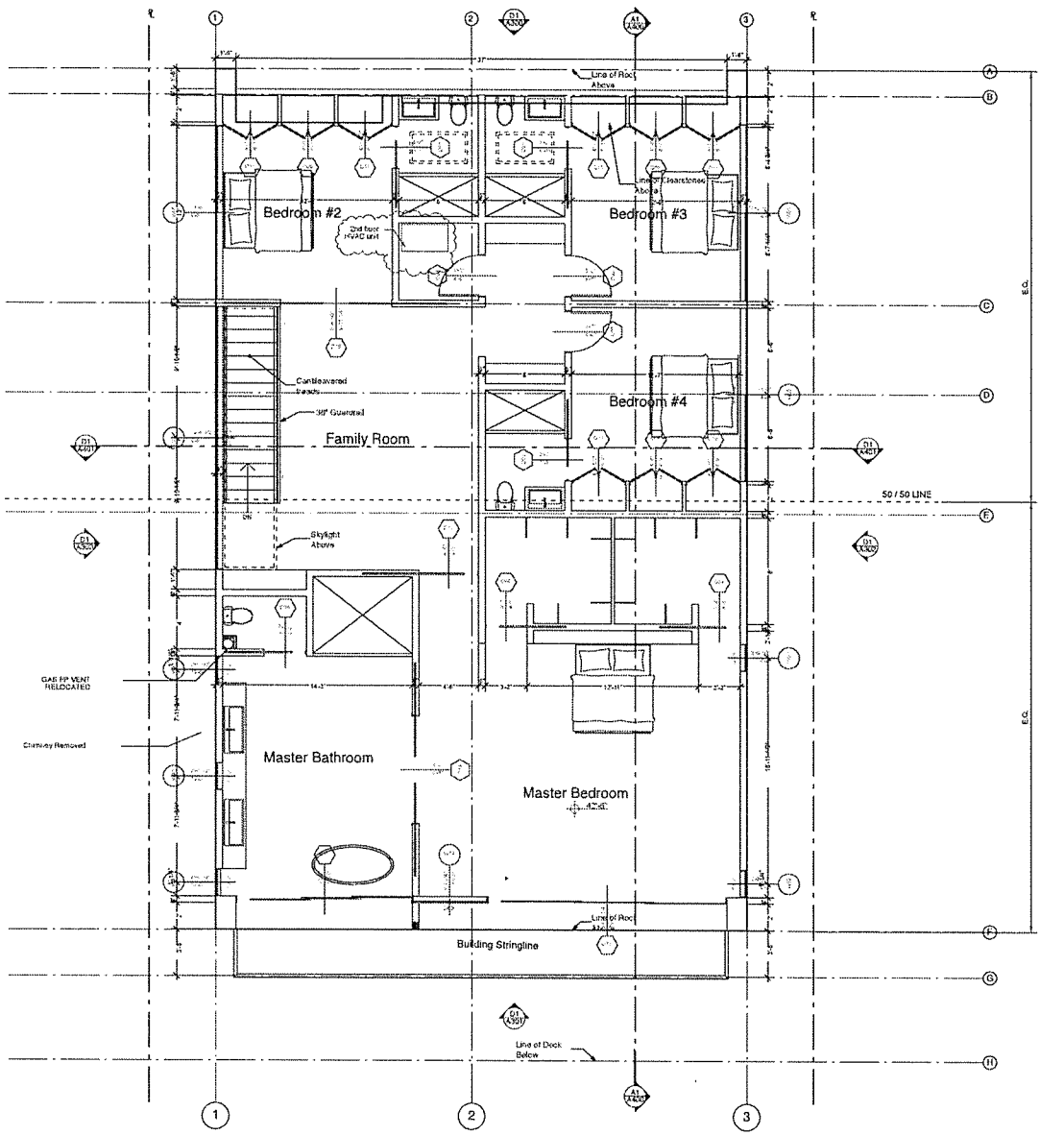
SCALE

SHEET TITLE

First Floor Plan

SHEET NUMBER

A201



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOTES

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

Ralph Mechur Architects
2400 Airport Ave. Suite #5
Santa Monica, CA 90405
310.399.2540 V
310.399.2559 F
www.mechurarchitects.com

REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

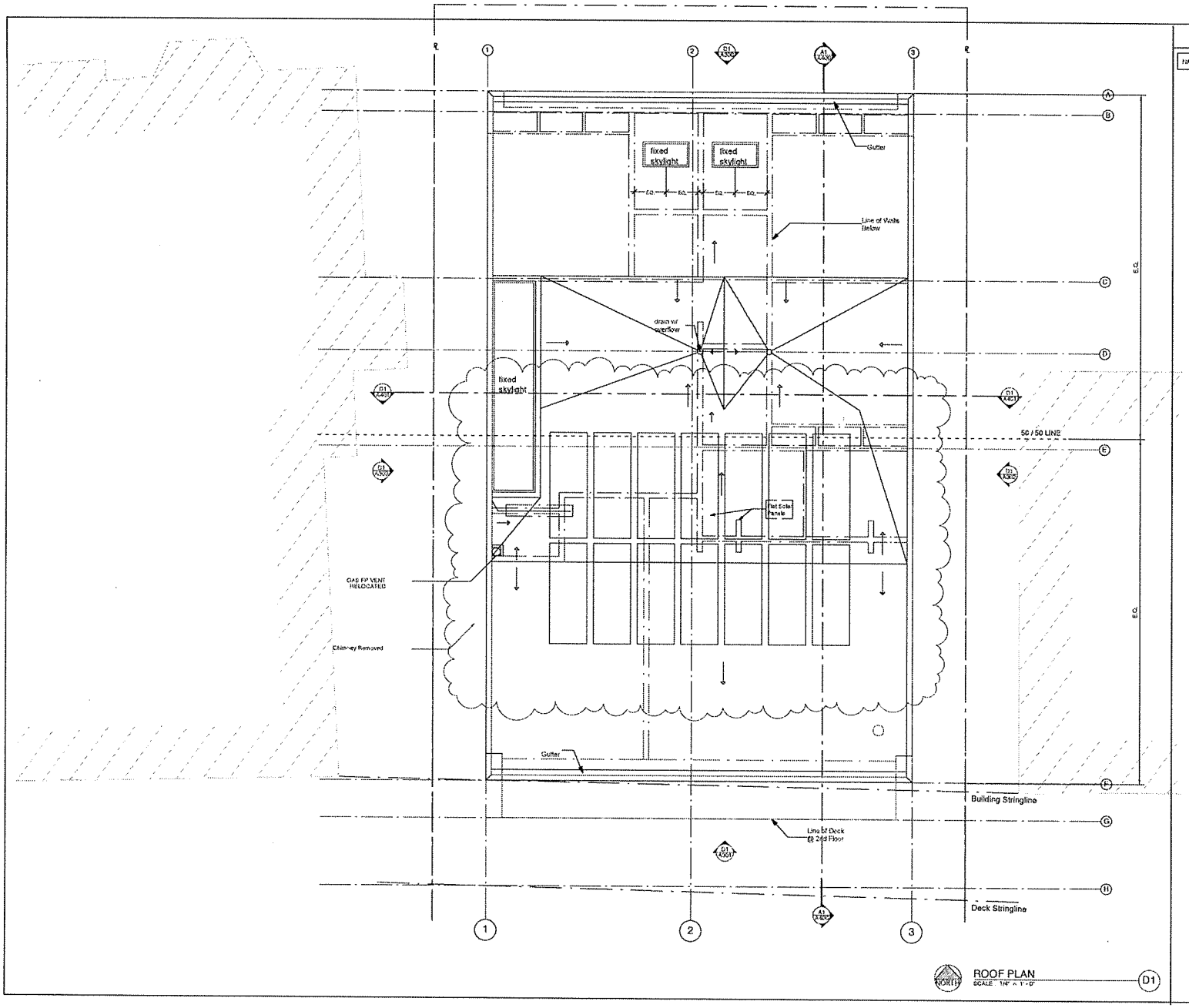
JOB NO. 01322.00

DATE 08.26.16

SCALE

SHEET TITLE
2nd Floor Plan

SHEET NUMBER
A202



ROOF PLAN
SCALE 1/4" = 1'-0"
D1

NOTES

HAVE BE USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU CA

REGISTERED ARCHITECT
RALPH MECHUR
STATE OF CALIFORNIA

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

JOB NO. 01322.00

DATE 08.26.16

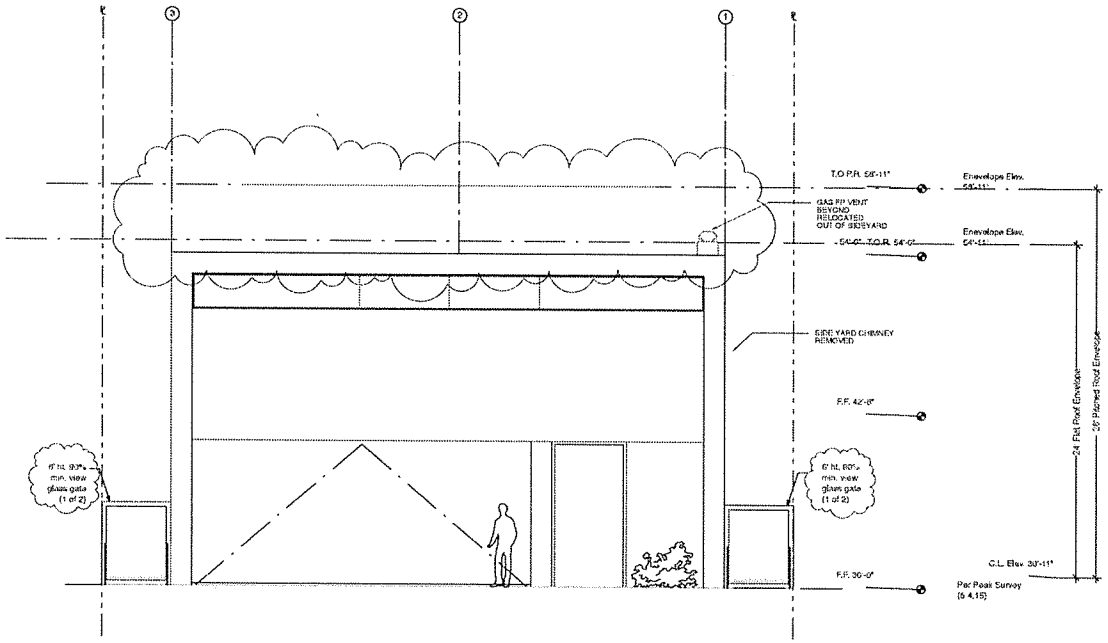
SCALE

SHEET TITLE:

Roof Plan

SHEET NUMBER

A203



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

D1

NOTES

HAVE BE USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS:
25306 MALIBU ROAD
MALIBU, CA

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

JOB NO. 01322.00

DATE 08.26.16

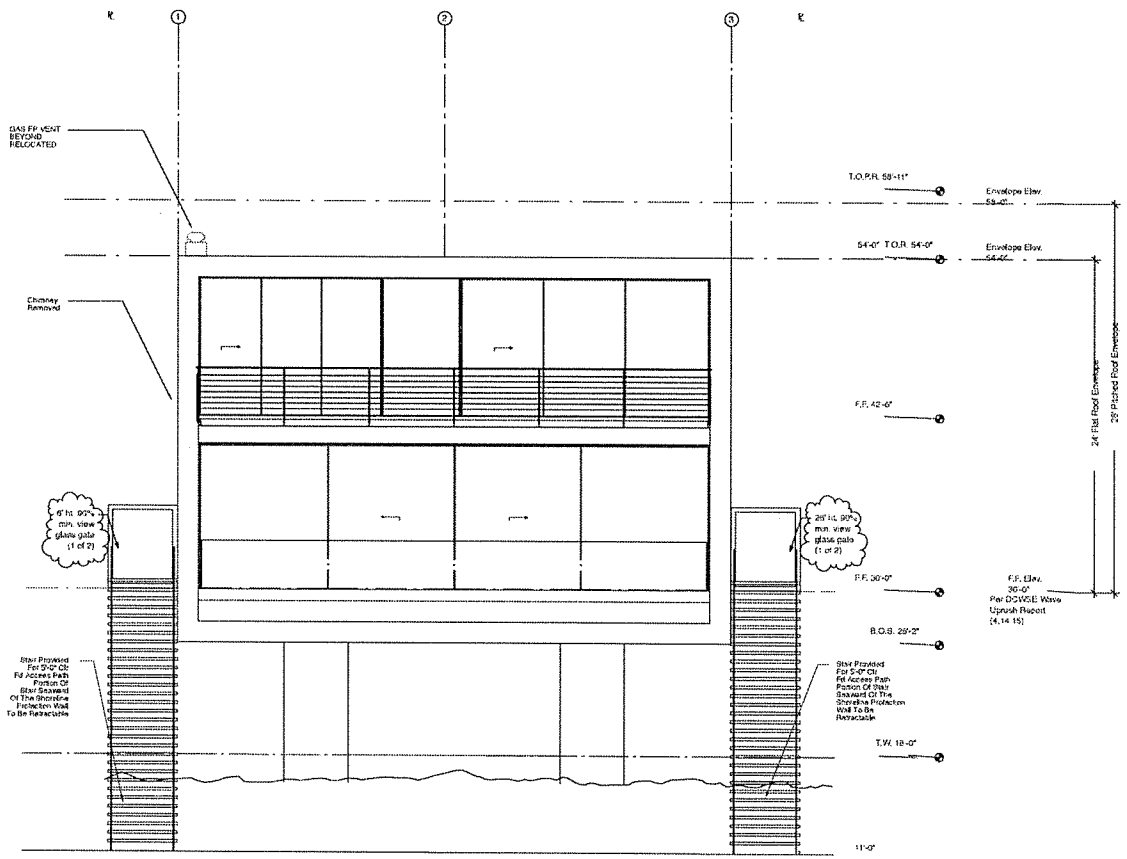
SCALE

SHEET TITLE

Elevation

SHEET NUMBER

A300



SOUTH ELEVATION (D1)
SCALE: 1/4" = 1'-0"

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

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REVISIONS	
CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

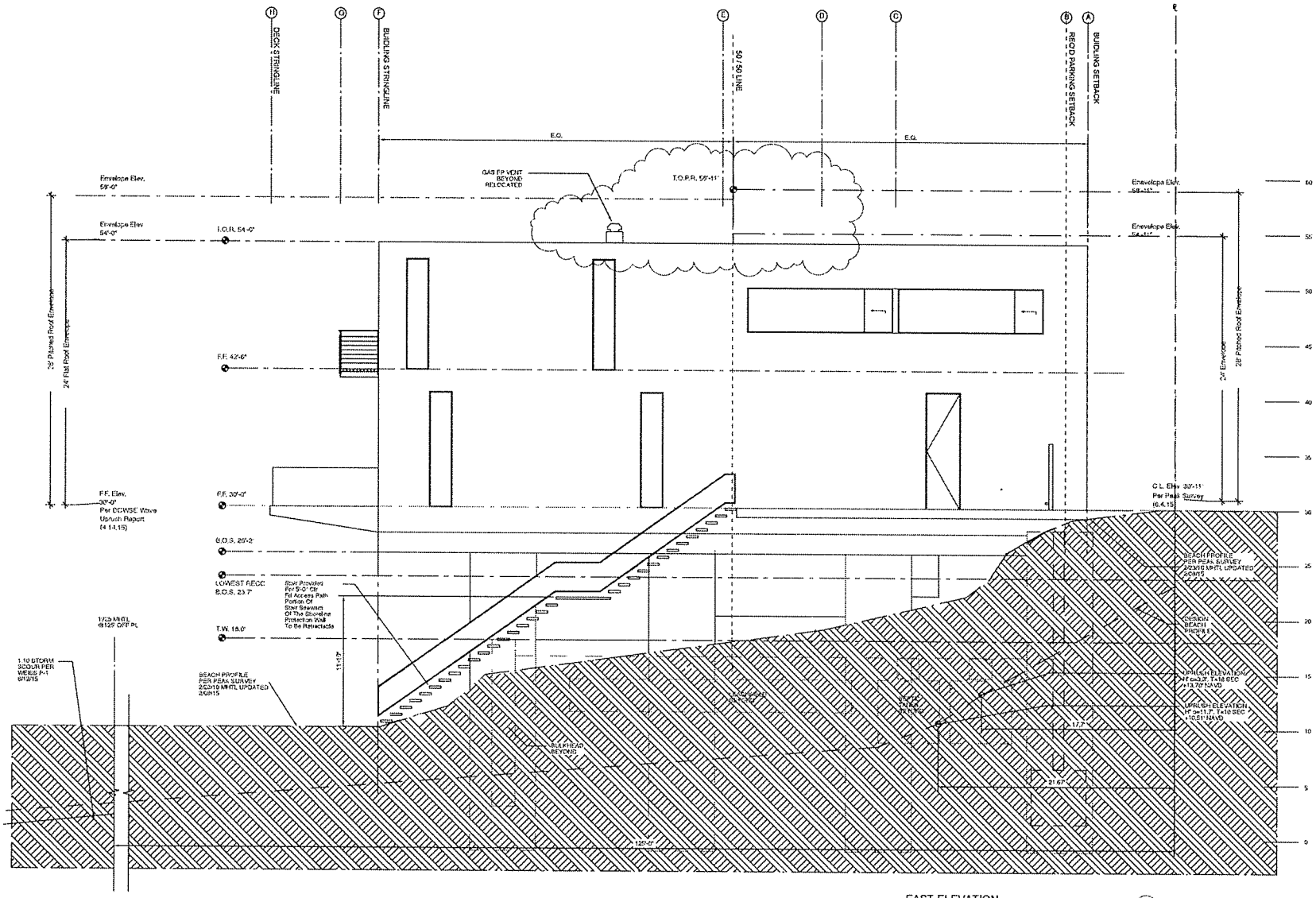
JOB NO. 01322.00
DATE: 08.26.16
SCALE:

SHEET TITLE: Elevation

SHEET NUMBER: A301

NOTES

HAVE BE USED FOR ALL DOCUMENTS AND REPORTS



EAST ELEVATION (D1)
SCALE: 1/4" = 1'-0"

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

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310.286.2959 f
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REVISIONS	
CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FF&A / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

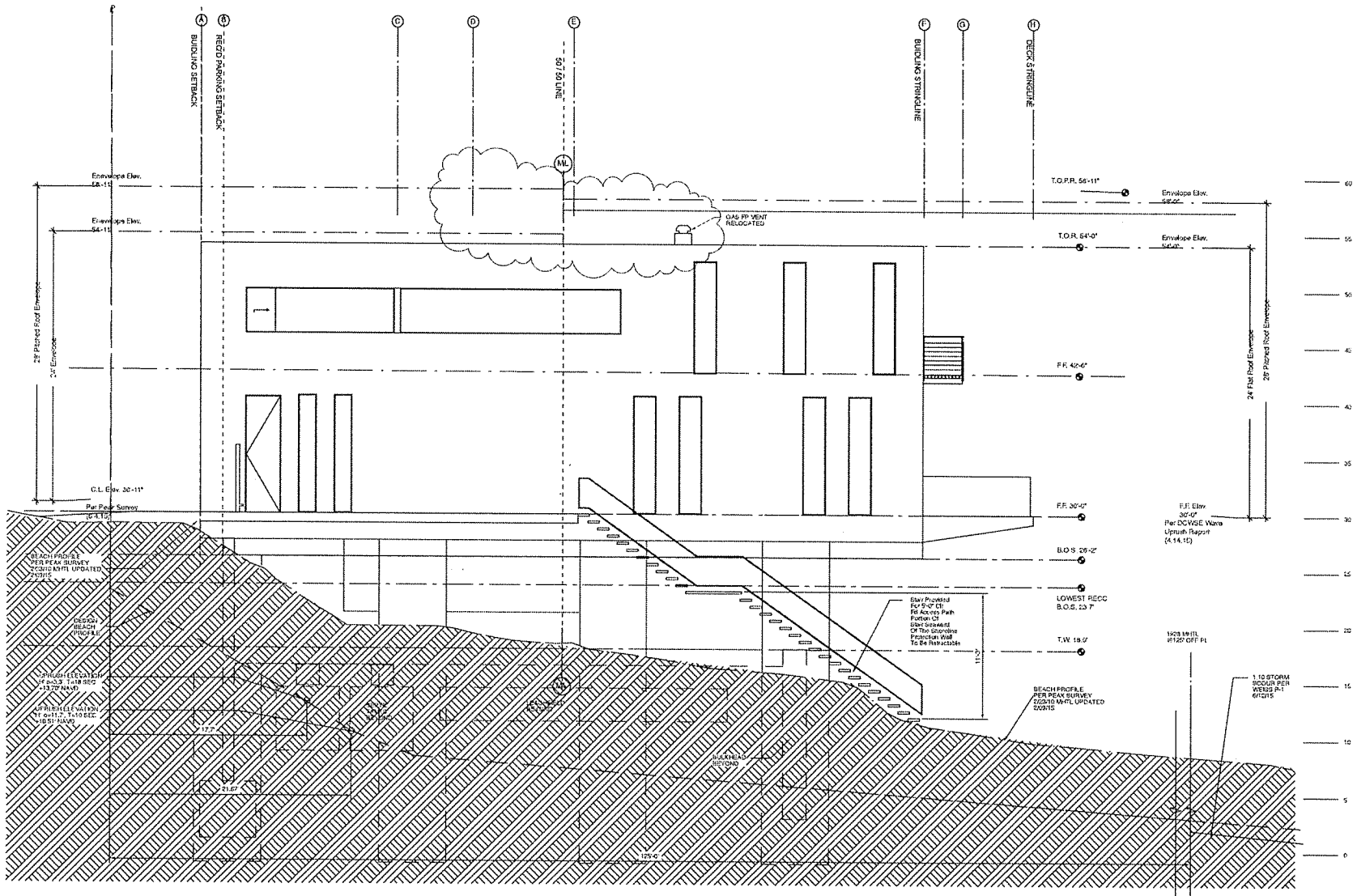
JOB NO 01322.00

DATE 08.26.16

SCALE

SHEET TITLE
Elevation

SHEET NUMBER
A302



WEST ELEVATION
SCALE: 1/4" = 1'-0"
D1

NOTES

NAVD 88 USED FOR ALL DOCUMENTS AND REPORTS

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS: 25306 MALIBU ROAD MALIBU, CA

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310.398.2550 f
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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

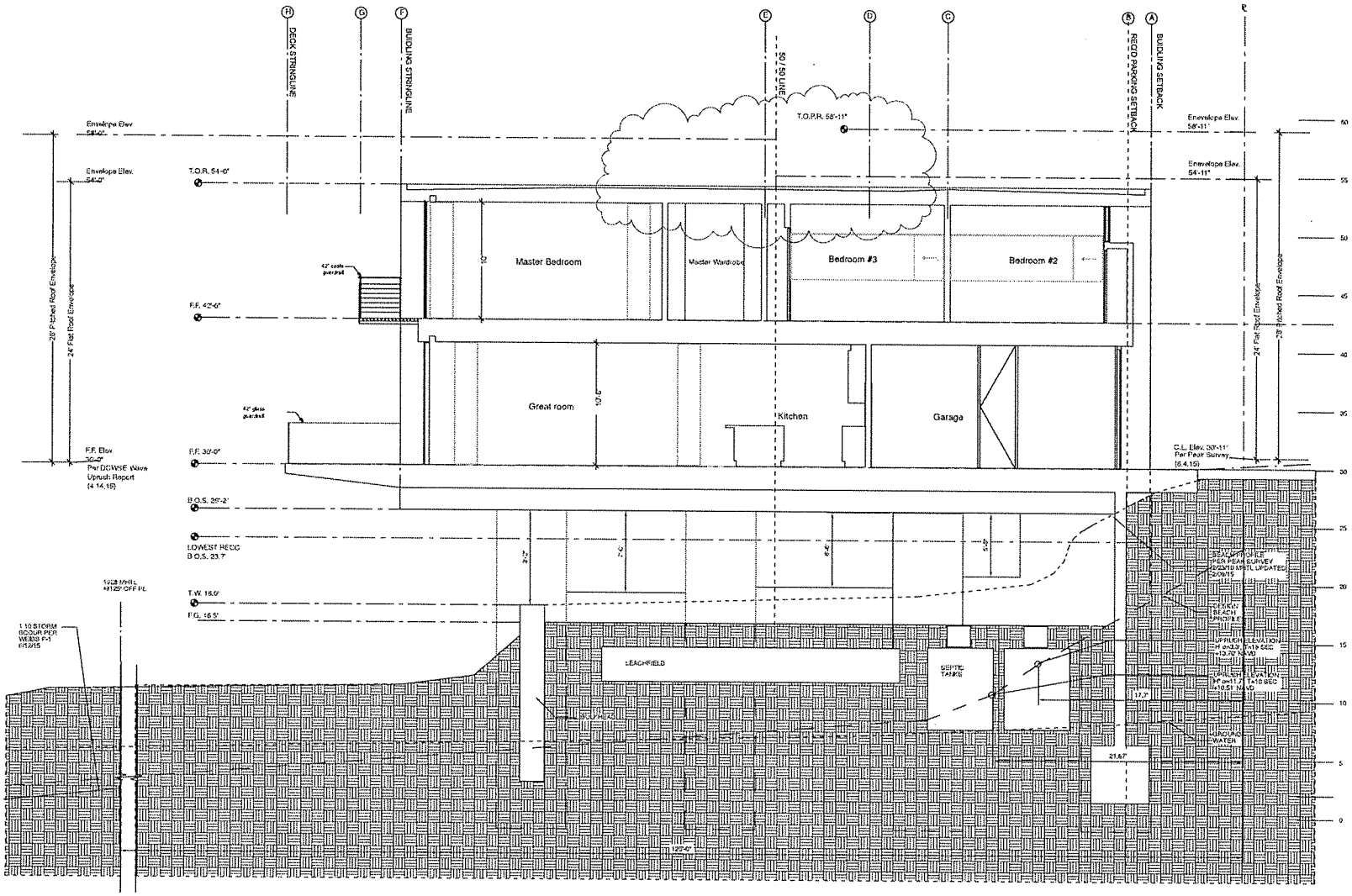
JOB NO: 01322.00

DATE: 08.26.16

SCALE:

SHEET TITLE: Elevation

SHEET NUMBER: A303



25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

Ralph Mechur Architects
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310.398.2850 F
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REVISIONS	
CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FPA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

JOB NO 01322.00

DATE 08.26.16

SCALE

SHEET TITLE

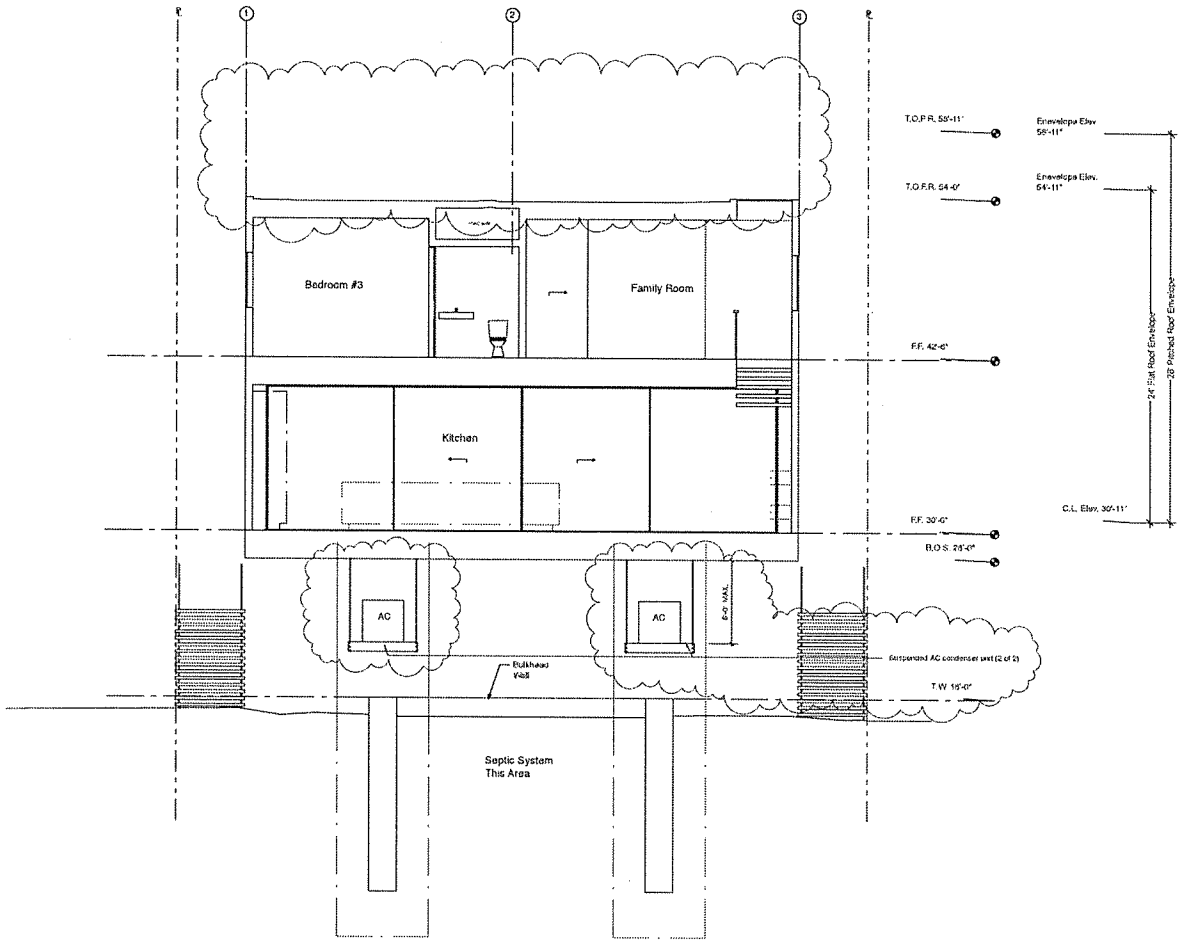
SECTION

SHEET NUMBER

A400

NOTES

HAVO #3 USED FOR ALL DOCUMENTS AND REPORTS



SECTION
SCALE: 1/4" = 1'-0"
D1

25306 MALIBU ROAD MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

PROJECT ADDRESS
25306 MALIBU ROAD
MALIBU, CA

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REVISIONS

CONFORMANCE REVIEW	10.14.15
FIRE DEPT.	11.04.15
CONFORMANCE REVIEW	03.12.16
FFA / FD SUBMITTAL	04.04.16
FD SUBMITTAL	04.11.16
CONFORMANCE REVIEW	05.02.16
PROGRESS SET	05.18.16
CONFORMANCE REVIEW	05.24.16
PLANNING COMMISSION	08.04.16
ROOF MODIFICATION	08.26.16

JOB NO: 01322.00

DATE: 08.26.16

SCALE:

SHEET TITLE: Section

SHEET NUMBER: A401

09/08/2016 02:52

09/08/2016 02:52

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 (fifteen days for tentative parcel maps) 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 – An aggrieved person may appeal the Planning Commission's approval 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 **Jessica Colvard, Associate Planner, at (310) 456-2489, extension 234.**

Date: August 25, 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, September 19, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

COASTAL DEVELOPMENT PERMIT NO. 14-003, VARIANCE NOS. 16-010 AND 16-023, AND MINOR MODIFICATION NO. 15-016 – An application to construct a new 5,094 square foot, two-story, single-family residence with attached garage, decks, new alternative onsite wastewater treatment system, return wall, retaining walls, removal of existing timber walls, including a variance for the installation of a new bulkhead sited seaward of the seawall stringline, a variance for construction on slopes steeper than 2.5 to 1, and a minor modification for a reduced front yard setback

LOCATION:	25306 Malibu Road, within the appealable coastal zone
APN:	4459-016-013
ZONING:	Multi-Family Beachfront (MFBF)
APPLICANT:	Ralph Mechur Architects
OWNER:	Chambers Creek, LLC
APPLICATION FILED:	January 24, 2014
CASE PLANNER:	Jessica Colvard Associate Planner (310) 456-2489, ext. 234 jcolvard@malibucity.org

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15301 – Existing Facilities and 15303 – 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).

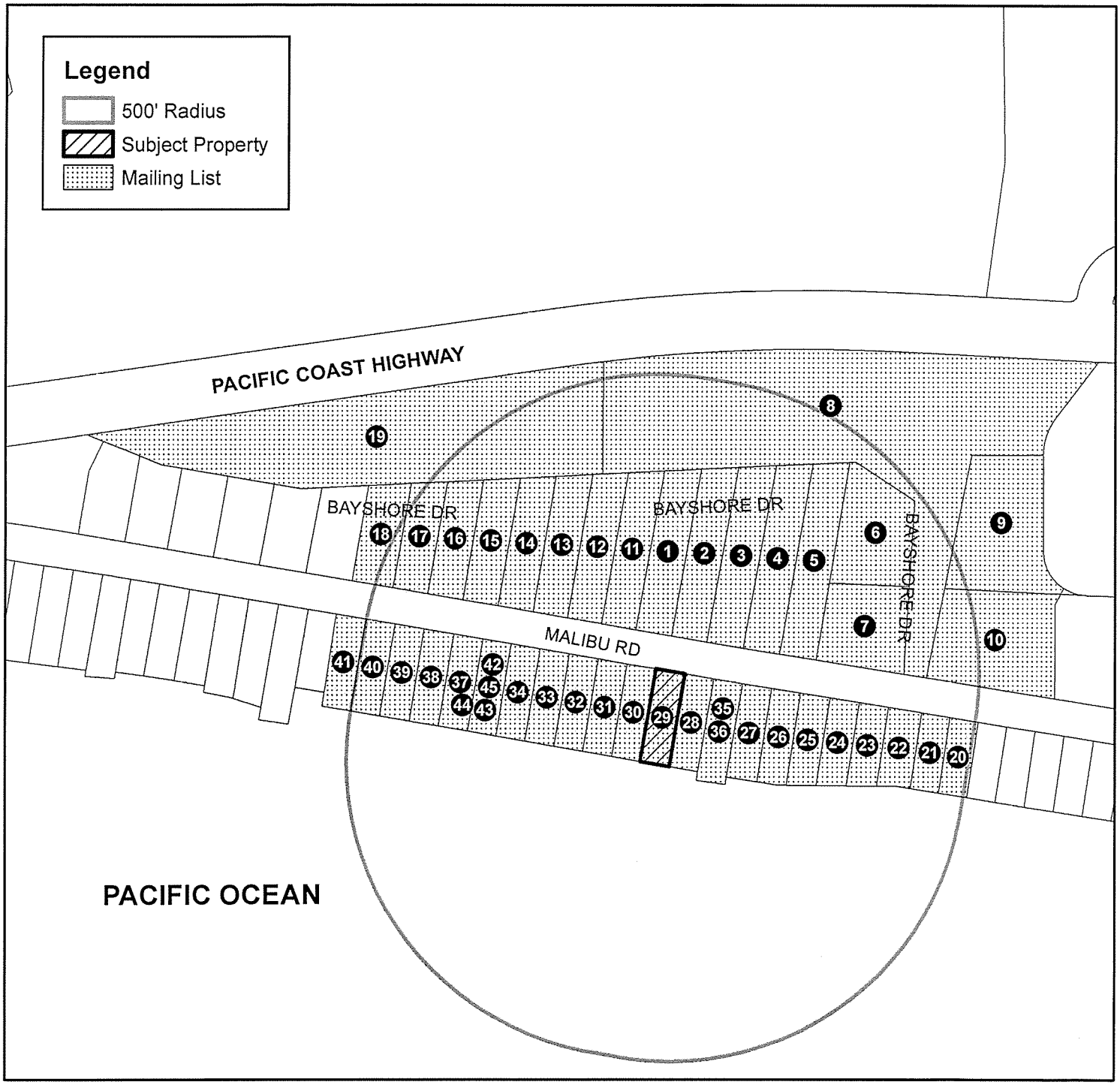
Radius Map - 500'

Map Date: 06/10/2016

Data Source:
Los Angeles County Geographic Information System
Base Parcel Database
June 2016 Extraction Date
City of Malibu Area

SUBJECT PROPERTY

ADDRESS: 25306 MALIBU RD., MALIBU, CA 90265
APN: (LAC) □4459-016-013



Notes:
Latest equalized assessment rolls obtained from the Los Angeles County Assessor's Office through ParcelQuest, a vendor service.
Extraction Date: 06/10/2016
Map created with ArcGIS 10

0 125 250 500 Feet

RADIUS MAPS 4 LESS
PLANNING + ENGINEERING
www.radiusmaps4less.com | (909) 997-9357

Commission Agenda Report

Planning Commission Meeting
09-19-16
Item 5.B.

To: Chair Mazza and Members of the Planning Commission

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 7, 2016 Meeting Date: September 19, 2016

Subject: Local Coastal Program Amendment No. 16-003 – An application to change land use and zoning designations of four contiguous parcels from Public Open Space (POS) and Rural Residential-Forty Acre (RR-40) to Rural Residential-Twenty Acre (RR-20)

Location:	5603 and 5699 Tuna Canyon Road 19005 and 19319 Pacific Coast Highway
APNs:	4449-009-001, 4449-009-002, 4449-009-003, and 4449-009-004
Applicant:	City of Malibu
Owner:	Canyon Vineyard Estates I, LLC

RECOMMENDED ACTION: Continue this item to a date uncertain.

Planning Commission Meeting
09-19-16
Item 5.C.

Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner

Approved by: Bonnie Blue, Planning Director a.f. for

Date prepared: September 8, 2016 Meeting date: September 19, 2016

Subject: Conditional Use Permit Amendment No. 15-007 and Administrative Plan Review 15-058 – An application to amend Conditional Use Permit No. 08-009 and to allow for the expansion of the existing convenience market and garage bays at an existing service station (Chevron)

Location:	23670 Pacific Coast Highway
APN:	4458-019-009
Owner:	KW Partnership L.P.
Tenant:	Ben Pouldar, Malibu Petroleum Inc.

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-77 approving Conditional Use Permit Amendment (CUPA) No. 15-007 to amend to Conditional Use Permit (CUP) No. 08-009 and approving Administrative Plan Review (APR) No. 15-058 to allow for a 689 square foot expansion of the existing convenience market and garage bays at an existing service station in the Commercial General (CG) zoning district located at 23670 Pacific Coast Highway, at the corner of Pacific Coast Highway and Webb Way (Chevron / KW Partnership L.P.).

DISCUSSION: The issue before the Planning Commission is whether to adopt Planning Commission Resolution No. 16-77 amending CUP No. 08-009. Pursuant to Malibu Municipal Code (MMC) Chapter 17.66, the applicant is requesting that the City grant a CUPA to allow for expansion of the existing convenience market and service garage at the existing service station.

The applicant also plans to make tenant improvements (APR No. 15-058) consisting of the construction of interior partition walls, conversion of a portion of the existing garage into convenience market area, an addition to the existing building to replace the service

bay area to be converted to convenience market area, minor grading and drainage improvements.

The City Environmental Health Administrator, 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). A CUPA approval does not permit construction; therefore, an APR is being processed as part of this application to allow for the proposed remodel and addition to the existing structure.

Project Description

Currently, the site is developed with a 1,639 square foot, 18 foot high gas / service station structure. The existing conditional use permit allows for the operation of six gasoline pump islands which are located under an 18 foot high canopy. No modifications to the canopy or gasoline pump islands are proposed. The existing CUP also allows for the operation of a 472 square foot convenience market which will be expanded to 1,161 square feet. While part of the three existing service bays will be converted into convenience market area, an additional 689 square feet will be added to the building to add new area for service bays. Approval of the APR will allow for a total of three service bays to be maintained.

Currently, the convenience market and gasoline pumps are open 24 hours a day, 7 days a week; this will not change. The service bays will continue to operate between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. The service bays will be closed on Sundays.

In summary the project proposes the following:

- Amendment to CUP No. 08-009 to allow for the operation of a 1,161 square foot convenience store;
- The addition of 689 square feet to the existing service station structure;
- An interior remodel of the existing service station structure;
- Installation of new drainage devices;
- Removal of the existing storage container;
- New trash enclosure;
- Relocated waste oil storage area;
- New hardscape; and
- New landscaping.

Surrounding Land Use

The property is bordered to the north by Pacific Coast Highway, to the east by existing commercial development, to the west by Webb Way and existing commercial development, and to the south by Malibu Road, a parking lot and a 3.55 acre vacant parcel. Properties in the vicinity are commercially developed and designated as CG and Commercial Visitor serving (CV-1).

Table 1 – Adjacent Land Uses				
	Address / APN	**Size**	**Zone**	**Land Use**
North	23641 Pacific Coast Highway	14.76 acres	CV-1	Retail, Medical, and Public Open Space
South	23664 Malibu Road	0.65 acres	CG	Office Parking
East	23614 Malibu Road	0.54 acres	CG	Vacant
West	23841 Malibu Road	13.94 acre	CG	Shopping Center

The subject property does not lie within the Appealable Jurisdiction as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map. Additionally, the subject property does not lie within or adjacent to any Environmentally Sensitive Habitat Area (ESHA). The entire parcel is 74,793 square feet (1.717 acres) in size and includes the following existing development (Attachment 3):

- A one-story post office building, 5,665 square feet;
- A one-story emergency medical care building, 2,383 square feet;
- Approximately 26 parking spaces serving the post office and medical buildings in addition to the 27 spaces provided by the service station; and
- A one-story service station and convenience store, 1,619 square feet.

The lot on which the three structures are located consists of two lease areas, but make up one legal lot. The service station is located within its own lease area, for the purpose of zoning conformance the entire site and all development is considered.

ANALYSIS

Conditionally Permitted Uses

MMC Section 17.30.030(A) conditionally permits convenience stores and service stations in the Commercial General (CG) zone. Therefore, a CUP is required. The CUPA will allow for the continued operation of a previously operating gasoline and service station, and expansion of the existing convenience market.

Parking

Pursuant to MMC Section 17.48.030(G), the parking requirement for automobile service stations is two spaces for each lubrication stall, rack or pit, plus one space for each gasoline pump outlet. In addition, convenience markets (or similar uses) have a parking requirement of one space for each 225 square feet.

The existing service station contains 27 parking spaces. Currently, 15 parking spaces are required as follows:

Six fuel pumps =	6 parking spaces
Three automotive service bays =	6 parking spaces
Convenience store (472 sq. ft.) =	3 parking spaces
	Total 15

Upon completion of the project, 18 parking spaces will be required as follows:

Six fuel pumps =	6 parking spaces
Three automotive service bays =	6 parking spaces
Convenience store (1,161 sq. ft.) =	6 parking spaces
	Total 18

As proposed, the only expansion of area will be in the convenience store which is proposed to become 1,161 square feet. The expansion of the convenience store will result in the need for an additional three parking spaces, increasing the number of required parking spaces to 18. The existing service station can adequately accommodate the required parking as it contains 27 parking spaces, one of which is Americans with Disabilities compliant.

Currently, the traffic circulation through the site is impeded by vehicles which are being stored as part of the service station. The service station use will be limited to a total of no more than 14 vehicles onsite at any one time. The purpose of this limitation is to restrict vehicles left for repair to the rear of the existing structure where the service bays currently open to and not in the circulation paths used for the gas pumps or convenience store. This number is based on the space available in the rear of the service bays where vehicles can be stored without impeding circulation and onsite uses. As part of the project approval, the CUP will be conditioned to limit the number of vehicles that can be parked onsite for the service station use as well as a prohibition on the sale of vehicles. In addition, the zoning code does not allow vehicle sales in the CG zoning district.

Existing utilities serve the site and no upgrade to the onsite wastewater treatment system will be required.

Coastal Development Permit Exemption

Pursuant to LCP Local Implementation Plan (LIP) Section 13.4.3 (Other Improvements), a CDP exemption may be granted for improvements to any structure other than a single-family residence or a public works facility. The proposed CUPA does not involve any of the classes of development which would require a CDP because of a risk of adverse effect on the environment, or public access, or involve a change in use contrary to the policies of the Malibu LIP. Therefore, the scope of work proposed in this CUPA and APR is exempt from obtaining a CDP.

A. Administrative Plan Review Conformance Review (MMC Section 17.40.040)

Pursuant to MMC Chapter 17.62, the proposed development has been reviewed for conformance with the property development and design standards of MMC Chapter 17.40 and has been determined to comply. The following analysis describes how the determination was made (Table 2) and correspondence from the referring specialists and/or agencies is attached (Attachment 4).

Table 2 provides a summary of the dimensions and the area of the entire parcel.

Table 2 – Property Data	
Lot Depth	165 feet (approx.)
Lot Width	440 feet (approx.)
Gross Lot Area	73,119 square feet
Net Lot Area*	73,119 square feet

*Net lot area equals gross lot area minus the area of public and private street easements and 1:1 slopes

Table 3 – MMC Zoning Conformance			
Development Requirement	**Allowed/Required**	**Proposed**	**Comments**
Front Yard	33 Ft.	65 Ft.	Complies
Rear Yard	24 Ft.	24.7 Ft.	Complies
Side Yard	66 Ft.	285 Ft.	Complies
Side Yard (Minimum 10%)	44 Ft.	63.5 Ft.	Complies
Parking Pump Islands Service Bays Convenience Store	 6 6 6	 6 11 10	 Complies Complies Complies
Floor Area Ratio (whole site)	15 percent 10,967 sq. ft.	14.5 percent 10,597 sq. ft.	Complies
Landscape (whole site)	29,248 sq. ft.	19,653 sq. ft.	Existing Non-conforming
Open Space (whole site)	18,280 sq. ft.	6,917 sq. ft.	Existing Non-conforming
Height	18 Ft.	18 Ft.	Complies

The proposed convenience market expansion is consistent with the commercial development standards and will result in the expansion of only the existing convenience store use. The number of fuel pumps and service bays will remain the same. In addition, the application does not propose more than 43 percent demolition of the existing exterior walls. The majority of the demolition is to allow for the addition to the existing structure. The project site is currently non-conforming with respect to landscaping and open space. The proposed addition to the existing building will be located in an area which contains paving and storage units and therefore, does not increase the non-conformities. The project will result in additional landscaping. The proposed project was reviewed by the Planning Department, Public Works Department, the City Environmental Health Administrator and LACFD. The project, as proposed and conditioned, is consistent with all applicable development standards, and City goals and policies. Story poles were not installed onsite because the proposed addition is less than 18 feet in height and does not have the potential to impact scenic views. In addition, LCP Land Use Policy 6.4 states that the portion of Pacific Coast Highway which is in the Civic Center area is not considered a scenic road.

MMC Chapter 17.54 requires certain procedures be followed to determine potential impacts on archaeological resources. The project site has been evaluated for potential impacts to archaeological resources per the adopted City of Malibu Cultural Resources Map and it has been determined due to the limited landform alterations proposed and previous grading, the project has a very low probability of disturbing archeological resources. Conditions of approval have been included in the attached resolution which require that in the event that any potentially important cultural resources are found in the course of 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.

B. Conditional Use Permit Findings (MMC Section 17.66.080)

The applicant is requesting an amendment to CUP No. 08-009 to allow for the expansion of an existing convenience market. No modifications are proposed to the existing hours of operation, number of gasoline pumps or increase in the number of automotive service bays. Pursuant to MMC Section 17.66.080, the Planning Commission may approve, deny and/or modify an application for a CUP amendment in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The CUP amendment can be supported based on the findings below:

Finding 1. 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.

The gasoline/service station/convenience market is a conditionally permitted use in the CG zoning district pursuant to MMC Section 17.30.030(A). The project has been reviewed by the City Environmental Health Administrator, City Public Works Department and the LACFD. The project, as conditioned, complies with all applicable provisions of the MMC.

Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

To date, the station on the subject site was re-opened eight years ago and has not been the subject of code enforcement cases or a source for public nuisance reports. The proposed CUPA will allow for the expansion of the existing convenience store. Additionally, no new uses are proposed.

There is no change in use anticipated with the approval of CUPA No. 15-007. The proposed gasoline/service station/convenience market is a conditionally permitted commercial use on commercially zoned property and therefore would not impair the integrity and character of the CG zoning district.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site has contained a service station since 1957. The site as conditioned, will provide adequate vehicular circulation and allocates more spaces than are required in the MMC for convenience stores and service station uses. Therefore, the site is physically suitable for the use being proposed.

Finding 4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The subject property is currently developed with the service station, a medical building and a post office. Additionally, a commercial shopping center (Malibu Colony Plaza) is located just to the west, across Webb Way. The closest residential development is located approximately 300 feet south of the property. The existing station is oriented toward Webb Way and Pacific Coast Highway, away from the residential uses that are located further south on Malibu Colony Drive. An over-concentration of gasoline-providing facilities is not present in the immediate area. The nearest stations are located at 23387 Pacific Coast Highway (1,750 feet to the east) and 26101 Pacific Coast Highway (3 miles to the west). Currently, there are only five gasoline stations operating within City limits. Therefore, this proposed use is compatible with those on the property and in the surrounding neighborhood.

Finding 5. 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.

The general area around the existing station is comprised of a wide range of commercial uses. The subject parcel and the adjacent Malibu Colony Plaza parcel include a post office, medical building, a fast food purveyor, various retail, health and well-being uses, a large supermarket and a pet supply store. The residential uses located approximately 300 feet south of the site along Malibu Colony Drive do not face this parcel and the station onsite is oriented away from the residences.

The applicant does not propose to modify the hours of operation for the existing service station, including the convenience market portion of the business. The gasoline pumps and market will continue to be open 24 hours a day, seven days a week. The service station will continue to be open between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday and will be closed on Sundays. To the north, west and east of the project site is Pacific Coast Highway and commercial uses. The site does not abut existing residential development. As such, the proposed hours of operation are compatible with existing and future land uses.

Finding 6. 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.

Existing utilities will continue to serve the service station. Since the station has been in operation since 1957, no significant impacts on City services are anticipated. The proposed project will not create any shade or shadow impacts that would impede solar access, as the new development that is proposed maintains the existing roofline. Therefore, the proposed project does not have the potential to create new adverse impacts on existing public and private views.

Finding 7. There would be adequate provisions for public access to serve the subject proposal.

No change to the site or circulation plan for the property is proposed under this CUP amendment with the exception for the limitation of onsite parking for the automotive repair and maintenance use. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. There are more parking spaces provided onsite that what is required by the MMC and there is direct access to the station via Pacific Coast Highway and Webb Way. It is not anticipated that the addition to the convenience store would substantially impact public access or circulation.

Finding 8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the General Plan.

The use is a conditionally permitted commercial use in the CG zoning district and, as conditioned, is consistent with goals, objectives and policies of the General Plan.

Finding 9. The proposed project complies with all applicable requirements of state and local law.

The CUP amendment was reviewed by Planning Department staff, the City Environmental Health Administrator, City Public Works Department and the LACFD. 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.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

As conditioned, the proposed gasoline/service station/convenience market will not be detrimental to the public interest, health, safety, convenience or welfare. The station will provide a service to the community by making gasoline, convenience market items and auto repair services available along the community's primary vehicular thoroughfare.

Finding 11. 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 project will not be at risk from earth movement and flood hazards based on the associated geotechnical reports. With the incorporation of the recommendations made by the applicant's geotechnical consultant it is not expected that the project will result in new impacts related to earth movement 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 15303(e) – Additions to Existing Facilities. 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).

PUBLIC NOTICE: On August 25, 2016, 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 received no public comments regarding this application.

SUMMARY: The required CUPA findings can be made and the project conforms to all requirements for approval of the APR. 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. 16-77. The project has been reviewed and conditionally approved for conformance with the MMC.

ATTACHMENTS:

1. Planning Commission Resolution No. 16-77
2. Planning Commission Resolution No. 08-68
3. Project Plans
4. Department Review Sheets
5. Vicinity Map and Aerial Photograph
6. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 16-77

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU APPROVING CONDITIONAL USE PERMIT AMENDMENT NO. 15-007 TO AMEND TO CONDITIONAL USE PERMIT NO. 08-009 AND APPROVING ADMINISTRATIVE PLAN REVIEW NO. 15-058 TO ALLOW FOR A 689 SQUARE FOOT EXPANSION OF THE EXISTING CONVENIENCE MARKET AND GARAGE BAYS AT AN EXISTING SERVICE STATION IN THE COMMERCIAL GENERAL ZONING DISTRICT LOCATED AT 23670 PACIFIC COAST HIGHWAY, AT THE CORNER OF PACIFIC COAST HIGHWAY AND WEBB WAY (KW PARTNERSHIP L.P.)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On October 7, 2008, the Planning Commission approved Resolution No. 08-86 approving Conditional Use Permit (CUP) No. 08-009 allowing for the continued operation of an existing gas and service station that includes a convenience store.

B. On July 13, 2015, Fiedler Group Inc., on behalf of KW Partnership L.P., submitted Conditional Use Permit Amendment (CUPA) No. 15-007 and Administrative Plan Review (APR) No. 15-058 to allow for minor site improvements and expansion of the existing convenience store to the Planning Department, on behalf of the property owner.

C. On August 12, 2016, Planning Department staff deemed the application complete.

D. On August 25, 2016, 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.

E. On September 19, 2016, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff 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 proposal as described above. The Planning Commission 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 and therefore, exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared and issued pursuant to CEQA Guidelines Section 15303 – Additions to Existing Facilities. The Planning Commission 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).

SECTION 3. Administrative Plan Review Findings.

Based on substantial evidence contained within the record and pursuant to Malibu Municipal Code (MMC) Sections 17.40.080 and 17.40.090, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves APR No. 15-058 for an exterior and interior remodel and 689 square foot addition to an existing commercial structure in the Commercial General (CG) zoning district located at 23670 Pacific Coast Highway.

The proposed project has been determined to be consistent with all applicable City goals and policies. The project site has also been evaluated for potential impacts to archaeological resources per adopted City Cultural Resources Maps. It has been determined to have a very low potential of containing archeological or paleontological resources.

SECTION 4. Conditional Use Permit Amendment Findings (MMC Section 17.66.080).

1. The applicant is requesting an amendment to CUP No. 08-009 to allow for the expansion of an existing convenience market use. No modifications are proposed to the existing hours of operation, number of gasoline pumps or increase in the number of automotive service bays. The gasoline/service station/convenience market is a conditionally permitted use in the CG zoning district pursuant to MMC Section 17.30.030(A). The project has been reviewed by the City Environmental Health Administrator, City Public Works Department and the LACFD. The project, as conditioned, complies with all applicable provisions of the MMC.

2. To date, the station on the subject site was re-opened eight years ago and has not been the subject of code enforcement cases or a source for public nuisance reports. The proposed CUPA will allow for the expansion of the existing convenience store. Additionally, no new uses are proposed. There is no change in use anticipated with the approval of CUPA No. 15-007. The proposed gasoline/service station/convenience market is a conditionally permitted commercial use on commercially zoned property and therefore would not impair the integrity and character of the CG zoning district.

3. The project site has contained a service station since 1957. The site as conditioned, provides adequate vehicular circulation and allocates more spaces than are required in the MMC for convenience stores and service station uses. Therefore, the site is physically suitable for the use being proposed

4. The subject property is currently developed with the service station, a medical building and a post office. Additionally, a commercial shopping center (Malibu Colony Plaza) is located just to the west, across Webb Way. The closest residential development is located approximately 300 feet south of the property. The existing station is oriented toward Webb Way and Pacific Coast Highway, away from the residential uses that are located further south on Malibu Colony Drive. An over-concentration of gasoline-providing facilities is not present in the immediate area. The nearest stations are located at 23387 Pacific Coast Highway (1,750 feet to the east) and 26101 Pacific Coast Highway (3 miles to the west). Currently, there are only five gasoline stations operating within City limits. Therefore, this proposed use is compatible with those on the property and in the surrounding neighborhood.

5. The general area around the existing station is comprised of a wide range of commercial uses. The subject parcel and the adjacent Malibu Colony Plaza parcel include a post office, medical building, a fast food purveyor, various retail, health and well-being uses, a large supermarket and a pet supply store. The residential uses located approximately 300 feet south of the site along Malibu Colony Drive do not face this parcel and the station onsite is oriented away from the residences. The applicant does not propose to modify the hours of operation for the existing service station, including the convenience market portion of the business. The gasoline pumps and market will continue to be open 24 hours a day, seven days a week. The service station will continue to be open between the hours of 7:00 a.m. and 6:00 pm. Mondays through Saturdays and will be closed on Sundays. To the north, west and east of the project site is Pacific Coast Highway and commercial uses. The site does not abut existing residential development. As such, the proposed hours of operation are compatible with existing and future land uses.

6. Existing utilities will continue to serve the service station. Since the station has been in operation since 1957, no significant impacts on City services are anticipated. The proposed project will not create any shade or shadow impacts that would impede solar access, as the new development that is proposed maintains the existing roofline. Therefore, the proposed project does not have the potential to create new adverse impacts on existing public and private views.

7. No change to the site or circulation plan for the property is proposed under this CUP amendment with the exception for the limitation of onsite parking for the automotive repair and maintenance use. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. There are more parking spaces provided onsite that what is required by the MMC and there is direct access to the station available off of Pacific Coast Highway and Webb Way. It is not anticipated that the addition to the convenience store would substantially impact public access or circulation.

8. The use is a conditionally permitted commercial use in the CG zoning district and, as conditioned, is consistent with goals, objectives and policies of the General Plan.

9. The CUP amendment was reviewed by Planning staff, the City Environmental Health Administrator, City Public Works Department and the LACFD. 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.

10. As conditioned, the proposed gasoline/service station/convenience market will not be detrimental to the public interest, health, safety, convenience or welfare. The station will provide a service to the community by making gasoline, convenience market items and auto repair services available along the community's primary vehicular thoroughfare.

11. The project will not be at risk from earth movement and flood hazards based off of the associated geotechnical reports. With the incorporation of the recommendations made by the applicant's geotechnical consultant it is not expected that the project will result in new impacts related to earth movement or liquefaction.

SECTION 5. Planning Commission Approval.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves Conditional Use Permit Amendment No. 15-007 and Administrative Plan Review No. 15-058, subject to the conditions listed below. No other changes to the conditions contained in Planning Commission Resolution No. 08-68 are made and all other findings, terms and / or conditions contained in Planning Commission Resolution No. 08-68, shall remain in full force and effect.

SECTION 6. Conditions of Approval.

Standard Conditions

1. The property owners and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. This approval allows for the following:
   a. Amendment to CUP No. 08-009 to allow for the operation of a 1,161 square foot convenience store;
   b. The addition of 689 square feet to the existing service station structure;
   c. An interior remodel of the existing service station structure;
   d. Installation of new drainage devices;
   e. Removal of the existing storage container;
   f. New trash enclosure;
   g. Relocated waste oil storage are;
   h. New hardscape, and
   i. New landscaping.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, dated **June 1, 2016**. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. This resolution (including signed and notarized Acceptance of Conditions Affidavit and Department Review Sheets) shall be submitted to the City of Planning Department.

5. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

6. 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. Revised plans reflecting the minor

changes and additional fees shall be required.

Environmental Health

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

Public Works

8. 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

9. 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.

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

Fixed Conditions

11. 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.

12. The applicant shall enter into the Civic Center Participation Agreement with the Los Angeles County Department of Public Works and will pay the associated fees.

13. 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.

14. The automotive repair business that is associated with the service station shall have no more than 14 vehicles onsite at any one time. Vehicles waiting to be repaired or serviced shall only be parked in the parking area located at the rear of the building.

15. The automotive repair business shall be limited only to the repair and maintenance work and not offer vehicles for sale onsite or offsite along Webb Way, Malibu Road, or Pacific Coast Highway.

16. Pursuant to MMC Section 17.66.080, this conditional use permit and rights conferred in this approval shall not be effective until the property owner signs and records with the Los Angeles County Recorder's Office the Acceptance of Conditions Affidavit accepting the conditions set forth herein. A certified copy of said recordation shall be filed with the Planning Commission Recording Secretary within 30 days of the effective date of the approval.

17. 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.

18. This conditional use permit shall become subject to revocation should the use for which the conditional use permit was granted cease for six successive calendar months after the start of operations after completion of the addition, except in the case of natural disaster.

19. The conditional use permit shall 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. The use for which the conditional use permit was granted has ceased or was suspended for at least six successive calendar months.
    c. One or more of the conditions found within this resolution have not been substantially met.

SECTION 6. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of September 2016.

JOHN MAZZA, 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 may be found online at www.malibucity.org, in person at City Hall or by calling (310) 456-2489 extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 16-77 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 19th day of September 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 08-68

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU APPROVING CONDITIONAL USE PERMIT NO. 08-009 TO ALLOW THE RE-OPENING OF THE EXISTING GASOLINE / SERVICE STATION / CONVENIENCE MARKET IN THE COMMERCIAL GENERAL ZONING DISTRICT LOCATED AT 23670 PACIFIC COAST HIGHWAY (KW PARTNERSHIP, LP)

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

Section 1. Recitals.

A. The service station at the corner of Webb Way and Pacific Coast Highway was originally constructed in 1957. On June 30, 2006, the station stopped operating and Planning staff advised the owner that a conditional use permit (CUP) would be required should the station reopen in the future, unless an original CUP could be located for the station. After thorough research, the applicant was not able to prove that a CUP had ever been issued for the specific use on this property.

B. On June 17, 2008, Ben Pouldar on behalf of property owner KW Partnership L.P. and tenant Union 76, submitted an application for CUP No. 08-009. The application was reviewed for all applicable standards by Planning Division staff, the City Department of Public Works and the Los Angeles County Fire Department (LACFD).

C. The project consists of a CUP request to allow the re-opening of the existing 1,639 square foot, 16 foot high gas/service station. Previously, 12 gasoline pumps operated onsite under a 16 foot high canopy, along with a 358 square convenience market with two public restrooms and three service bays. A total of 20 parking spaces are provided onsite. The proposed project includes no new square footage, demolition, change to existing facilities or grading. Additionally, no alcohol sales are proposed.

D. Delivery hours are the following: convenience market deliveries will be made between 7:00 a.m. and 7:00 pm. daily and gasoline deliveries will be made 24 hours a day, 7 days a week. Hours of operation will be the following: the convenience market and the gasoline pumps will be open 24 hours a day, 7 days a week and the service bays will operate between the hours of 7:00 a.m. and 6:00 pm. Mondays through Saturdays. The service bays will be closed on Sundays.

E. On August 28, 2008, the application was deemed complete for processing.

F. On September 11, 2008, a 21-day 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 proposed project.

G. On October 7, 2008, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered written reports, public testimony, and other

ATTACHMENT 2

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 proposal as described above. The Planning Commission 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 Commission 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).

Section 3. Conditional Use Permit.

Pursuant to Malibu Municipal Code (M.M.C.) 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. Having heard all oral testimony, reviewed all written testimony and considered all relevant evidence and argument, the Planning Commission, in accordance with M.M.C. Section 17.66.080, finds that adequate public input was provided; that the proposed development does not impair the integrity of the surrounding neighborhood; that reasonable and necessary conditions have been imposed to assure compatibility with the surrounding uses; and hereby approves CUP No. 08-009 based on the following findings of fact:

Finding 1. 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.

M.M.C. Section 17.30.030(A) conditionally permits convenience stores and service stations in the Commercial General (CG) zone. Therefore, a CUP is required. The CUP will allow the previously operating gasoline/service station/convenience market, which has been closed for more than six months, to re-open on the subject property.

Pursuant to M.M.C. Section 17.48.030(G), the parking requirement for automobile service stations is two spaces for each lubrication stall, rack or pit, plus one space for each gasoline pump outlet. In addition, food stores (or similar uses) have a parking requirement of one space for each 225 square feet. The proposed re-opening of the station will not change the use of the existing station and therefore will not increase the number of required parking stalls.

Currently, the existing parking lot configuration is composed of 19 parking spaces (measuring 9 feet by 18 feet) plus one Americans with Disabilities Act (ADA) accessible parking space located along the southern property line and adjacent to the convenience market. Additionally, there is one space designated for each gasoline pump outlet, which accounts for 12 more spaces. The total number of parking spaces that are required onsite is 17, two for the food market, three for the automobile service station and 12 for the gasoline pumps. The existing parking exceeds that which is required onsite.

Existing utilities serve the site. There are no plans to alter or add to the existing structure associated with this project. No upgrade to the onsite wastewater treatment system will be required. The project

has been reviewed by the Planning staff, the City Public Works Department and the LACFD. The project, as conditioned, complies with all applicable provisions of the M.M.C.

Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

To date, the station on the subject site has been closed for just over two years. In that time, a chain-link fence has been installed around the perimeter, all signs have been removed and all landscaping has died. Furthermore, this site has been the victim of graffiti and the condition of the existing structures can be characterized as blighted. Re-opening the site will allow for the unsightly chain-link fencing to be removed, the planters to be re-landscaped and the building to be re-painted (improvements that do not require planning review or a building permit). Additionally, new signs, to be processed under a separate sign permit, will be placed onsite. An operational station will serve deter would-be graffiti artists.

There is no change in use anticipated with the approval of CUP No. 08-009. The proposed gasoline/service station/convenience market is a conditionally permitted commercial use on commercially zoned property and therefore would not impair the integrity and character of the CG zoning district.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site has contained a service station since 1957. The proposed re-opening of the pre-existing use will not affect the physical structure of the building. No other changes to the station are proposed under this application, nor are any changes necessary to accommodate the proposed use. The site provides adequate vehicular circulation and allocates more spaces than are required in the M.M.C. for food service and service station uses. Therefore, the site is physically suitable for the use being proposed.

Finding 4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The subject property is currently developed with the service station, a medical building and a post office. Additionally, a commercial shopping center (Malibu Colony Plaza) is located just to the west, across Webb Way. The closest residential development is located approximately 300 feet south of the property. The existing station is oriented toward Webb Way and Pacific Coast Highway, away from the residential uses that are located further south on Malibu Colony Drive. An over-concentration of gasoline-providing facilities is not present in the immediate area. The nearest stations are located at 23387 Pacific Coast Highway (1,750 feet to the east) and 26101 Pacific Coast Highway (3 miles to the west). Until recently, another gasoline provider has operated on the adjacent parcel. However, that station has been closed and an application is proposed for its demolition. Currently, there are only five gasoline stations operating within City limits. Therefore, this proposed use is compatible with those on the property and in the surrounding neighborhood.

Finding 5. 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.

The general area around the existing station is comprised of a wide range of commercial uses. The subject parcel and the adjacent Malibu Colony Plaza parcel include a post office, medical building, a fast food purveyor, various retail, health and well-being uses, a large supermarket and a pet supply store. The only other adjacent gasoline-provider has recently been closed. The residential uses located approximately 300 feet south of the site along Malibu Colony Drive do not face this parcel and the station onsite is oriented away from the residences.

The applicant has proposed hours of operation for both the gasoline/convenience market portion of the business, but also for the service station portion. The applicant proposes for the pumps and market to be open 24 hours a day, seven days a week. The service station will be open between the hours of 7:00 a.m. and 6:00 pm. Mondays through Saturdays and will be closed on Sundays. To the north, west and east of the project site is Pacific Coast Highway and commercial uses. The site does not abut existing residential development. As such, the proposed hours of operation are compatible with existing and future land uses.

The pre-existing use was compatible with existing and future land uses and will continue to be so after it re-opens.

Finding 6. 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.

Existing utilities will continue to serve the service station. Since the station has been in operation since 1957 and no expansion of use is proposed, no significant impacts on City services are anticipated. The proposed project will not create any shade or shadow impacts that would impede solar access, as no new development is proposed. The structure at 23670 Pacific Coast Highway will not change under this application, and; therefore, does not have the potential to create new adverse impacts on existing public and private views.

Finding 7. There would be adequate provisions for public access to serve the subject proposal.

No change to the site or circulation plan for the property is proposed under this CUP. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. There are more parking spaces provided onsite that what is required by the M.M.C. and there is direct access to the station off of Pacific Coast Highway and Webb Way. It is not anticipated that the re-opening of the station would substantially impact public access or circulation.

Finding 8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the General Plan.

The use is a conditionally permitted commercial use in the CG zoning district and, as conditioned, is consistent with goals, objectives and policies of the General Plan.

Finding 9. The proposed project complies with all applicable requirements of state and local law.

The CUP was reviewed by Planning staff, the City Public Works Department and the LACFD. 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 Regional Water Quality Control Board and the LACFD CUPA Program, which regulates the Underground Storage Tank Program.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

As conditioned, the proposed gasoline/service station/convenience market will not be detrimental to the public interest, health, safety, convenience or welfare. The station will provide a service to the community by making gasoline, convenience market items and auto repair services available along the community's primary vehicular thoroughfare.

Finding 11. 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 project will not be at risk from earth movement and flood hazards since the application only involves re-opening the existing commercial use on the property. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement or liquefaction.

Section 4. Conditions of Approval.

On the basis of the foregoing findings and substantial evidence in the record, the Planning Commission hereby approves Conditional Use Permit No. 08-009 subject to the following conditions:

1. The applicants and property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. This approval is to allow the re-opening of the existing 1,639 square foot, 16 foot high gas/service station. 12 gasoline pumps will operate onsite under a 16 foot high canopy, along with a 358 square convenience market with two public restrooms and three service bays. A total of 20 parking spaces are provided onsite. The proposed project includes no new square footage, demolition, change to existing facilities or grading. Additionally, no alcohol sales are permitted.

3. The conditional use permit shall not be effective until the applicant signs and records the Affidavit of Acceptance of Conditions with the Los Angeles County Recorder. A certified copy of said recordation shall be filed with the Planning Division within 10 days of the effective date of the approval.

4. The Planning Manager is authorized to make minor changes to the approved conditional use permit if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.

5. This conditional use permit shall be reviewed by the Planning Manager one year from the date of final approval and annually after that (if deemed appropriate) to verify compliance with the provisions of the M.M.C. and the conditions of approval contained herein.

6. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of this title 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.

7. If it has cause to believe that grounds for revocation or modification may exist, the Planning Commission shall hold a public hearing upon the question or modification or revocation of this conditional use permit granted under or pursuant to the provisions of M.M.C. Section 17.66.100(C).

8. The conditional use permit shall 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. The use for which the conditional use permit was granted has ceased or was suspended for at least six successive calendar months.
    c. One or more of the conditions found within this resolution have not been substantially met.

9. 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.

<u>Site Specific Conditions</u>

10. No amplified music is approved under this permit except low-level, ambient music not audible outside the tenant space.

11. No restaurant, food packager, retail food vendor, vendor or nonprofit food provider shall provide prepared food to its customers in any food packaging that utilizes expanded polystyrene. "Expanded polystyrene" means and includes blown polystyrene and expanded and extruded foams (sometimes incorrectly called Styrofoam®, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene). Expanded polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

12. All service stations shall comply with the requirements of LIP Chapter 17 (Water Quality Protection Chapter).

13. All parking associated with the operation of the service station shall be located on the subject site. No long-term parking of vehicles associated with the station shall be permitted on the vacant area to the south of the structure.

14. The applicant shall provide a copy of the issued permit for the Transfer of Hazardous Materials Underground Storage from the Los Angeles County Department of Public Works, Environmental Programs Division.

15. The convenience market shall comply with the requirements set forth in M.M.C. Section 9.28—Plastic Bag Ban. No retail establishment, restaurant, vendor or nonprofit vendor shall provide plastic bags or compostable bags to customers. This requirement applies to plastic or compostable bags provided at the point of sale for the purpose of carrying away goods. The Plastic Bag Ban goes into effect in January 2009.

Operation and Delivery Hours

16. The approved hours for convenience market deliveries are between 7:00 a.m. and 7:00 pm. daily and gasoline deliveries will be made 24 hours a day, 7 days a week.

17. The approved hours of operation for the convenience market and the gasoline pumps are 24 hours a day, 7 days a week and the service bays will operate between the hours of 7:00 a.m. and 6:00 pm. Mondays through Saturdays. The service bays will be closed on Sundays.

18. No trash or recycling pickup trucks are permitted on site between the hours of 10:00 p.m. and 7:00 a.m.

19. Bottles and glass containers shall not be emptied into outdoor trash or recycling bins between the hours of 10:00 p.m. and 7:00 a.m.

Lighting

20. All lighting fixtures shall be located so as to shield direct rays from adjoining properties. Luminaries shall be of a low level, indirect diffused type and shall not exceed the height of the building.

21. Lighting, where provided to illuminate a parking area, shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to adjacent properties.

Signs

22. No new signs are permitted or approved under this approval. A proposal for new signage shall be submitted with a completed sign permit application, design plans and the applicable fee. All new signs shall be in conformance with the M.M.C. Sign Ordinance—Section 17.52.

Landscaping

23. All boundary plantings shall be contained within raised border planters such that they are not

permitted to migrate off-site. All plantings shall be maintained with the property boundaries. Where these plantings are located along the property boundaries, they shall be maintained at or below six feet in height.

24. Invasive plant species, as determined by the City of Malibu, are prohibited.

Section 5. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 7th day of October 2008.

JOAN HOUSE, Planning Commission Chair

ATTEST:

JESSICA DUBAN, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1 (Local Appeals), 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 may be found online at www.ci.malibu.ca.us, in person at City Hall or by calling (310) 456-2489 extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 08-68 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 7th day of October 2008, by the following vote:

AYES: COMMISSIONERS: JENNINGS, MAZZA, GILLESPIE AND HOUSE
NOES:
ABSTAIN:
ABSENT: COMMISSIONERS: SCHAAR

JESSICA DUBAN, Recording Secretary

DocuSign Envelope ID: 1ED31B58-2037-49C8-BA10-BD2BD214C0F9

ADMINISTRATIVE PLAN REVIEW (APR) NO. 15-058, (CUPA) NO. 15-007

FOR

CHEVRON

23670 PACIFIC COAST HWY.
MALIBU, CA 90265

PUBLIC WORKS DEPT. GENERAL NOTES

1. ALL WORK SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC) "GREEN BOOK."

2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL-OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.

3. CONTRACTOR SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489, EXT. 341 FOR PRE-CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE OF SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK.

4. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY.

5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489, EXT. 341 TO APPLY FOR A PERMIT.

6. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.

7. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.

8. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.

9. CONTRACTOR SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.

11. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK" (THE "WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER, MAY BE REQUIRED BY THE CITY.

12. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.

13. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.

14. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.

15. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.

16. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/SOILS ENGINEER (AND ENGINEERING GEOLOGIST, WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HEREON, AS APPROVED OR CONDITIONED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.

17. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT-OF-WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).

18. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH 6"X6" X ⊓10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.

19. GRADING QUANTITIES:
CUT 12 CU.YD. FILL 60 CU.YD.
EXPORT 0 CU.YD. IMPORT 48 CU.YD.

20. TOTAL DISTURBED AREA 0.09 ACRES
(INCLU[illegible] GRADING, CLEARING, AND LANDSCAPING AREA)
[illegible]TING IMPERVIOUS SURFACE AREA 22,084 SQ. FT.
[illegible]POSED IMPERVIOUS SURFACE AREA 21,873 SQ. FT.
[illegible]E ON FIRM: D ⊓AO BASE FLOOD ELEVATION: 3 FT.

[illegible]PES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE [illegible]OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN [illegible] AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER [illegible]MENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.

[illegible]CH BASINS AND DRAINAGE INLETS SHALL BE STENCILED WITH THE CITY [illegible]STORM DRAIN LOGO.

ATTACHMENT 3

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL A:

PARCEL 2 AS SHOWN ON CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 98-05 AS EVIDENCED BY DOCUMENT RECORDED JUNE 11, 1999 AS INSTRUMENT NO. 99-1078542 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGES 407 ET SEQ., OF PATENTS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT DISTANT 35.00 FEET NORTHERLY AT RIGHT ANGLES FROM THE CENTERLINE OF THE 80.00 FOOT STRIP OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OFFICIAL RECORDS OF SAID COUNTY,FROM A POINT IN SAID CENTERLINE, DISTANT SOUTHWESTERLY 2021.28 FEET FROM ENGINEER'S CENTERLINE STATION 926 PLUS 33.41⊓THENCE CONTINUING NORTHERLY AT RIGHT ANGLES TO SAID CENTERLINE, 38.48 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 20743, PAGE 271 OF SAID OFFICIAL RECORDS, THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, 300 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID SOUTHWESTERLY LINE, SOUTH 7°20'16" WEST 115.32 FEET TO A POINT ON A LINE THAT IS 35.00 FEET NORTHWESTERLY OF AND PARALLEL TO THE AFOREMENTIONED CENTERLINE OF SAID 80.00 FOOT STRIP; THENCE ALONG SAID PARALLEL LINE, SOUTH 83°11'15" WEST 451.92 FEET, MORE OR LESS TO A POINT DISTANT ALONG SAID PARALLEL LINE SOUTH 83°11'15" WEST 771.01 FEET FROM THE POINT OF COMMENCEMENT; THENCE NORTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE A DISTANCE OF 15.00 FEET TO THE NORTHERLY LINE OF PARCEL 1 PER DEED RECORDED IN BOOK 16845, PAGE 253 OF SAID OFFICIAL RECORDS⊓THENCE ALONG SAID NORTHERLY LINE NORTH 83°11'15" EAST 36.66 FEET, MORE OR LESS TO THE EASTERLY LINE OF WEBB WAY, SHOWN AS "PEVERILL ROAD" ON PARCEL MAP NO. 1722, FILED IN BOOK 28, PAGE 75 OF PARCEL MAPS OF SAID COUNTY⊓THENCE ALONG THE EASTERLY SIDELINES OF WEBB WAY AS SHOWN ON SAID PARCEL MAP NORTH 8°40'26" WEST 49.77 FEET, NORTH 83°23'22" EAST 1.00 FOOT, NORTH 8°40'26" WEST 122.64 FEET, AND NORTH 49°14'56" EAST 48.82 FEET TO THE SOUTHWESTERLY LINE OF THE AFOREMENTIONED LAND OF THE STATE OF CALIFORNIA DESCRIBED IN DEED RECORDED IN BOOK 20743, PAGE 271 OF SAID OFFICIAL RECORDS⊓THENCE ALONG SAID SOUTHWESTERLY LINE, SOUTH 82°39'44" EAST 420.30 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

NON-EXCLUSIVE EASEMENTS FOR THE PURPOSES SET FORTH IN SECTION 11 IN THAT CERTAIN "WASTEWATER SERVICES AND EASEMENT AGREEMENT" AS DEFINED AND LIMITED IN SAID INSTRUMENT, RECORDED JULY 5, 2005 AS INSTRUMENT NO. 05-1571219, OF OFFICIAL RECORDS.

APN: 4458-019-009

THIS DESCRIPTION DESCRIBES ALL THAT PROPERTY DESCRIBED IN THE TITLE COMMITMENT IDENTIFIED AS FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 3265491 (12), DATED APRIL 28, 2009.

BASIS OF BEARINGS

THE BEARING NORTH 83°11'15" EAST BEING THE CENTERLINE OF MALIBU ROAD AS SHOWN ON PARCEL MAP NO. 1722, ON FILE IN BOOK 28, PAGE 75 OF PARCEL MAPS, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK

COUNTY OF LOS ANGELES BENCH MARK NO. Y-10046

LEAD ⊓ BRASS NAIL IN SOUTH CATCH BASIN, 300MM EAST OF BEGINNING CURB RETURN AT THE SOUTHEAST CORNER OF PACIFIC COAST HIGHWAY AND WEBB WAY, 24.5M EAST AND 16M SOUTH OF CENTERLINE INTERSECTION.

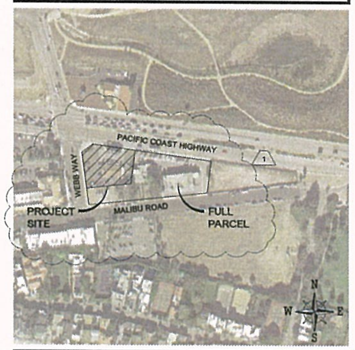
ELEVATION = 18.104 FEET (NAVD 1988, 2003 ADJUSTMENT)

FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE AO (DEPTH 3') OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 06037C1537F, WHICH BEARS AN EFFECTIVE DATE OF 9-26-08 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

1

VICINITY MAP



SITE INFORMATION (BUILDING "A")

GENERAL:

PROJECT AREA:	22,869 SQ. FT.	0.53 ACRES
AREA OF DISTURBANCE:	3,904 SQ. FT.	0.09 ACRES
ASSESSORS PARCEL #(S):	4458-019-009	
PROPERTY ADDRESS:	23670 PACIFIC COAST HWY, MALIBU, CA 90265	
ZONING (EXISTING):	CC (COMMUNITY COMMERICAL)	
ZONING (PROPOSED):	CC (COMMUNITY COMMERICAL)	
GENERAL PLAN LAND USE:	CSER (SERVICE STATION, GAS STATION)	

BUILDING(S):

EXISTING:	1,619 SQ. FT.	7.1 %
PROPOSED ADDITION:	930 SQ. FT.	4.1 %
TOTAL:	2,549 SQ. FT.	11.1 %

PARKING:

USE:	GASOLINE PUMP OUTLET (6 EACH)
REQUIRED (1 SPACE PER PUMP OUTLET):	6.0 SPACES
USE:	AUTO SERVICE (3 BAYS)
REQUIRED (2 SPACE PER BAY):	6.0 SPACES
USE:	RETAIL STORE (1,161 SQ. FT.)
REQUIRED (1 SPACE PER 225 SQ. FT.):	5.2 SPACES
REQUIRED (TOTAL):	17.2 SPACES
PROVIDED (EXISTING):	29 SPACES (INCLUDES 8 UNDER CANOPY)

SETBACKS:

	FRONT	REAR	SIDE
REQUIRED:	20 FT.	20 FT.	20 FT.
PROVIDED:	> 20 FT.	> 20 FT.	> 20 FT.

SHEET INDEX

SHEET NO.	SHEET TITLE
C-0.0	CIVIL TITLE SHEET
C-0.1	A.L.T.A./A.C.S.M. LAND TITLE SURVEY
C-0.2	A.L.T.A./A.C.S.M. LAND TITLE SURVEY
C-1.0	~~SITE PLAN & HORIZONTAL CONTROL~~
C-1.1	PARKING & PEDESTRIAN CIRCULATION PLAN
C-1.2	OVERALL EXISTING SITE PLAN
C-1.3	OVERALL PROPOSED SITE PLAN
C-2.0	GRADING & DRAINAGE PLAN
A-1.0	EXISTING FLOOR PLAN
A-1.1	DEMOLITION FLOOR PLAN
A-1.3	PRELIMINARY FOUNDATION PLAN
A-1.4	PROPOSED FLOOR PLAN
A-1.6	ROOF PLAN
A-2.1	EXTERIOR ELEVATIONS
A-2.2	EXTERIOR ELEVATIONS
A-3.1	BUILDING SECTIONS

1 1

SCOPE OF WORK

- EXPAND EXISTING BUILDING

LONG TERM LESSEE □ APPLICANT

LONG TERM LESSEE:	APPLICANT:
MALIBU PETROLEUM INC.	MALIBU PETROLEUM INC.
CONTACT: BEN POULDAR	CONTACT: BEN POULDAR
5975 W. CENTINELA AVE.	5975 W. CENTINELA AVE.
LOS ANGELES, CA 90045	LOS ANGELES, CA 90045

PROJECT TEAM

CIVIL ENGINEER:	SURVEYOR:
PATRICK O. FIEDLER, P.E.	DAVID J. MacARTHUR
FIEDLER GROUP	O.K.O ENGINEERING INC.
(213) 381 - 7891	(909) 980 - 6455
299 N. EUCLID AVE., STE 550	23671 BIRTCHER DRIVE
PASADENA, CA 91101	LAKE FOREST, CA 92630

ELECTRICAL ENGINEER:	ARCHITECT:
NORMAN PATENA, P.E.	MATTHEW EPSTEIN, AIA
FIEDLER GROUP	FIEDLER GROUP
(213) 381-7891	(213) 381-7891
299 N. EUCLID AVE., STE 550	299 N. EUCLID AVE., STE 550
PASADENA, CA 91101	PASADENA, CA 91101

LEGEND ABBREVIATIONS

LINE	DESCRIPTION
	EXISTING
	PROPOSED
	CONCRETE CURB (EXISTING)
	CONCRETE CURB (PROPOSED)
(XX.X)	CONTOUR (EXISTING)
XX.X	CONTOUR (PROPOSED)
	EASEMENT (EXISTING)
	PROPERTY LINE/R.O.W. (EXISTING)
	PROPERTY LINE (PROPOSED)
SD	CANOPY DRAIN (PROPOSED)
SS	SANITARY SEWER (EXISTING)
SS	SANITARY SEWER (EXISTING)
W	WATER (EXISTING)
W	WATER (PROPOSED)
	ITEMS TO BE DEMOLISHED

AB	AGGREGATED BASE	GV	GAS VALVE
BM	BENCHMARK	HP	HIGH POINT
BW	BACK OF WALK	INV	INVERT
CB □	CATCH BASIN	(N)	NEW
CO ○	CLEAN OUT		PATH OF TRAVEL (ADA ACCESS)
(E)	EXISTING	SD	STORM DRAIN
FF	FINISH FLOOR	SS	SANITARY SEWER
FG	FINISH GRADE	TC	TOP OF CURB
FH	FIRE HYDRANT	TOG	TOP OF GRATE
FL	FLOWLINE/DRAINAGE DIRECTION	WM	WATER METER
FS	FINISHED SURFACE	WV	WATER VALVE
GB	GRADE BREAK	YL	YARD LIGHT
GP □/○	GUARD POST		

NOT FOR CONSTRUCTION

Chevron

fiedlergroup
Architecture & Engineering
299 N. Euclid Ave., Ste 550
Pasadena, CA 91101
(213) 381-7891
fiedlergroup.com

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CALL AT LEAST TWO DAYS BEFORE YOU DIG
www.call811.com

NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL
2	1/26/16	CITY COMMENTS

REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-38123 CIVIL STATE OF CALIFORNIA

DocuSigned by: [signature] 4/13/2016

CONFIDENTIALITY STATEMENT:
THIS DOCUMENT AND THE INFORMATION HEREIN RELATING TO FIEDLER GROUP ITS CLIENT HAS BEEN FURNISHED IN CONFIDENCE FOR THE PRIVATE USE OF AUTHORIZED PERSONNEL. NO PART HEREOF SHALL BE COPIED, DUPLICATED, DISTRIBUTED, DISCLOSED OR MADE AVAILABLE TO OTHERS OR USED TO ANY EXTENT WHATSOEVER EXCEPT AS EXPRESSLY AUTHORIZED IN WRITING BY FIEDLER GROUP. ANY PERSON, FIRM OR CORPORATION RECEIVING THIS DOCUMENT, HOWEVER, SHALL BY VIRTUE HEREOF BE DEEMED TO HAVE AGREED TO THE FOREGOING RESTRICTIONS.

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT (2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TH	FG PM: POF
CHECKED BY: POF	MEP PM: -
DRAWN BY: TH	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

CIVIL TITLE SHEET

SHEET NO.:

C-0.0

I:\projects\15122\Design\300 Permit & Construction Documents\Civil Design\15122-C0.0.dwg, 4/13/2016 11:39:04 AM

DocuSign Envelope ID: 1DB750D1-09C4-4487-840B-0F7862AC1329

SITE RESTRICTIONS:

SETBACK:

FRONT	-	20'
SIDE	-	20' STREET, 18' INTERIOR
REAR	-	20' STREET, 18' INTERIOR
HEIGHT	-	18'
BULK	-	0.15 FLOOR AREA RATIO
ZONE	-	CC (COMMUNITY COMMERCIAL)
PARKING	-	2 SPACES FOR EACH LUBRICATION STALL, RACK OR PIT, PLUS 1 SPACE FOR EACH GASOLINE PUMP OUTLET

ALL SITE RESTRICTIONS WERE OBTAINED PER THE CITY OF MALIBU (PLANNING DEPARTMENT) CONTACT: KRISTIN STERLING (310) 456-2489

ZONING AND RESTRICTIONS SHOWN HEREON WERE OBTAINED BY A GENERAL REQUEST AT THE PUBLIC COUNTER OF THE ABOVE NAMED DEPARTMENT. NO REPRESENTATION IS MADE FOR THE ACCURACY OR COMPLETENESS OF SAID THIRD PARTY INFORMATION. THIS FIRM IS NOT AN EXPERT IN THE INTERPRETATION OF COMPLEX ZONING ORDINANCES, COMPLIANCE IS BEYOND THE SCOPE OF THIS SURVEY. ANY USER OF SAID INFORMATION IS URGED TO CONTACT THE LOCAL AGENCY DIRECTLY.

BENCH MARK INFORMATION:

COUNTY OF LOS ANGELES BENCH MARK NO. Y-10046

LEAD & BRASS NAIL IN SOUTH CATCH BASIN, 300MM EAST OF BEGINNING CURB RETURN AT THE SOUTHEAST CORNER OF PACIFIC COAST HIGHWAY AND WEBB WAY, 24.5M EAST AND 16M SOUTH OF CENTERLINE INTERSECTION.

ELEVATION = 18.104 FEET
(NAVD 1988, 2003 ADJUSTMENT)

BASIS OF BEARINGS:

THE BEARING NORTH 83°11'15" EAST BEING THE CENTERLINE OF MALIBU ROAD AS SHOWN ON PARCEL MAP NO. 1722, ON FILE IN BOOK 28, PAGE 75 OF PARCEL MAPS, IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

Chevron

PARKING STALLS:

20 STANDARD PARKING STALLS
1 HANDICAPPED PARKING STALL

LAND AREA:

PARCEL 2 OF LOT LINE ADJUSTMENT:
73,119 SQUARE FEET
1.679 ACRES

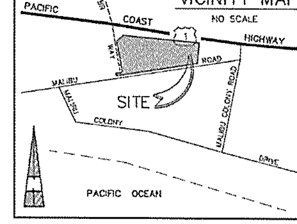
PARCEL 1 OF PARCEL MAP NO. 1722:
22,869 SQUARE FEET
0.525 ACRES

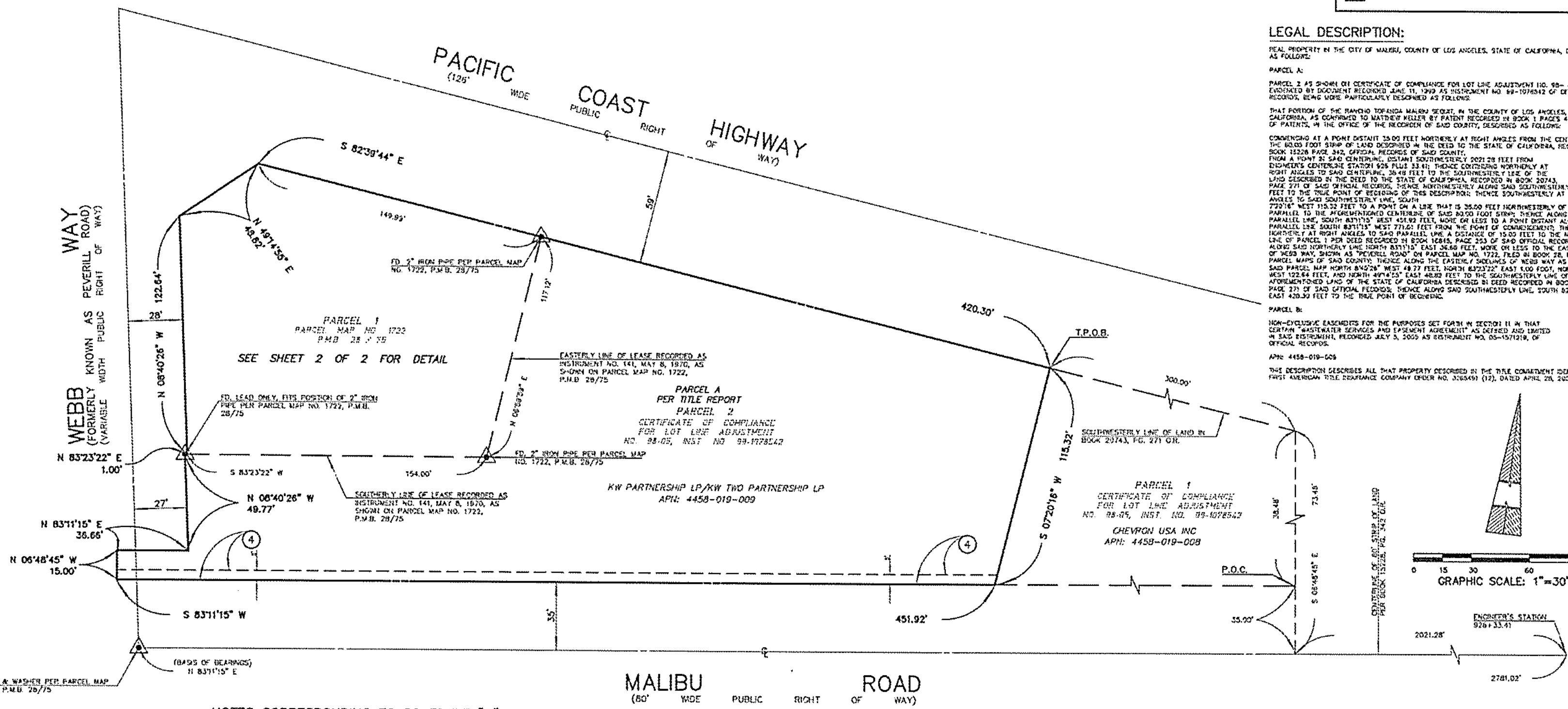
LEGEND:

N.	-	NORTH
S.	-	SOUTH
E.	-	EAST
W.	-	WEST
TYP.	-	TYPICAL
DIA.	-	DIAMETER
P.L.	-	PROPERTY LINE
NO.	-	NUMBER
A.C.	-	ASPHALT CONCRETE
R.	-	RECORD
M.	-	MEASURED
CL	-	CENTER LINE
P.O.B.	-	POINT OF BEGINNING
CONC.	-	CONCRETE
FD.	-	FOUND
W/	-	WITH
E'LY	-	EASTERLY
W'LY	-	WESTERLY

VICINITY MAP

NO SCALE





LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL A:

PARCEL 2 AS SHOWN ON CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 98-05 AS EVIDENCED BY DOCUMENT RECORDED JUNE 11, 1999 AS INSTRUMENT NO. 99-1078542 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1 PAGES 407 ET SEQ. OF PATENTS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT DISTANT 35.00 FEET NORTHERLY AT RIGHT ANGLES FROM THE CENTERLINE OF THE 80.00 FOOT STRIP OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228 PAGE 342, OFFICIAL RECORDS OF SAID COUNTY, FROM A POINT IN SAID CENTERLINE, DISTANT SOUTHWESTERLY 2021.28 FEET FROM ENGINEER'S CENTERLINE STATION 926 PLUS 33.41; THENCE CONTINUING NORTHERLY AT RIGHT ANGLES TO SAID CENTERLINE, 38.48 FEET TO THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 20743, PAGE 271 OF SAID OFFICIAL RECORDS, THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, 300 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO SAID SOUTHWESTERLY LINE, SOUTH 7°20'16" WEST 115.32 FEET TO A POINT ON A LINE THAT IS 35.00 FEET NORTHWESTERLY OF AND PARALLEL TO THE AFOREMENTIONED CENTERLINE OF SAID 80.00 FOOT STRIP; THENCE ALONG SAID PARALLEL LINE, SOUTH 83°11'15" WEST 451.92 FEET, MORE OR LESS TO A POINT DISTANT ALONG SAID PARALLEL LINE SOUTH 83°11'15" WEST 771.01 FEET FROM THE POINT OF COMMENCEMENT; THENCE NORTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE A DISTANCE OF 15.00 FEET TO THE NORTHERLY LINE OF PARCEL 1 PER DEED RECORDED IN BOOK 16845, PAGE 253 OF SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTHERLY LINE NORTH 83°11'15" EAST 36.60 FEET, MORE OR LESS TO THE EASTERLY LINE OF WEBB WAY, SHOWN AS "PEVERILL ROAD" ON PARCEL MAP NO. 1722, FILED IN BOOK 28, PAGE 75 OF PARCEL MAPS OF SAID COUNTY; THENCE ALONG THE EASTERLY SIDELINES OF WEBB WAY AS SHOWN ON SAID PARCEL MAP NORTH 8°40'26" WEST 49.77 FEET, NORTH 83°23'22" EAST 1.00 FOOT, NORTH 8°40'26" WEST 122.64 FEET, AND NORTH 49°14'55" EAST 48.82 FEET TO THE SOUTHWESTERLY LINE OF THE AFOREMENTIONED LAND OF THE STATE OF CALIFORNIA DESCRIBED IN DEED RECORDED IN BOOK 20743, PAGE 271 OF SAID OFFICIAL RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE, SOUTH 82°39'44" EAST 420.30 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

NON-EXCLUSIVE EASEMENTS FOR THE PURPOSES SET FORTH IN SECTION 11 IN THAT CERTAIN "WASTEWATER SERVICES AND EASEMENT AGREEMENT" AS DEFINED AND LIMITED IN SAID INSTRUMENT, RECORDED JULY 5, 2005 AS INSTRUMENT NO. 05-1571219, OF OFFICIAL RECORDS.

APN: 4458-019-005

THIS DESCRIPTION DESCRIBES ALL THAT PROPERTY DESCRIBED IN THE TITLE COMMITMENT IDENTIFIED AS FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 3265491 (12), DATED APRIL 28, 2009.

UTILITY NOTE:

BASED ON VISUAL OBSERVATION, THE SUBJECT SITE IS SERVICED BY ALL THE NECESSARY UTILITIES REQUIRED TO MAINTAIN NORMAL OPERATION.

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "D" & "AO(DEPTH 3')" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 060745-1537-F, WHICH BEARS AN EFFECTIVE DATE OF 9-26-08 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

NOTES CORRESPONDING TO SCHEDULE "B":

(3) — AN EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES RECORDED IN BOOK 18752, PAGE 205 OF OFFICIAL RECORDS. THIS ITEM IS NOT ADDRESSED HEREON BECAUSE THE DOCUMENT OF RECORD WAS NOT PROVIDED AT THE TIME OF SURVEY.

(4) — AN EASEMENT FOR THE RIGHT TO CONSTRUCT AND MAINTAIN BRIDGES, CULVERTS, DRAINAGE STRUCTURES, EXCAVATIONS AND EMBANKMENT SLOPES RECORDED IN BOOK 15228, PAGE 342 OF OFFICIAL RECORDS. THIS ITEM IS PLOTTED HEREON AND DOES AFFECT THE SUBJECT PROPERTY.

(5) — AN EASEMENT FOR PUBLIC HIGHWAY RECORDED IN BOOK 20743, PAGE 271 OF OFFICIAL RECORDS. THIS ITEM IS NOT PLOTTED HEREON AND DOES NOT AFFECT THE SUBJECT PROPERTY.

(6) — AN EASEMENT FOR PUBLIC UTILITIES RECORDED IN BOOK 20892, PAGE 395 OF OFFICIAL RECORDS. THIS ITEM IS NOT ADDRESSED HEREON BECAUSE THE DOCUMENT OF RECORD IS ILLEGIBLE. (BEST COPY PROVIDED AT THE TIME OF SURVEY)

(7) — COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN THE DOCUMENT RECORDED IN BOOK 20892, PAGE 395 OF OFFICIAL RECORDS. THIS ITEM IS NOT ADDRESSED HEREON BECAUSE THE DOCUMENT OF RECORD IS ILLEGIBLE. (BEST COPY PROVIDED AT THE TIME OF SURVEY)

(9) — THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT AND AGREEMENT" RECORDED IN BOOK 24487, PAGE 41 OF OFFICIAL RECORDS. THIS ITEM IS NOT ADDRESSED HEREON BECAUSE BOOK 20892, PAGE 395, WHICH IS REFERENCED AS A NECESSARY DOCUMENT IN THE RECORD INSTRUMENT IS ILLEGIBLE. (BEST COPY PROVIDED AT THE TIME OF SURVEY)

(10) — THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT AND AGREEMENT" RECORDED FEBRUARY 7, 1957 AS INSTRUMENT NO. 4034 IN BOOK 53768, PAGE 42 OF OFFICIAL RECORDS. THIS ITEM IS BLANKET IN NATURE AND DOES AFFECT THE ENTIRE SUBJECT PROPERTY.

(11) — AN EASEMENT FOR CABLE AND CONDUITS RECORDED DECEMBER 16, 1957 AS INSTRUMENT NO. 3652 IN BOOK 56257, PAGE 324 OF OFFICIAL RECORDS. THIS ITEM IS NOT ADDRESSED HEREON BECAUSE BOOK 16845, PAGE 253, WHICH IS REFERENCED AS A NECESSARY DOCUMENT IN THE RECORD INSTRUMENT WAS NOT PROVIDED AT THE TIME OF SURVEY.

(12) — AN EASEMENT FOR PUBLIC ROAD AND HIGHWAY RECORDED NOVEMBER 10, 1970 AS INSTRUMENT NO. 3408 OF OFFICIAL RECORDS. THIS ITEM IS NOT PLOTTED HEREON AND DOES NOT AFFECT THE SUBJECT PROPERTY.

(13) — AN EASEMENT FOR TRAVEL AND ROAD RECORDED JANUARY 16, 1974 AS INSTRUMENT NO. 233 OF OFFICIAL RECORDS. THIS ITEM IS NOT PLOTTED HEREON AND DOES NOT AFFECT THE SUBJECT PROPERTY.

(14) — THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT AND AGREEMENT" RECORDED APRIL 12, 1988 AS INSTRUMENT NO. 88-494813 OF OFFICIAL RECORDS. THIS ITEM IS BLANKET IN NATURE AND DOES AFFECT THE ENTIRE SUBJECT PROPERTY.

(15) — THE TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THE DOCUMENT ENTITLED "WASTEWATER SERVICES AND EASEMENT AGREEMENT" RECORDED JULY 5, 2005 AS INSTRUMENT NO. 05-1571219 OF OFFICIAL RECORDS. THIS ITEM IS BLANKET IN NATURE AND DOES AFFECT THE ENTIRE SUBJECT PROPERTY.

NOTE:

THERE WERE NO MONUMENTS FOUND OR SET AT THE PROPERTY LINE CORNERS UNLESS OTHERWISE NOTED.

THE INFORMATION COURSES AND DISTANCES SHOWN ON THIS SURVEY PRINT ARE TRUE AND CORRECT AND ACCURATELY REPRESENT THE BOUNDARIES AND AREA OF THE PREMISES.

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

ALL MEASURED AND RECORD DIMENSIONS ARE THE SAME UNLESS NOTED OTHERWISE.

AT THE TIME OF SURVEY NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR ADDITIONS WERE OBSERVED.

NO RECENT CHANGES IN STREET RIGHTS-OF-WAY WERE OBSERVED AT THE TIME OF SURVEY.

NO VISIBLE EVIDENCE WAS OBSERVED THAT THE SITE IS BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL AT THE TIME OF SURVEY.

THIS SURVEY HAS BEEN PREPARED FOR TITLE INSURANCE PURPOSES ONLY. THIS SURVEY MAY NOT CONTAIN SUFFICIENT DETAIL FOR DESIGN PURPOSES. THE BOUNDARY DATA AND TITLE MATTERS AS SHOWN HEREON HAVE BEEN DEVELOPED FROM THE REFERENCED TITLE REPORT.

UNLESS THIS PLAN HAS THE SEAL AND SIGNATURE OF THE SURVEYOR AND/OR ENGINEER RESPONSIBLE FOR ITS PREPARATION, THIS IS NOT AN AUTHENTIC COPY OF THE ORIGINAL SURVEY AND SHALL NOT BE DEEMED RELIABLE.

ENGINEER'S CERTIFICATION:

TO: KW PARTNERSHIP, L.P., A MISSOURI LIMITED PARTNERSHIP, AND KW TWO PARTNERSHIP, L.P., A MISSOURI LIMITED PARTNERSHIP AND FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 5, 6, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a) (AS TO UTILITIES, SURFACE MATTERS ONLY) AND 13 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR FOR THE STATE OF CALIFORNIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DAVID J. MACARTHUR
RCE 12502

DATE OF SURVEY: 5-6-09
DATE OF LAST REVISION:

REGISTERED PROFESSIONAL ENGINEER DAVID J. MACARTHUR No. 12502 EXP. 3-31-2011 CIVIL STATE OF CALIFORNIA

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NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL

REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-35123 CIVIL STATE OF CALIFORNIA

DocuSigned by: 1/18/2016

CONFIDENTIALITY STATEMENT:

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TH	PD PM: POF
CHECKED BY: BY	MEP PM: -
DRAWN BY: TH	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

A.L.T.A./A.C.S.M. LAND SURVEY

SHEET NO.:

C-0.1

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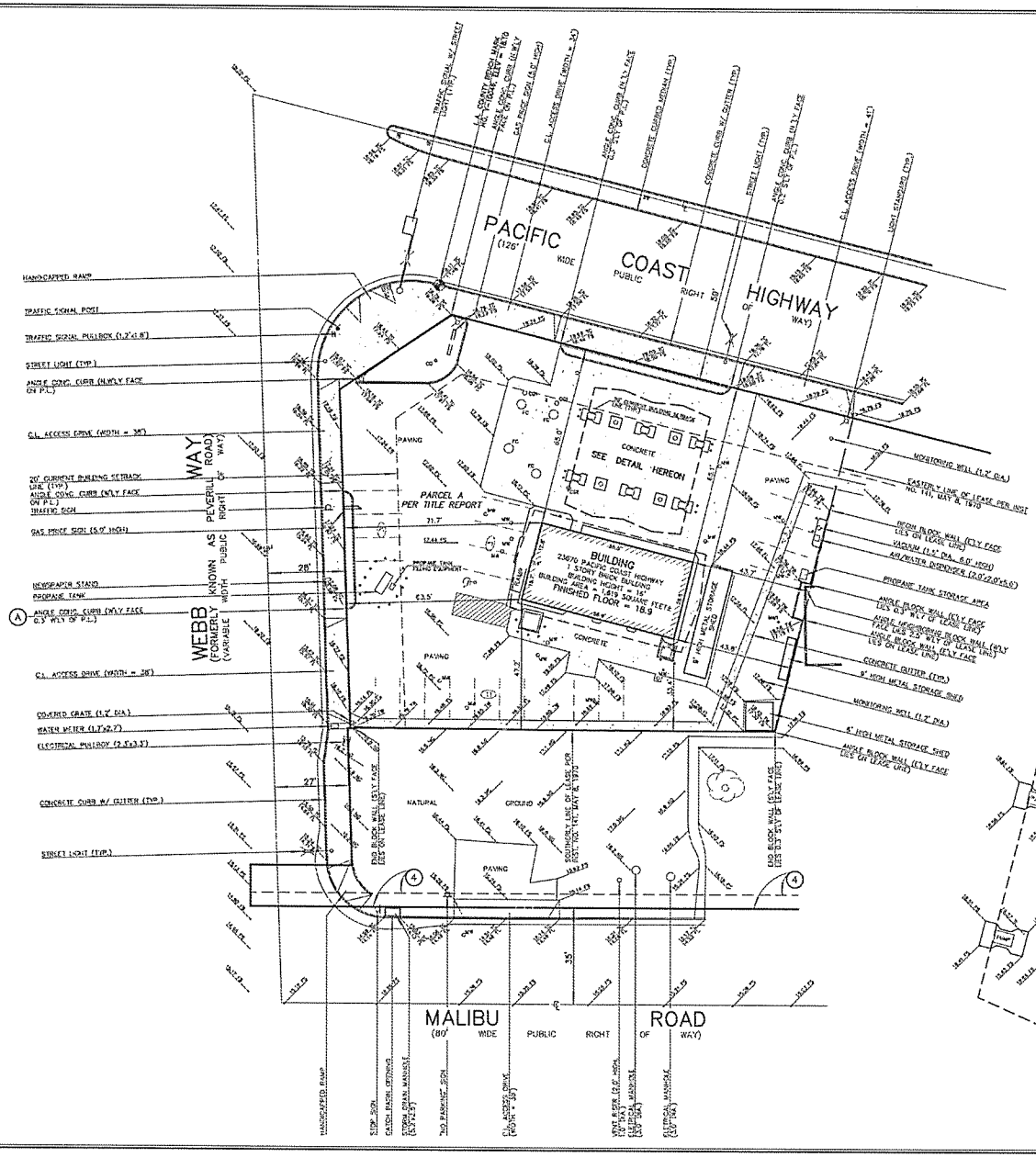

STATEMENT OF ENCROACHMENTS:

* THIS IS A LISTING OF ENCROACHMENTS THAT CROSS PROPERTY LINES. STATEMENT OF OWNERSHIP OR POSSESSION IS NOT THE MEAN OF THE LISTING.

(A) — ANGLE OF CONCRETE CURB LIES 0.3' WLY OF THE WESTERLY PROPERTY LINE.

BENCH MARK INFORMATION:

COUNTY OF LOS ANGELES BENCH MARK NO. Y-10046

LEAD & BRASS NAIL IN SOUTH CATCH BASIN, 300MM EAST OF BEGINNING CURB RETURN AT THE SOUTHEAST CORNER OF PACIFIC COAST HIGHWAY AND WEBB WAY, 24.5M EAST AND 18M SOUTH OF CENTERLINE INTERSECTION.

ELEVATION = 18.104 FEET
(NAVD 1988, 2003 ADJUSTMENT)

LEGEND:

N.	=	NORTH
S.	=	SOUTH
E.	=	EAST
W.	=	WEST
TYP.	=	TYPICAL
DIA.	=	DIAMETER
P.L.	=	PROPERTY LINE
NO.	=	NUMBER
A.C.	=	ASPHALT CONCRETE
SEC.	=	SECOND
M.	=	MEASURED
C.L.	=	CENTER LINE
P.O.B.	=	POINT OF BEGINNING
CONC.	=	CONCRETE
FD.	=	FOUND
W/	=	WITH
E'LY	=	EASTERLY
W'LY	=	WESTERLY
FF	=	FINISHED FLOOR
FL	=	FLOW LINE
FS	=	FINISHED SURFACE
NG	=	NATURAL GROUND
TC	=	TOP OF CURB
G	=	TOP OF GRAND
TW	=	TOP OF WALL
CG	=	COVERED GRATE (1.0' DIA.)
CG1	=	COVERED GRATE (1.5' DIA.)
FC	=	FILL CAP (0.5' DIA.)
MW	=	MONITORING WELL (1.2' DIA.)
MW1	=	MONITORING WELL 0.7' DIA.)

PUMP ISLAND DETAIL

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NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL

REGISTERED PROFESSIONAL ENGINEER PATRICK D. FIEDLER No. C-38123 CIVIL STATE OF CALIFORNIA

Developed by: 1/18/2016

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DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TM	PD PM: PDF
CHECKED BY: BY	MEP PM:
DRAWN BY: TM	CONSULTANT PM:
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

A.L.T.A./A.C.S.M. LAND SURVEY

SHEET NO.:

C-0.2

Updated 6/15/2015 Chevron 2013 Permit Set Construction Documents C3 Drawings 15122 C0.2 Survey - PLOT TED: 1/18/2016 - 10:00am

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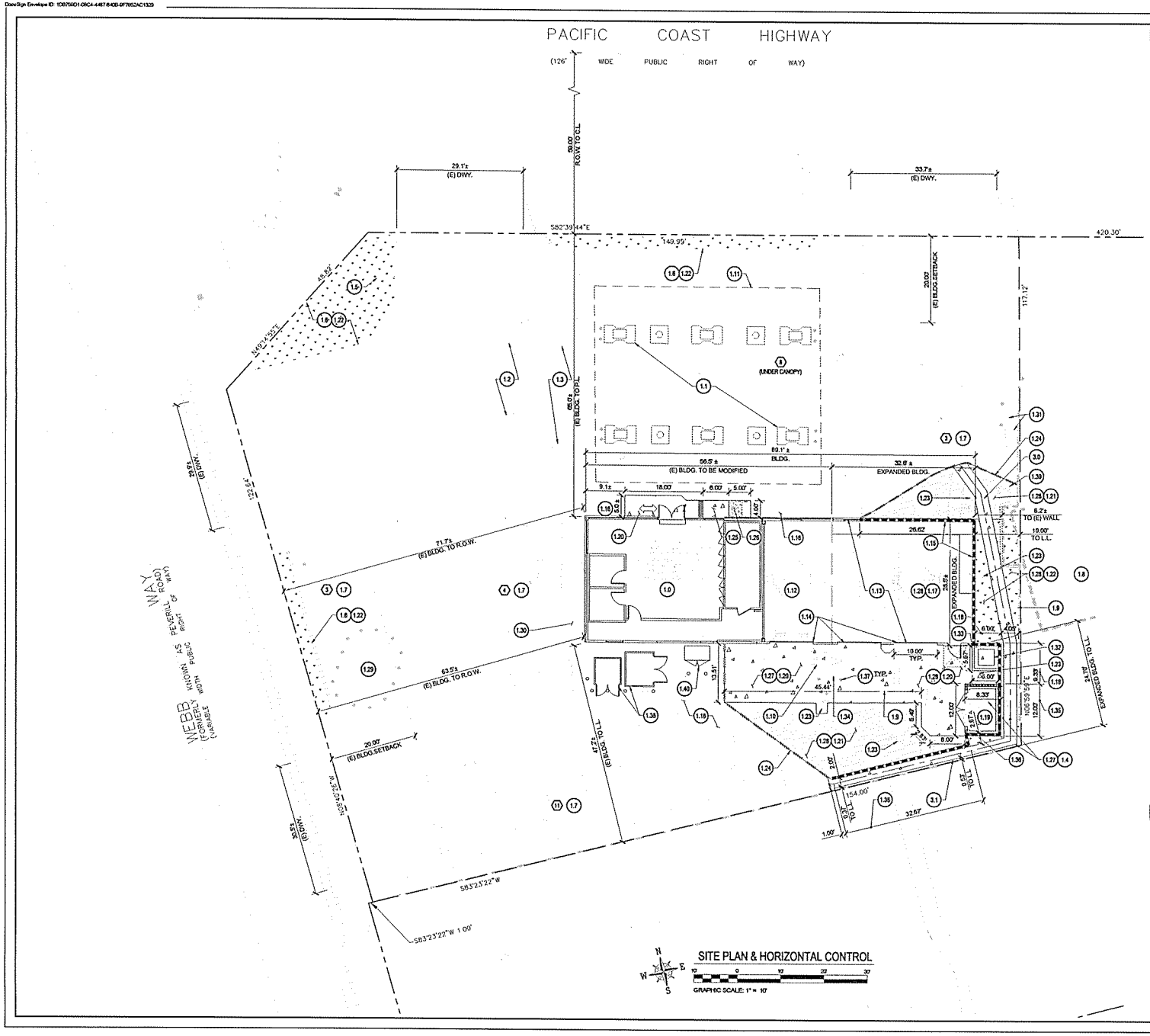

SITE PLAN & HORIZONTAL CONTROL

GRAPHIC SCALE: 1" = 10'

SITE NOTES

#	NOTE	QUANTITY	
1.0	(E) CONVENIENCE STORE TO BE MODIFIED.	1	EA.
1.1	(E) DISPENSERS	6	EA.
1.2	(E) 92 SUPER 12,000 GAL UNDERGROUND TANK	1	EA.
1.3	(E) 87 UNLEADED 15,000 GAL UNDERGROUND TANK	1	EA.
1.4	REMOVE (E) 6' HIGH TRASH ENCLOSURE & CONCRETE PAD	1	EA.
1.5	(E) SIGN	1	EA.
1.6	(E) LANDSCAPE TO BE REMOVED		
1.7	(E) PARKING SPACES	21	EA.
1.8	(E) NEIGHBORING BUILDING	1	EA.
1.9	REMOVE (E) METAL STORAGE SHED	2	EA.
1.10	REMOVE (E) ABOVE GROUND WASTE OIL TANK & CONTAINMENT	1	EA.
1.11	(E) CANOPY	1	EA.
1.12	(E) LUBE BAY TO BE MODIFIED	1	EA.
1.13	EXPANDED BUILDING	1	EA.
1.14	(N) OVERHEAD DOORS	3	EA.
1.15	(N) BUILDING FOUNDATION & RETAINING WALL	55	L.F.
1.16	(E) CONCRETE PAVEMENT		
1.17	(N) STORAGE FOR SERVICE BAYS		
1.18	(N) 7.5' MAX. HEIGHT RETAINING/SCREEN WALL	108	L.F.
1.19	(N) TRASH ENCLOSURE	1	EA.
1.20	(N) CONCRETE PAVEMENT	1,251	S.F.
1.21	(N) ASPHALT PAVEMENT	795	S.F.
1.22	(N) LANDSCAPE	987	S.F.
1.23	ADJUST TO GRADE (E) MONITORING WELL		
1.24	LIMIT OF DISTURBANCE		
1.25	(N) ADA ACCESS RAMP	1	EA.
1.26	(N) TRUNCATED DOMES	1	EA.
1.27	REMOVE (E) CONCRETE PAVEMENT		
1.28	REMOVE (E) ASPHALT PAVEMENT		
1.29	(E) PROPANE TANK & FILLING EQUIPMENT	1	EA.
1.30	(E) ACCESS RAMP	1	EA.
1.31	(E) VACUUM & AIR/WATER DISPENSER	1	EA.
1.32	RELOCATED ABOVE GROUND WASTE OIL TANK & CONTAINMENT	1	EA.
1.33	(N) 6" CONCRETE CURB	12	L.F.
1.34	REMOVE (E) CONCRETE CURB		
1.35	(N) 10' MAX. HEIGHT RETAINING/SCREEN WALL FOR TRASH ENCLOSURE	20	L.F.
1.36	(N) 3.5' MAX. HEIGHT RETAINING WALL	35	L.F.
1.37	REMOVE (E) BOLLARDS	3	EA.
1.38	(E) STORAGE		
1.39	(E) PROPANE TANK STORAGE AREA	1	EA.
1.40	(N) SWITCHGEAR & BOLLARDS	1	EA.
	STORM SEWER		
3.0	3' WIDE CONCRETE SWALE. MATCH EXISTING.	66	L.F.
3.1	2' WIDE CONCRETE SWALE. MATCH EXISTING.	42	L.F.

LEGEND

- NEW LANDSCAPE
- NEW CONCRETE PAVEMENT
- NEW AC PAVING
- PEDESTRIAN PATH OF TRAVEL
- SITE NOTE
- NUMBER OF PARKING SPACES
- LIMITS OF CONSTRUCTION / MATCH (E) SURFACE

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NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL

REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-38123 CIVIL STATE OF CALIFORNIA

Developer/Applicant 1/18/2016

CERTIFICATION STATEMENT

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT (2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TH	PO PM: PCP
CHECKED BY: PCP	MCP PM:
DRAWN BY: TH	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE: SITE PLAN & HORIZONTAL CONTROL

SHEET NO.: C-1.0

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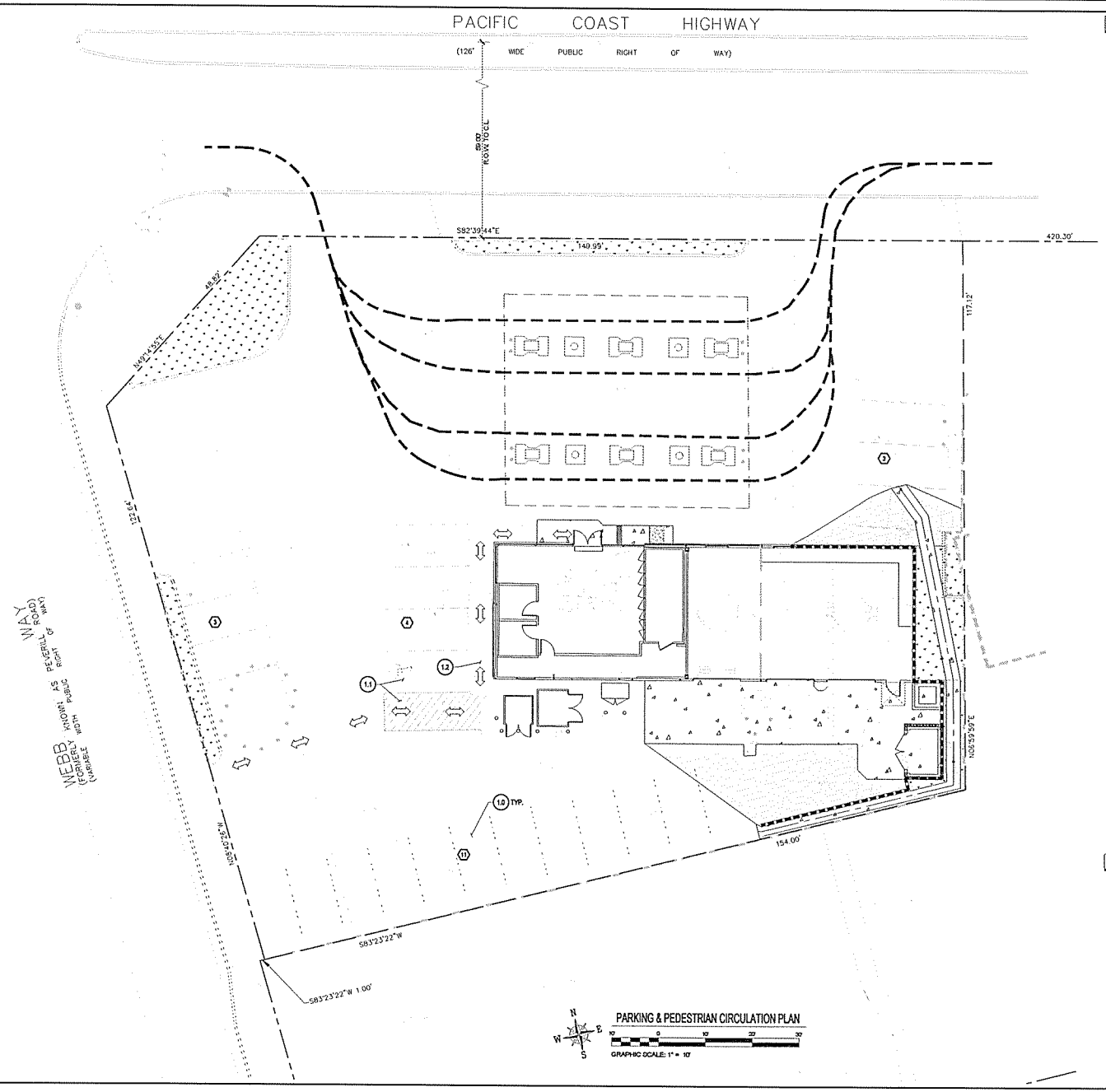

PARKING & PEDESTRIAN CIRCULATION PLAN

GRAPHIC SCALE: 1" = 10'

SITE NOTES

#	NOTE	QUANTITY	REFERENCE
1.0	(E) 9' X 18' STANDARD PARKING STALL	20	EA.
1.1	(E) 17 X 18' HANDICAPPED PARKING STALL	1	EA.
1.2	(E) ACCESS RAMP	1	EA.

LEGEND

- NEW LANDSCAPE
- NEW CONCRETE PAVEMENT
- NEW AC PAVING
- PEDESTRIAN PATH OF TRAVEL
- SITE NOTE
- NUMBER OF PARKING SPACES
- VEHICLE PATH

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NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL

REGISTERED PROFESSIONAL ENGINEER
PARROK O. FIEDLER
No. C-38123
CIVIL
STATE OF CALIFORNIA

Developed by
1/18/2016

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THIS DRAWING AND THE INFORMATION HEREIN RELATING TO FORM, PLACEMENT AND DIMENSIONS OF PARKING STALLS, AISLES, DRIVEWAYS, PEDESTRIAN PATHS, PARKING AREA, LANDSCAPE AREAS, LIGHTING, AND SIMILAR PHYSICAL FEATURES ARE BASED UPON WORK DONE PRIOR TO THE DATE OF THIS DRAWING BY OTHERS. FIEDLER GROUP ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION, FOR ITS COMPREHENSIVE PRESENTATION THEREIN, OR FOR ANY ERRORS, OMISSIONS, OR OTHER DEFICIENCIES THEREIN. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

DEVELOPMENT INFORMATION

MALIBU CHEVRON

TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS

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@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TH	PD PM: POF
CHECKED BY: RF	MEP PM: -
DRAWN BY: TH	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

PARKING & PEDESTRIAN CIRCULATION PLAN

SHEET NO.

C-1.1

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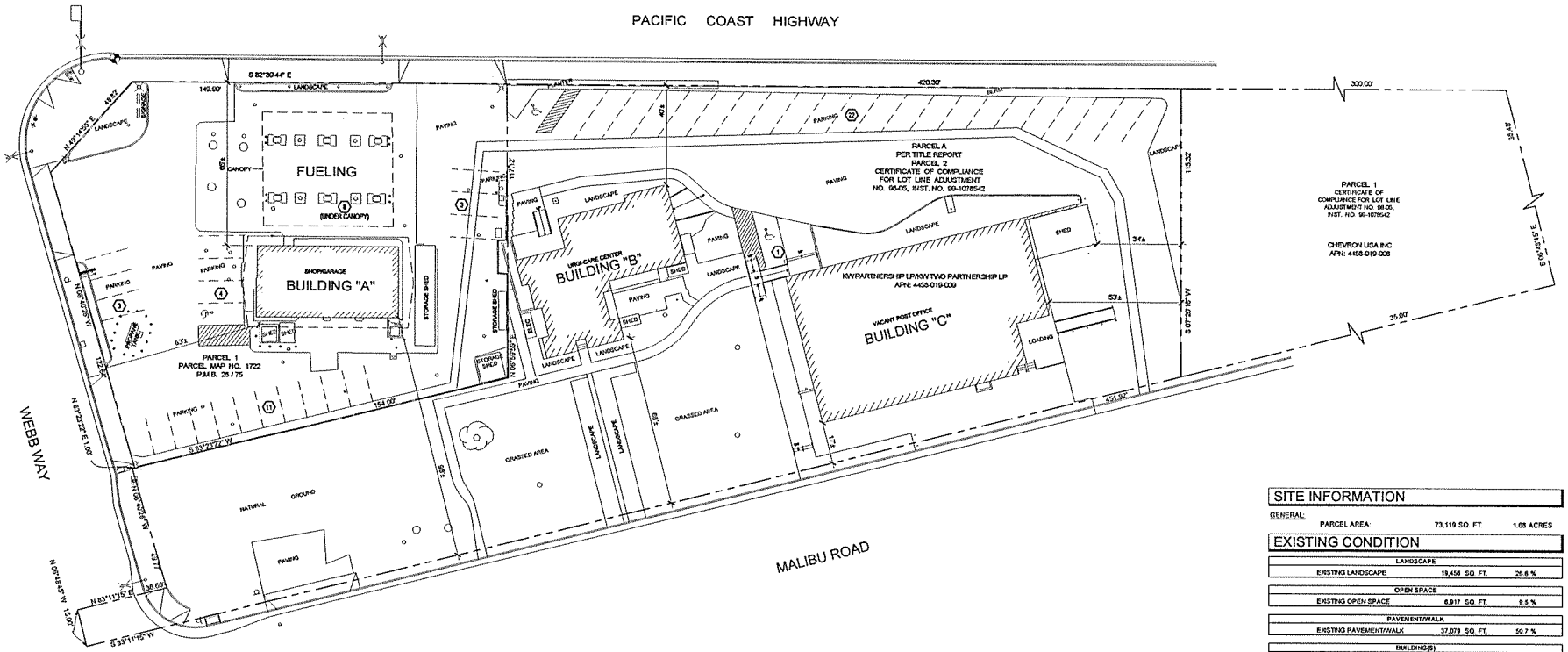

SITE INFORMATION

GENERAL:

PARCEL AREA:	73,119 SQ. FT.	1.68 ACRES

EXISTING CONDITION

LANDSCAPE		
EXISTING LANDSCAPE	19,458 SQ. FT.	26.6 %

OPEN SPACE		
EXISTING OPEN SPACE	6,917 SQ. FT.	9.5 %

PAVEMENT/WALK		
EXISTING PAVEMENT/WALK	37,079 SQ. FT.	50.7 %

BUILDING(S)			
BUILDING "A"	(E) CHEVRON BUILDING	1,619 SQ. FT.	2.2 %
BUILDING "B"	(E) URGENT-CARE CENTER	2,383 SQ. FT.	3.3 %
BUILDING "C"	(E) VACANT POST OFFICE	5,665 SQ. FT.	7.7 %
	TOTAL:	9,667 SQ. FT.	13.2 %

PARKING		
BUILDING "A" / FUELING	USE: GASOLINE PUMP OUTLET (6 EACH)	
	REQUIRED (1 SPACE PER PUMP OUTLET):	6.0 SPACES
	USE: AUTO SERVICE (3 BAYS)	
	REQUIRED (2 SPACE PER BAY):	6.0 SPACES
	USE: RETAIL STORE (472 SQ. FT.)	
	REQUIRED (1 SPACE PER 225 SQ. FT.):	2.1 SPACES
BUILDING "B"	USE: CLINICS (2,383 SQ. FT.)	
	REQUIRED (1 SPACE PER 300 SQ. FT.):	7.9 SPACES
BUILDING "C"	USE: MAIL ORDER HOUSE (5,665 SQ. FT.)	
	REQUIRED (1 SPACE PER 500 SQ. FT.):	11.3 SPACES
	REQUIRED (TOTAL):	33.4 SPACES
	PROVIDED (EXISTING):	52 SPACES
	(INCLUDING 8 UNDER CANOPY SPACES)	

OVERALL EXISTING SITE PLAN

GRAPHIC SCALE: 1" = 20'

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NO.	DATE	REVISION DESCRIPTION
1	1/15/16	REVISED PLANS SUBMITTAL

REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-38123 CIVIL STATE OF CALIFORNIA

Developer by: 1/15/2016

CONFIDENTIALITY STATEMENT:

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT (2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: TH	PO PIC: POF
CHECKED BY: BY	MEP PIC:
DRAWN BY: TH	CONSULTANT PIC:
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

OVERALL EXISTING SITE PLAN

SHEET NO.: 1

C-1.2

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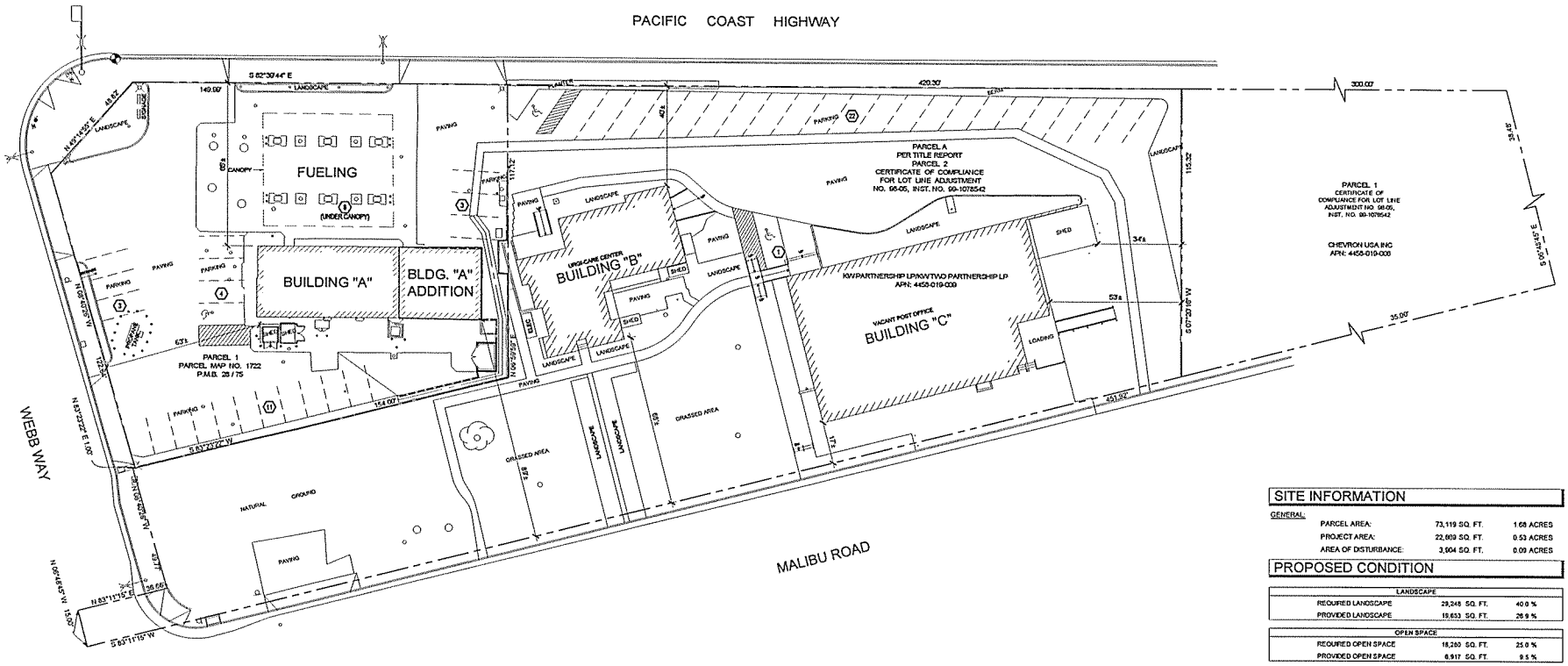

SITE INFORMATION

GENERAL

PARCEL AREA:	73,119 SQ. FT.	1.68 ACRES
PROJECT AREA:	22,669 SQ. FT.	0.53 ACRES
AREA OF DISTURBANCE:	3,904 SQ. FT.	0.09 ACRES

PROPOSED CONDITION

LANDSCAPE		
REQUIRED LANDSCAPE	29,248 SQ. FT.	40.0 %
PROVIDED LANDSCAPE	19,653 SQ. FT.	26.9 %

OPEN SPACE		
REQUIRED OPEN SPACE	18,280 SQ. FT.	25.0 %
PROVIDED OPEN SPACE	6,917 SQ. FT.	9.5 %

PAVEMENT/WALK		
PROVIDED PAVEMENT/WALK	35,952 SQ. FT.	49.2 %

BUILDING(S)			
BUILDING "A"	(E) CHEVRON BUILDING	1,619 SQ. FT.	2.2 %
	(N) BUILDING ADDITION	930 SQ. FT.	1.3 %
BUILDING "B"	(E) URGENT-CARE CENTER	2,383 SQ. FT.	3.3 %
BUILDING "C"	(E) VACANT POST OFFICE	5,665 SQ. FT.	7.7 %
	TOTAL	10,597 SQ. FT.	14.5 % < 15%

PARKING		
BUILDING "A" / FUELING	USE: GASOLINE PUMP OUTLET (8 EACH)	
	REQUIRED (1 SPACE PER PUMP OUTLET):	8.0 SPACES
	USE: AUTO SERVICE (3 BAYS)	
	REQUIRED (2 SPACE PER BAY):	6.0 SPACES
	USE: RETAIL STORE (1,161 SQ. FT.)	
	REQUIRED (1 SPACE PER 225 SQ. FT.):	5.2 SPACES
BUILDING "B"	USE: CLINICS (2,383 SQ. FT.)	
	REQUIRED (1 SPACE PER 300 SQ. FT.):	7.9 SPACES
BUILDING "C"	USE: MAIL ORDER HOUSE (5,665 SQ. FT.)	
	REQUIRED (1 SPACE PER 500 SQ. FT.):	11.3 SPACES
	REQUIRED (TOTAL):	36.4 SPACES
	PROVIDED (EXISTING): (INCLUDING 8 UNDER CANOPY SPACES)	52 SPACES

N W E S

GRAPHIC SCALE: 1" = 20'

OVERALL PROPOSED SITE PLAN

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NO.	DATE	REVISION DESCRIPTION
1	1/19/16	REVISED PLANS SUBMITTAL
2	1/25/16	CITY COMMENTS

REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-39123 CIVIL STATE OF CALIFORNIA

PROFESSIONAL ENGINEER 4/26/2016

CONFIDENTIALITY STATEMENT

DEVELOPMENT INFORMATION

MALIBU CHEVRON

TENANT IMPROVEMENT (2,549 S.F.)

SITE ADDRESS

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: PH	PD PM: JKP
CHECKED BY: JKP	DEP PM: -
DRAWN BY: PH	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE

OVERALL PROPOSED SITE PLAN

SHEET NO.:

C-1.3

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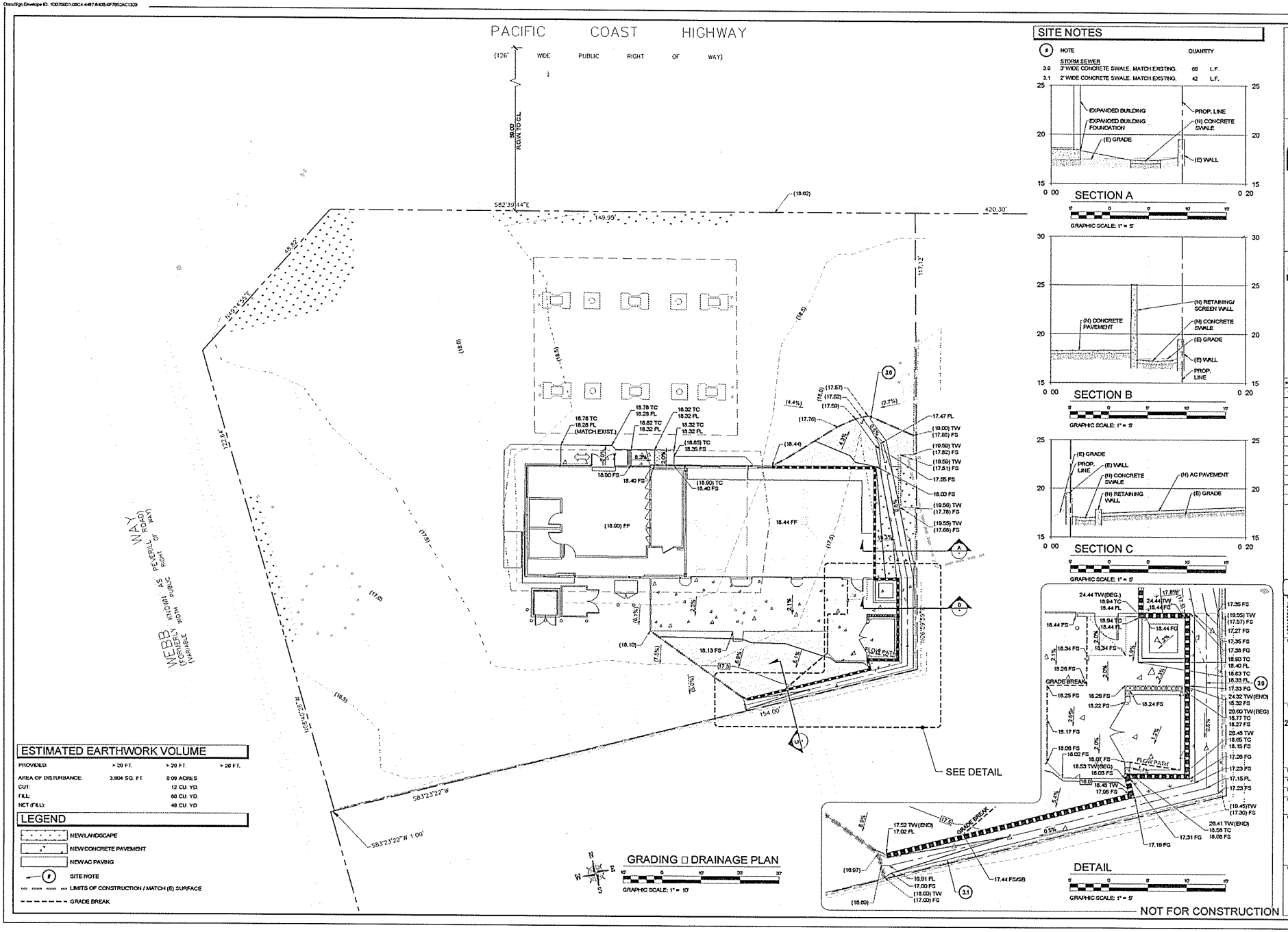

SITE NOTES

#	NOTE	QUANTITY	
	STORM SEWER		
3.0	3' WIDE CONCRETE SWALE, MATCH EXISTING.	66	L.F.
3.1	2' WIDE CONCRETE SWALE, MATCH EXISTING.	42	L.F.

ESTIMATED EARTHWORK VOLUME

PROVIDED:	> 20 FT.	> 20 FT.	> 20 FT.
AREA OF DISTURBANCE:	3,904 SQ. FT.	0.09 ACRES	
CUT:		12 CU. YD.	
FILL:		60 CU. YD.	
NET (FILL):		48 CU. YD	

LEGEND

- NEW LANDSCAPE
- NEW CONCRETE PAVEMENT
- NEW AC PAVING
- # SITE NOTE
- LIMITS OF CONSTRUCTION / MATCH (E) SURFACE
- GRADE BREAK

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REGISTERED PROFESSIONAL ENGINEER PATRICK O. FIEDLER No. C-35123 CIVIL STATE OF CALIFORNIA

Designed by: 1/18/2016

COMPLIANCE STATEMENT:

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

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SITE ADDRESS:

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@ WEBB WAY
MALIBU, CA 90265

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DRAWN BY: TH	CONSULTANT PIC:
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

GRADING & DRAINAGE PLAN

SHEET NO.:

C-2.0

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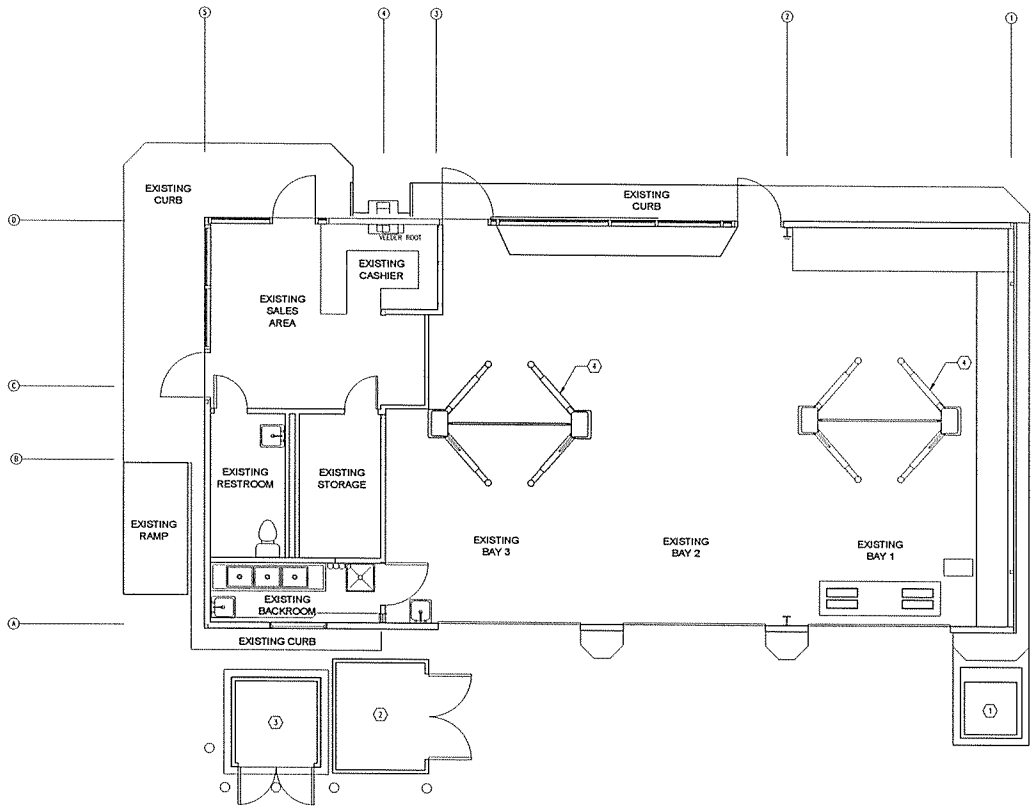

1 EXISTING FLOOR PLAN
SCALE: 1/4"=1'-0"

GENERAL NOTES:

1. -

KEYED NOTES:

MARK	DESCRIPTION
1	EXISTING OIL DISPOSAL
2	EXISTING OUTDOOR STORAGE
3	EXISTING HEALY TANK FOR FUELING SYSTEMS
4	EXISTING LIFT

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LICENSED ARCHITECT
MATTHEW DANIEL EPSTEIN
C-29433
EXPIRES 12/31/17
STATE OF CALIFORNIA

Drawing Signed by: Matt Epstein 1/15/2016

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TENANT IMPROVEMENT
(2,549 S.F.)

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@ WEBB WAY
MALIBU, CA 90265

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DRAWING TITLE:

EXISTING FLOOR PLAN

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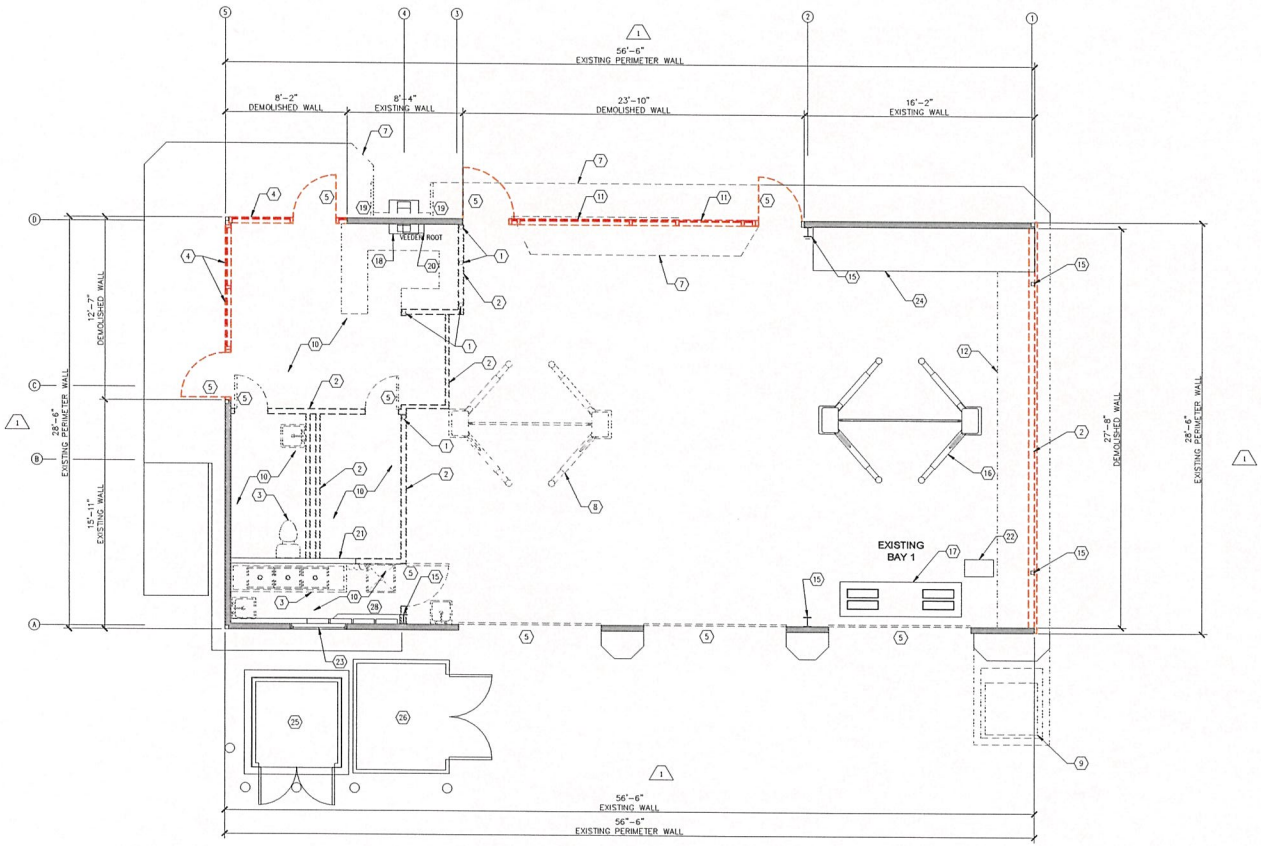

1 DEMOLITION PLAN
SCALE: 1/4"=1'-0"

SHEET GENERAL NOTES:

1. ROOF MUST BE SHORED PRIOR TO REMOVAL OF LOAD BEARING WALLS AND OTHER SUPPORTING ELEMENTS.

KEYED NOTES:

MARK	DESCRIPTION
1	DEMO EXISTING COLUMN
2	DEMO EXISTING WALL
3	DEMO EXISTING PLUMBING FIXTURES (TYP)
4	DEMO EXISTING STOREFRONT WINDOW SYSTEM
5	DEMO EXISTING DOOR
6	-
7	DEMO EXISTING CURB
8	RELOCATE EXISTING LIFT
9	RELOCATE EXISTING EQUIPMENT PER CIVIL PLANS
10	DEMO EXISTING WALL, FLOOR, AND CEILING FINISHES
11	DEMO EXISTING STOREFRONT WINDOW SYSTEM AND WALL BELOW
12	DEMO EXISTING CONCRETE CURB
15	EXISTING COLUMN TO REMAIN
16	EXISTING LIFT TO REMAIN
17	EXISTING DYNAMOMETER EQUIPMENT TO REMAIN
18	EXISTING TRANSACTION DOOR TO REMAIN
19	EXISTING STOREFRONT TO REMAIN
20	EXISTING VEEDEROOT TO REMAIN
21	EXISTING WALL TO REMAIN
22	EXISTING DYNAMOMETER EQUIPMENT
23	EXISTING WINDOW TO REMAIN
24	EXISTING RAISED SLAB TO REMAIN
25	EXISTING HEALY TANK TO REMAIN
26	EXISTING STORAGE ROOM TO REMAIN
27	-
28	EXISTING ELECTRICAL PANELS TO REMAIN

1

LCP CALCULATION:

TOTAL EXISTING EXTERIOR WALLS: 170'-10"
DEMOLISHED EXTERIOR WALLS (L.F.): 73'-5"
DEMOLISHED WALLS / EXISTING WALLS = 43%

WALL LEGEND:

- DEMOLISHED INTERIOR WALL
- WALL TO REMAIN
- DEMOLISHED EXTERIOR WALL

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2	1/26/16	CITY COMMENTS
3	5/19/16	REVISED PLANS

LICENSED ARCHITECT
MATTHEW DANIEL EPSTEIN
C-29433
REN 7/31/17
STATE OF CALIFORNIA

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TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:
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@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: NS	F/G PM: POF
CHECKED BY: MC	MEP PM: -
DRAWN BY: NS	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:
DEMOLITION FLOOR PLAN

SHEET NO.:
A-1.1

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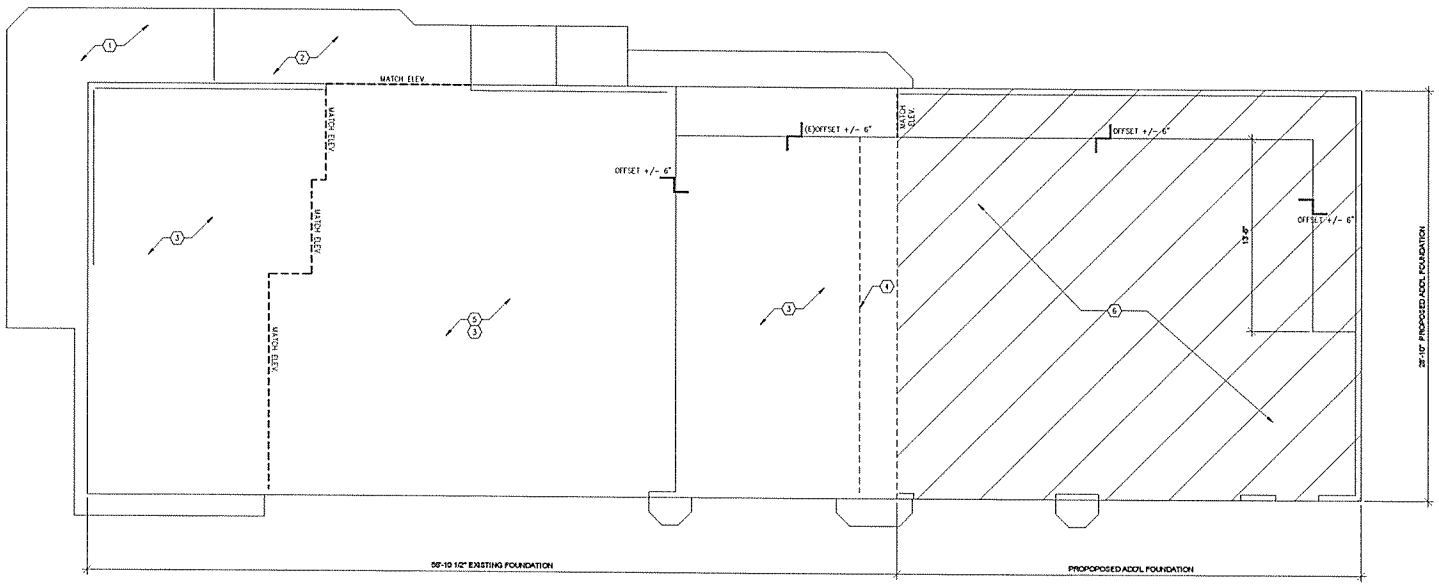

1 PRELIMINARY FOUNDATION PLAN
SCALE: 1/4"=1'-0"

SHEET GENERAL NOTES:

1. CLEAN AND PREP FLOOR TO RECEIVE NEW CONCRETE.
2. A SMOOTH TRANSITION BETWEEN EXISTING AND NEW CONCRETE IS REQUIRED.

KEYED NOTES:

MARK	DESCRIPTION
1	EXISTING WALKWAY - SEE CIVIL
2	WALKWAY - SEE CIVIL
3	EXISTING SLAB ON GRADE TO REMAIN
4	SLAB ON GRADE TO MATCH SLOPE AND ELEVATION OF EXIST. SERVICE BAY
5	CONCRETE SLAB-ON-GRADE OVER EXISTING SLAB. MATCH ELEVATION OF EXISTING ADJACENT SLAB AND LEVEL SURFACE TO RECEIVE FINISH FLOORING.
6	NEW FOUNDATION AND SLAB ON GRADE

WALL LEGEND:

MATCH ELEV.	SLAB ELEVATION MATCH
	SLAB OFFSET

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LICENSED ARCHITECT
MATTHEW DANIEL EPSTEIN
C-29433
REN. 12/31/17
STATE OF CALIFORNIA

Developed by
Matt Epstein 1/18/2016

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MALIBU CHEVRON
TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:
23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MR	F3 PM: PGP
CHECKED BY: MR	MEP PM: -
DRAWN BY: MR	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:
SLAB PLAN

SHEET NO.: A-1.3

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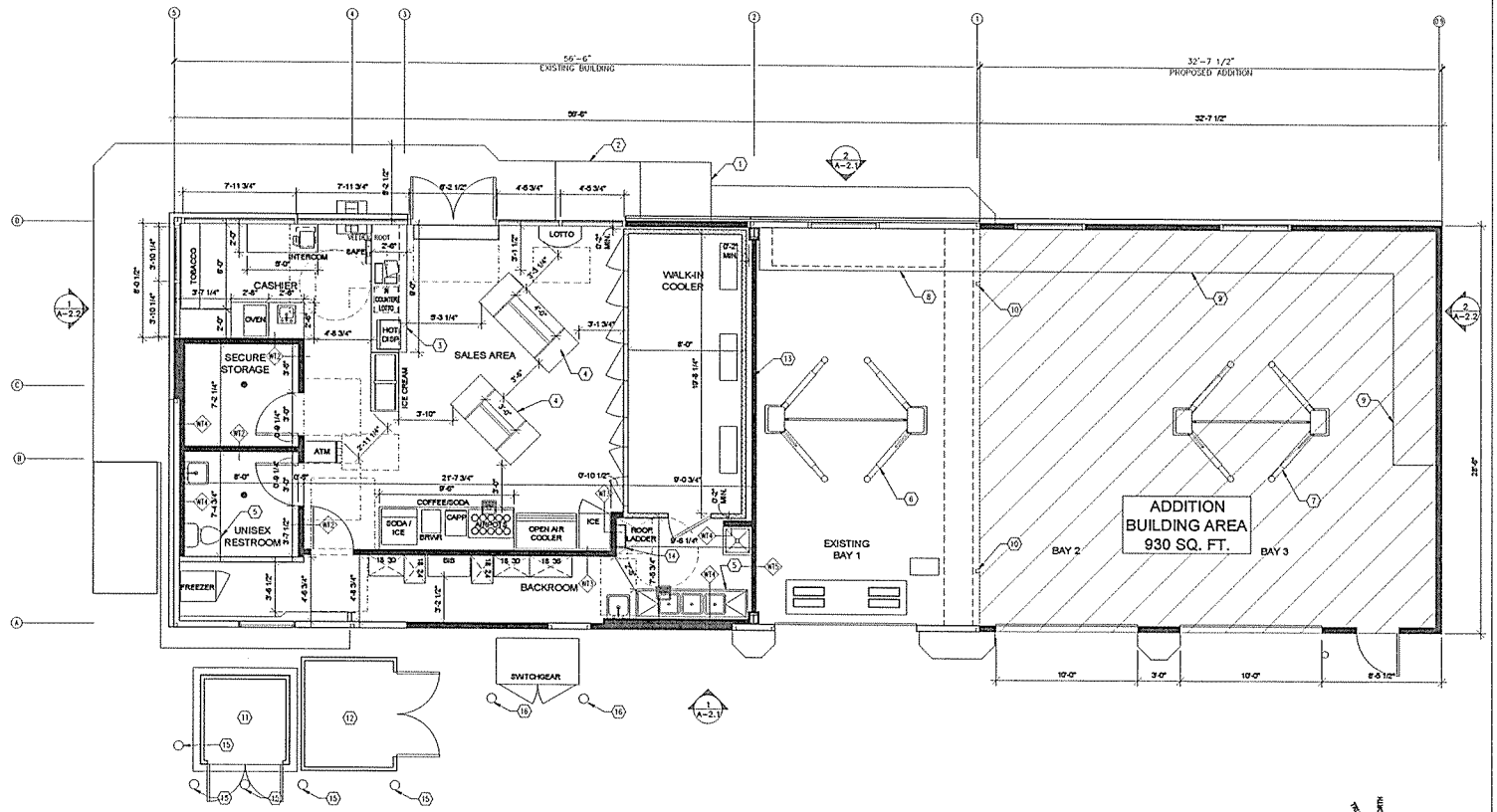
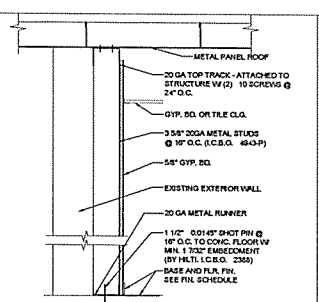
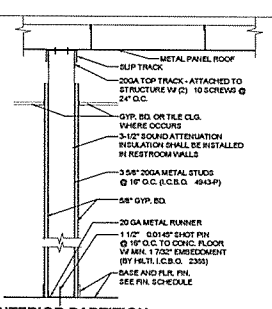


1 PROPOSED FLOOR PLAN
SCALE: 1/4"=1'-0"

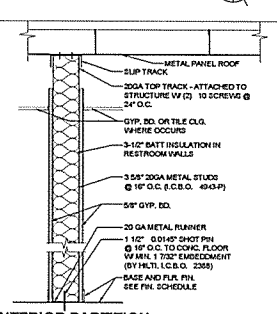
WT5 **2-HOUR RATED INTERIOR PARTITION**
SCALE: 1 1/2"=1'-0"



WT4 **INTERIOR PARTITION**
SCALE: 1 1/2"=1'-0"



WT3 **INTERIOR PARTITION**
SCALE: 1 1/2"=1'-0"



WT2 **INTERIOR PARTITION**
SCALE: 1 1/2"=1'-0"

GENERAL NOTES:

1. 3 1/2" MIN. ACOUSTIC BATT INSULATION REQUIRED IN ALL RESTROOM WALLS.

KEYED NOTES:

MARK	DESCRIPTION
1	LANDING - SEE CIVIL
2	RAMP - SEE CIVIL
3	SALES COUNTER @ 34" A.F.F.
4	GONDOLAS
5	PLUMBING FIXTURES - SEE PLUMBING (TYPICAL)
6	EXISTING LIFT
7	RELOCATED LIFT
8	EXISTING RAISED CONCRETE CURB
9	RAISED CONCRETE CURB
10	EXISTING COLUMN
11	EXISTING HEALY TANK
12	EXISTING STORAGE ROOM
13	2-HOUR RATED WALL
14	ROOF LADDER - SEE DETAIL 2 ON SHEET A-5.1
15	EXISTING BOLLARD
16	BOLLARD - SEE CIVIL

WALL LEGEND:

- NEW WALL
- EXISTING WALL
- COOLER WALL BY OTHERS

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LICENSED ARCHITECT
MATTHEW DANIEL EPSTEIN
C-29433
REN. 11/30/17
STATE OF CALIFORNIA

Developed by: Matt Epstein 1/18/2016

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DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MK	PD PM: POP
CHECKED BY: MD	MEP PM: -
DRAWN BY: MK	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

PROPOSED FLOOR PLAN

SHEET NO.:

A-1.4

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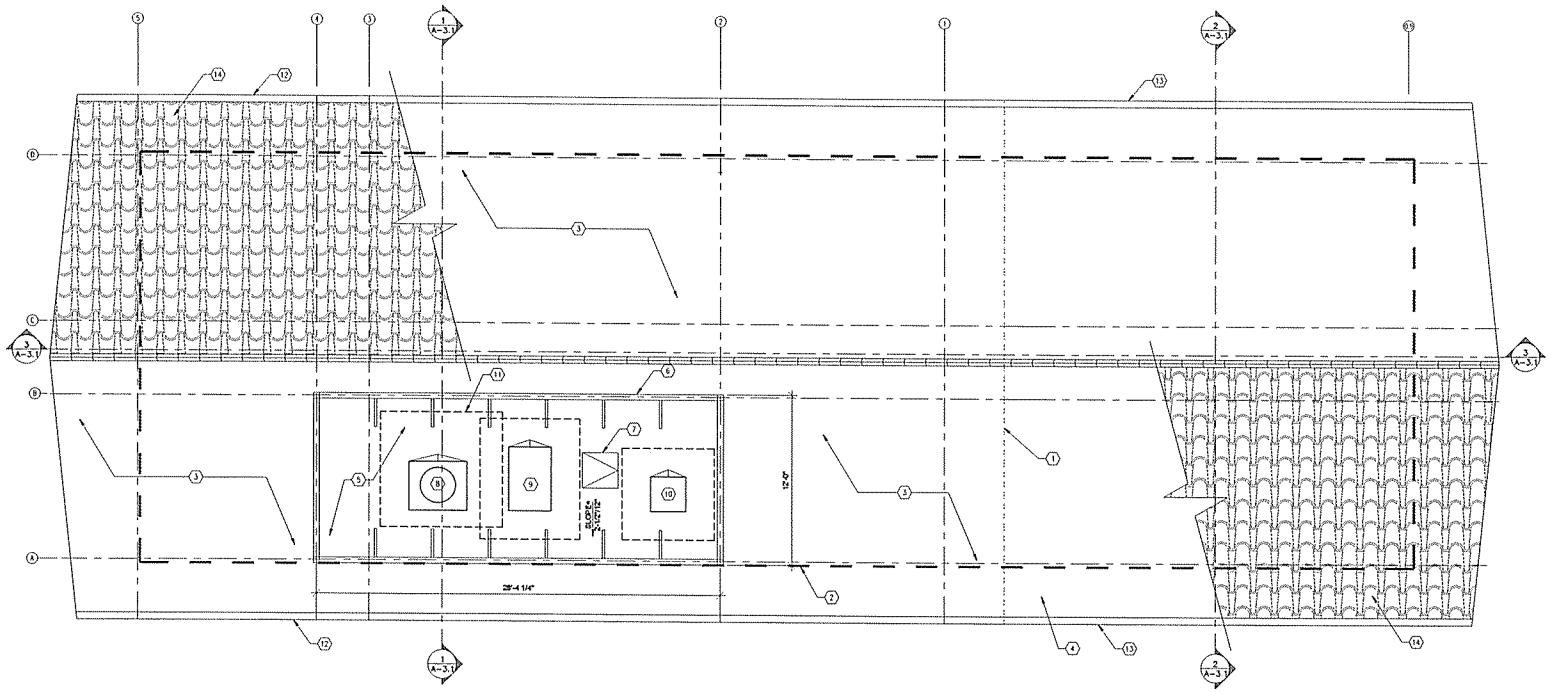

1 ROOF PLAN
SCALE: 1/4"=1'-0"

SHEET GENERAL NOTES:

1. REUSE DEMOLISHED ROOF TILES - ADDITIONAL ROOF TILES TO MATCH EXISTING.

KEYED NOTES:

MARK	DESCRIPTION
1	END OF EXISTING ROOF
2	LINE OF WALL BELOW
3	EXISTING ROOF
4	ROOF STRUCTURE - OVERHANGS TO MATCH EXISTING
5	WALKABLE MODIFIED BITUMEN ROOF SYSTEM INSIDE ROOF SCREEN - SEE STRUCT.
6	ROOF SCREEN - SEE STRUCTURAL
7	ROOF ACCESS LADDER AND HATCH ON PITCHED CURB
8	ROOF TOP UNIT (250LBS) ON PITCHED CURB - SEE MECH.
9	WALK-IN COOLER CONDENSING UNIT (300LBS) ON PITCHED CURB
10	ICE MAKER CONDENSING UNIT (100LBS) ON PITCHED CURB
11	REQUIRED CLEARANCES - VERIFY W/ MANUFACTURER
12	EXISTING GUTTER
13	GUTTER TO MATCH EXISTING
14	CLAY ROOF TILE

NOT FOR CONSTRUCTION

Chevron

fiedlergroup
Architecture & Engineering
299 N. Euclid Ave., Ste 550
Pasadena, CA 91101
(213) 381-7891
fiedlergroup.com

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1	1/19/16	REVISED PLANS SUBMITTAL

LICENSED ARCHITECT
MATTHEW DANIEL EPSTEIN
C-29433
SUN 6/30/17
STATE OF CALIFORNIA

Developed by: Matt Epstein 1/18/2016

CONFIDENTIALITY STATEMENT:

DEVELOPMENT INFORMATION:

MALIBU CHEVRON

TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MA	PS PM: MAF
CHECKED BY: MA	MEP PM: -
DRAWN BY: MA	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

ROOF PLAN

SHEET NO.:

A-1.6

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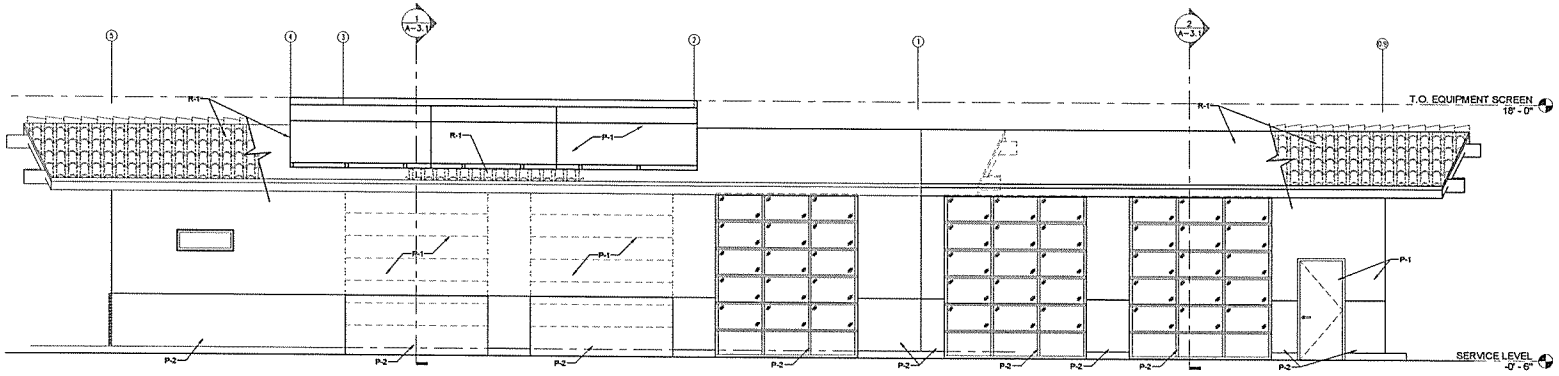

1 SOUTH ELEVATION
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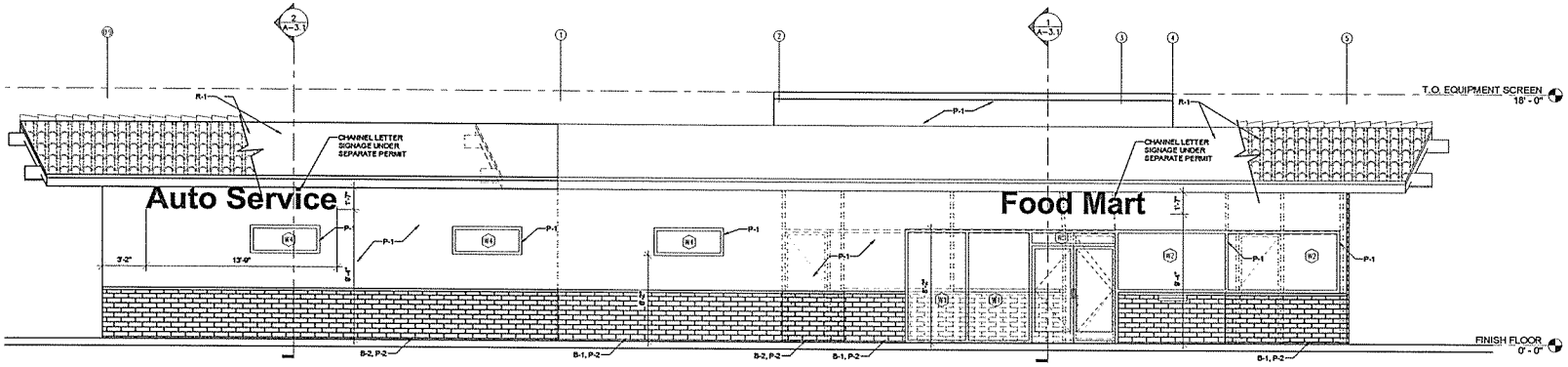

2 NORTH ELEVATION
SCALE: 1/4"=1'-0"

NOT FOR CONSTRUCTION

Chevron

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3	5/19/16	REVISED PLANS

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C-29433
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STATE OF CALIFORNIA

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@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MB	PE PM: POP
CHECKED BY: MB	SKP PM: -
DRAWN BY: MB	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:
EXTERIOR ELEVATIONS

SHEET NO.:
A-2.1

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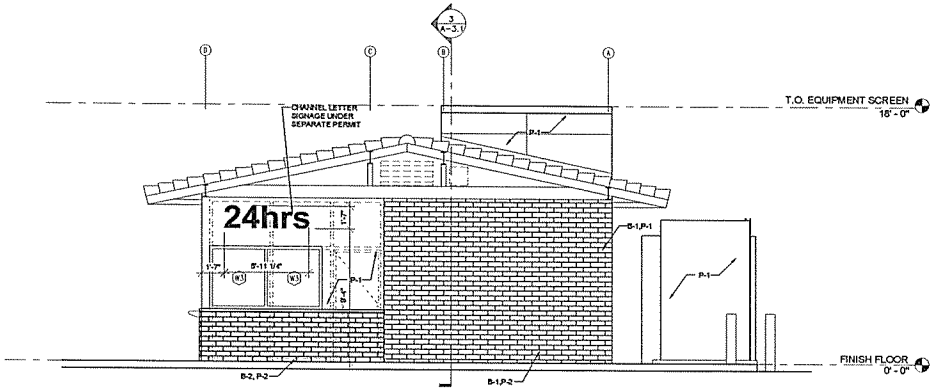

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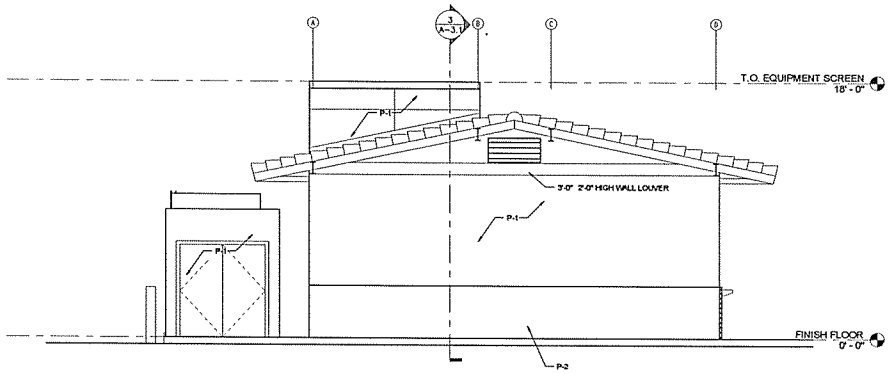

2 **EAST ELEVATION**
SCALE: 1/4"=1'-0"

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3	5/18/16	REVISED PLANS

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DEVELOPMENT INFORMATION:

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(2,549 S.F.)

SITE ADDRESS:

23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MA	PD PM: RDF
CHECKED BY: MM	MEP PM: -
DRAWN BY: MA	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:

EXTERIOR ELEVATIONS

SHEET NO.:

A-2.2

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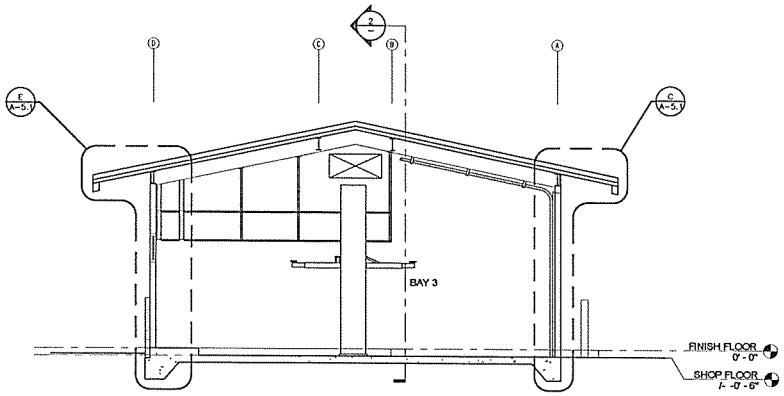

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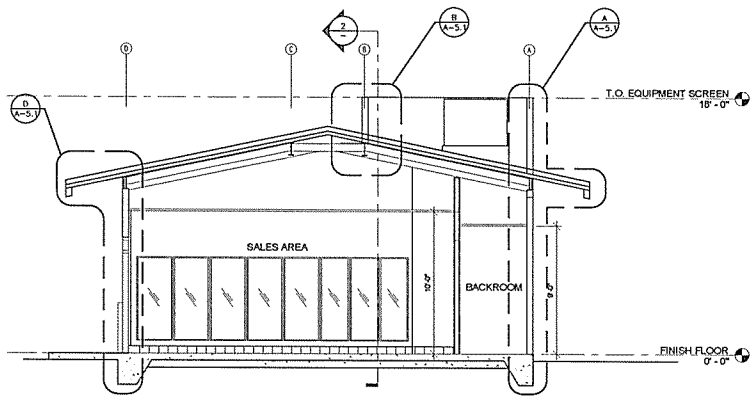

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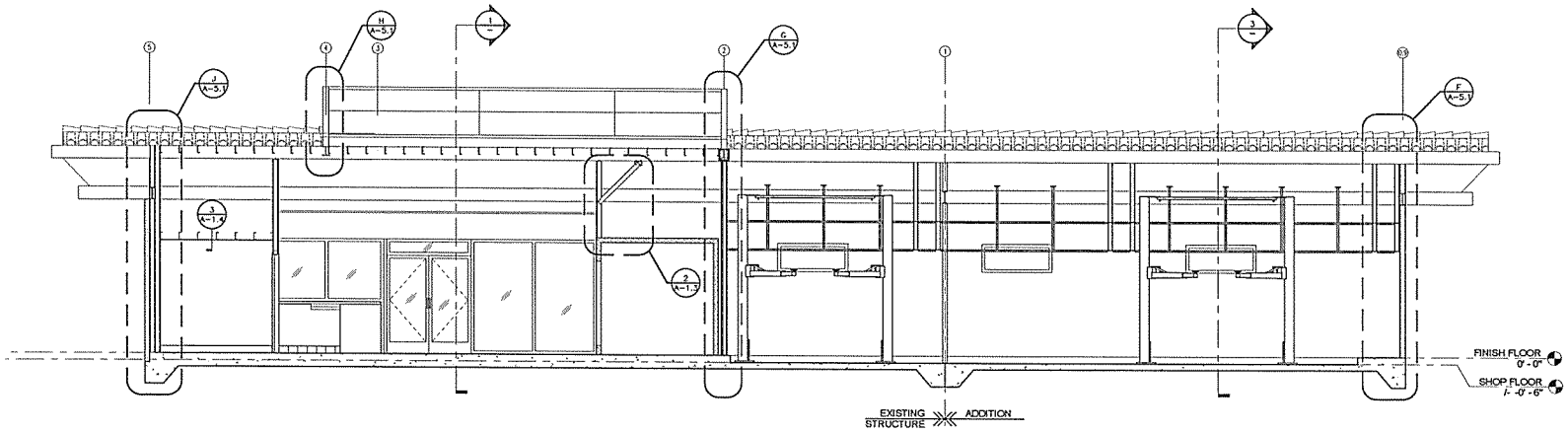

2 SECTION
SCALE: 1/4"=1'-0"

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TENANT IMPROVEMENT
(2,549 S.F.)

SITE ADDRESS:
23670 PACIFIC COAST HWY.
@ WEBB WAY
MALIBU, CA 90265

DESIGNED BY: MK	PJ PM: PJP
CHECKED BY: MP	MEP PM: -
DRAWN BY: MK	CONSULTANT PM: -
DATE: 04/24/15	PROJECT NO.: 15122

DRAWING TITLE:
BUILDING SECTIONS

SHEET NO.:
A-3.1

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R04

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

1/27/16
~~1/19/16~~

TO: City of Malibu Environmental Health Administrator **DATE:** ~~7/13/2015~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	APR 15-058, CUPA 15-007
JOB ADDRESS:	23670 PACIFIC COAST HWY, Parcel
APPLICANT / CONTACT:	Matthew Epstein, Fiedler Group, Inc.
APPLICANT ADDRESS:	299 N. Euclid Ave Pasadena, CA 91101
APPLICANT PHONE #:	(213)381-3478
APPLICANT FAX #:	
APPLICANT EMAIL:	matthew.epstein@fiedlergroup.com
PROJECT DESCRIPTION:	Expansion of existing foodmart

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)**

Melinda Talent — **Signature**

3-31-16 — **Date**

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

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

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant : (name and email address)	Matthew Epstein, Fiedler Group, Inc. matthew.esptein@fiedlergroup.com		
Project Address:	**23670 Pacific Coast Highway, Parcel** Malibu, CA 90265		
Planning Case No.:	APR 15-058, CUPA 15-007		
Project Description:	Expansion of existing foodmart		
Date of Review:	March 31, 2016		
Reviewer:	Melinda Talent	Signature: Melinda Talent	
Contact Information:	Phone: (310) 456-2489 ext 364	Email: mtalent@malibucity.org	

SUBMITTAL INFORMATION

Architectural Plans:	Architectural plans by Fiedler Group submitted to Planning 7-13-2015, Revised plans submitted to Planning 1-27-16
Grading Plans:	Grading and drainage plan by Fiedler Group submitted to Planning 7-13-2015, Revised plans submitted to Planning 1-27-16
OWTS Plan:	
OWTS Report:	Ensitu Engineering wastewater report dated 9-9-15
Geology Report:	
Miscellaneous:	Malibu Bay Company review letter dated March 24, 2016
Previous Reviews:	August 17, 2015

REVIEW FINDINGS

Planning Stage:	☒	**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.
	☐	**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:	☐	**APPROVED**
	☒	**NOT APPROVED** Please respond to the listed plan check review comments and conditions of Planning conformance review.
OWTS Plot Plan:	☒	**NOT REQUIRED**
	☐	**REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

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

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

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

Conditions of Planning Conformance Review

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

-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

RCH

City of Malibu

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

RECEIVED
MAR 29 2016
PLANNING DEPT.

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department **DATE:** ~~7/13/2015~~

FROM: City of Malibu Planning Department

PROJECT NUMBER:	APR 15-058, CUPA 15-007
JOB ADDRESS:	23670 PACIFIC COAST HWY, Parcel
APPLICANT / CONTACT:	Matthew Epstein, Fiedler Group, Inc.
APPLICANT ADDRESS:	299 N. Euclid Ave Pasadena, CA 91101
APPLICANT PHONE #:	(213)381-3478
APPLICANT FAX #:	
APPLICANT EMAIL:	matthew.epstein@fiedlergroup.com
PROJECT DESCRIPTION:	Expansion of existing foodmart

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

4/1/16
DATE

City of Malibu
MEMORANDUM

To: Planning Department

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

Date: April 1, 2016

Re: Proposed Conditions of Approval for 23670 Pacific Coast Highway APR 15-058

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:

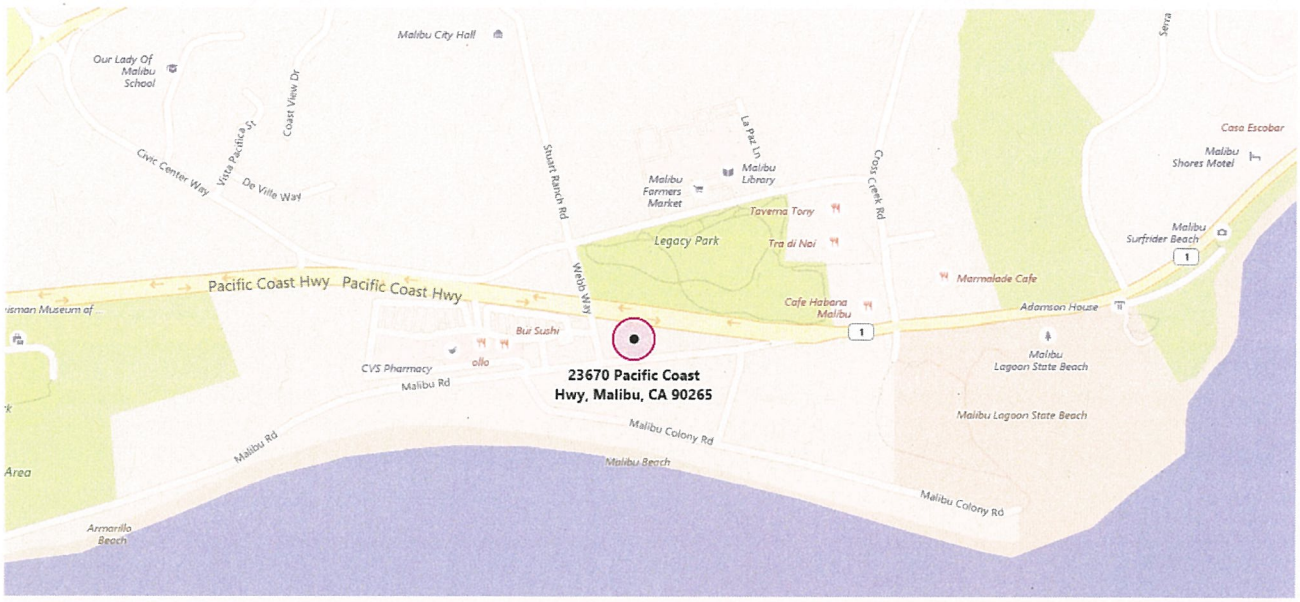
Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill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

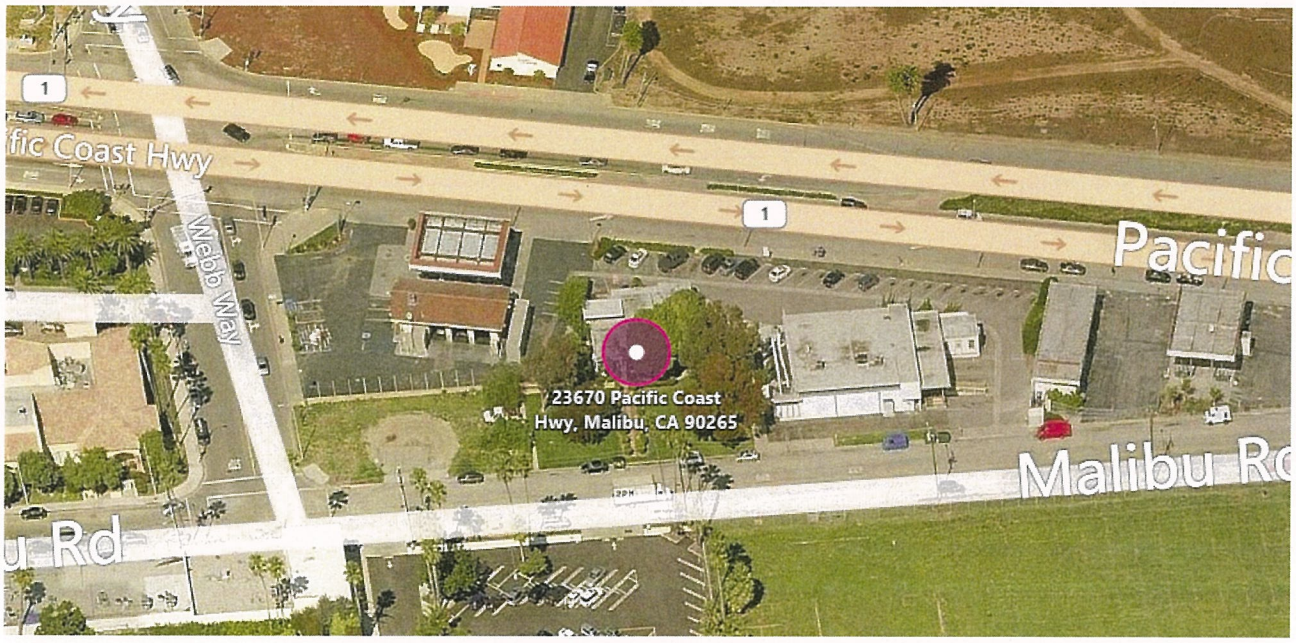
All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject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

MISCELLANOUS

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

Site Map and Aerial Photo





ATTACHMENT 5

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 (fifteen days for tentative parcel maps) following the date of action for which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planning forms or in person at City Hall, or by calling (310) 456-2489, extension 245.

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

If you have questions regarding this notice, please contact **Richard Mollica, Senior Planner, at (310) 456-2489, extension 346.**

Date: August 25, 2016

By: Bonnie Blue, Planning Director

Notice of Public Hearing

City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Planning Department

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

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **MONDAY, September 19, 2016, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

CONDITIONAL USE PERMIT AMENDMENT NO. 15-007 AND ADMINISTRATIVE PLAN REVIEW NO. 15-058 – An application to amend Conditional Use Permit No. 08-009 and to allow for the expansion of the existing foodstore and garage bays at an existing service station

LOCATION:	23670 Pacific Coast Highway
APN:	4458-019-009
ZONING:	Commercial General (CG)
APPLICANT:	Fiedler Group, Inc.
OWNER:	KW Partnership
TENANT:	Chevron
APPLICATION FILED:	July 13, 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 Section 15301 – 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).

ATTACHMENT 6

4458 | 19

SCALE 1" = 200'

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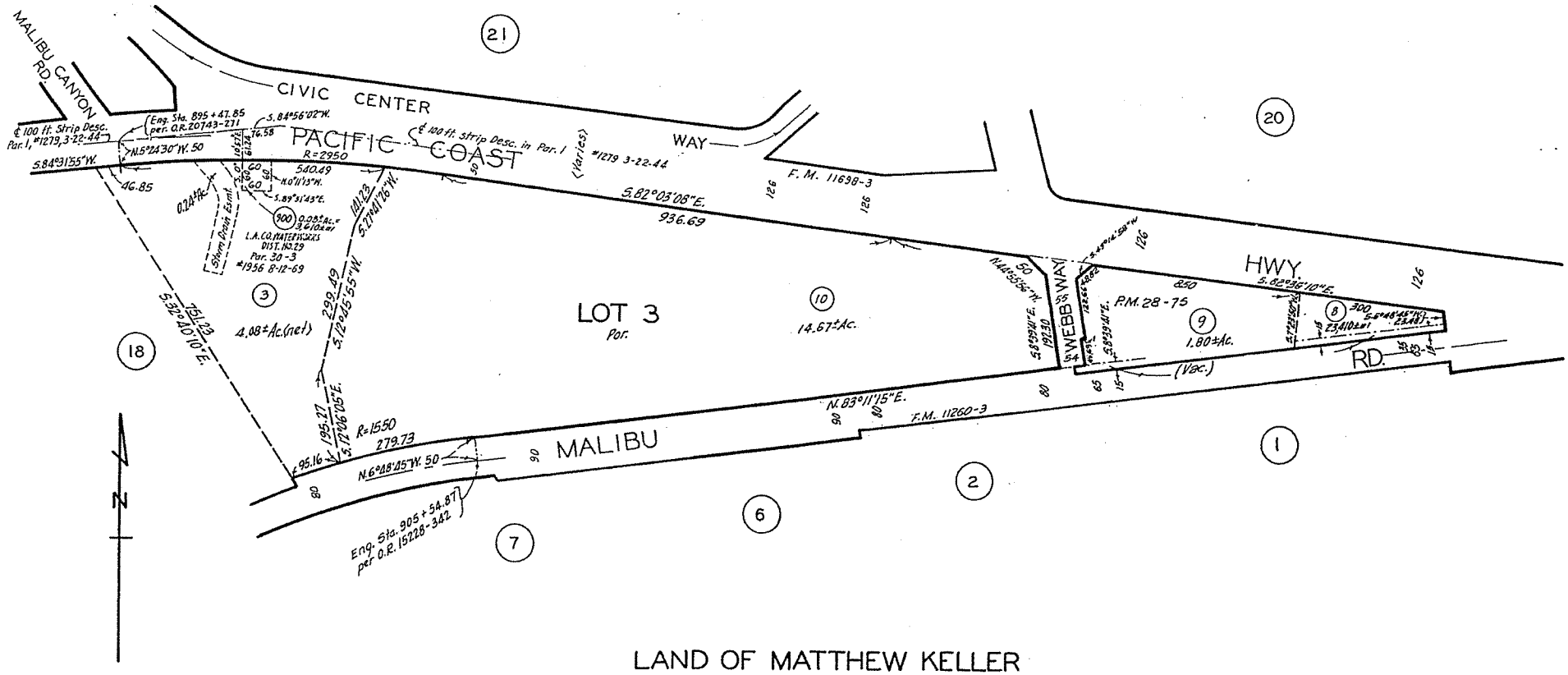

CODE
10865

LAND OF MATTHEW KELLER
IN THE RANCHO TOPANGA MALIBU SEQUIT
R.F. 534

NO. 97 FOR PREV. ASSM'T. SEE: 4458 - 19

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

Planning Commission Meeting 09-19-16

Item 5.C.

Supplemental Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Richard Mollica, Senior Planner RM

Approved by: Bonnie Blue, Planning Director BB

Date prepared: September 19, 2016 Meeting date: September 19, 2016

Subject: Conditional Use Permit Amendment No. 15-007 and Administrative Plan Review 15-058 – An application to amend Conditional Use Permit No. 08-009 and to allow for the expansion of the existing convenience market and garage bays at an existing service station (Chevron)

Location:	23670 Pacific Coast Highway
APN:	4458-019-009
Owner:	KW Partnership L.P.
Tenant:	Ben Pouldar, Malibu Petroleum Inc.

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 16-77 approving Conditional Use Permit Amendment (CUPA) No. 15-007 to amend to Conditional Use Permit (CUP) No. 08-009 and approving Administrative Plan Review (APR) No. 15-058 to allow for a 689 square foot expansion of the existing convenience market and garage bays at an existing service station in the Commercial General (CG) zoning district located at 23670 Pacific Coast Highway, at the corner of Pacific Coast Highway and Webb Way (Chevron / KW Partnership L.P.).

DISCUSSION: Upon review of the published staff report, it was determined that the additional square footage to the building that will be added was not clearly stated. To accommodate the expansion of the existing convenience store and continue to maintain the existing three service bays, a total of 930 square feet will be added to the building. In addition, the application includes a conditional use permit amendment to allow for the expansion of the building and the existing convenience store through the conversion of 689 square feet of the existing building. To accomplish the expansion of the convenience store, the existing service bay and interior storage areas will be utilized. The

administrative plan review will allow for the interior reconfiguration of the building and the addition which will allow for the remaining service area to be expanded to maintain three service bays.

As stated in Table 3 of the project agenda report the total size of all structures on the property will be 10,567 square feet and the Floor Area Ratio (FAR) for the property will be 14.5 percent. Currently the total size of all development on the site is 9,637 square feet.

Square Footage Breakdown:

Existing Convenience Store Use:	472 square feet
Proposed Expansion:	689 square feet
Total Convenience Store Use:	1,161 square feet
Existing Service Station: (Convenience Store and Service Bays)	1,619 square feet
Addition to Building:	930 square feet
Total Size of Service Station: (Convenience Store and Service Bays)	2,549 square feet
Existing development on the property:	9,637 square feet
Addition to the building:	930 square feet
Total development on the property:	10,567 square feet (14.5 percent FAR)