APRIL 4, 2022 REGULAR MEETING

HTTPS://WWW.MALIBUCITY.ORG/VIRTUALMEETING

1. Meeting Agenda

   Documents:

   PC220404_AGENDA.PDF

2. Item 3B1

   Extension of Coastal Development Permit No. 14-082 / 30385 Morning View Drive

   Documents:

   PC220404_ITEM3B1.PDF
   PLANNING COMMISSION NO. 18-03.PDF

3. Item 3B2

   De Minimis Waiver No. 21-014 / 5685 Calpine Drive

   Documents:

   PC220404_ITEM3B2.PDF

4. Item 4A

   Conditional Use Permit Amendment No 13-006 & Join Use Parking Agreement No. 14-001 / 22969 Pacific Coast Highway (Aviation Nation)

   Documents:

   PC220404_ITEM4A_SUPPLEMENTAL.PDF
   PC220404_ITEM4A.PDF
   PREVIOUS APPROVAL - CITY COUNCIL RESOLUTION NO. 10-59 - MALIBU INN CUP.PDF
   PREVIOUS APPROVAL - MALIBU INN CUP STAFF REPORT AND ATTACHMENTS.PDF
   PREVIOUS APPROVAL - MALIBU INN CUP STAFF PRESENTATION.PDF

5. Item 4B

   Malibu Inn Motel - Coastal Development Permit No. 09-067 / 22959 Pacific Coast Highway

   Documents:

   PC220404_ITEM4B.PDF

6. Item 5A

   Coastal Development Permit–Woolsey Fire No. 19-001 / 4756 Latigo Canyon Road

   Documents:

   PC220404_ITEM5A.PDF

7. Item 5B

   Coastal Development Permit No. 16-028 / 6333 Sea Star Drive

   Documents:

   PC220404_ITEM5B_SUPPLEMENTAL.PDF
   PC220404_ITEM5B.PDF

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor's Executive Order N-08-21 and the County of Los Angeles Public Health Officer's Order *(revised March 23, 2022*). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. The meeting will be live streamed at https://malibucity.org/video and https://malibucity.org/VirtualMeeting.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to planningcommission@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public wishing to speak or defer time to another speaker during the meeting must participate through the Zoom application and must be present in the Zoom conference to be recognized. The City requests that you sign up to speak before the item you would like to speak on has been called by the Chair. For those wishing to defer time, you are not required to sign up to speak. At the start of public comment for the item, the Chair shall ask members of the public wishing to defer time to raise their hands in the Zoom meeting using the reactions button. Each person will be called to verify their presence in the Zoom meeting and their intent to donate time.

Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Malibu Planning Commission
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, April 4, 2022

6:30 P.M. – REGULAR PLANNING COMMISSION MEETING

Various Teleconference Locations

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT

MALIBUCITY.ORG/VIDEO

Call to Order - Chair

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – March 25, 2022

1. Ceremonial/Presentations

None.

2. Written and Oral Communications from the Public

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

B. Planning Commission and staff comments and inquiries

3. Consent Calendar

A. Previously Discussed Items

None.

B. New Items

1. Extension of Coastal Development Permit No. 14-082 – A request to extend the Planning Commission's approval of an application for the construction of a new single-family home, guest house, and associated development

Location:	30385 Morning View Drive
APN:	4469-016-006
Owners:	Greg and Mica Belzberg
Case Planner:	Associate Planner Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 22-33, granting a one-year time extension of Coastal Development Permit No. 14-082 for the construction of a new one-story 8,473 square foot single-family residence 18 feet in height plus a basement, detached 891 square foot garage, one-story detached 466 square foot guest house, 466 square foot pool house, swimming pools, spa, tennis court; retaining walls, water feature, hardscape, driveway with a fire truck turnaround, vehicular gates and landscaping, and installation of a new onsite wastewater treatment system located in the Rural Residential-Two Acre zoning district at 30385 Morning View Drive (Belzberg).

2. De Minimis Waiver No. 21-014 – An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location:	5685 Calpine Drive, not within the appealable coastal zone
APN:	4467-023-040
Owners:	Jason Thompson and Paloma Jonas
Case Planner:	Senior Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive and file the Planning Director's report on the issuance of De Minimis Waiver No. 21-014 for a new onsite wastewater treatment system for a Woolsey Fire affected parcel.

4. Continued Public Hearings

A. Conditional Use Permit Amendment No 13-006 and Joint Use Parking Agreement No. 14-001 – An application to amend Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to reduce the restaurant service area in order to accommodate for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces (Aviator Nation) (Continued from January 11, 2022)

Location:	22969 Pacific Coast Highway
APN:	4452-019-004
Owner:	SKA Group, LLC
Tenant:	Aviator Nation Dreamland/Aviator Nation
Case Planner:	Assistant Planning Director Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 22-01 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 13-006 and Joint Use Parking Agreement (JUPA) No. 14-001 amending Conditional Use Permit No. 09-009 and JUPA No. 10-001 for the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviator Nation Dreamland) located in the Commercial Visitor Serving-One zoning district at 22969 Pacific Coast Highway (SKA Group, LLC).

B. Malibu Inn Motel – Coastal Development Permit No. 09-067, Mitigated Negative Declaration No. 20-003 and Initial Study No. 20-003, Conditional Use Permit No. 18-002, Variance Nos. 18-029, 18-030, 18-031, and 20-035, Site Plan Review No. 18-025, and Joint Use Parking Agreement No. 18-001 – An application for development of a motel project (Continued from January 11, 2022

Location:	22959 Pacific Coast Highway, within the appealable coastal zone
APN:	4452-019-005
Owner:	Surfrider Plaza, LLC
Case Planner:	Assistant Planning Director Fernandez, 456-2489, ext. 482

Recommended Action: Continue the item to a date uncertain to permit the applicant additional time to resolve compliance with the Memorandum of Understanding between the City and Regional Water Quality Control Board.

5. New Public Hearings

A. Coastal Development Permit–Woolsey Fire No. 19-001 and Variance No. 19-016 - An application for the reconstruction of an unpermitted, pre-existing non-conforming walk-out basement, decks, new swimming pool, and associated development (Continued from January 18, 2022)

Location:	4756 Latigo Canyon Road, not within the appealable coastal zone
APN:	4459-002-021
Owners:	James and Kim Tomlinson
Case Planner:	Assistant Planner Coronel, 456-2489, ext. 373

Recommended Action: Adopt Planning Commission Resolution No. 22-05 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit–Woolsey Fire No. 19-001 to allow for the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system, including Variance No. 19-016 for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre zoning district at 4756 Latigo Canyon Road (Tomlinson).

B. Coastal Development Permit No. 16-028 – An application for a new single-family residence and associated development

Location:	6333 Sea Star Drive, not within the appealable coastal zone
APN:	4469-047-003
Owner:	Issac Real Estate Holdings, Series LLC, Series A
Case Planner:	Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Adopt Planning Commission Resolution No. 22-32 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 16-028 for the construction of a 5,984 square foot, one-story single-family residence with a rooftop deck, a 422 square foot detached two-car garage, swimming pool and spa, grading, landscaping and hardscape, and the installation of an onsite wastewater treatment system on an undeveloped parcel, located in the Rural Residential, Two-Acre zoning district at 6333 Sea Star Drive (Issac Real Estate Holdings, Series LLC, Series A).

6. Old Business

None.

7. New Business

None.

8. Planning Commission Items

None.

Adjournment

Future Meetings

Monday, April 18, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, May 2, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD
Monday, May 16, 2022	6:30 p.m. Regular Planning Commission Meeting	Location TBD

Guide to the Planning Commission Proceedings

As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. In order to reduce the risk of spreading COVID-19. consistent with these emergency measures, the Planning Commission meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Commission will not be physically in the same place.

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. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized. Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

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.

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. In order to speak, individuals must visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

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 Planning Commission.

Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City's website at https://www.malibucity.org/video. Copies of the staff reports or other written documentation relating to each item of business described above are available upon request by emailing planningcommission@malibucity.org.

The City Hall phone 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 Yolanda Bundy, (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 to show an audio or video presentation during a Commission meeting should be directed to Alex Montano at (310) 456-2489, ext. 227 or amontano@malibucity.org. Material must be submitted by 12:00 p.m. on the meeting day.

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 25th day of March 2022 at 2:30 p.m.

Rebecca Evans

Rebecca Evans, Administrative Assistant

Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 3.B.1.

To: Chair Hill and Members of the Planning Commission

Prepared by: Tyler Eaton, Associate Planner

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2022 Meeting date: April 4, 2022

Subject: Extension of Coastal Development Permit No. 14-082 – A request to extend the Planning Commission's approval of an application for the construction of a new single-family home, guest house, and associated development

Location: 30385 Morning View Drive
APN: 4469-016-006
Owners: Greg and Mica Belzberg

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-33, granting a one-year time extension of Coastal Development Permit (CDP) No. 14-082 for the construction of a new one-story 8,473 square foot single-family residence 18 feet in height plus a basement, detached 891 square foot garage, one-story detached 466 square foot guest house, 466 square foot pool house, swimming pools, spa, tennis court; retaining walls, water feature, hardscape, driveway with a fire truck turnaround, vehicular gates and landscaping, and installation of a new onsite wastewater treatment system (OWTS) located in the Rural Residential-Two Acre (RR-2) zoning district at 30385 Morning View Drive (Belzberg).

DISCUSSION: Condition of Approval No. 7 in Planning Commission Resolution No. 18-03, which approved the project, states that the subject CDP and associated requests shall expire if the project has not commenced within three years after final City action. Extension of a CDP 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, including the scope of work and approvals, is listed in Planning Commission Resolution No. 22-33 (Attachment 1).

The subject CDP was originally set to expire on January 16, 2021. On February 16, 2021, the Planning Commission approved a one-year extension of the CDP to January 16, 2022.

On January 10, 2022, the applicant submitted another extension request to ensure a valid CDP permit remains active while the project team prepares to commence construction of the single-family residence and associated development. The applicant is still working through the plan check process with the Building Safety Division but permits for the grading and retaining walls were issued on October 28, 2019. Construction for grading and retaining walls has commenced on the site. The project team experienced delays when unpermitted utilities were found onsite during grading. The team undertook time-consuming efforts with the utility companies to safely remove the utilities and redesign the site utility plan. Additional delays were incurred during the construction of site retaining walls when an error on the survey was discovered causing the applicant to have to redesign their approved site walls and deal with the legal implications with the survey company. Lastly, supply-chain issues related to Covid-19 have caused further delays of construction materials. The applicant's complete analysis for due cause is included as Attachment 2. Per Local Coastal Program (LCP) Policy No. 5 (Coastal Development Permit Extensions), the aggregate life of a CDP shall not exceed five years absent extraordinary circumstances. A one-year extension to January 16, 2023 would be consistent with this policy and should give the applicant sufficient time to commence construction of the single-family residence.

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. 18-03 shall remain valid for an additional one-year term. The expiration date of this approval would then be January 16, 2023. All conditions of approval in Planning Commission Resolution No. 18-03 will remain in effect.

ATTACHMENTS:

1. Planning Commission Resolution No. 22-33
2. Time Extension Request
3. LCP Policy No. 5 (CDP Extensions)
4. Public Hearing Notice

All referenced Planning Commission records are available for review at http://www.malibucity.org/onbase.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A ONE-YEAR TIME EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 14-082 FOR THE CONSTRUCTION OF A NEW ONE-STORY 8,473 SQUARE FOOT SINGLE-FAMILY RESIDENCE 18 FEET IN HEIGHT PLUS A BASEMENT, DETACHED 891 SQUARE FOOT GARAGE, ONE-STORY DETACHED 466 SQUARE FOOT GUEST HOUSE, 466 SQUARE FOOT POOL HOUSE, SWIMMING POOLS, SPA, TENNIS COURT; RETAINING WALLS, WATER FEATURE, HARDSCAPE, DRIVEWAY WITH A FIRE TRUCK TURNAROUND, VEHICULAR GATES AND LANDSCAPING, AND THE INSTALLATION OF A NEW ONSITE WASTEWATER TREATMENT SYSTEM LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 30385 MORNING VIEW DRIVE (BELZBERG).

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

SECTION 1. Recitals.

A. January 16, 2018, the Planning Commission adopted Resolution No. 18-03, approving Coastal Development Permit (CDP) No. 14-082 to allow construction of a new one-story 8,473 square foot single-family residence 18 feet in height plus a basement, detached 891 square foot garage, one-story detached, 466 square foot guest house, 466 square foot pool house, swimming pools, spa, tennis court, retaining walls, water feature, hardscape, driveway with a fire truck turnaround, vehicular gates and landscaping, and the installation of a new onsite wastewater treatment system (OWTS) located in the Rural Residential-Two Acre (RR-2) zoning district at 30385 Morning View Drive.

B. On February 16, 2021, a one-year time extension was granted by the Planning Commission extending the life of the CDP to January 16, 2022.

C. On January 10, 2022, an additional one-year time extension request was submitted to the Planning Department by the property owner.

D. On March 24, 2022, a Notice of Public Hearing was mailed to all property owners and occupants within a 500 foot radius of the subject property.

E. On April 4, 2022, the Planning Commission held a duly noticed public hearing on the subject time extension request, reviewed and considered the staff 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 previously determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15303(a) - New Construction. As such, Categorical Exemption (CE) No. 17-136 was filed for CDP No. 14-082.

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 coastal development permit and associated requests.

SECTION 4. Planning Commission Action.

A. The approvals set forth in Planning Commission Resolution No. 18-03 are hereby extended for an additional one-year term. The approval is now set to expire on January 16, 2023.

B. No other changes to the conditions contained in Planning Commission Resolution No. 18-03 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution No. 18-03 are shall remain in full force and effect.

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

PASSED, APPROVED AND ADOPTED this 4th day of April, 2022.

KRAIG HILL, Planning Commission Chair

ATTEST:

REBECCA EVANS, 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. 22-33 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 4th day of April, 2022, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

REBECCA EVANS, Recording Secretary

City of Malibu

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

TIME EXTENSION REQUEST

The City of Malibu will not accept incomplete applications.

Staff use only

Extension No. 22-002

To submit a time extension request:

This time extension request must be timely received by the Planning Department either in person or by mail addressed to City of Malibu, Attn: Planning Department, 23825 Stuart Ranch Road, Malibu, CA 90265.

The request letter must be received **PRIOR** to the expiration date listed in the Notice of Decision or Planning Commission Resolution.

Project No.: CDP 14-082

Site Address: 30385 Morning View Drive

ALL of the following must be timely filed to perfect a time extension request.

1. **Time Extension Checklist** _____

   This form with property owner's signature

2. **Time Extension Request Letter** X

   A letter setting forth due cause for the Planning Director / Commission to grant the time extension.

3. **Time Extension Fee ($528)** _____

4. **Property Owner's /Occupant's Information** _____

   Has the property owner or commercial occupant changed since the Planning Commission/ Planning Director granted the time extension? ☐ YES ☑ NO

   If **YES**, Change of Property Owner/Occupant Fee applicable.

   Property Owner's mailing Address: _____

   _____

   Property Owner's telephone: _____

   Property Owner's email address: _____

ATTACHMENT 2

Occupant's mailing Address: _____

_____

Occupant's telephone: _____

Occupant's email address: _____

5. **Applicant's Information** _____

Has the application representing the owner changed since the Planning Commission's/ Planning Director's approval or since the issuance of the last extension? ☐ YES ☑ NO

If **YES**, fill out the Authorization to Submit Project section of this form.

Applicant's mailing address: _____

_____

Applicant's telephone: _____

Applicant's email address: _____

6. **Certified Public Notice Property Owner & Occupant Mailing Address and Radius Map** X

Not required for Administrative Plan Review approvals in which a discretionary request (e.g. site plan review) was not included.

- The addresses of the property owners and occupants within the mailing radius shall be provided on a compact disc in a Microsoft Excel spreadsheet. The spreadsheet shall have the following column headers in row one: 1) name, 2) address, 3) city, state & zip code, and 4) parcel (for APN). The owners should be listed first followed by the occupants. The project applicant's mailing address should be added at the end of the list.
- An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.
- Printouts of the excel spreadsheet and radius map, certified by the preparer as being accurate, must be provided.
- The radius map (8½" x 11") shall show a 500 foot radius* from the subject property and must show a minimum of 10 developed properties. A digital copy of the map shall be submitted on the same cd as the mailing addresses.

*Properties zoned RR-10, RR-20, or RR-40 require a 1,000-foot radius notification.

**Note that updated mailing labels may be requested by the project planner prior to deeming the application complete.

Indemnification Clause

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.

PROPERTY OWNER SIGNATURE	GREG BELZBERG PROPERTY OWNER NAME (PRINT)	02/08/2022 DATE

AUTHORIZATION TO SUBMIT A PROJECT

_____(print name) is authorized by me/us as the owner(s) of the property located at _____, to submit an application to and obtain permits from the City of Malibu Planning Department and to act on my/our behalf of the process that applicant. This authorization will be valid until revoked by me/us in writing.

This form must be notarized if not witnessed by City of Malibu staff.

Witnessed by:

Dated: _____

_____
Witness Signature (Staff)

_____
Print Name

I hereby certify that the time extension request submittal contains all of the above items. I understand that if any of the items are missing or subsequently deficient, the time extension shall be deemed to have been withdrawn and the project approval will expire. I acknowledge that the City strongly encourages me to immediately calendar the expiration date of this permit, that it is my responsibility to monitor its status and that the City has no ability to provide relief when a permit has expired.

_____
Property Owner's Signature

_____ _____
Print Property Owner's Name Date

City of Malibu
Planning Department
Attn: Patricia Salazar Senior Administrative
AnalystPlanning Department
23815 Stuart Ranch Rd.
Malibu, CA 90265

RE: 30385 Morning View Dr. Malibu CA, 90265. CDP Extension Request for CDP No. 14-082

Dear Patricia,

Please accept this permit extension cover letter for CDP 14-082 at 30385 Morning View Drive, Malibu CA, 90265. The CDP was approved on January 16th, 2018, with an approved extension on February 16, 2021. It is our position that development has "Commenced" within the meaning of LIP section 13.21 and that the permit has now become vested. However, in an abundance of caution, the applicant seeks, in the alternative, to request that the City Planning Commission grant an extension of its CDP as due cause exists to support the request.

Since the project was approved, we have made significant strides to commence and complete work on the project. On 10/28/19 the Grading and Retaining wall permits were pulled, work commenced and continued through the present. Currently we have graded for the driveway, all the building pads, tennis court, garage, fire turnaround, and water feature; putting us on track to have rough grading signed off in the first quarter of the year. We have also completed roughly 700 linear feet of site walls and are following close behind our grading schedule with a completion date in the first half of the year. Since the project was approved the applicant has made significant strides to commence and complete work on the project.

During the same period of time, between 10/28/19 to 6/9/20, existing unpermitted utilities were found below grade within the driveway easement. We have been working with the necessary utility companies to safely turn off, move, and redesign the utility plan for this site. This process was extremely timely as it was unclear which neighboring homes were affected and required gaining approval from homeowners to commence work. In addition, we received a new approved plan from SCE providing new locations for all electrical underground work that does not interfere with neighboring utilities.

During the completion of this scope of work, we learned an incorrect site survey was performed by our original surveyor who measured from the wrong monument and thus not enough grading was done per our approved plan and the site and site walls were approximately two feet too high. We needed to grade an additional two feet and the site walls needed to be reduced in height by two feet in some locations. From October 2020 through to July 2021 we worked with the surveyor's insurance company and attorneys to understand the cause of the error and to obtain reimbursement of costs related to the error. We were hesitant to move forward and disturb what was done until the issue was solved. We expected a much quicker resolution after the surveyor admitted fault.

A new Surveyor began identifying remediation points on March 4th. The surveyor's insurance company changed their position on reimbursement, so we went to a mediation in April to try to

resolve the matter. The mediation and negotiations afterwards were unsuccessful. We filed for Arbitration in June and since it now seemed like it would take much longer to resolve, on July 5, 2021 we began work on the remediation as well as new electrical infrastructure work, with most of the remediation completed by October 2021. At that time the grading progressed beyond the remediation work. The claim was settled on 12/3/21.

Additionally, the on-going Covid-19 Pandemic has caused construction materials and labor shortages as well as delays in shipping and receiving of building materials and responses to the site from the utility companies. The hardships and delays we have experienced over the past couple of years have been onerous, unanticipated and very costly for us. That being said, rough grading and installation of the project's utilities and site walls is almost complete and we are nearly ready to pull our building permit to commence development of the residence. We thank the Commission for its consideration of the hardships we have experienced and we respectfully ask that you consider our request for permit extension and thank you very much for your time and consideration. .

Sincerely,



Mr. & Mrs. Greg & Mica Belzberg

City of Malibu

Planning Department

November 13, 2017

LCP Policy 5: Coastal Development Permit Extensions

LIP Section 13.21 provides:

> Unless the permit states otherwise, a coastal development permit shall expire two years from its date of approval if the development has not commenced during that time. The approving authority may grant a reasonable extension of time for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the two-year period.

Due cause shall generally not exist unless the applicant has demonstrated the following:

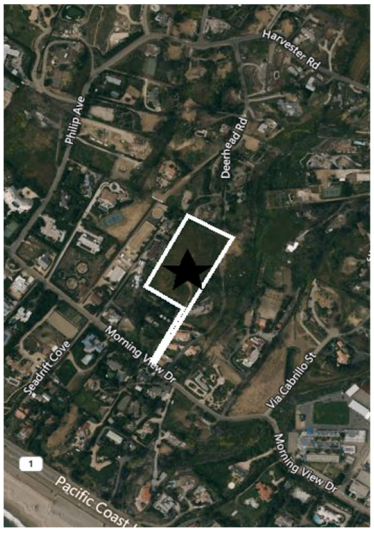
- There are extraordinary circumstances beyond the applicant's control that have prevented the applicant from commencing the development, such as financial hardship due to extreme economic conditions or job loss, inability to obtain a construction loan, personal reason, such as illness, divorce or death, restricted access to the property because of an existing lease or a necessary agency approval has not been obtained despite diligent efforts. Change of project ownership or architect and elective project redesigns do not by themselves constitute due cause; and
- The applicant has exercised due diligence in its efforts to commence the project, such as contracting for and completing necessary studies, reports, drawings and plans to pursue and complete the plan check process.

Absent extraordinary circumstances, the aggregate life of the permit shall not exceed five years.

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, April 4, 2022, 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. 14-082 - A request to extend the Planning Commission's approval of an application to construct a new one-story single-family residence and associated development

LOCATION / APN / ZONING:	**30385 Morning View Dr** / 4469-016-006 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNERS:	Greg and Mica Belzberg
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Section 15303(a)
EXTENSION FILED:	February 16, 2022
CASE PLANNER:	Tyler Eaton, Associate Planner, teaton@malibucity.org (310) 456-2489, ext. 273

A written staff report will be available at or before the hearing for the project. Related documents are available for review at City Hall during regular business hours. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing.

Extension requests will be presented on 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.

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 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.

RICHARD MOLLICA, Planning Director

Date: March 24, 2022

ATTACHMENT 4

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 18-03

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. 14-082 TO CONSTRUCT A NEW ONE-STORY 8,473 SQUARE FOOT SINGLE-FAMILY RESIDENCE 18 FEET IN HEIGHT THAT INCLUDES A BASEMENT, DETACHED 891 SQUARE FOOT GARAGE, ONE-STORY DETACHED, 466 SQUARE FOOT GUEST HOUSE AND 466 SQUARE FOOT POOL HOUSE, SWIMMING POOLS AND SPA, INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, TENNIS COURT, SITE DEVELOPMENT INCLUDING RETAINING WALLS, WATER FEATURE, HARDSCAPE, A DRIVEWAY WITH A FIRE TRUCK TURNAROUND, TWO AUTO GATES, AND NEW LANDSCAPING, LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 30385 MORNING VIEW DRIVE (BELZBERG)

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

SECTION 1. Recitals.

A. On December 18, 2014, an application for Coastal Development Permit (CDP) No. 14-082 was submitted to the Planning Department by Greg and Mica Belzberg. The application was routed to the City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, and Los Angeles County Fire Department (LACFD) for review.

B. On April 27, 2016, Planning Department staff conducted a site visit to document site conditions, the property and surrounding area.

C. On August 16, 2017, 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 September 27, 2017, a Notice of Coastal Development Permit Application was posted on the subject property.

E. On November 30, 2017, a Notice of Decision was mailed to all property owners and occupants within a 500-foot radius of the subject property.

F. On December 18, 2017, the Planning Director reported the approval of ACDP No. 14-082 to the Planning Commission. The Planning Commission directed staff to notice the item for a public hearing and process the application as a regular coastal development permit.

G. On January 4, 2018, 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.

H. On January 16, 2018, 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 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 Section 15303(a) – New Construction or Conversion of Small 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. 14-082 to allow the construction of a new one-story 8,473 square foot single-family residence 18 feet in height that includes a basement, detached 891 square foot garage, one-story detached, 466 square foot guest house and 466 square foot pool house, swimming pools and spa, installation of a new alternative onsite wastewater treatment system, tennis court, site development including retaining walls, water feature, hardscape, a driveway with a fire truck turnaround, two auto gates, and new landscaping in the Rural Residential Two-Acre (RR-2) zoning district located at 30385 Morning View Drive.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. 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 and conditionally approved by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and the Los Angeles County Fire Department (LACFD). The proposed project, as conditioned, conforms to the LCP. The proposed project meets all the applicable requirements set forth in the LCP and Malibu Municipal Code (MMC) based on staff review of the project plans and related reports, site visits, and the specific findings below.

2. The proposed development has been determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

B. Hazards (LIP Chapter 9)

1. The record demonstrates that the project, as proposed and conditioned, will not adversely affect stability of the site or structural integrity from geologic, flood, or fire hazards.

2. The project, as designed, conditioned, and approved by the City Geotechnical staff, City Public Works Department, and LACFD, 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.

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

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

5. No adverse impacts to sensitive resources are expected.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 14-082, 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 project described herein. The scope of work approved includes:

   a. New 8,473 square foot one-story, 18-foot high, single-family residence with a 1,000 square foot basement;
   b. New 891 square foot detached garage;
   c. New detached, 18-foot high, one-story accessory structure comprising a 466 square foot guest house and 466 square foot pool house connected by a trellis;
   d. New swimming pools, spa, and water feature;
   e. New tennis court with visually permeable fencing not to exceed 12 feet in height;
   f. New AOWTS;
   g. New landscaping and hardscaping including a driveway with a fire truck turnaround; and
   h. Retaining walls less than six feet high and two three-foot, six-inch high, open, permeable auto gates.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, dated **October 24, 2017**. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

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

5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to submittal into plan check and again prior to the issuance of any building or development permit.

6. This resolution, signed Affidavit of Acceptance of Conditions, and all attached Department Review Sheets shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the 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 to the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

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

9. All structures shall conform to requirements of the Environmental Sustainability Department, City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Waterworks District No. 29 and the Los Angeles County Fire Department, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 1 7.54.040(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.

Grading/Drainage/Hydrology

15. Provide a Grading Yardage Verification Certificate signed by the civil engineer, copied directly onto the cover sheet of the Grading Plan.

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

17. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:

    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.

    Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

18. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.

19. 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. Installation of Best Management Practices (BMPs) that are designed to treat the potential pollutants in the stormwater 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.
    b. Prohibits the discharge of trash.
    c. 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).
    d. Elimination of non-storm water discharges.

20. 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 BMPs 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.

21. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil 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-site
e. Non-stormwater control
f. Material management (delivery and storage)
g. Spill prevention and control
h. Waste management
i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit
j. Landowner must sign the following statement on the ESCP:

"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that quality 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 properly and/or adequately implement the ESCP may result in revocation of grand and/or other permits or other sanctions provided by law."

22. 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 pre-development 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 the grading or building permit for this project.

23. 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 BMPs;
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 Division 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

24. 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 Waste Discharge Identification (WDID) number prior to the issuance of grading or building permits.

25. 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.

26. Prior to final inspection by the Planning Department, the applicant shall demonstrate that all requirements of Los Angeles County Waterworks District No. 29 have been met, including installation of a meter, if applicable.

Biology

27. A plumbing permit for the proposed irrigation system shall be obtained from the Building Safety Division prior to the installation of any landscaping.

28. A landscape water use approval from the Los Angeles County Waterworks District No. 29 shall be provided prior to final plan check approval.

29. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three sequential violations of this condition will result in a requirement to permanently remove the vegetation from the site.

30. Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000 foot radius at any given time (given consideration of its future growth).

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

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

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

34. Earthmoving shall be scheduled only during the dry season from April 1 through October 31. If it becomes necessary to conduct earthmoving activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted to the City Biologist for approval prior to the issuance of a grading permit and implemented prior to initiation of vegetation removal and/or earthmoving activities.

35. 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 five days prior to 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. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

36. 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 any natural habitat areas.

37. A revised landscape plan shall be submitted for City Biologist review prior to final planning approval. The landscape plan shall demonstrate: 1.) the removal of California Sycamore trees in the northwest corner of the property and 2.) substitution of sugar bush plants with a lower-growing species in the northwest corner of the property.

Lighting

38. 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.

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

40. 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.

41. Up-lighting of landscaping is prohibited.

42. All fencing shall be indicated on the site plan.

Environmental Health

43. Prior to final Environmental Health approval, a final AOWTS plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the 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).

44. 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).

45. 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.

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

    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture equivalents, and/or the subsurface effluent dispersal system acceptance rate. The fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
    c. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be

reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics;

d. All final design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For AOWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department; and

e. H20 Traffic Rated Slab: Submit plans and structural calculations for review and approval by the Building Safety Division prior to Environmental Health final approval.

47. 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.

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

49. 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.

50. 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.

51. 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.

52. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

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

54. 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.

Geology

55. 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.

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

Public Works

57. 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 grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

58. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

Deed Restriction - Fire

59. 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.

Swimming Pool / Spa / Water Feature

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

61. 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(A).

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

63. 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.

64. 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.

65. 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.

66. Pursuant to MMC Section 9.20.040(B), all ponds, decorative fountains shall require a water recirculating/recycling system.

Fencing and Walls

67. 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.

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

Prior to Occupancy

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

70. Prior to the issuance of a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning Department conditions to protect natural resources are in compliance with the approved plans.

71. 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.

72. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu 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.

73. 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

74. This CDP runs with the land and binds all future owners of the property.

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

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 16th day of January 2018.

MIKKE PIERSON, 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.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 18-03 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 16th day of January 2018 by the following vote:

AYES:	4	Commissioners:	Mazza, Uhring, Marx, Pierson
NOES:	1	Commissioner:	Jennings
ABSTAIN:	0		
ABSENT:	0		

Kathleen Stecko

KATHLEEN STECKO, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 3.B.2.

To: Chair Hill and Members of the Planning Commission

Prepared by: Jessica Thompson, Senior Planner

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2022 Meeting date: April 4, 2022

Subject: De Minimis Waiver No. 21-014 — An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

Location: 5685 Calpine Drive, not within the appealable coastal zone
APN: 4467-023-040
Owners: Jason Thompson and Paloma Jonas

RECOMMENDED ACTION: Receive and file the Planning Director's report on the issuance of De Minimis Waiver (DMW) No. 21-014 for a new onsite wastewater treatment system (OWTS) for a Woolsey Fire affected parcel.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program Local Implementation Plan (LIP) Section 13.4.11, the requirement for a Coastal Development Permit may be waived through a De Minimis Waiver issued by the Planning Director for the items described in "General Requirements for De Minimis Waiver," below that are not located within the Appealable Jurisdiction of the California Coastal Commission, as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

On May 24, 2022, the Planning Director issued a DMW for the aforementioned address. Pursuant to LIP Section 13.4.11(A), the Director's decision on whether to issue a De Minimis Waiver is not locally appealable.

LIP Section 13.4.11(C) further states that the Planning Director shall report in writing to the Planning Commission any De Minimis Waiver that has been issued by the City.

If, after consideration of the De Minimis Waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a CDP is required, if the applicant wishes to pursue the application.

LIP Sections 13.4.11(A) (General Requirements for De Minimis Waiver)

Where the improvements are not otherwise exempt pursuant to LIP Section 13.4, and the required findings of LIP Section 13.4.11(B) are met, the Planning Director may issue a DMW for: 1) improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot; and 2) minor improvements to existing driveways or access roads that are required by the Los Angeles County Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads.

The project and required findings are more specifically described in the Planning Director's decision attached hereto.

PUBLIC NOTICE: A Notice of De Minimis Waiver Application was posted on the subject property.

ATTACHMENT: DMW No. 21-014

City of Malibu

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

De Minimis Waiver for OWTS

Based on the project plans and information provided in the permit application for the onsite wastewater treatment system (OWTS) described below, the Planning Director hereby waives the requirement for a coastal development permit pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4.11.

DMW No. 21-014	Other Applications: PVWF No.19-129[1] and APRWF No. 21-025[2]
Location: 5685 Calpine Drive	APN: 4467-026-015
CEQA Exemption Section: 15303(d)	Property Posting: September 22, 2021
Appealable Jurisdiction: ☐ Yes ☒ No ☐ Partial	

Pursuant to LIP Section 13.4.11(A), the following project may be waived through a de minimus waiver:

☒ Improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster, where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot, or

☐ Minor improvements to existing driveways or access roads that are required by the Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads.

Project Description

Natural Disaster: ☒ Woolsey Fire or ☐ Other

Purpose: ☐New (non-existent OWTS), ☒ Replace Existing and Abandon Existing, or ☐ Repair Existing

Dispersal Type: ☐ Leachfield or ☒ Seepage Pit(s)

New OWTS Tank Size: 3,634-gallon

[1] Planning Verification – Woolsey Fire (PVWF) No. 19-129 for the in-kind replacement of the single-family residence, plus a 10 percent increase in square footage. PVWF No. 19-129 was approved on December 2, 2020.
[2] Administrative Plan Review – Woolsey Fire (APRWF) No. 21-025 would allow for a 509 square foot second story addition, swimming pool and various site improvements. This application is pending planning review.

De Minimis Waiver Findings

Based on the foregoing evidence contained within the record, the Planning Director hereby makes the following findings of fact: The proposed project will upgrade and improve treatment effectiveness compared to the existing system. The applicant is required to record a covenant requiring the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included to require continued operation, maintenance and monitoring of the subject system. The conditions and requirements will ensure that the new OWTS does not have the potential for adverse effects, either individually or cumulatively, on coastal resources. The project as conditioned has been found to meet the requirements of the Malibu Municipal Code (MMC) and LCP. Furthermore, the project is consistent with the certified LCP, including the resource protection policies, in that no native trees, environmentally sensitive habitat area, public scenic views or cultural resources will be affected by the project. In addition, all OWTS components will be located in an adequate area that has been previously disturbed and would not result in any new or more significant impacts to natural or cultural resources, and which has the necessary percolation conditions. Lastly, the subject property is not within the Appeal Jurisdiction Area. Therefore, action on the development would not be appealable to the California Coastal Commission.

Conditions of Approval

Standard Conditions

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

2. This approval is for the OWTS described under the *Project Description* section of this DMW.

3. Subsequent submittals for this project shall be in substantial compliance with plans as approved by Environmental Health dated **November 30, 2021.** 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 owners sign, notarize, and return the **Acceptance of Conditions Affidavit** accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.

5. The applicant shall email the final set of plans to the Planning Department for consistency review and approval prior to the issuance of an OWTS permit.

6. This waiver, in its entirety, shall be provided with the development plans when submitted to the Building Safety Division for plan check.

7. A de minimis waiver shall expire and be of no further force and effect if the authorized OWTS are not commenced pursuant to a valid grading and/or building permit, as applicable, within five years of the effective date of the waiver. If expired, a coastal development permit or another waiver shall be required.

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 Environmental Sustainability Department, City Coastal Engineer, geotechnical consultant reviewers, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Waterworks District No. 29 and the Los Angeles County Fire Department, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.

11. Pursuant to LIP Section 13.4.11, this permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission does not request that the project be processed as a coastal development permit.

12. The property owners must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

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

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

Biology

15. All portions of the OWTS system shall meet all required setbacks from structures and natural resources.

16. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Department for review by the City Biologist and approval by the Planning Department prior to any planting. Should the applicant intend to plant any new or altered vegetation with a potential to grow over six feet in height at full maturity for an area of 500 square feet or more of landscaping for a new residence, or 2,500 square feet or more of landscaping for an existing residence, a detailed Landscape Documentation Package is required.

17. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.

Environmental Health

18. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC 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 OWTS plot plan shall show essential features of the OWTS 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).

19. If the OWTS design and/or bedroom or drainage fixture unit counts are modified in any way subsequent to this approval, then a final OWTS design report and large set of construction drawing with system specifications shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OTWS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

20. The final OWTS 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, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture equivalents, 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 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. 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.

21. Worker Safety Note and Abandonment of Existing OWTS: The following note shall be added to the plan drawings included with the OWTS final design. “Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an “OWTS Abandonment Permit” shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.”

22. Reference Plans: Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. Approvable building plans will show a new (fire rebuild) single family residence with no more than 5 bedrooms and 53 drainage fixture units.

23. Existing OWTS to be Abandoned: Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS’ proper abandonment in conformance with the MMC.

24. Notice of Decision: The final OWTS plans shall include the Conditions of Approval section of this decision.

25. Proof of Ownership: Proof of ownership of subject property shall be submitted.

26. Operations and Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owners and maintenance provider of the proposed advanced OWTS.

27. Maintenance Contract: A maintenance contract executed between the owners of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed advanced OWTS shall be submitted prior to Environmental Health approval. Note only original "wet signature" documents are acceptable.

28. Advanced OWTS 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the MMC. Said covenant shall be provided by the City of Malibu

Environmental Health Administrator. Submit a certified copy issued by the City of Malibu Recorder.

29. Project Geologist/Geotechnical Consultant Approval: Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

30. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

31. City of Malibu Public Works Approval: City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

32. City of Malibu Planning Approval: City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

33. 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 OWTS design and system specifications.

34. Operating Permit Application and Fee: In accordance with MMC, an application shall be made to the Environmental Health office for an OWTS 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.

Construction

35. 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.

36. 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.

Prior to Final Inspection

37. 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.

38. The applicant shall request a final Planning Department inspection prior to final inspection by the Building Safety Division.

Deed Restrictions

39. The property owners are 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 owners shall provide a copy of the recorded document to the Planning Department prior to final planning approval.

Fixed Conditions

40. This DMW runs with the land and binds all future owners of the property.

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

Appeals and Reporting

APPEALS – The Planning Director's decision on whether to issue a de minimis waiver is not locally appealable. If, after consideration of the waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a coastal development permit is required for the OWTS. Otherwise, the waiver is effective immediately after the Planning Commission meeting where the matter is heard.

REPORTING – Pursuant to LIP Section 13.4.11, this permit shall be reported to the Planning Commission and is scheduled to be reported at the **April 4, 2022** Planning Commission meeting. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to 14 California Code of Regulations Section 13153.

Notice of Determination: March 24, 2022

Prepared by:

Jessica Thompson

Jessica Thompson
Senior Planner

Issued by:

Richard Mollica
Planning Director

Attachment:

- Department Review Sheets including OWTS Plot Plan

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 **De Minimis Waiver No. 21-014,** dated **March 24, 2022,** for the project located at **5685 Calpine Drive, 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
County of Los Angeles } SS

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

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

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

WITNESS my hand and official seal.

_____

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

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 11/09/2021

PROJECT NUMBER:	DMW 21-014
JOB ADDRESS:	5685 CALPINE DR
APPLICANT / CONTACT:	Kayla Kirchberg, Bevyhouse LLC
APPLICANT ADDRESS:	1129 Maricopa Hwy # B 124 Ojai, CA 93023
APPLICANT PHONE #:	(805)794-4869
APPLICANT FAX #:	
APPLICANT EMAIL:	KKIRCHBERG@BEVYHOUSE.COM
PROJECT DESCRIPTION:	(n) OWTS

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 Municipal Code (MMC). 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 MMC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: ☐ **NOT REQUIRED**

☑ **REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Matthew Sloan — November 30, 2021

Signature **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 364.

Rev 141008

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Kayla Kirchberg KKIRCHBERG@BEVYHOUSE.COM		
Project Address:	**5685 Calpine Drive** Malibu, California 90265		
Planning Case No.:	DMW 21-014		
Project Description:	(N) OWTS		
Date of Review:	November 30, 2021		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Bevyhouse: Plans dated 6-1-2021 (for APRWF 21-025)
Grading Plans:	
OWTS Plan:	EPD Consultants: OWTS Plan dated 2-18-2021; revised plan dated 9-14-2021 (received 11-9-2021)
OWTS Report:	EPD Consultants: OWTS Design Report dated 3-22-2021; Add. I dated 9-17-2021. Lawrence Young: Percolation Test Report dated 5-14-2018.
Geology Report:	Subsurface Designs: Limited Geologic Report dated 4-30-2018; Update report dated 8-12-2021
Miscellaneous:	Kevin Poffenbarger: Certified Fixture Unit Worksheet dated 3-19-2021
Previous Reviews:	7-27-2021. Ref: City of Malibu Environmental Health reviews dated 6-22-2021 for APRWF 21-015, 8-13-2019 for APRWF 19-037), and 11-11-2018 for withdrawn CDP 18-040 (new OWTS)

REVIEW FINDINGS

Planning Stage:	☐	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). 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 MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
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 advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code (MMC) and the City of Malibu Local Coastal Program (LCP)/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 OWTS 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 for Building Plan Check Approval:

1) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all 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 OWTS, existing improvements, and proposed/new improvements. The plot plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. *All minimum required setbacks from the residence, deck, and exterior stairs to the OWTS components must be maintained and clearly demonstrated on the final OWTS plans*.

2) **Final OWTS Design Report, Plans, and System Specifications:** *If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review*, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

   The final OWTS 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 drainage fixture units, 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 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.

e. All OWTS 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 OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

3) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the Malibu Municipal Code.

4) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design: "*Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.*"

5) **Reference Plans:** Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. Approvable building plans will show a new (fire rebuild) single family residence with no more than 3 bedrooms and 44 drainage fixture units.

6) **Traffic-Rated Slab Plan(s):** All project traffic rated slab 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.

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

8) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

9) **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 advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable.**

10) **Advanced Onsite Wastewater Treatment System (OWTS) 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder.**

11) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

13) **City of Malibu Public Works Approval:** City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

14) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

15) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

16) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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

5685 CALPINE DRIVE (FIRE REBUILD)
MALIBU, CA 90265 (DMW 21-014)

S.F.D.:	3 Bedroom/44 Fixture Units (N)
TREATMENT TANK:	Existing 1,000 Gallon Septic Tank to be replaced with 3,634 Gallon MicroSepTec ES12 with UV Disinfection Unit (N)
ACTIVE:	2 – 6′ x 28′ BI w/7′ Cap (N) (projected; P-1, P-4)
FUTURE:	2 – 6′ x 30′ BI w/5′ Cap (F) (projected; P-2, P-3)
PERC RATE:	12,120 gpd/23.0 gpsf (proj; P-1)
	5,235 gpd/9.26 gpsf (proj; P-2)
	5,730 gpd/10.1 gpsf (proj; P-3)
	7,455 gpd/14.2 gpsf (proj; P-4)
DESIGNER:	Kevin Poffenbarger, RCE 69089
REFERENCE:	EPD Consultants: OWTS Design Reports dated 3-22-2021 and 9-17-2021
	Lawrence Young: Percolation Test Report dated 5-14-2018
	Subsurface Designs: Limited Geologic Reports dated 4-30-2018 and 8-12-2021

NOTES:

1. This conformance review is for a new advanced onsite wastewater treatment system (OWTS) to serve a fire rebuild of a 3 bedroom (44 fixture units) new single family dwelling. The new advanced OWTS conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).

2. This review relates only to the minimum requirements of the MMC, 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 MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: DATE 11/30/21

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS

LEGEND:

- PROPERTY LINE
- (P) RESIDENCE
- (E) RESIDENCE
- (P) SS PIPES (GRAVITY)
- (P) SS PIPES (AIR)
- (P) SS PIPES (VENTILATION)
- (P) SS PIPES (ELECTRICAL)
- (P) PRESENT SEEPAGE PIT (P-X)
- (P) FUTURE SEEPAGE PIT (F-X)
- PERCOLATION TEST BORING (P-0X) APPROXIMATE PER REFERENCE 1(b).

1. (P) MICROSEPTEC ENVIROSERVER ES12 TREATMENT TANK HOUSED IN A 3,634-GALLON FRP TANK PROVIDED BY THE MFR W/ THREE (3) 24"ø FRP LIDS/RISERS TO GRADE, EFFLUENT FILTER, UV DISINFECTION, LOW HEAD DUPLEX EFFLUENT PUMPS OPTION AND TELEMETRY CONTROLS, SPECIFIED GAS AND WATERTIGHT. VENT TO THE ROOF PER MPC.
2. (P) MICROSEPTEC TELEMETRY CONTROL PANEL. REQUIRES DEDICATED IP ADDRESS, INTERNET CONNECTION, AND POWER TO THE PANEL. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
3. (P) TWO (2) MICROSEPTEC HIBLOW HP-120 AIR COMPRESSORS IN ABOVE GROUND ENCLOSURES SUPPLIED BY CONTRACTOR.
4. (P) ENVIROSERVER ES12 AIR VENT W/ 3"ø SCH 40 PVC AIR VENT LINE TO ROOF PER MPC.
5. (P) GRAVITY CLEANOUT TO GRADE. CONSTRUCT EVERY 100' OF PIPE RUN PER MPC (MIN).
6. (P) JENSEN PRECAST CONCRETE MODEL D5 DISTRIBUTION BOX OR APPROVED EQUAL, IN OSI 24"ø PVC ACCESS RISER W/ FIBERGLASS BOLTED LID, TO GRADE PER MFR. NUMBER OF OUTLETS PER PLAN.
7. (P) TWO (2) PRESENT 6'ø X 28' BI SEEPAGE PIT WITH 7' CAP DEPTH FROM EG @ P-01 & P-04. CONSTRUCT WITH 8"ø INSPECTION PORT IN ENCLOSURE TO GRADE.
8. (P) TWO (2) FUTURE 6'ø X 30' BI SEEPAGE PIT WITH 5' CAP DEPTH FROM EG @ P-02 & P-03.
9. (P) H-20 TRAFFIC RATED SLAB WITH THREE (3) 30"ø H-20 TRAFFIC RATED RISERS & MANHOLE COVERS TO GRADE, UNDER SEPARATE PERMIT, FOR MICROSEPTEC ES12 TANK.

2 ONSITE WASTEWATER SYSTEM KEYNOTES

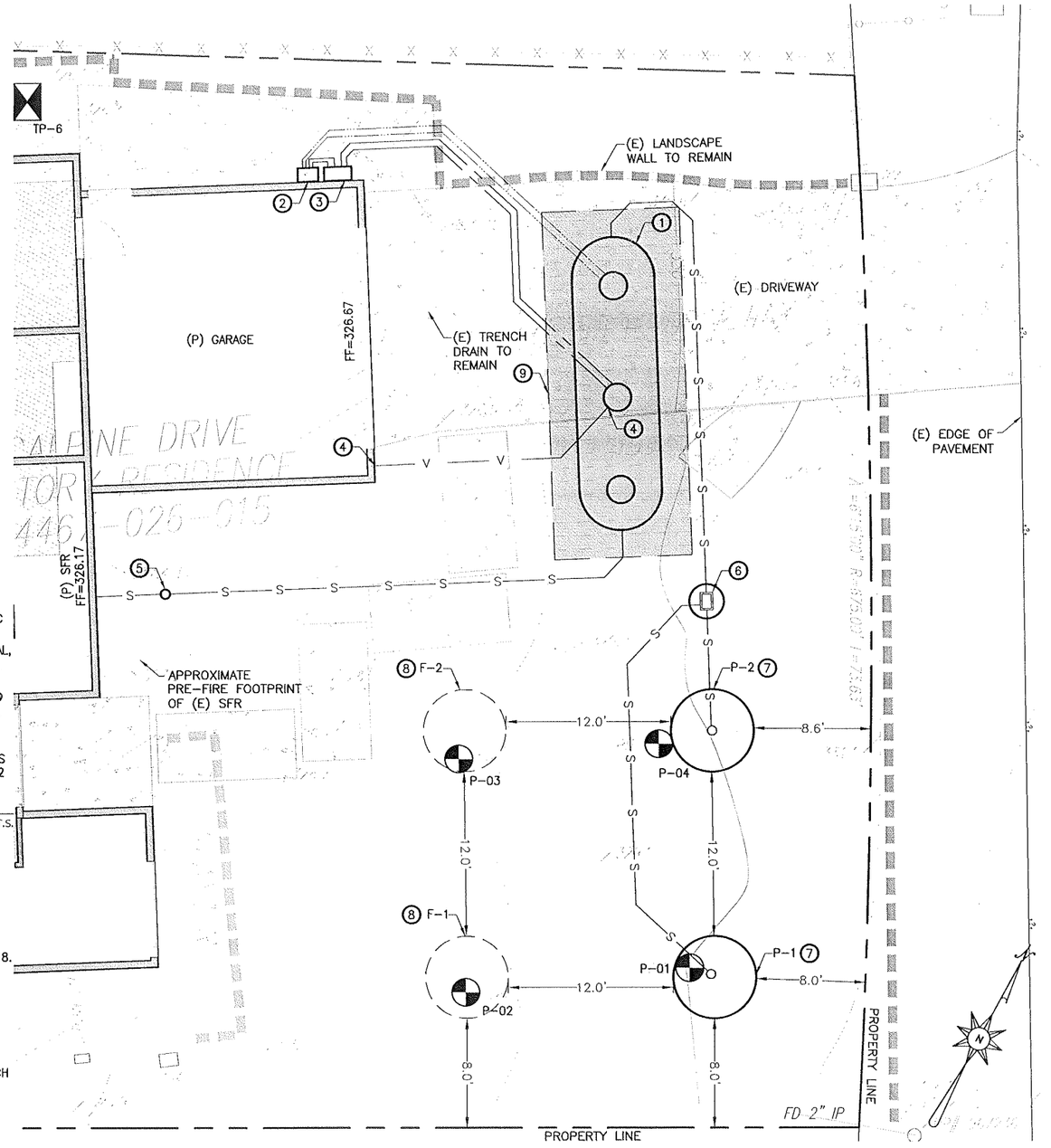
Scale: N.T.S.

REFERENCES:

1. SUBSURFACE DESIGNS, INC.: (a) LIMITED GEOLOGIC REPORT, DATED APRIL 30, 2018; (b) UPDATED GEOLOGIC REPORT, DATED AUGUST 12, 2021.
2. PEAK SURVEYS, INC: TOPOGRAPHIC SURVEY, DATED APRIL 11, 2018.
3. BEVYHOUSE: ARCHITECTURAL PLANS, DATED DECEMBER 2, 2020; (b) ARCHITECTURAL PLANS, DATED JULY 21, 2021; .
4. LARRY YOUNG, REHS: (a) PERCOLATION TEST REPORT, DATED MAY 14, 2018; (b) ONSITE WASTEWATER TREATMENT SYSTEM DESIGN REPORT, DATED SEPTEMBER 16, 2018.
5. CITY OF MALIBU: (a) ENVIRONMENTAL HEALTH REVIEW SHEET, DATED NOVEMBER 1, 2018; (b) GEOTECHNICAL REVIEW SHEET, DATED NOVEMBER 9, 2018; (c) ENVIRONMENTAL HEALTH REVIEW SHEET, DATED JULY 27, 2021; (d) GEOTECHNICAL REVIEW SHEET, DATED NOVEMBER JULY 27, 2021; (e) SEPTIC APPROVAL, DATED AUGUST 14, 2003.
6. GEOCONCEPTS, INC.: PRELIMINARY GEOLOGIC AND SOILS ENGINEERING INVESTIGATION, DATED NOVEMBER 4, 2002.
7. EPD CONSULTANTS, INC.: PRELIMINARY ENGINEERING FEASIBILITY REPORT, DATED MARCH 22, 2021.

NOTES:

1. ONSITE WASTEWATER SYSTEM (OWS) GENERAL NOTES PER DETAIL 1, SHEET W0.00.
2. OWS PROCESS FLOW SCHEMATIC PER DETAIL 5, SHEET W0.00.
3. OWS CALCULATIONS PER DETAIL 2, SHEET W0.00.
4. SEEPAGE PIT ELEVATIONS TABLE PER DETAIL 3, SHEET W0.00.
5. OVERALL SITE PLAN PER DETAIL 4, SHEET W0.00.



1 ONSITE WASTEWATER SYSTEM SITE PLAN

Scale: 1"=10'

EPD consultants
sustainable water systems & solutions
20722 MAIN STREET
CARSON, CA 90745
Phone (310) 241-6565
Fax (310) 241-6566

▽ NO.	REVISIONS:	DATE:	BY:
1	ARCH PLAN REVISION	2/18/21	WHA
2	ARCH PLAN REVISION	9/14/21	WHA

SHEET TITLE: ONSITE WASTEWATER SYSTEM SITE PLAN

PROJECT: THOMPSON RESIDENCE

DATE	SCALE	DRAWN BY
8/7/2019	AS SHOWN	WHA

PROJECT NO. D647

DRAWING NO. W0.01

SHEET 2 OF 2 SHEETS

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	February 2, 2022	**Review Log #:**	**490**
Site Address:	5685 Calpine Drive		
Lot/Tract/PM #:		**Planning #:**	**DMW 21-014**
Applicant/Contact:	Kayla Kirchberg, kkirchberg@bevyhouse.com	**BPC/GPC #:**	
Contact Phone #:	(805) 794-4869 **Fax #:**	**Planner:**	**To Be Assigned**
Project Type:	New Onsite Wastewater Treatment System (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	EPD Consultants (Poffenbarger, RCE 69089): 9-17-2021, 3-22-2021 Lawrence Young (REHS 3738) 9-16-2018, 5-14-2018 Subsurface Designs, Inc. (Triebold, CEG 1796): **10-4-2021,** 8-12-2021, 4-30-2018 OWTS plot plan prepared by EPD Consultants dated February 18, 2021 and September 14, 2021
Previous Reviews:	7-27-2021, 11-30-2021; Ref: Geology Review Sheet dated 11-9-2018 (withdrawn CDP 18-040), Environmental Health Review Sheet dated 7-27-2021

Review Findings

Planning Review

☒ The new OWTS is **APPROVED** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage approval.

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

OWTS 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 update geotechnical report and City's files for the project were reviewed by the City from a geotechnical perspective. The project consists of installing a new advanced onsite wastewater treatment system (OWTS) consisting of a 3,634 gallon MicroSepTec EnviroServer ES12 treatment tank system, two 6'

diameter x 28' BI seepage pits with 7' caps in the vicinity of Borings P-01 and P-04, and 100% expansion consisting of two 6' diameter x 30' BI seepage pits with 5' caps in the vicinity of Borings P-02 and P-03. The existing OWTS will be abandoned. The new OWTS will service the proposed 3 bedroom and 44 drainage fixture unit residence fire rebuild processed under planning no. APRWF 21-025.

Building Plan-Check Stage Review Comments:

1. Submit a fee of $464.00 to City geotechnical staff for final building plan check review.
2. Include the following note on the final OWTS plans: "*The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans.*"
3. Include the Project Geotechnical Consultant's recommendations for abandoning the existing OWTS components (i.e., septic tank and seepage pits) on the OWTS plans.
4. Two sets of final OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**

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

Geotechnical Engineering Review by: _____ 2-2-2022

Matthew Janousek, G.E. #3005, Exp. 12-31-2022 Date
Geotechnical Engineering Reviewer (805-370-8710)
Email: mjanousek@malibucity.org

Engineering Geology Review by: _____ 2-2-2022

Christopher Dean, C.E.G. #1751, Exp. 9-30-22 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **DATE:** 7/16/2021

PROJECT NUMBER:	DMW 21-014
JOB ADDRESS:	5685 CALPINE DR
APPLICANT / CONTACT:	Kayla Kirchberg, Bevyhouse LLC
APPLICANT ADDRESS:	1129 Maricopa Hwy # B 124 Ojai, CA 93023
APPLICANT PHONE #:	(805)794-4869
APPLICANT FAX #:	
APPLICANT EMAIL:	KKIRCHBERG@BEVYHOUSE.COM
PROJECT DESCRIPTION:	(n) OWTS

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

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

X 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.

Edward Rodriguez — SIGNATURE

September 13, 2021 — DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Edward Rodriguez, Assistant Civil Engineer

Date: September 13, 2021

Re: Proposed Conditions of Approval for 5685 Calpine Dr., DMW 21-014

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 LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**

STORMWATER

2. 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

Recycled Paper

	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

3. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

Supplement Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 4.A.

To: Chair Hill and Members of the Planning Commission

Prepared by: Adrian Fernandez, Assistant Planning Director

Approved by: Richard Mollica, Planning Director

Date prepared: April 1, 2022 Meeting date: April 4, 2022

Subject: Conditional Use Permit Amendment No 13-006 and Joint Use Parking Agreement No. 14-001 – An application to amend Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to reduce the restaurant service area in order to accommodate for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces (Aviator Nation) (Continued from January 11, 2022)

Locations: 22969 and 22959 Pacific Coast Highway
APNs: 4452-019-004 and -005
Owners: SKA Group, LLC and Surfrider Plaza, LLC
Tenant: Aviator Nation Dreamland/Aviator Nation

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-01 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 13-006 and Joint Use Parking Agreement (JUPA) No. 14-001 amending Conditional Use Permit No. 09-009 and JUPA No. 10-001 for the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces (22959 Pacific Coast Highway) in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviator Nation Dreamland) located in the Commercial Visitor Serving-One zoning district at 22969 and 22959 Pacific Coast Highway (SKA Group, LLC).

DISCUSSION: This supplemental report is provided to clarify that the subject project is a distinct and sperate project from Coastal Development Permit No. 09-067 (Malibu Inn Motel). In addition, this report is provided to correct statements contained in the original report for this hearing and to provide clarity regarding the JUPA request. The *Background and Existing Approvals* section of the original report states that the separate

application for the Malibu Inn Motel (22959 PCH) on the immediately adjacent parking lot property is scheduled before the Planning Commission on the same hearing date as the subject application. This is no longer the case as the Malibu Inn Motel item will be continued to a date uncertain.

The *Correspondence* section of the original report states that the proposed JUPA amendment is directly related to the proposed motel on the adjacent lot. These two items are inherent linked because they have common ownership and JUPA No. 09-001 was issued for the Malibu Inn to occupy 31 parking spaces on the adjacent parking lot. However, the subject item consists of a separate and independent application from the Malibu Inn Motel and should be considered based on its own merits.

The original staff report for this hearing states that the subject item includes an amendment to JUPA No. 09-001 and therefore, includes the adjacent parking lot by reference. The Public Hearing Notice for this project also included both properties. In any event, the proposed JUPA amendment would not grant an entitlement to the adjacent parking lot. Therefore, a separate resolution for the adjacent parking lot is not required. This is consistent with past practice and consistent with the original JUPA granted for Malibu Inn. The recommended action and project information on the cover sheet have been updated to include the adjacent parking lot information. Corollary changes would be recommended for Planning Commission Resolution No. 22-01.

ATTACHMENTS: None

Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 4.A.

To: Chair Hill and Members of the Planning Commission

Prepared by: Adrian Fernandez, Assistant Planning Director

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2022 Meeting date: April 4, 2022

Subject: Conditional Use Permit Amendment No 13-006 and Joint Use Parking Agreement No. 14-001 – An application to amend Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to reduce the restaurant service area in order to accommodate for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces (Aviator Nation) (Continued from January 11, 2022)

Location: 22969 Pacific Coast Highway
APN: 4452-019-004
Owner: SKA Group, LLC
Tenant: Aviator Nation Dreamland/Aviator Nation

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-01 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Conditional Use Permit Amendment (CUPA) No. 13-006 and Joint Use Parking Agreement (JUPA) No. 14-001 amending Conditional Use Permit (CUP) No. 09-009 and JUPA No. 10-001 for the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviator Nation Dreamland) located in the Commercial Visitor Serving-One (CV-1) zoning district at 22969 Pacific Coast Highway (PCH) (SKA Group, LLC).

DISCUSSION: This agenda report provides a project overview, project description, summary of surrounding land uses and project setting, and analysis of the recommended project's consistency with the applicable provisions of the Malibu Municipal Code (MMC), and environmental review pursuant to CEQA. The analysis and

findings contained herein demonstrate the recommended project is consistent with the MMC.

The item was originally scheduled for the August 26, 2021 Special Planning Commission meeting. Prior to the opening of any public hearings, the item has been continued several times up to the April 4, 2022 Regular Planning Commission meeting. No notable changes to this agenda report have been made since September 8, 2021.

Project Overview

The property at 22969 Pacific Coast Highway (PCH) is developed with a commercial building which is currently occupied by a restaurant, Aviator Nation Dreamland (formerly Casa Escobar and Malibu Inn). Fifty parking spaces are required for the existing use, thirty-one of them are located offsite at 22959 PCH pursuant to a JUPA.

On December 11, 2013, the applicant submitted a request pursuant to Malibu Municipal Code (MMC) Chapter 17.66 to amend CUP No. 09-009 in conjunction with an interior tenant remodel that will subdivide the single tenant building into two separate and independent tenant spaces. The existing restaurant that has been approved to occupy almost the entirety of the building will be permanently reduced in size to allow for the increase of the retail space 565 square feet to 1,636 square feet. As a result, the 2,474 square feet of restaurant service area is being reduced to 1,935 square feet, and the existing retail store with a gross floor area of 1,636 square feet will continue to remain (Attachment 2 – As-Built Floor Plan). The total required parking for the restaurant and retail use is 46 parking spaces. There are 23 onsite parking spaces, and 23 offsite parking spaces proposed.

The change of use alters the required parking for the site because the MMC parking requirements for a restaurant use are different, and more than, that required for a retail use. The parking requirement for restaurants is based upon service area, with one space required for every 50 square feet of service area. Retail has a lower parking requirement, with one space required for every 225 square feet of gross floor area.

The existing restaurant service area of 2,474 square feet required 50 parking spaces and the retail space of 565 square feet required 3 parking spaces. The 1,935 square feet of proposed service area reduces the required restaurant parking to 39 parking spaces. The number of parking spaces required for the 1,636 square feet of proposed of retail area is 7 spaces. The overall required parking is decreased from 53 spaces to 46 spaces with the proposed project.

As a result of the reduction in the overall number of required parking spaces the existing JUPA will be amended. The JUPA currently allows for 31 offsite spaces and that number will now be reduced to 23. The 23 offsite spaces when combined with the existing 23 onsite spaces satisfy the City’s requirement for the proposed onsite uses.

Staff received comments that the former Billiard Room (currently employee lounge) is currently used as service area. The employee lounge has a sign that states “No Service Area”. Both the owners and operator have attested that the area is not used for service area. Additionally, a condition has been added to the resolution indicating that dining or drink service is not permitted in this area. If the Planning Commission has concerns about service area or venues spilling into the employee lounge or retail space, additional conditions can be added to physically separate these spaces.

Background and Existing Approvals

On September 7, 2010, the Planning Commission adopted Resolution No. 10-79, approving CUP No. 09-009 and JUPA No. 10-001 to permit a restaurant use (the Malibu Inn restaurant) with live entertainment which serves liquor. The approval allowed the use to operate between the hours of 7:00 a.m. and 2:00 a.m., with a maximum dining seating capacity of 94 patrons and a maximum event capacity of 340 patrons for entertainment events, plus 565 square feet of retail space at the existing 8,960 square foot commercial building. The approval allowed for eight small events and two large events per month. JUPA No. 10-001 allows the vacant adjacent parcel to the east (22959 PCH, APN 4452-019-005) to subsidize the 31 additional required parking spaces for the subject property’s use.

On September 16, 2010, an appeal of the Planning Commission’s approval was filed by property owners of residences located across PCH and south of the subject property.

On November 22, 2010, the City Council denied the appeal and approved CUP No. 09-009 and JUPA No. 10-001. The eight small events and two large events allowed did not change; however, the Council revised the permitted hours of operation and alcohol sales. City Council Resolution No. 10-59 (Attachment 3) indicates that the approved hours of operation for the Malibu Inn are from 7:00 a.m. to 12:00 a.m. on Sundays, Mondays, Tuesdays, and Wednesdays and from 7:00 a.m. to 2:00 a.m. on Thursdays, Fridays, and Saturdays, with the exception that the use may be open until 2:00 a.m. only on those Sundays when the following Monday is a federal holiday. Furthermore, the approved hours of alcohol sales are from 7:00 a.m. to 11:00 p.m. on Sundays, Mondays, Tuesdays, and Wednesdays and from 7:00 a.m. to 1:00 a.m. on Thursdays, Fridays, and Saturdays, with the exception that alcohol may be served until 1:00 a.m. only on those Sundays when the following Monday is a federal holiday. Low level amplified music on the patio was allowed from 7:00 a.m. to 10:00 p.m. daily.

On February 22, 2011, the City of Malibu approved Over-the-Counter (OC) Permit No. 11-019 to allow parking lot restriping of the 22 spaces (20 standard size parking spaces plus two Americans with Disabilities (ADA) accessible parking spaces) which involved no change in the number of parking spaces from CUP No. 09-009, a site wall, and ADA upgrades.

On September 7, 2010, the Planning Commission adopted Resolution No. 10-79 approving CUPA No. 11-001 amending City Council Resolution No. 10-59 to allow the hours of operation from 7:00 a.m. to 2:00 a.m. daily. Regulation of alcohol service during hours of operation was deferred to the authority of the California Department of Alcoholic Beverage Control (ABC) requirements.

December 19, 2018, a CUPA request to amend CUP No. 09-009 was submitted to the Planning Department to add outdoor live entertainment on the exterior patio and to convert three of the currently allowed small events into large events for a total of five large events per month. The application was withdrawn a year later. At that time, Casa Escobar operated the restaurant and Aviator Nation operated the retail space.

The property owner of the adjacent property to the east (22959 PCH) has submitted a separate application, Coastal Development Permit (CDP) No. 09-067 and associated requests, to fully develop the property into a motel. CDP No. 09-067 is scheduled before the Planning Commission on the same hearing date as the subject application. The future development at 22959 PCH would continue to provide 23 required parking spaces for the subject restaurant and retail uses.

Project Description

The applicant is seeking to amend the existing CUP No. 09-009 and JUPA No. 10-001 to allow the reduction of the restaurant service area, to accommodate the creation of a new retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant.

The existing and proposed uses, and associated required parking are represented in Tables 1 and 2 below.

Table 1 – Existing and Proposed Uses		
Uses	**Existing**	**Proposed**
Restaurant (Service Area Sq.Ft.)	2,474 sq. ft.	1,935 sq.ft.
Interior	1,184 sq.ft.	1184 sq.ft.
Outdoor Patio	751 sq.ft.	751 sq.ft.
Banquet Room	539 sq.ft.	None
Retail (Gross Floor Area Sq.Ft.)	565	1,636 sq.ft.

Table 2 – Required Parking			
Uses	**Parking Requirement**	**Proposed**	**Required**
Restaurant	one space for each 50 square feet of service area	1,935 sq. ft. service area / 50 sq. ft.	39 spaces
General Retail Store	one space for each 225 square feet of gross floor area	1,636 sq. ft. of gross floor area / 225 sq. ft.	7 spaces
Total	Onsite: 23 spaces Offsite: 23 spaces		46 spaces

Parking

The existing required onsite parking is comprised of 20 regular and compact parking spaces plus two ADA accessible parking spaces. There are four driveway curb cuts which provide access to the property off of PCH. There is a traffic signal and cross walk immediately south of the property, which provides safe access across PCH to the Malibu Pier and its adjacent public parking lot. The farthest curb cut to the east will be shared with the motel project to east. The next onsite curb cut to the east is conditioned to be removed for safety reasons. Per the JUPA, the adjacent 22959 PCH lot to the east provides 31 additional donor parking spaces at all times during the permitted operating hours. The JUPA is being amended to reduce the number of required donor spaces from 31 to 23, to reflect the reduction in the number of required parking spaces, and provide the number of offsite parking spaces required for the project in conformance with the MMC parking requirements.

All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72 (Attachment 4), and associated amendments remain in effect, unless modified herein.

Hours of Operation

The proposed hours of operation would remain the same at seven days a week from 7:00 a.m. to 2:00 a.m.

Daily Operations

The daily operations would remain the same.

The restaurant will maintain a full menu that is served during all hours of operation, including breakfast, brunch, lunch and dinner offerings. On days featuring live music, dinner will continue to be served as normal and the kitchen will be open until 2:00 a.m.

Deliveries are planned for Mondays, Wednesdays and Fridays every week. All deliveries are scheduled between 8:00 a.m. and 11:00 a.m. on those days.

Liquor and Entertainment Licenses

The current liquor and entertainment licenses approved under CUP No. 09-009 will remain in effect. The applicant has an ABC Type 47 license which permits the sale of beer, wine and distilled spirits for consumption on the licensed premises. The license holder must operate and maintain the premises as a bona fide eating place. They must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on premises that hold this type of license.

In addition, the applicant has an entertainment license from the Los Angeles County Sheriff's Department (LACSD) to permit dancing and live entertainment.

Signs

No change to the existing signage is proposed. Any future proposed changes to the existing signs would require review for the requirements set forth in MMC Chapter 17.52 (Signs).

Surrounding Land Use and Setting

The subject property is located on the inland side of PCH, north of the Pacific Ocean and Malibu Pier. The vacant adjacent easterly lot at 22959 PCH is also zoned CV-1, and has an application for a motel project submitted to the City. That lot currently contains a surface parking lot providing the 31 donor spaces under the current JUPA. Another CV-1 property is located to the west and is occupied by a fast-food restaurant (Jack in the Box). A steep parcel zoned Rural Residential-One Acre (RR-1) is located adjacent to the north property line. Both Single-Family Medium (SFM) and Public Open Space zoned properties (Malibu Pier and public parking) exist to the south of the subject site. In addition, there is a small grouping of six beachfront residences located adjacent to the Pier, across PCH to the southwest.

Figure 1 shows the subject property location and the vicinity.

Figure 1 – Aerial Photograph



Source: GovClarity 2019

The subject property is approximately 30,108 square feet in size and is rectangular in shape. The site contains an existing 8,960 square foot building that is one-story in height, with the exception of a small 220 square foot dressing room and restroom located above the first floor restroom area. Refer to Attachments 5 and 2 for site photos and the as-built floor plan. The building currently has five restrooms, two which serve the main service area; one is located on the upper level in the dressing room and two are located adjacent to the retail space. The space also includes a large bar, a stage and dance floor area and a billiards room that is current used as an employee lounge.

MMC ANALYSIS

Pursuant to MMC Sections 17.26.020(A) and (B), and 17.26.030(A) permitted and conditionally permitted uses in the CV-1 zone include all permitted and conditionally permitted uses in the Community Commercial (CC) zone, and retail stores selling recreational equipment and clothes, and souvenirs and jewelry. In the CC zone, subject to the approval of a CUP, MMC Section 17.24.030 (B-D) allows for: 1) restaurants, exceeding a maximum interior occupancy of 125; 2) bars; and 3) live entertainment. The existing restaurant use is a conditionally permitted use, while the proposed retail use is a permitted use that does not otherwise require a use permit.

Onsite Wastewater Treatment System

The proposed amendment would not require any modifications to the existing Onsite Wastewater Treatment System (OWTS). The application was routed to the City Environmental Health Administrator who indicated that no review was required for the subject application because the proposed amendment does not represent an expansion, modification or change in the type or intensity of the use that would affect the design of the existing OWTS. All OWTS conditions of approval in City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments, remain in effect.

MMC Findings

A. Conditional Use Permit Findings (MMC Section 17.66.080)

CUPA No. 13-008 is requested to amend CUP No. 08-008 to allow the reduction of the restaurant service area in order to accommodate the permanent expansion of the existing retail tenant space. The Planning Commission may approve, deny and/or modify an amendment to a CUPA in whole or in part, with or without conditions, provided that it makes all of the findings of fact required by MMC Section 17.66.080. The CUPA 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 proposed amendment will not affect the finding previously made by the Planning Commission in that the proposed use remains consistent with the provisions of MMC Title 17 and is still a conditionally permitted use within the zone. A restaurant with an interior capacity in excess of 125 people, nightclub, and bar are all conditionally permitted uses in the CV-1 zoning district. The square footages and service areas of the use as originally permitted are being reduced by the amendment. Therefore, the proposed project has been conditioned to comply 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.

The proposed amendment would not impair the integrity and character of the zoning district in which it is located, and is compatible with the existing land uses on the site and surrounding neighborhood, as the amended use is still a commercial use on commercially zoned property. The restaurant use has occupied the subject property for several decades and has been operating for eleven years under the approved CUP No. 09-009, and associated amendments. The property is located within a long strip of CV-1 zoned properties located on the landward side of PCH that extends east of the Malibu

Pier. The existing restaurant has ABC liquor and entertainment licenses and is operated as a restaurant that already has an interior and exterior bar and interior live entertainment. The restaurant will now provide a reduced service area, with no other change to operations. The project has been conditioned to comply with all applicable provisions of the MMC and will continue to provide the necessary parking consistent with past operational practices on the adjacent property via the amendment to JUPA No. 14-001. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein. For these reasons, the amendment is not anticipated to result in a change from the existing conditions within the zoning district.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The proposed amendment will not physically alter the size or footprint of the existing building, or the existing paved parking. The proposed tenant improvements involve permanently converting restaurant service area into retail and expanding the existing retail space from 565 square feet to 1,636 square feet. The business has operated on the subject property since the 1950s and the existing restaurant use has been operating for eleven years under the approved CUP No. 09-009. A total of 46 parking spaces are required for the proposed uses, which reflects a reduction of 7 required parking spaces. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein. 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 proposed amendment will not affect the use's compatibility with the land uses presently on the subject property and in the surrounding neighborhood. The restaurant has operated at the subject property since the 1950s and the existing restaurant has been operating for eleven years under the approved CUP No. 09-009. The property is surrounded by both commercial and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. The proposed retail use expansion is similarly an allowed commercial use in the zone. All other conditions of approval of City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments, remain in effect, unless modified herein. Therefore, this proposed use is compatible with the land uses 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 proposed amendment will not affect the compatibility of the existing use. The use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are

comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space, and residential uses to the south.

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.

The proposed amendment will not alter the existing utilities. Existing utilities will continue to serve the existing site. The LACFD and LACSD reviewed the original CUP No. 09-009 and indicated that the amendment did not require additional review. In addition, the City Environmental Health Administrator reviewed the CUPA and determined that the existing OWTS is adequate for the proposed use. No changes to the exterior of the existing structure are proposed, so no impacts to solar access or public or private views will occur.

The proposed project will not create any shade or shadow impacts that would impede solar access. The existing commercial structure at 22969 PCH will not change under this amendment and therefore, will not adversely impact existing public and private views.

Finding 7. There would be adequate provisions for public access to serve the subject proposal.

As discussed in Finding 3, the existing use has adequate parking for public access and will not obstruct public traffic circulation. The number of required parking spaces is reduced from 53 to 46, and all parking will be maintained onsite, and offsite on the adjacent property pursuant to JUPA No. 14-001. The existing traffic circulation will remain unmodified.

Finding 8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the General Plan.

The proposed amendment will not change the nature of the existing conditionally permitted use. The restaurant and bar use are conditionally permitted in the CV-1 zoning district and provides live entertainment as an ancillary use. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

The proposed project meets the goals of the following land use policies of the General Plan:

LU Policy 3.1.1: The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.

LU Policy 3.2.1: The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.

LU Policy 4.4.1: The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

The proposed project, as conditioned, is consistent with goals, objectives and policies of the General Plan because the proposed amendment, as conditioned, will continue to provide for visitor and resident serving uses in a manner compatible with the surrounding area, with safe traffic circulation and parking.

Finding 9. The proposed project complies with all applicable requirements of state and local law.

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

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed amendment is a reduction in service area of the existing restaurant, and will not otherwise affect the existing restaurant and bar, which are a conditionally permitted use in a commercial zone. Conditions of City Council Resolution No. 10-59 which required that the property owner notify the LACSD no less than three days prior to a large entertainment event will remain in effect. Finally, as demonstrated through an ABC license query the property owner maintains a valid ABC license and has not been subject to any disciplinary infractions in the past with regard to a liquor license. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein, including those that prohibit noise impacts and facilitate traffic and parking safety. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

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 an amendment to the service area of an existing restaurant use within the existing commercial structure. The existing building will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

B. Joint Use Parking Agreement Amendment No. 18-001 (MMC Section 17.48.040)

JUPA No. 14-001 is requested to decrease the number of required off-site parking spaces in to reflect the new number of required offsite parking spaces for the uses at 22969 PCH. A total of 53 parking spaces were required and now 46 parking spaces are required for the proposed use. There are 22 parking spaces onsite, and JUPA No. 14-001 provides for 31 spaces to be located on the adjacent property. JUPA No. 14-001 will reduce the required number of donor parking spaces from 31 to 23, which is sufficient to meet the required number of spaces for the proposed restaurant and retail use on the property. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein.

A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The hours of operation for the restaurant will remain 7 to 2 a.m. No additional parking is required for the proposed reduction in the restaurant service area.

B. The Planning Commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the existing use.

C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The existing restaurant will continue to operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the

approval of any project on the adjacent lot, all code required parking will need to be provided, and the required parking for the proposed JUPA amendment will be included. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Director with authority to modify the agreement as necessary to maintain onsite parking arrangements.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Director has analyzed the proposed project. The Planning Director found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 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).

CORRESPONDENCE: Staff received four records of public correspondence regarding the subject agenda item (Attachment 7). Three of the four records provided comments that only pertain to the Malibu Inn Motel thereby are not addressed herein. On August 26, 2021, staff received an email from Ms. Patt Healy regarding this project. Ms. Healy states that the parking was incorrectly calculated in terms of service area and employees, and that the amendment to the JUPA should only be considered if the hotel is constructed as proposed.

The Malibu Inn consists of two uses (restaurant and retail). The parking for restaurant is based on service area and retail is based on gross square footage. Pursuant to both the LCP and MMC, the number of employees is not used in the parking regulations for either of these two uses. Service area for restaurants is not defined in the code and has been a topic of debate over the years. In the case of the Malibu Inn, the CUP issued in 2010 excluded all walkways and only included the areas around the tables and chairs, and bar areas. As this method of calculating the service area for the Malibu Inn was established using the same code language as it exists today, staff did not request the applicant to modify this method. The service area (besides the banquet hall) is not requested to be significantly modified as part of this application. Most service areas for Aviator Nation Dreamland are well depicted on slightly elevated platforms.

The request to amend the JUPA is directly related to the proposed motel on the adjacent lot. The Planning Commission may agree to add a condition to the requested CUPA that the amendment to the JUPA be subject to the construction of the adjacent motel. This, of course, provides the property owner with the most flexibility in the future to expand the restaurant service area into the banquet hall space should they choose to.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu on August 5, 2021 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 8).

SUMMARY: The required CUPA findings can be made. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report, staff is recommending approval of this project subject to the conditions of approval contained in Section 6 (Conditions of Approval) of Planning Commission Resolution No. 22-01. The project has been reviewed and conditionally approved for conformance with the MMC.

ATTACHMENTS:

1. Planning Commission Resolution No. 22-01
2. As-Built Floor Plan
3. City Council Resolution No. 10-59
4. Planning Commission Resolution No. 11-72
5. Site Photos
6. Environmental Health Department Review
7. Public Correspondence
8. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-01

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 CONDITIONAL USE PERMIT AMENDMENT NO. 13-006 AND JOINT USE PARKING AGREEMENT NO. 14-001 AMENDING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 FOR THE REDUCTION OF THE RESTAURANT SERVICE AREA IN ORDER TO ACCOMMODATE THE PERMANENT EXPANSION OF EXISTING RETAIL TENANT SPACE, AND DECREASE THE NUMBER OF REQUIRED OFF-SITE PARKING SPACES IN THE JUPA TO REFLECT THE NEW NUMBER OF REQUIRED OFFSITE PARKING SPACES AT AN EXISTING RESTAURANT (AVIATOR NATION DREAMLAND) IN THE COMMERCIAL VISITOR SERVING-1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (SKA GROUP, LLC)

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

SECTION 1. Recitals.

A. On December 3, 2009, Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 were submitted to the Planning Department.

B. On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, public testimony and all related information. At the conclusion of the hearing, the Planning Commission adopted Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

C. On September 16, 2010, Appeal No. 10-002 was filed by Klaus Obermeyer (property owner at 23006 Pacific Coast Highway) and Robert J. Allan (property owner at 23018 Pacific Coast Highway).

D. On November 22, 2010, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record, and denied the appeal and approved the applications. The approval allowed for eight small live entertainment events, two large events, set hours for operation and alcohol sales, and prohibited live entertainment on the outdoor patio. Low level amplified music on the patio was allowed from 7:00 a.m. to 10:00 p.m. daily.

E. On February 22, 2011, the City of Malibu approved Over-the-Counter (OC) Permit No. 11-019 to allow parking lot restriping of the 22 spaces (20 standard size parking spaces plus two Americans with Disabilities (ADA) accessible parking spaces) which involved no change in the number of parking spaces from CUP No. 09-009, a site wall, and ADA upgrades.

F. On August 2, 2011, the Planning Commission adopted Planning Commission Resolution No. 11-72 to extend the hours of operation to 7 a.m. to 2 a.m. daily.

ATTACHMENT 1

G. On December 11, 2013, an application for CUPA No. 13-006 and JUPA No. 14-001 was submitted to the Planning Department, on behalf of the property owner, SKA Group, LLC to reduce the restaurant service area, to allow for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces consistent with the new required parking at an existing restaurant. The application was routed to the City Environmental Health Administrator for review.

H. On July 8, 2021, the application was deemed complete.

I. On August 5, 2021, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

J. On August 26, 2021, a Notice of Adjournment was issued adjourning the August 26, 2021 Special Planning Commission meeting to the September 8, 2021 Adjourned Regular Planning Commission meeting to allow staff additional time to gather additional information.

K. On September 8, 2021, the Planning Commission continued the item to the November 1, 2021 Regular Planning Commission meeting.

L. On November 1, 2021, the Planning Commission continued the item to the December 6, 2021 Regular Planning Commission meeting.

M. On December 6, 2021, the Planning Commission continued the item to the January 11, 2022 Special Planning Commission meeting.

N. On January 11, 2022, the Planning Commission continued the item to the April 4, 2022 Regular Planning Commission meeting.

O. On April 4, 2022, 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 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 Section 15301 - Existing Facilities. 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. Amendment of Conditional Use Permit Findings of Fact.

Pursuant to Malibu Municipal Code (MMC) Section 17.66.020, a CUP may be amended upon submittal of an application by the permittee. On November 22, 2010, the Planning Commission made all required findings for the approval of CUP No. 09-009 to permit a restaurant use (the Malibu Inn restaurant) with live entertainment which serves liquor, and approved by the City Council on November 22, 2010. All other findings and conditions of approval set forth in City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments are hereby incorporated by reference and remain in full force and effect. Based on the findings of fact, the Planning Commission hereby approves CUPA No. 13-006, amending CUP No. 09-009 and JUPA No. 10-001 to allow the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviator Nation Dreamland) in the Commercial Visitor Serving-One (CV-1) zoning district located at 22969 Pacific Coast Highway (PCH).

MMC Findings

A. Conditional Use Permit Findings (MMC Section 17.66.080)

1. The proposed amendment will not affect the finding previously made and the use is still a conditionally permitted use. A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the CV-1 zoning district. The project has been conditioned to comply with all applicable provisions of the MMC and conditions of approval of City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments, are incorporated herein by reference.

2. The proposed amendment will not affect the use as it is still a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. A restaurant has occupied the subject property since the 1950s and the existing restaurant has been operating for eleven years under the approved CUP No. 09-009. Furthermore, the proposed amendment project is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the existing restaurant has an ABC liquor and entertainment licenses and operated as a restaurant with a bar and live entertainment.

3. The proposed amendment will not physically alter the size or footprint of the existing building, or the existing paved parking. The proposed tenant improvements involve permanently converting restaurant service area into retail and expanding the existing retail space from 565 square feet to 1,636 square feet. The restaurant service area is being reduced, and can continue to use and occupy the existing space. The business has operated on the subject property since the 1950s and the existing restaurant has been operating for eleven years under the approved CUP No. 09-009. A total of 46 parking spaces are required for the proposed uses, which reflects a reduction of seven required parking spaces. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein. Therefore, the site is physically suitable for the use being proposed.

4. The proposed amendment will not affect the compatibility with the land uses presently on the subject property and in the surrounding neighborhood. The property is surrounded by both commercial and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. The proposed retail use expansion is similarly an allowed commercial use in the zone. All other conditions of approval of City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments, remain in effect, unless modified herein.

5. The proposed amendment will not affect the compatibility of the existing use. The use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space and residential uses to the south.

6. The proposed amendment will not alter the existing utilities. Existing utilities will continue to serve the existing site. The LACFD and LACSD reviewed the original CUP No. 09-009 and indicated that the amendment did not require additional review. In addition, the City Environmental Health Administrator reviewed the CUPA and determined that the existing OWTS is adequate for the proposed use. No changes to the exterior of the existing structure are proposed, so no impacts to solar access or public or private views will occur.

The proposed project will not create any shade or shadow impacts that would impede solar access. The existing commercial structure at 22969 PCH will not change under this amendment, and therefore, will not adversely impact existing public and private views.

7. The existing use will have adequate parking for public access and will not obstruct public traffic circulation. The number of required parking spaces is reduced from 53 to 46.

8. The proposed amendment will not change the nature of the existing conditionally permitted use. The use is a conditionally permitted commercial use in the CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

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

10. The proposed amendment will not affect the existing restaurant and bar, which are a conditionally permitted use in a commercial zone. Conditions of City Council Resolution No. 10-59 which required that the property owner notify the LACSD no less than three days prior to a large entertainment event will remain in effect. Finally, as demonstrated through an ABC license query the property owner maintains a valid ABC license and has not been subject to any disciplinary infractions in the past with regard to a liquor license. All other conditions of approval

of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein, including those that prohibit noise impacts and facilitate traffic and parking safety.

11. The project will not be at risk from earth movement and flood hazards since the application only involves an amendment of conditions of approval to a previously existing use within the existing commercial structure. The building will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

SECTION 4. Joint Use Parking Agreement Amendment Approval

JUPA No. 14-001 is requested to decrease the number of required off-site parking spaces in to reflect the new number of required offsite parking spaces for the uses at 22969 PCH. A total of 53 parking spaces were required and now 46 parking spaces are required for the proposed use. There are 22 parking spaces onsite, and JUPA No. 14-001 provides for 31 spaces to be located on the adjacent property. JUPA No. 14-001 will reduce the required number of donor parking spaces from 31 to 23, which is sufficient to meet the required number of spaces for the proposed restaurant and retail use on the property. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. All other conditions of approval of City Council Resolution No. 10-59 and Planning Commission Resolution No. 11-72, and associated amendments remain in effect, unless modified herein.

A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The hours of operation for the restaurant will remain 7 to 2:00 a.m. No additional parking is required for the proposed reduction in the restaurant service area.

B. The Planning Commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the existing use.

C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The existing restaurant will continue to operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided, and the required parking for the

proposed JUPA amendment will be included. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Director with authority to modify the agreement as necessary to maintain onsite parking arrangements.

SECTION 5. Planning Commission Approval.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CUPA No. 13-006 and JUPA No. 14-001, subject to the following conditions. No other changes to the conditions contained in City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments, are made by this amendment and all other applicable findings, terms, and/or conditions remain in full force and effect.

SECTION 6. 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. This approval is to allow the reduction of the restaurant service area in order to accommodate the creation of a new retail tenant space, and decrease the number of required off-site parking spaces in JUPA No. 14-001, to reflect the new number of required offsite parking spaces for the uses onsite.

3. This conditional use permit amendment shall not be effective until all appeals are exhausted and the property owner, applicant and the business operator execute the Affidavit of the Acceptance of Conditions. Said documents shall be recorded with the Los Angeles County Recorder and a certified copy of said recordation shall be filed with the Planning Department within 10 days of the effective date of the approval.

4. A review of the proposed amendment and compliance with the conditions of approval shall be conducted by Planning Department staff and reported to the Planning Commission within one year, and again within five years, of commencement of operations. Staff will report whether the amendment is operating in compliance with the Planning Commission's findings and all approved conditions, and whether it recommends initiating proceedings to modify or revoke the permit.

5. The third driveway curb cut from west to east must be removed.

Joint Use Parking Agreement

6. The number of required parking spaces required to be provided for the restaurant service area will be reduced to 23 parking spaces to reflect a restaurant service area of 1,935 square feet.

Operations

7. The restaurant service area is 1,935 square feet, and allocated as follows:
    a. Interior service area: 1,184 square feet; and
    b. Outdoor patio: 751 square feet.

8. The retail space area is 1,636 square feet.

9. The total number of seats shall not exceed 92 and the total number of patrons for large events is limited to 300.

10. Dining or drink service is not permitted within the employee lounge area.

Fixed Conditions

11. 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 of modification or revocation of this conditional use permit pursuant to MMC Section 17.66.100(C). The conditional use permit may be revoked if the Planning Commission finds that one or more of the following conditions exists:
    a. The conditional use permit was obtained in a fraudulent manner.
    b. 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.

12. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

13. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement (JUPA).

14. All other conditions of City Council Resolution No. 10-59, and Planning Commission Resolution No. 11-72, and associated amendments are hereby incorporated by reference and remain in full force and effect.

SECTION 7. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 4th day of April 2022.

KRAIG HILL, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

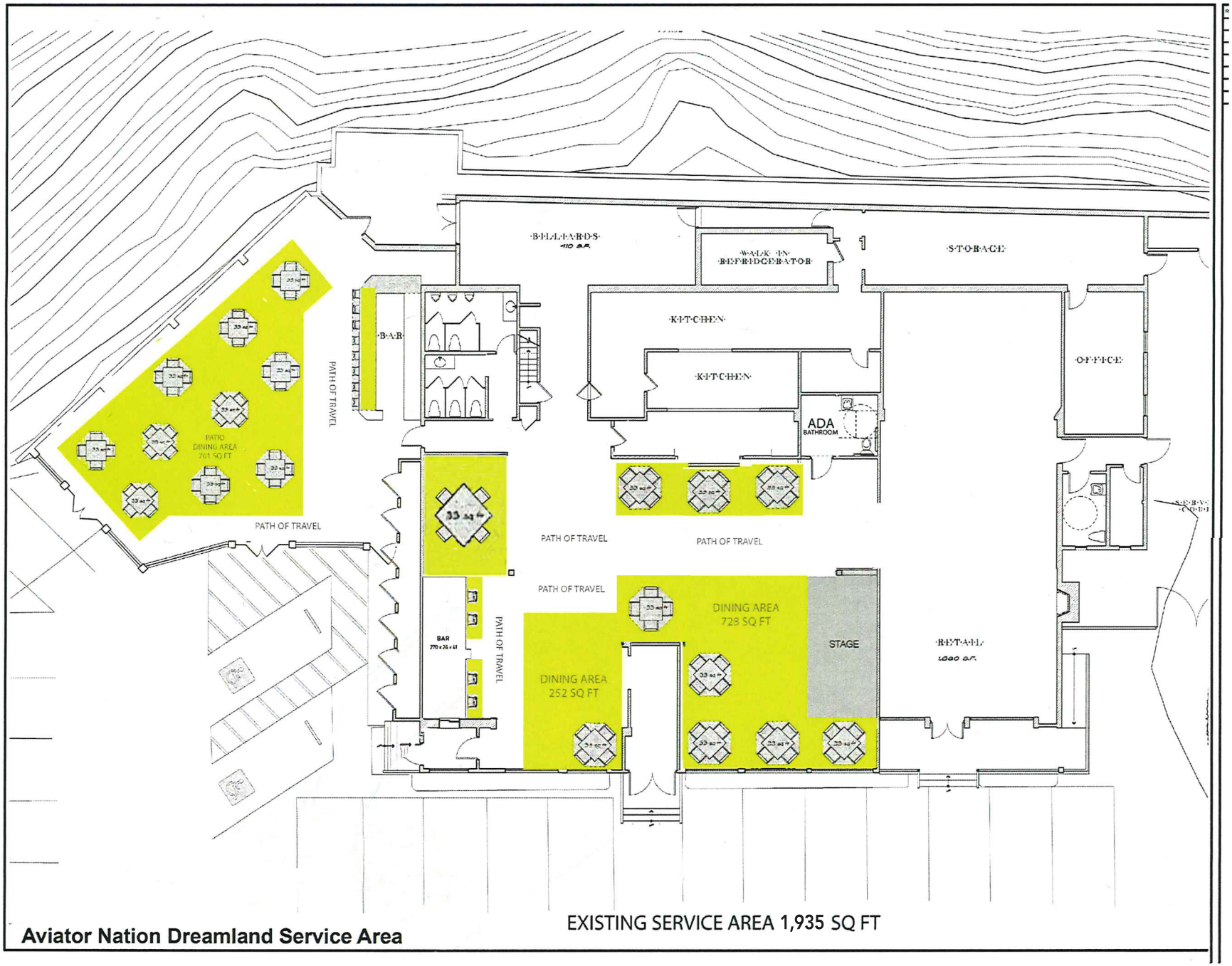
LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.04.220 (Appeal of Action), a decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person, or by calling (310) 456-2489, extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-01 was passed and adopted by the Planning Commission of the City of Malibu at the special meeting held on the 4th day of April 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

REBECCA EVANS, Recording Secretary

ATTACHMENT 2



RESOLUTION NO. 10-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DENYING APPEAL NO. 10-002, APPROVING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 TO PERMIT THE MALIBU INN RESTAURANT WITH LIVE ENTERTAINMENT WHICH WILL SERVE LIQUOR, OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M., AND HAVE A MAXIMUM RESTAURANT SEATING CAPACITY OF 94 PATRONS, A MAXIMUM CAPACITY OF 340 PATRONS FOR ENTERTAINMENT EVENTS AND 565 SQUARE FEET OF RETAIL SPACE AT THE 8,960 SQUARE FOOT COMMERCIAL BUILDING; INCLUDING A JOINT USE PARKING AGREEMENT FOR REQUIRED PARKING SPACES TO BE LOCATED ON THE ADJACENT PROPERTY IN THE COMMERCIAL VISITOR SERVING–1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (HAKIM)

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

Section 1. Recitals.

A. The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

B. On June 3, 2008, Over the Counter Permit (OC) No. 08-102 was issued to re-open the 565 square foot retail space for the tenant Sabotage.

C. Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

D. On May 26, 2009, breakfast and lunch service at the restaurant resumed. Currently, the Malibu Inn typically closes around mid-afternoon / early evening, after patrons have finished lunch.

E. On December 3, 2009, Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD) for review.

F. On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On May 26, 2010, the application was deemed complete for processing.

H. On July 8, 2010, 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.

I. On August 3, 2010, at the request of the applicant, the public hearing was continued to the September 7, 2010 Regular Planning Commission meeting.

J. On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, public testimony and all related information. At the conclusion of the hearing, the Planning Commission adopted Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

K. On September 16, 2010, Appeal No. 10-002 was filed by Klaus Obermeyer (property owner at 23006 Pacific Coast Highway) and Robert J. Allan (property owner at 23018 Pacific Coast Highway).

L. On September 27, 2010, in accordance with Malibu Municipal Code (M.M.C.) Section 17.04.220(C), the appellants submitted additional information related to the appeal before the 10 day deadline.

M. On October 12, 2010, the appeal was deemed complete by staff.

N. On October 28, 2010, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties, regional, state and federal agencies, local libraries and media, and the California Coastal Commission (CCC).

O. On November 22, 2010, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

Section 2. Appeal of Action.

The appellants appealed Planning Commission Resolution No. 10-79, contending that the proposed conditional use permit is not consistent with various sections of the M.M.C. as well as the General Plan. Additional information submitted with the appeal includes numerous statements in support of the appeal. Planning Division staff prepared an extensive agenda report responding to each of the appellant's contentions. The City Council concurs with the findings and conclusions of staff as set forth in the report and adopts staff's analysis, findings, and conclusions as though fully set forth herein.

Section 3. Conditional Use Permit Approval and Findings.

Pursuant to M.M.C. Section 17.66.080, the City Council may approve, deny and/or modify an

application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The City Council hereby makes the following findings of fact to approve CUP No. 09-009.

CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the Commercial Visitor Serving–1 (CV-1) zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply with all applicable provisions of the M.M.C.

CUP Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward side of Pacific Coast Highway, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had a California Department of Alcohol Beverage Control (ABC) Liquor Licenses and operated as a restaurant with a bar and live entertainment.

CUP Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. Therefore, the site is physically suitable for the use being proposed.

CUP Finding 4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and

residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

A Security Plan which was submitted to the Planning Commission on September 7, 2010 details a listing of goals which include:

- Creation of a safe and secure environment within the Malibu Inn for all patrons;
- Provision of a level of control and safety for all arriving and departing guests;
- Mitigation of any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure; and
- Diffusion of all situations as they occur.

The Security Plan demonstrates an understanding of neighbor concerns and strives to address these concerns through the following actions:

- Full disclosure and cooperation with law enforcement personnel and other City officials;
- Requirement that security personnel wear easily identifiable uniforms and identification badges at all times;
- Provision of one security guard per 50 patrons, with security staff being present at all times the venue is hosting dancing or live entertainment;
- Includes a detailed listing of responsibilities that each security guard will have – including stationary, roving and patio guards;
- Security guards will take part in the following training programs: 1) Licensee Education on Alcohol and Drugs (L.E.A.D) which is put on by the Department of Alcoholic Beverage Control; 2) proper cueing to lessen the impact of foot traffic and traffic flow for motor vehicles; 3) emergency preparedness including all safety devices present onsite and emergency escape routes; and 4) Standard First Aid provided through the Red Cross.

Finally, the Planning Commission, at its September 7, 2010 meeting, added an additional condition of approval which set a limit on live entertainment events not to exceed two large events and eight small events per month. The provisions included in the Security Plan are specifically intended to allow the proposed use to be compatible with adjacent neighbors. With the incorporation of all the aforementioned conditions of approval, this proposed use is compatible with the land uses in the surrounding neighborhood.

CUP 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 Pacific Coast Highway) is owned by the subject property owner and is zoned for commercial development.

CUP 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 serve the proposed project. The LACFD reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department.

In order to confirm conformance with percolation test requirements as outlined in the Malibu Plumbing Code (MPC), Ensitu Engineering Inc. oversaw flow testing at the subject property. The testing required isolation of the front, east and west leachfields prior to beginning the test. On the first day of the test, a license soils engineer introduced 6,497 gallons of water to the three dispersal fields in order to pre-soak the leachfields prior to performing water absorption measurements on the three following consecutive days. On each of the following three consecutive days, the soils engineer introduced an additional 6,497 gallons of water to the three fields. A final additional test was performed on the fifth day. Using the allocations of restaurant / retail and entertainment flows outlined in the MPC, the water was metered according to the proportion of total absorption area contributed by each leachfield.

After a five day testing period, Ensitu determined the following: 1) the existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum; 2) the site is currently served by two 3,000 gallon septic tanks (providing storage for 6,000 gallons total), which meet the required septic tank capacity of 5,998 gallons; and 3) the absorption area of the existing leachfields is 3,360 square feet and the existing seepage pits will be abandoned. The existing leachfield size exceeds the minimum required effective absorption area which is 3,187 square feet. As a result of the testing, Ensitu concluded that the OWTS is acceptable for the use proposed. The City Environmental Health Administrator reviewed the CUP and Ensitu's report and determined that the existing onsite wastewater treatment system (OWTS) is adequate for the proposed use.

As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no

impacts to solar access or public or private views will occur. The existing commercial structure at 22969 Pacific Coast Highway will not change under this application, and therefore, will not adversely impact existing public and private views.

CUP 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not substantially impact public access or circulation.

CUP 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City. The proposed project meets the goals of the following land use policies of the General Plan:

Land Use Policy 3.1.1:	The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
Land Use Policy 3.2.1:	The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.
Land Use Policy 4.4.1:	The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, as conditioned, is consistent with goals, objectives and policies of the General Plan.

CUP Finding 9. The proposed project complies with all applicable requirements of state and local law.

The proposed project will comply with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies such as the ABC and the Los Angeles County Sheriff's Department.

CUP Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition is included in Section 7 of this resolution which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance).

Furthermore, specific conditions have been included in Section 7 of this resolution which require: 1) training for bartenders and servers through the TIPS program (Training for Intervention Procedures) which is designed to prevent intoxication, underage drinking and drunk driving; 2) training for security personnel through the Licensee Education on Alcohol and Drugs (L.E.A.D) program which is put on by the Department of Alcoholic Beverage Control; 3) extensive conditions limiting noise during hours of operation; and 4) the provision of a detailed security plan to monitor patrons both within and outside of the Malibu Inn. All of these requirements are intended to maintain public health, safety and welfare.

Finally, the report generated in conjunction with the ABC application indicates that the current property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

CUP 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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Section 4. Joint Use Parking Agreement Approval.

As stated in M.M.C. Section 17.48.050(A)(1), the decision making body may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions (which are set forth in M.M.C. Section 17.48.040). The agreement will be between 22959 Pacific Coast Highway and 22969 Pacific Coast Highway, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. The City Council finds that the evidence in the record supports the three following conditions.

JUPA Condition A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 a.m. to 2:00 a.m. The adjacent property at 22959 Pacific Coast Highway is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 Pacific Coast Highway since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with JUPA Condition C.

JUPA Condition B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

JUPA Condition C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

Section 5. City Council Action.

Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, the City Council hereby denies Appeal No. 10-002 and approves Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to permit the operation of the Malibu Inn at 22969 Pacific Coast Highway, subject to the conditions set forth herein.

Section 6. Conditions of Approval.

Standard 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 for the following:
    a. Operation of a restaurant with live entertainment;
    b. Maximum dining seating capacity of 94 patrons and maximum event capacity of 340 patrons;
    c. Service of distilled liquor;
    d. Interior improvements including:
        i. Replacing existing flooring,
        ii. Refinishing the bars,

iii. Upgrading televisions,
iv. Changing furniture and lighting fixtures, and
v. Replacing windows with double pane soundproof glass; and

e. Joint use parking agreement between properties addressed as 22959 Pacific Coast Highway and 22969 Pacific Coast Highway.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Division. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. 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 Division within 10 days of this decision and prior to issuance of any development permits.

5. This conditional use permit shall be reviewed on a semi-annual basis for the first year, and then on an annual basis thereafter, starting on November 22, 2010. At this time, the property owner shall provide evidence that the joint use parking agreement is still in effect. At least two weeks prior to the review date, the applicant shall pay the Planning Division staff site inspection fee in effect at the time of request for site inspection. A staff planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the conditional use permit may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified. Possible mitigation measures can include:
   a. Modifying the hours of operation;
   b. Restricting alcohol service;
   c. Hiring additional security personnel;
   d. Prohibiting music;
   e. Installing noise mitigating measures / devices; or
   f. Other measures deemed necessary by the Planning Commission.

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

7. All interior tenant improvements shall conform to requirements of the City of Malibu Environmental and Building Safety Division, City Environmental Health Administrator and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.

8. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Manager, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. Revised plans reflecting the minor changes and additional fees shall be required.

Site Specific Conditions

Fire Department

9. All applicable requirements of the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division set forth in the review sheet dated February 18, 2010 shall apply.

Environmental Health

10. Except as specifically required by the conditions of approval, no renovation of the septic tank and drainfield system is required. The City Environmental Health Administrator's approval dated May 13, 2010, does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

11. The piping connections between the grease interceptor, septic tanks and distribution boxes shall be brought into conformance with the Malibu Plumbing Code (MPC). Prior to the authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

12. The subject Environmental Health approval pertains only to the use of the premises not to exceed 94 restaurant seats, 340 nightclub patrons and 565 square feet of retail space.

Sheriff's Department

13. The property owner shall be required to notify the Sheriff's Department (Malibu / Lost Hills Station) and the City of Malibu of any live entertainment event (including DJs) scheduled to take place within the Malibu Inn, especially pertaining to live bands, no less than three days prior to the event. If the property owner books a larger event (in excess of 100 attendees), the property owner shall discuss potential requirements for contracting for a law enforcement presence to handle any crowd and traffic control with the Sheriff's Department. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

Joint Use Parking Agreement

14. The property at 22959 Pacific Coast Highway shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 Pacific Coast Highway. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall be submitted to the City prior to the commencement of alcohol service and shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking

arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 Pacific Coast Highway may be reallocated to any future development on this site.

15. An amendment to the conditions set forth in the CUP shall be required if there is a proposed change to the joint use parking agreement.

Operations

16. The approved hours of operation are from 7:00 a.m. to 12:00 a.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 2:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that the use may be open until 2:00 a.m. only on those Sundays when the following Monday is a federal holiday. Closure must be complete and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

17. The approved hours for alcohol sales are from 7:00 a.m. to 11:00 p.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 1:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that alcohol may be served until 1:00 a.m. only on those Sundays when the following Monday is a federal holiday.

18. A maximum of 94 seats for dining are approved under this permit. The maximum interior and exterior occupancy for entertainment events is 340 patrons.

19. Live entertainment events shall be limited to a maximum of two large events (defined as events with 100 or more attendees) and eight small events (events with less than 100 attendees) per month.

20. Valet parking must be provided for all events with 100 or more attendees.

21. No exterior activity such as trash disposal, recycling pickup, delivery trucks or exterior maintenance is permitted onsite between the hours of 10:00 p.m. and 7:00 a.m. Additionally, bottles and glass containers shall not be emptied into outdoor trash or recycling bins between 10:00 p.m. and 7:00 a.m.

22. This CUP permits the sale of distilled spirits as well as beer and wine with a Type 47 License. The property owner / operator shall obtain all necessary approvals from the California Department of Alcohol Beverage Control. Once obtained, the applicant is required to provide to the Planning Division a copy of the ABC issued On-Premise Consumption License.

23. Prior to the start of employment, employees that serve alcohol shall undergo an alcohol training program such as TIPS (Training for Intervention Procedures), designed to prevent intoxication, underage drinking and drunk driving. Evidence of completion of this training shall be submitted to the Planning Division.

24. This CUP permits live entertainment and dancing. Once obtained, the applicant is required to provide to the Planning Division a copy of the Los Angeles County Sheriff's Department Entertainment License.

25. No live entertainment is permitted on the exterior patio at any time. Low level amplified music is permitted on the patio during the hours of 7:00 a.m. to 10:00 p.m., daily. Unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 2:00 a.m. shall be prohibited.

26. Prior to the commencement of alcohol service, the property owner / operator shall install small signs in the interior of the business on or near the exit doors requesting that patrons not loiter outside and be courteous and quiet when leaving the building and parking areas.

27. All exterior doors shall remain closed when not being used for ingress/egress purposes. The property owner shall install self-closing door mechanisms on all exterior doors.

28. Noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit between 10:00 p.m. and 7:00 a.m., as required by M.M.C. Section 8.24.050(L).

29. The property owner / operator (or designated representative) shall monitor the noise levels adjacent to nearby residences to check compliance with City noise regulations (i.e. the noise should not be plainly audible within five feet of any residential dwelling unit). If the property owner / operator (or designated representative) determines that the noise level exceeds City noise regulations, they shall immediately notify the musicians to reduce noise levels in compliance with City noise regulations.

30. The property owner / operator shall adhere to a "good neighbor" policy, meaning that the operator and employees must respect the rights of neighboring properties and, to the best of their ability, shall ensure their patrons' compliance with the City's noise and smoking regulations and any applicable conditions of approval for the subject use relating to parking, smoking, litter, noise, loitering, etc.

31. Pursuant to M.M.C. Section 9.34.020, smoking is prohibited in all outdoor dining areas located on private or public property, including the public right-of-way. Smoking is also prohibited within 20 feet of an outdoor dining area, except while actively passing by on the way to another destination.

32. Per M.M.C. Section 9.34.030, the property owner shall post and maintain "no smoking" signs in conspicuous locations within the outdoor dining area. All such signs shall: 1) be no greater than one square foot in size; 2) be prominently displayed; 3) clearly state "no smoking" and/or use the international "no smoking" symbol; and 4) reference M.M.C. Section 9.34.020.

33. Prior to commencement of alcohol service, a final security plan shall be submitted to the City Environmental and Community Development Department and the Los Angeles County Sheriff's Department for review and approval. The plan shall address both physical and operational security issues and shall be no less stringent than the plan submitted to the City on September 7, 2010. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints. Evidence of the Sheriff's Department approval of the plan shall be provided to the City.

34. The property owner / operator (or designated representative) shall regularly monitor the area outside of the restaurant to ensure peace and quiet. Security personnel shall be provided seven days a week from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

35. At the close of business each day, the property owner / operator shall clean up any litter or any other items that were likely to have been left by patrons of the subject establishment found on the subject property or along the public right-of-way.

36. No sign shall be illuminated after 11:30 p.m., or close of business, whichever occurs last.

37. Any proposed structural changes to the existing signs shall require review for the requirements set forth in M.M.C. Chapter 17.52 (Signs).

38. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

39. 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.

40. The property owner / tenant shall comply with the requirements set forth in M.M.C. Chapter

9.28 (Ban on Plastic Shopping Bags). 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.

41. A copy of the conditions of approval must be kept on the premises and presented to the Los Angeles County Sheriff's Department upon request.

42. Parking displaced during any future construction on 22959 Pacific Coast Highway shall be temporarily relocated to the commercial / office building located at 22761 Pacific Coast Highway since it is owned by the same property owner (Kambiz Hakim) as the Malibu Inn. If this situation changes, alternate offsite parking arrangements will need to be coordinated with the Planning Manager prior to building permit issuance for development at 22959 Pacific Coast Highway.

43. Within 60 days of the issuance of the conditional use permit, an after-the-fact building permit shall be obtained for the retaining wall along the hillside at the rear of the property (as identified in Building Permit No. 02-0233), which creates the area for the planter.

Fixed Conditions

44. The conditions under which this conditional use permit was approved may be modified by the City of Malibu without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

45. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of the Malibu Municipal Code 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.

46. 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.

47. This conditional use permit shall become null and void with the demolition of the building.

48. The conditional use permit shall be reviewed by the Planning Manager for compliance with the conditions of approval and a report shall be presented to the Planning Commission no earlier than three months from the date of issuance.

49. 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). If a hearing is required, the City shall notify the property owner / operator

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 7. Certification.

The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 22nd day of November 2010.

JEFFERSON WAGNER, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the M.M.C. and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 10-59 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 22nd day of November, 2010, by the following vote:

AYES:	4	Councilmembers:	Conley Ulich, La Monte, Rosenthal, Sibert
NOES:	0		
ABSTAIN:	0		
ABSENT:	1	Councilmember:	Wagner

LISA POPE, City Clerk
(seal)

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 11-72

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU APPROVING CONDITIONAL USE PERMIT AMENDMENT NO. 11-001 TO AMEND CITY COUNCIL RESOLUTION NO. 10-59 (CONDITIONAL USE PERMIT NO. 09-009) TO CHANGE THE MALIBU INN'S HOURS OF OPERATION FROM WHAT WAS APPROVED (7:00 A.M. TO 12:00 A.M. ON SUNDAYS THROUGH WEDNESDAYS AND 7:00 A.M. TO 2:00 A.M. ON THURSDAYS, FRIDAYS AND SATURDAYS, WITH THE EXCEPTION THAT THE USE MAY BE OPEN UNTIL 2:00 A.M. ONLY ON THOSE SUNDAYS WHEN THE FOLLOWING MONDAY IS A FEDERAL HOLIDAY) TO OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M. DAILY AT 22969 PACIFIC COAST HIGHWAY (SKA GROUP LLC)

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

Section 1. Recitals.

A. On December 3, 2009, an application for Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 was submitted to the Planning Division to permit the operation of the Malibu Inn Restaurant at 22969 Pacific Coast Highway. The application was routed to the City Environmental Health Administrator, Los Angeles County Sheriff's Department (LACSD) and Los Angeles County Fire Department (LACFD) for Malibu Municipal Code (M.M.C.) conformance review.

B. On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application to permit the Malibu Inn with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space. At the conclusion of the hearing, the Planning Commission adopted Planning Commission Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

C. On September 16, 2010, an appeal (Appeal No. 10-002) of the Planning Commission's approval was filed by Klaus Obermeyer and Robert J. Allan, who are both owners of residences located across Pacific Coast Highway and south of the subject property.

D. On November 22, 2010, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record. At that meeting, the City Council denied the appeal and approved CUP No. 09-009; however, the Council revised the permitted hours of operation and alcohol sales.

ATTACHMENT 4

E. City Council Resolution No. 10-59 indicates that the approved hours of operation for the Malibu Inn are from 7:00 a.m. to 12:00 a.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 2:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that the use may be open until 2:00 a.m. only on those Sundays when the following Monday is a federal holiday. Furthermore, the approved hours for alcohol sales are from 7:00 a.m. to 11:00 p.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 1:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that alcohol may be served until 1:00 a.m. only on those Sundays when the following Monday is a federal holiday.

F. During the City Council hearing, it was determined that no sooner than three months after the CUP had gone into effect, the applicant could return to the Planning Commission to petition for a change in the hours of operation and liquor sales. The CUP went into effect on April 13, 2011, as designed by the Malibu Inn's re-opening for events, setting the earliest potential follow-up date for a hearing at the Planning Commission for July 13, 2011.

G. On June 16, 2011, the property owners submitted an application for Conditional Use Permit Amendment (CUPA) No. 11-001 to extend the hours of operation to match what was originally approved by the Planning Commission in Planning Commission Resolution No. 10-79.

H. On June 23, 2011, a Notice of Public Hearing for July 19, 2011 was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

I. On June 28, 2011, the CUPA application was deemed complete.

J. The July 19, 2011 Planning Commission meeting was canceled due to a lack of quorum.

K. On August 2, 2011, the Planning Commission held a duly noticed public hearing on the subject amendment application, reviewed and considered the staff 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 has previously analyzed the proposal as described above. A CATEGORICAL EXEMPTION (CE No. 10-068) was previously prepared for CUP No. 09-009 pursuant to CEQA Guidelines Section 15301 – Existing Facilities.

The Planning Commission has found that the proposed amendment is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment, and therefore, is exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared and issued for the amendment 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. Findings of Fact.

1. Pursuant to Malibu Municipal Code (M.M.C.) Section 17.66.020, a CUP may be amended upon submittal of an application by the permittee. CUP No. 09-009 was approved by the Planning Commission on September 1, 2009. The decision of the Planning Commission was appealed and on November 22, 2010, the City Council denied the appeal and approved CUP No. 09-009 with limited hours of operation.

2. The LACSD and City of Malibu Code Enforcement have confirmed that since the re-opening of the Malibu Inn for entertainment, neither has received complaints from the public regarding its operations.

3. Staff completed a site inspection on June 24, 2011, and confirmed that all conditions of approval set forth in City Council Resolution No. 10-59 have been completed.

4. The proposed amendment will extend the hours of operation from 7:00 a.m. to 2:00 a.m. daily.

5. The proposed amendment does not affect any of the required M.M.C. findings for a conditional use permit. All findings and conditions for CUP No. 09-009 remain in effect and are incorporated herein by reference.

Section 4. Amendment of Conditional Use Permit.

Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, and pursuant to M.M.C. Section 17.66.060, the Planning Commission approves CUPA No. 11-001, amending CUP No. 09-009, to change the Malibu Inn's hours of operation from what was approved (7:00 a.m. to 12:00 a.m. on Sundays through Wednesdays and 7:00 a.m. to 2:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that the use may be open until 2:00 a.m. only on those Sundays when the following Monday is a federal holiday) to operate between the hours of 7:00 a.m. and 2:00 a.m. daily.

No other changes to the conditions contained in City Council Resolution No. 10-59 are made by this amendment and all other findings, terms and / or conditions contained in City Council Resolution No. 10-59 shall remain in full force and effect.

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 arising from the City's actions in connection with this resolution, 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 resolution. 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 resolution.

2. The approved hours of operation are from 7:00 a.m. to 2:00 a.m. daily. Alcohol service during hours of operation shall be regulated by California Department of Alcoholic Beverage Control (ABC) requirements. Closure must be complete and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

3. All other conditions of City Council Resolution No. 10-59 are incorporated herein by reference.

Section 6. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of July 2011.

JEFFREY D. JENNINGS, Planning Commission Chair

ATTEST:

JESSICA BLAIR, Recording Secretary

LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.04.220 (Appeal of Action), 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. 11-72 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 19th day of July 2011, by the following vote:

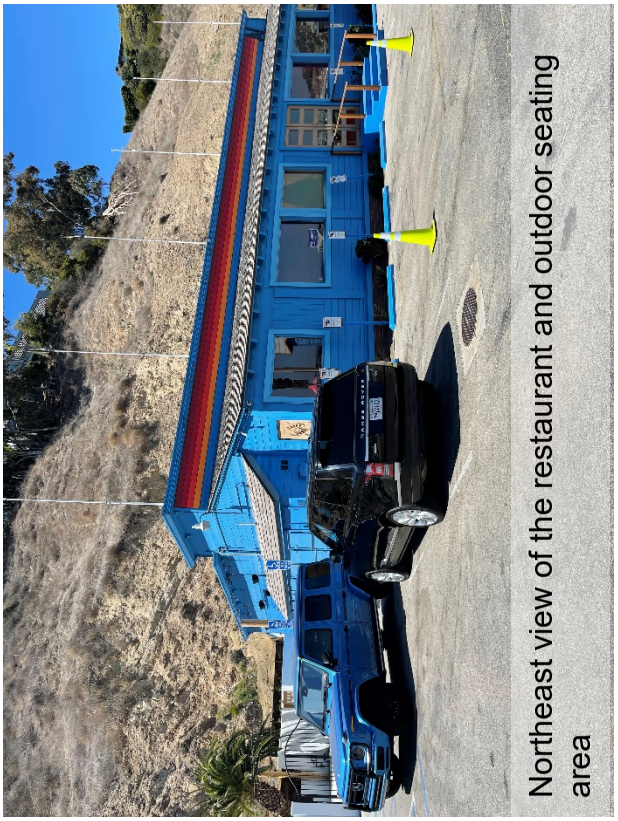
AYES: COMMISSIONERS: HOUSE, TOLEDO AND JENNINGS
NOES: COMMISSIONERS: MAZZA
ABSTAIN:
ABSENT: COMMISSIONERS: STACK

JESSICA BLAIR, Recording Secretary

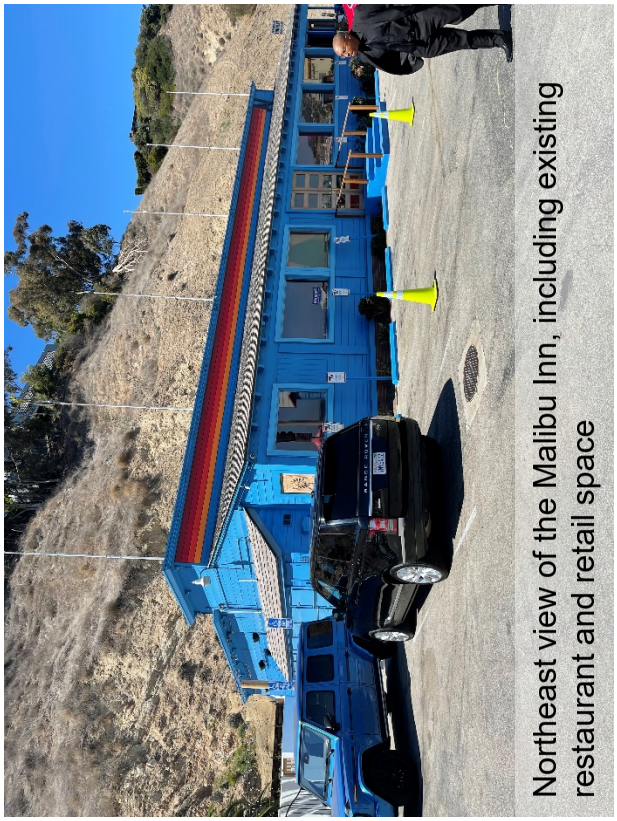
Site Photographs



North view of the easterly side yard and retail space



Northeast view of the restaurant and outdoor seating area

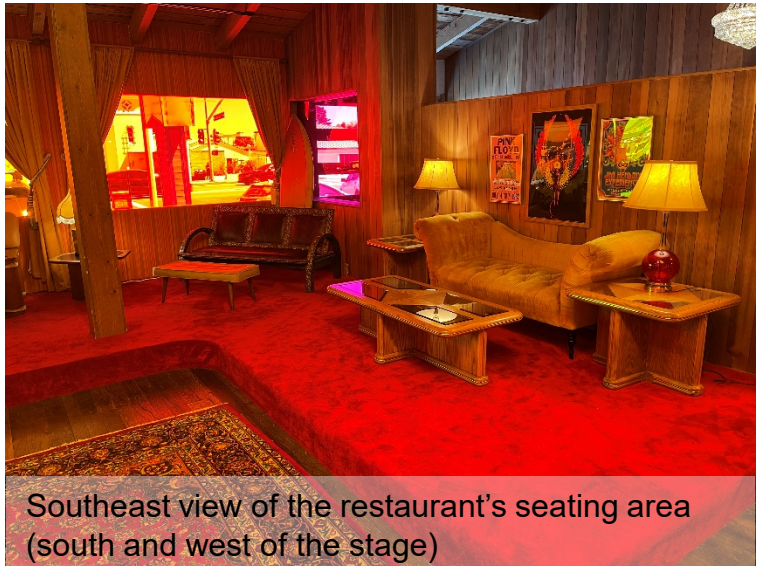


Northeast view of the Malibu Inn, including existing restaurant and retail space

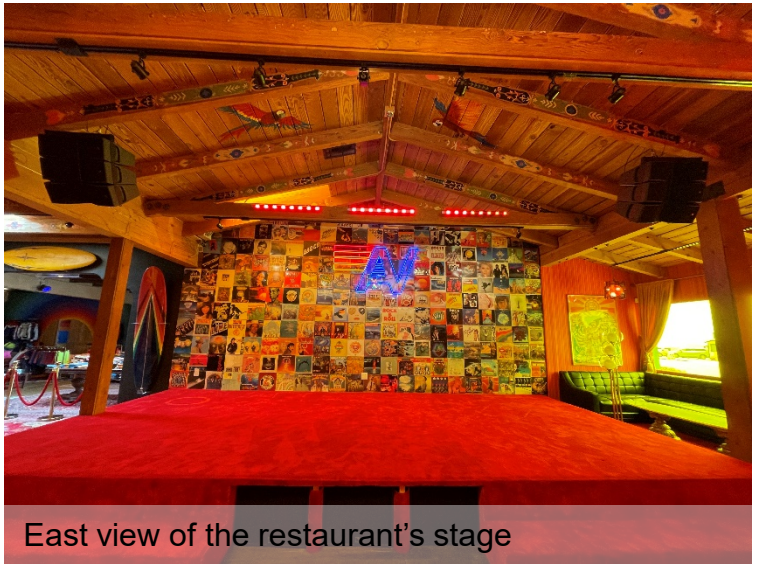
Site Photographs



Southeast view of the restaurant's seating area (south of the stage)



Southeast view of the restaurant's seating area (south and west of the stage)



East view of the restaurant's stage



North view of the restaurant's seating area (north of the stage)

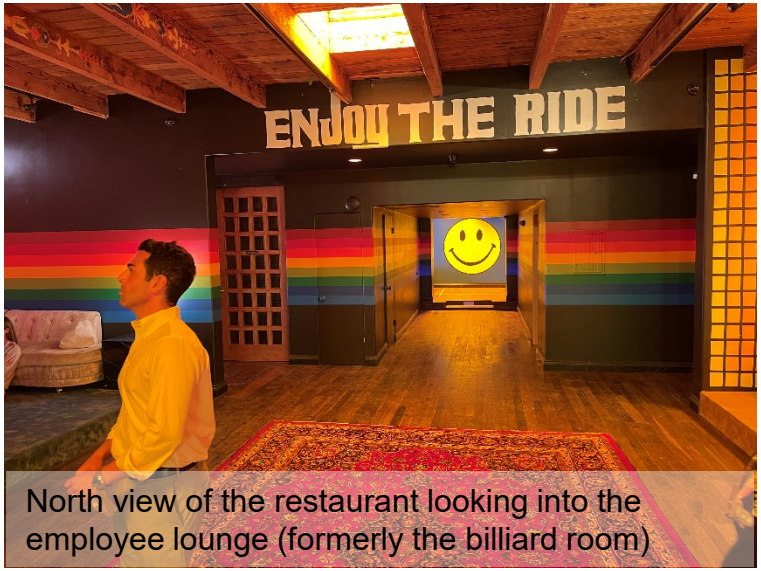
Site Photographs



South view of the restaurant's seating area (just north of the entrance)



South view of the restaurant's seating area (southeast of the interior bar)



North view of the restaurant looking into the employee lounge (formerly the billiard room)



Northeast view of the restaurant's opening with the retail space

Site Photographs



North view hallway into the employee lounge (formerly the billiard room)



West view of the employee lounge (formerly the billiard room)



East view of the employee lounge (formerly the billard room)

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:** 12/16/2013

FROM: City of Malibu Planning Department

PROJECT NUMBER:	OC 13-250
JOB ADDRESS:	22969 PACIFIC COAST HWY
APPLICANT / CONTACT:	Jose lujvidin
APPLICANT ADDRESS:	2420 Sirius St Thousand Oaks, CA 91360
APPLICANT PHONE #:	(310)418-0766
APPLICANT FAX #:	(310) 867-8582
APPLICANT EMAIL:	jose@joseconsults.com
PROJECT DESCRIPTION:	T.I.

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.** See conditions of approval below

A Sheldon
SIGNATURE

12-18-2013
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.

CONDITIONS OF APPROVAL In addition to the conditions shown on the attached OWTS plot plan, the following conditions also shall apply: (1) Environmental Health final approval is required; (2) prior to Environmental Health final approval the applicant must submit a seating plan showing the distribution of a maximum of 92 restaurant seats in an alternative configuration that includes patio dining; (3) plans submitted for Building Plan Check and final Planning Department approval must show elimination of the banquet room in coordination with work being done under a separate permit (OC 13-230).

ATTACHMENT 6

22969 PACIFIC COAST HIGHWAY (OC 13-230 and 13-250)
MALIBU, CA 90265

RESTURANT:	94 Seats - 92 Seats (R)
NIGHTCLUB:	340 Patrons - 300 Patrons (R)
RETAIL:	565 Sq Ft - 1636 Sq Ft
GREASE INTERCEPTOR:	1 - 10000 Gallon (E)
SEPTIC TANK:	1 - 3000 Gallon (E)
	1 - 3000 Gallon (E)
ACTIVE:	1 - 16' x 100' Drainfield (E)
	1 - 24' x 40' Drainfield (E)
	1 - 20' x 40' Drainfield (E)
FUTURE:	100% (Covenant to use adjacent property)
PERC RATE:	1.94 gpsf (Tested)
REFERENCE:	Ensitu Engineering: Existing OWTS
	evaluation reports dated 4-28-2010
	and 12-6-2013

NOTES:

1. This conformance review is for a conditional use permit to operate a restaurant and nightclub. Except as required by the conditions shown below, no renovation of the septic tank and drainfield system is required. This work does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

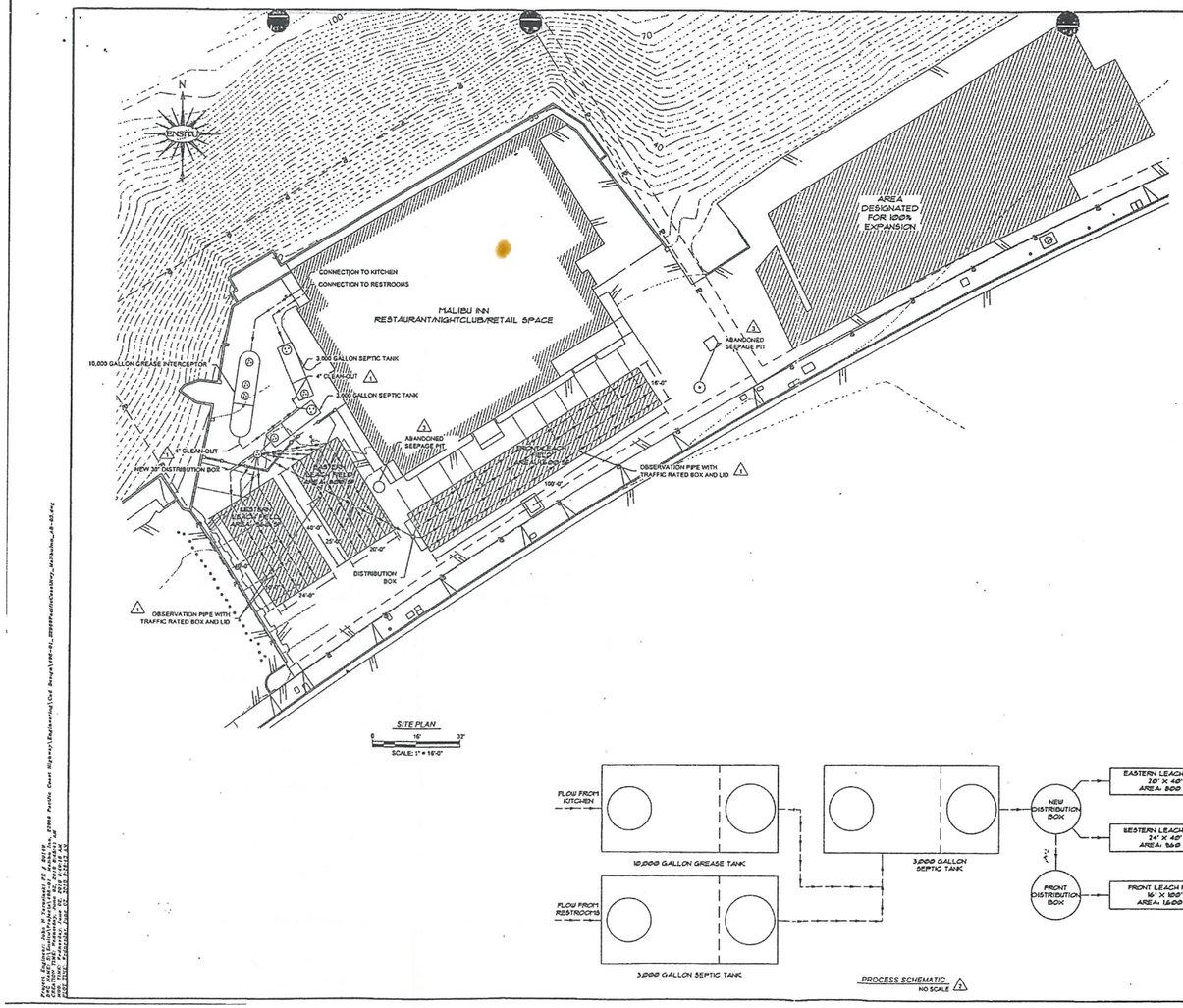
2. This review relates only to the minimum requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Program (LCP), and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.

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

CONDITION OF APPROVAL:

1. The Planning Department shall review the existing Conditional Use Permit for the restaurant space to determine consistency with this Environmental Health approval.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
DEC 18 2013
SIGNATURE:
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

AS BUILT PER OCT. 18 2013 09:26:10 AM

ENSITU
ENSITU ENGINEERING, INC.
"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

REVISIONS

22969 PACIFIC COAST HIGHWAY, MALIBU INN
AS BUILT
MALIBU, CALIFORNIA

DATE: MARCH 2013
DESIGNED BY: ESC
DRAWN BY: ESC
CHECKED BY: JNY
JOB NO. 490-01
SHEET 1 OF 1

Received
8/26/21
Planning Dept.

From: Jason Ernst
To: Jason Ernst
Subject: FW: Comment Item # 1B - 1C
Date: Thursday, August 26, 2021 12:15:35 PM
Attachments: Screen Shot 2021-03-17 at 11.33.23 AM.png

From: [redacted]
Sent: Thursday, August 26, 2021 11:36 AM
To: Adrian Fernandez <afernandez@malibucity.org>; Patricia Salazar <psalazar@malibucity.org>
Subject: Comment Item # 1B - 1C

Please add this to Malibu Inn Hotel EIR Comments.

COMMENT ON MALIBU INN HOTEL.

Unfortunately, once again, our city has been presented with a staff report dismissing and understating the impacts of new development on Malibu. This project needs an EIR to study noise, traffic, and the impact of a combination of two venues next to each other. A nightclub next to a potential new hotel.

The Malibu Inn Hotel project is proposed at one of the busiest and most dangerous sections of PCH in Malibu. Across from the heavily populated pier, filled Surfrider Beach, the only fast-food spots in Malibu, close proximity to crowded Nobu, Soho House, Malibu Beach Inn, and busy public parking lots. The staff report states that this hotel will hold large events every weekend at the new rooftop bar. These will undoubtedly include weddings, parties, conventions which will bring in hundreds of new cars and yet - staff states only 14 AM and 16 PM new additional daily car trips. This claim flies in the face of the most basic logic and accuracy.

The proposed Project also includes a rooftop bar and pool area, with potential for noise generation, particularly during evening hours. During summer months, events held on the rooftop would be anticipated to occur more frequently, potentially with events or larger gatherings occurring almost every weekend. During winter months, it is anticipated that outdoor events would be less frequent. Any increased permanent noise during the operation of the Project would be controlled by the noise regulations contained in the MMC (Chapter 8.24). Ambient noise associated from the site would continue to be subordinate to noise levels in the existing environment, where ambient noise is dominated by traffic along PCH and nearby commercial areas, and the existing 40-space parking lot that generates ongoing user noise. The project site

Heavy haul trucks will need to run at least 600 - 875 loads to evacuate mounds of dirt on an already overrun PCH.

Approximately 394 cy of the excavated soil would be used as fill material onsite, while the remaining material (approximately 12,255 cy) would be exported from the project site via roughly 600 to 875 heavy haul trucks, depending on the size of trucks utilized (see Section J, below). The total area of ground disturbance would be 0.77 acre, or approximately 33,541 sf. As detailed in

While scaled-down hotels can have advantages, this project at this intersection could not possibly be proposed at a more disruptive location. There is no possible way that this new hotel, in this area, will not greatly impact and cause more disturbance on PCH for visitors and residents. And yet this staff claims this project "***would not result in any cumulative impacts"***. This is a clear example of truth being understated and buried to serve developers, rather than data that protects the city and visitors on PCH.

Please unbury the truth and conduct a proper EIR. Protect this fragile city and Malibu's already overloaded infrastructure. Malibu must demand that a full and accurate traffic study is conducted that includes ingress and egress **of all uses** within a mile of this location including traffic from the pier, Nobu, Malibu Beach Inn,

public parking lot, Surfrider Beach, Jack In The Box, Serra entrance, etc.

Thank you for listening, please do the job of planning correctly.

Thank you,

Jae Flora-Katz

Date Received 8/26/2021 Time 11:36am
Planning Commission meeting of 8/26/21
Agenda Item No. 1B/1C
Total No. of Pages 2

Received

8/25/21

Planning Dept.

To: Planning Commission
From: Malibu Coalition for Slow Growth (MCSG) by Patt Healy
Re: item 1B Aviator Nation /Malibu Inn Motel Joint Use Agreement
Date 8-26-21

According to our count, the CUP incorrectly calculates the parking requirements for the restaurant and undercounts both seating area and the number of employees.
In addition, it only makes sense to enter into a new Joint Use Agreement only if the Motel is approved. Otherwise, there is no need to modify the Agreement to reduce the number of parking spaces at this time.

Any approval for reduced parking spaces should be contingent on the motel being constructed as proposed in the next agenda Item 1C.

Date Received 8/25/21 Time 11:12am
Planning Commission meeting of 8/26/21
Agenda Item No. 1B
Total No. of Pages 1

CC: Planning Commission, PD,

Recording Secretary, File

Aaron Gribben

Subject: FW: Correspondence: Malibu Inn and Malibu Inn Motel
Attachments: 22959 Traffic Referral 6.16.20.pdf; COA 22959 Pacific Coast Hwy_CDP 09-067 PW.pdf; CC101122 _Item4A.pdf; CC101122_Item 4A_Staff Presentation.pdf; 10-59.pdf; CC101122_Item 4A_Staff Presentation.pdf

Received
8/25/21
Planning Dept.

From: Adrian Fernandez <afernandez@malibucity.org>
Sent: Wednesday, August 25, 2021 10:59 AM
To: Planning Commissioners <planningcommissioners@malibucity.org>
Subject: Malibu Inn and Malibu Inn Motel

Hello Planning Commissioners,

So far there have been questions about adequate noticing and requests for additional information from some of you. Please note that the project was adequately noticed based on code requirements for both the CEQA document review and the public hearing. This project does not require a separate half page add in the newspaper because it is not requesting any amendments to the code unlike the Sea View Hotel and Malibu Country Inn.

Attached are the staff report, resolution and PowerPoint presentation for the original CUP granted for the Malibu Inn. Also, attached are the Public Works Department Review Sheets for the Malibu Inn Motel project. The review sheets were made available to the public using the same link in the agenda report for the initial study but for an unknown reason the Public Works Department Review Sheet attached to the report was corrupted and unreadable.

Link to Department Review Sheets and Initial Study:
https://www.malibucity.org/810/Malibu-Inn-Motel

Below are links to the Table 4-zz list and policy memo referenced in the report and initial study:
https://www.malibucity.org/DocumentCenter/View/320/Projects-with-Entitlements?bidId=
https://www.malibucity.org/DocumentCenter/View/310/Environmental-Health-Review-for-Projects-within-the-Civic-Center-Prohibition-Area?bidId=

Adrian Fernandez
Assistant Planning Director

Planning Department
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489, extension 482
Fax: (310) 456-7650
www.malibucity.org

Date Received 8/25/21 Time 10:59am
Planning Commission meeting of 8/26/21
Agenda Item No. 1B1C
Total No. of Pages 267

CC: Planning Commission, PD,

Recording Secretary, File

Connect with the City of Malibu!

Aaron Gribben

Received
9/6/21
Planning Dept.

Subject: Item 4D hotel and parking lot

From: Mark Wallace [redacted]
Sent: Monday, September 6, 2021 2:14 PM
To: Patricia Salazar <psalazar@malibucity.org>
Subject: Item 4D hotel and parking lot

I am disgusted that this project is being considered after the developers ignored the prerequisite of representative story poles to allow residents and interested parties to observe the impact of this proposed development. For the planning commission to allow this project to be considered without effective public observation is unconscionable and absolutely unacceptable. It's also unfair to residential builders and rebuilders that are required to place truly representative story poles and public notices…. Especially in such a critical location!!! The planning commission should be ashamed to allow this project to proceed after this suspicious and dubious beginning. It smacks of corruption and conspiracy. Please delay this projects progress until such time as the developers show proper respect and good faith to our community as is required by normal families that seek permits. To do otherwise is proof that the planning commission is merely a corrupt tool of wealthy commercial developers. Mark Wallace and family.

Realtor, Developer,
LA City Fire Captain
And Lifelong Malibu Resident

Date Received 9/6/21 Time 2:14PM
Planning Commission meeting of 9/8/21
Agenda Item No. 4C
Total No. of Pages 1

CC: Planning Commission, PD,

Recording Secretary, File

Aaron Gribben

Subject: Item 4D "motel" and 4C change in Malibu Inn Parking

Received
9/7/21
Planning Dept.

From: Ali Mills [redacted]
Sent: Monday, September 6, 2021 10:26 PM
To: Patricia Salazar <psalazar@malibucity.org>
Subject: Item 4D "motel" and 4C change in Malibu Inn Parking

This message is in response to the proposed hotel on PCH and the changes it will inflict on an already overcrowded, hazardous stretch of Malibu. I am opposed to this project and all related projects involving the construction of a motel on PCH.

The story poles that have gone up don't even represent a 1/4 of the developers own rendering of the property. Stop allowing developers to lie and cheat their way into extorting big money from our city.

Malibu's infrastructure cannot handle another influx of tourists in what is an already crammed, central Malibu bottleneck. The vehicle traffic and pedestrian traffic alone makes one wonder how much longer this city will even last in its current shape.

We have so many other problems on our plate as a city, please redirect resources that focus on our own citizens first, before worrying about where to house vacationers!

Sincerely,
Allison Mills

Date Received 9/6/21 Time 10:26pm
Planning Commission meeting of 9/8/21
Agenda Item No. 4C
Total No. of Pages 1

CC: Planning Commission, PD,

Recording Secretary, File

Aaron Gribben

Subject: Item 4D "motel" and 4C change in Malibu Inn Parking

Received
9/7/21
Planning Dept.

From: Ali Mills [redacted]
Sent: Monday, September 6, 2021 10:26 PM
To: Patricia Salazar <psalazar@malibucity.org>
Subject: Item 4D "motel" and 4C change in Malibu Inn Parking

This message is in response to the proposed hotel on PCH and the changes it will inflict on an already overcrowded, hazardous stretch of Malibu. I am opposed to this project and all related projects involving the construction of a motel on PCH.

The story poles that have gone up don't even represent a 1/4 of the developers own rendering of the property. Stop allowing developers to lie and cheat their way into extorting big money from our city.

Malibu's infrastructure cannot handle another influx of tourists in what is an already crammed, central Malibu bottleneck. The vehicle traffic and pedestrian traffic alone makes one wonder how much longer this city will even last in its current shape.

We have so many other problems on our plate as a city, please redirect resources that focus on our own citizens first, before worrying about where to house vacationers!

Sincerely,
Allison Mills

Date Received 9/6/21 Time 10:26pm
Planning Commission meeting of 9/8/21
Agenda Item No. 4C
Total No. of Pages 1

CC: Planning Commission, PD,

Recording Secretary, File

Aaron Gribben

Received
9/6/21
Planning Dept.

Subject: Item 4D hotel and parking lot

From: Mark Wallace [redacted]
Sent: Monday, September 6, 2021 2:14 PM
To: Patricia Salazar <psalazar@malibucity.org>
Subject: Item 4D hotel and parking lot

I am disgusted that this project is being considered after the developers ignored the prerequisite of representative story poles to allow residents and interested parties to observe the impact of this proposed development. For the planning commission to allow this project to be considered without effective public observation is unconscionable and absolutely unacceptable. It's also unfair to residential builders and rebuilders that are required to place truly representative story poles and public notices…. Especially in such a critical location!!! The planning commission should be ashamed to allow this project to proceed after this suspicious and dubious beginning. It smacks of corruption and conspiracy. Please delay this projects progress until such time as the developers show proper respect and good faith to our community as is required by normal families that seek permits. To do otherwise is proof that the planning commission is merely a corrupt tool of wealthy commercial developers. Mark Wallace and family.

Realtor, Developer,
LA City Fire Captain
And Lifelong Malibu Resident

Date Received 9/6/21 Time 2:14PM
Planning Commission meeting of 9/8/21
Agenda Item No. 4C
Total No. of Pages 1

CC: Planning Commission, PD,

Recording Secretary, File

Received
12/6/21
Planning Dept.

Planning Commission

From: Mari Stanley [redacted]
Sent: Monday, December 6, 2021 3:23 PM
To: Planning Commission
Subject: Plng Comm mtg 12/6/21 - Item 4D & 4E RECUSAL OF JENNINGS FROM VOTING ON MATTERS

Hello,
I request that Chair Jennings make a disclosure this evening as to the firm he has hired to rebuild his Woolsey impacted home to ascertain if there could be a relationship issue that can be seen as improper or beholding to this project in the expected vote.

Burdge and Associates is a large firm that is handling many of the Woolsey fire rebuilds, I do believe this disclosure is necessary on all development proposals that come before the Planning Commission but in this case I flat out demand a transparent disclosure to insure that the community is assured of full transparency and adherence to the laws. We've already suffered the piss poor - sorry but that is exactly what went down and the applicant deserves no mincing about the disrespect shown by their lack of actions to present a true representation of the project - behavior of the applicant in past meetings and it has not been pretty nor has it advanced the reputation of the applicant's intentions for the community. I am leery and know that many others are as well.

Please exercise the utmost transparency in this project on all matters going forward, not simply this evening. Should never, ever have taken so much to get the story poles in compliance and for that alone I remain distrustful of both staff and applicant for so many other areas of concern - not the least being the separation of the excavations of the retaining wall and the underground area of the motel itself - combine those two to present the true excavation of the site that is involved in both agenda items this evening.

Thank you,
Mari Stanley
Zumirez Dr., Malibu, CA

CC: Planning Commission, PD,

Recording Secretary, File

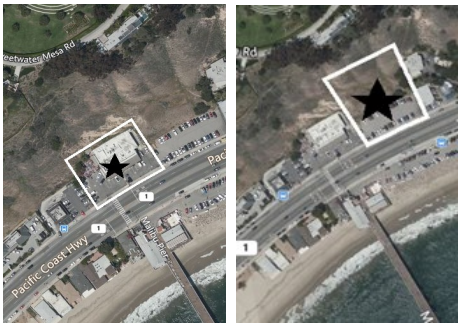
Date Received 12/6/21 Time 3:23 PM
Planning Commission meeting of 12/6/21
Agenda Item No. 4D/4E
Total No. of Pages 1

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING

22969 PCH **22959 PCH**



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **THURSDAY, August 26, 2021, at 6:30 p.m**. on the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor's Executive Orders N-25-20 & N-29-20 & the County of Los Angeles Public Health Officer's Safer at Home Order.

CONDITIONAL USE PERMIT AMENDMENT NO. 13-006 AND JOINT USE PARKING AGREEMENT NO. 14-001 - An application to amend Conditional Use Permit No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 to allow the reduction of the restaurant service area in order to accommodate the creation of a new retail tenant space, and decrease the number of required off-site parking spaces in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviation Nation Dreamland)

LOCATION / APN / ZONING: **22969 Pacific Coast Highway** /4452-019-004/Commercial Visitor-Serving-One (CV-1)
APPLICANT / OWNER: Steven Hakim
APPEALABLE TO: City Council
ENVIRONMENTAL REVIEW: Categorical Exemption CEQA Guidelines Section 15301
APPLICATION FILED: December 11, 2013

For the project listed above with a categorical exemption for environmental review, pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed this proposed project and found that it is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA. 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).

COASTAL DEVELOPMENT PERMIT NO. 09-067, CONDITIONAL USE PERMIT NO. 18-002, JOINT USE PARKING AGREEMENT NO. 18-001, INITIAL STUDY NO. 20-003, MITIGATED NEGATIVE DECLARATION NO. 20-003, VARIANCE NOS. 18-029, 18-030, 18-031 AND 20-035, AND SITE PLAN REVIEW NO. 18-025 - An application for the construction of a new 7,693 square foot, 20-room motel above a new subterranean parking garage, surface parking lot, rooftop deck with swimming pool, spa and bar area, grading, retaining walls, landscaping, a new onsite wastewater treatment system and authorization for the Planning Director to submit a letter of public convenience or necessity for the sale of alcohol; including a conditional use permit for a motel in the Commercial Visitor-Serving-One zoning district and sale of alcohol, a variance for non-exempt grading in excess of 1,000 cubic yards per acre of commercial development, a variance for construction on slopes steeper than 3 to 1, a variance for a retaining wall that is an integral part of the building in excess of 12 feet in height, a variance for surface parking within the required front yard setback, a site plan review for a building height in excess of 18 feet, not to exceed 24 feet for a flat roof, and a joint use parking agreement to share the parking spaces with the adjacent lot to the east (22969 Pacific Coast Highway – Malibu Inn)

LOCATION / APN / ZONING: **22959 Pacific Coast Highway** / 4452-019-005 / Commercial Visitor-Serving-One (CV-1)
APPLICANT / OWNER: Burdge and Associates Architects, Inc. / Surfrider Plaza, LLC
APPEALABLE TO: City Council and California Coastal Commission
ENVIRONMENTAL REVIEW: Initial Study/Mitigated Negative Declaration (SCH No. 2021020396) CEQA Guidelines 15164
APPLICATION FILED: June 11, 2018

For the project listed above with an initial study for environmental review, pursuant to CEQA, the City adopted an initial study and mitigated negative declaration finding that the project would have no significant adverse effects on the environment (CEQA Guidelines Section 15070).

STAFF CONTACT CASE PLANNER: Adrian Fernandez, Assistant Planning Director, afernandez@malibucity.org (310) 456-2489, ext. 482

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review by contacting the Case Planner during regular business hours. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit www.malibucity.org/virtualmeeting.

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/planningforms, in person, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL - For the project appealable to the Coastal Commission, an aggrieved person may appeal the Planning Commission's approval directly to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. More information may be found online at www.coastal.ca.gov or by calling 805-585-1800.

RICHARD MOLLICA, Planning Director Date: August 5, 2021

ATTACHMENT 8

RESOLUTION NO. 10-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DENYING APPEAL NO. 10-002, APPROVING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 TO PERMIT THE MALIBU INN RESTAURANT WITH LIVE ENTERTAINMENT WHICH WILL SERVE LIQUOR, OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M., AND HAVE A MAXIMUM RESTAURANT SEATING CAPACITY OF 94 PATRONS, A MAXIMUM CAPACITY OF 340 PATRONS FOR ENTERTAINMENT EVENTS AND 565 SQUARE FEET OF RETAIL SPACE AT THE 8,960 SQUARE FOOT COMMERCIAL BUILDING; INCLUDING A JOINT USE PARKING AGREEMENT FOR REQUIRED PARKING SPACES TO BE LOCATED ON THE ADJACENT PROPERTY IN THE COMMERCIAL VISITOR SERVING–1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (HAKIM)

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

Section 1. Recitals.

A. The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

B. On June 3, 2008, Over the Counter Permit (OC) No. 08-102 was issued to re-open the 565 square foot retail space for the tenant Sabotage.

C. Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

D. On May 26, 2009, breakfast and lunch service at the restaurant resumed. Currently, the Malibu Inn typically closes around mid-afternoon / early evening, after patrons have finished lunch.

E. On December 3, 2009, Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD) for review.

F. On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On May 26, 2010, the application was deemed complete for processing.

H. On July 8, 2010, 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.

I. On August 3, 2010, at the request of the applicant, the public hearing was continued to the September 7, 2010 Regular Planning Commission meeting.

J. On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, public testimony and all related information. At the conclusion of the hearing, the Planning Commission adopted Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

K. On September 16, 2010, Appeal No. 10-002 was filed by Klaus Obermeyer (property owner at 23006 Pacific Coast Highway) and Robert J. Allan (property owner at 23018 Pacific Coast Highway).

L. On September 27, 2010, in accordance with Malibu Municipal Code (M.M.C.) Section 17.04.220(C), the appellants submitted additional information related to the appeal before the 10 day deadline.

M. On October 12, 2010, the appeal was deemed complete by staff.

N. On October 28, 2010, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties, regional, state and federal agencies, local libraries and media, and the California Coastal Commission (CCC).

O. On November 22, 2010, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

Section 2. Appeal of Action.

The appellants appealed Planning Commission Resolution No. 10-79, contending that the proposed conditional use permit is not consistent with various sections of the M.M.C. as well as the General Plan. Additional information submitted with the appeal includes numerous statements in support of the appeal. Planning Division staff prepared an extensive agenda report responding to each of the appellant's contentions. The City Council concurs with the findings and conclusions of staff as set forth in the report and adopts staff's analysis, findings, and conclusions as though fully set forth herein.

Section 3. Conditional Use Permit Approval and Findings.

Pursuant to M.M.C. Section 17.66.080, the City Council may approve, deny and/or modify an

application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The City Council hereby makes the following findings of fact to approve CUP No. 09-009.

CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the Commercial Visitor Serving–1 (CV-1) zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply with all applicable provisions of the M.M.C.

CUP Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward side of Pacific Coast Highway, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had a California Department of Alcohol Beverage Control (ABC) Liquor Licenses and operated as a restaurant with a bar and live entertainment.

CUP Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. Therefore, the site is physically suitable for the use being proposed.

CUP Finding 4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and

residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

A Security Plan which was submitted to the Planning Commission on September 7, 2010 details a listing of goals which include:

- Creation of a safe and secure environment within the Malibu Inn for all patrons;
- Provision of a level of control and safety for all arriving and departing guests;
- Mitigation of any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure; and
- Diffusion of all situations as they occur.

The Security Plan demonstrates an understanding of neighbor concerns and strives to address these concerns through the following actions:

- Full disclosure and cooperation with law enforcement personnel and other City officials;
- Requirement that security personnel wear easily identifiable uniforms and identification badges at all times;
- Provision of one security guard per 50 patrons, with security staff being present at all times the venue is hosting dancing or live entertainment;
- Includes a detailed listing of responsibilities that each security guard will have – including stationary, roving and patio guards;
- Security guards will take part in the following training programs: 1) Licensee Education on Alcohol and Drugs (L.E.A.D) which is put on by the Department of Alcoholic Beverage Control; 2) proper cueing to lessen the impact of foot traffic and traffic flow for motor vehicles; 3) emergency preparedness including all safety devices present onsite and emergency escape routes; and 4) Standard First Aid provided through the Red Cross.

Finally, the Planning Commission, at its September 7, 2010 meeting, added an additional condition of approval which set a limit on live entertainment events not to exceed two large events and eight small events per month. The provisions included in the Security Plan are specifically intended to allow the proposed use to be compatible with adjacent neighbors. With the incorporation of all the aforementioned conditions of approval, this proposed use is compatible with the land uses in the surrounding neighborhood.

CUP 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 Pacific Coast Highway) is owned by the subject property owner and is zoned for commercial development.

CUP 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 serve the proposed project. The LACFD reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department.

In order to confirm conformance with percolation test requirements as outlined in the Malibu Plumbing Code (MPC), Ensitu Engineering Inc. oversaw flow testing at the subject property. The testing required isolation of the front, east and west leachfields prior to beginning the test. On the first day of the test, a license soils engineer introduced 6,497 gallons of water to the three dispersal fields in order to pre-soak the leachfields prior to performing water absorption measurements on the three following consecutive days. On each of the following three consecutive days, the soils engineer introduced an additional 6,497 gallons of water to the three fields. A final additional test was performed on the fifth day. Using the allocations of restaurant / retail and entertainment flows outlined in the MPC, the water was metered according to the proportion of total absorption area contributed by each leachfield.

After a five day testing period, Ensitu determined the following: 1) the existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum; 2) the site is currently served by two 3,000 gallon septic tanks (providing storage for 6,000 gallons total), which meet the required septic tank capacity of 5,998 gallons; and 3) the absorption area of the existing leachfields is 3,360 square feet and the existing seepage pits will be abandoned. The existing leachfield size exceeds the minimum required effective absorption area which is 3,187 square feet. As a result of the testing, Ensitu concluded that the OWTS is acceptable for the use proposed. The City Environmental Health Administrator reviewed the CUP and Ensitu's report and determined that the existing onsite wastewater treatment system (OWTS) is adequate for the proposed use.

As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no

impacts to solar access or public or private views will occur. The existing commercial structure at 22969 Pacific Coast Highway will not change under this application, and therefore, will not adversely impact existing public and private views.

CUP 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not substantially impact public access or circulation.

CUP 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City. The proposed project meets the goals of the following land use policies of the General Plan:

Land Use Policy 3.1.1:	The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
Land Use Policy 3.2.1:	The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.
Land Use Policy 4.4.1:	The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, as conditioned, is consistent with goals, objectives and policies of the General Plan.

CUP Finding 9. The proposed project complies with all applicable requirements of state and local law.

The proposed project will comply with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies such as the ABC and the Los Angeles County Sheriff's Department.

CUP Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition is included in Section 7 of this resolution which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance).

Furthermore, specific conditions have been included in Section 7 of this resolution which require: 1) training for bartenders and servers through the TIPS program (Training for Intervention Procedures) which is designed to prevent intoxication, underage drinking and drunk driving; 2) training for security personnel through the Licensee Education on Alcohol and Drugs (L.E.A.D) program which is put on by the Department of Alcoholic Beverage Control; 3) extensive conditions limiting noise during hours of operation; and 4) the provision of a detailed security plan to monitor patrons both within and outside of the Malibu Inn. All of these requirements are intended to maintain public health, safety and welfare.

Finally, the report generated in conjunction with the ABC application indicates that the current property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

CUP 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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Section 4. Joint Use Parking Agreement Approval.

As stated in M.M.C. Section 17.48.050(A)(1), the decision making body may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions (which are set forth in M.M.C. Section 17.48.040). The agreement will be between 22959 Pacific Coast Highway and 22969 Pacific Coast Highway, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. The City Council finds that the evidence in the record supports the three following conditions.

JUPA Condition A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 a.m. to 2:00 a.m. The adjacent property at 22959 Pacific Coast Highway is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 Pacific Coast Highway since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with JUPA Condition C.

JUPA Condition B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

JUPA Condition C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

Section 5. City Council Action.

Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, the City Council hereby denies Appeal No. 10-002 and approves Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to permit the operation of the Malibu Inn at 22969 Pacific Coast Highway, subject to the conditions set forth herein.

Section 6. Conditions of Approval.

Standard 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 for the following:
    a. Operation of a restaurant with live entertainment;
    b. Maximum dining seating capacity of 94 patrons and maximum event capacity of 340 patrons;
    c. Service of distilled liquor;
    d. Interior improvements including:
        i. Replacing existing flooring,
        ii. Refinishing the bars,

iii. Upgrading televisions,
iv. Changing furniture and lighting fixtures, and
v. Replacing windows with double pane soundproof glass; and

e. Joint use parking agreement between properties addressed as 22959 Pacific Coast Highway and 22969 Pacific Coast Highway.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Division. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. 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 Division within 10 days of this decision and prior to issuance of any development permits.

5. This conditional use permit shall be reviewed on a semi-annual basis for the first year, and then on an annual basis thereafter, starting on November 22, 2010. At this time, the property owner shall provide evidence that the joint use parking agreement is still in effect. At least two weeks prior to the review date, the applicant shall pay the Planning Division staff site inspection fee in effect at the time of request for site inspection. A staff planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the conditional use permit may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified. Possible mitigation measures can include:
   a. Modifying the hours of operation;
   b. Restricting alcohol service;
   c. Hiring additional security personnel;
   d. Prohibiting music;
   e. Installing noise mitigating measures / devices; or
   f. Other measures deemed necessary by the Planning Commission.

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

7. All interior tenant improvements shall conform to requirements of the City of Malibu Environmental and Building Safety Division, City Environmental Health Administrator and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.

8. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Manager, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. Revised plans reflecting the minor changes and additional fees shall be required.

Site Specific Conditions

Fire Department

9. All applicable requirements of the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division set forth in the review sheet dated February 18, 2010 shall apply.

Environmental Health

10. Except as specifically required by the conditions of approval, no renovation of the septic tank and drainfield system is required. The City Environmental Health Administrator's approval dated May 13, 2010, does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

11. The piping connections between the grease interceptor, septic tanks and distribution boxes shall be brought into conformance with the Malibu Plumbing Code (MPC). Prior to the authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

12. The subject Environmental Health approval pertains only to the use of the premises not to exceed 94 restaurant seats, 340 nightclub patrons and 565 square feet of retail space.

Sheriff's Department

13. The property owner shall be required to notify the Sheriff's Department (Malibu / Lost Hills Station) and the City of Malibu of any live entertainment event (including DJs) scheduled to take place within the Malibu Inn, especially pertaining to live bands, no less than three days prior to the event. If the property owner books a larger event (in excess of 100 attendees), the property owner shall discuss potential requirements for contracting for a law enforcement presence to handle any crowd and traffic control with the Sheriff's Department. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

Joint Use Parking Agreement

14. The property at 22959 Pacific Coast Highway shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 Pacific Coast Highway. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall be submitted to the City prior to the commencement of alcohol service and shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking

arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 Pacific Coast Highway may be reallocated to any future development on this site.

15. An amendment to the conditions set forth in the CUP shall be required if there is a proposed change to the joint use parking agreement.

Operations

16. The approved hours of operation are from 7:00 a.m. to 12:00 a.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 2:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that the use may be open until 2:00 a.m. only on those Sundays when the following Monday is a federal holiday. Closure must be complete and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

17. The approved hours for alcohol sales are from 7:00 a.m. to 11:00 p.m. on Sundays, Mondays, Tuesdays and Wednesdays and from 7:00 a.m. to 1:00 a.m. on Thursdays, Fridays and Saturdays, with the exception that alcohol may be served until 1:00 a.m. only on those Sundays when the following Monday is a federal holiday.

18. A maximum of 94 seats for dining are approved under this permit. The maximum interior and exterior occupancy for entertainment events is 340 patrons.

19. Live entertainment events shall be limited to a maximum of two large events (defined as events with 100 or more attendees) and eight small events (events with less than 100 attendees) per month.

20. Valet parking must be provided for all events with 100 or more attendees.

21. No exterior activity such as trash disposal, recycling pickup, delivery trucks or exterior maintenance is permitted onsite between the hours of 10:00 p.m. and 7:00 a.m. Additionally, bottles and glass containers shall not be emptied into outdoor trash or recycling bins between 10:00 p.m. and 7:00 a.m.

22. This CUP permits the sale of distilled spirits as well as beer and wine with a Type 47 License. The property owner / operator shall obtain all necessary approvals from the California Department of Alcohol Beverage Control. Once obtained, the applicant is required to provide to the Planning Division a copy of the ABC issued On-Premise Consumption License.

23. Prior to the start of employment, employees that serve alcohol shall undergo an alcohol training program such as TIPS (Training for Intervention Procedures), designed to prevent intoxication, underage drinking and drunk driving. Evidence of completion of this training shall be submitted to the Planning Division.

24. This CUP permits live entertainment and dancing. Once obtained, the applicant is required to provide to the Planning Division a copy of the Los Angeles County Sheriff's Department Entertainment License.

25. No live entertainment is permitted on the exterior patio at any time. Low level amplified music is permitted on the patio during the hours of 7:00 a.m. to 10:00 p.m., daily. Unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 2:00 a.m. shall be prohibited.

26. Prior to the commencement of alcohol service, the property owner / operator shall install small signs in the interior of the business on or near the exit doors requesting that patrons not loiter outside and be courteous and quiet when leaving the building and parking areas.

27. All exterior doors shall remain closed when not being used for ingress/egress purposes. The property owner shall install self-closing door mechanisms on all exterior doors.

28. Noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit between 10:00 p.m. and 7:00 a.m., as required by M.M.C. Section 8.24.050(L).

29. The property owner / operator (or designated representative) shall monitor the noise levels adjacent to nearby residences to check compliance with City noise regulations (i.e. the noise should not be plainly audible within five feet of any residential dwelling unit). If the property owner / operator (or designated representative) determines that the noise level exceeds City noise regulations, they shall immediately notify the musicians to reduce noise levels in compliance with City noise regulations.

30. The property owner / operator shall adhere to a "good neighbor" policy, meaning that the operator and employees must respect the rights of neighboring properties and, to the best of their ability, shall ensure their patrons' compliance with the City's noise and smoking regulations and any applicable conditions of approval for the subject use relating to parking, smoking, litter, noise, loitering, etc.

31. Pursuant to M.M.C. Section 9.34.020, smoking is prohibited in all outdoor dining areas located on private or public property, including the public right-of-way. Smoking is also prohibited within 20 feet of an outdoor dining area, except while actively passing by on the way to another destination.

32. Per M.M.C. Section 9.34.030, the property owner shall post and maintain "no smoking" signs in conspicuous locations within the outdoor dining area. All such signs shall: 1) be no greater than one square foot in size; 2) be prominently displayed; 3) clearly state "no smoking" and/or use the international "no smoking" symbol; and 4) reference M.M.C. Section 9.34.020.

33. Prior to commencement of alcohol service, a final security plan shall be submitted to the City Environmental and Community Development Department and the Los Angeles County Sheriff's Department for review and approval. The plan shall address both physical and operational security issues and shall be no less stringent than the plan submitted to the City on September 7, 2010. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints. Evidence of the Sheriff's Department approval of the plan shall be provided to the City.

34. The property owner / operator (or designated representative) shall regularly monitor the area outside of the restaurant to ensure peace and quiet. Security personnel shall be provided seven days a week from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

35. At the close of business each day, the property owner / operator shall clean up any litter or any other items that were likely to have been left by patrons of the subject establishment found on the subject property or along the public right-of-way.

36. No sign shall be illuminated after 11:30 p.m., or close of business, whichever occurs last.

37. Any proposed structural changes to the existing signs shall require review for the requirements set forth in M.M.C. Chapter 17.52 (Signs).

38. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

39. 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.

40. The property owner / tenant shall comply with the requirements set forth in M.M.C. Chapter

9.28 (Ban on Plastic Shopping Bags). 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.

41. A copy of the conditions of approval must be kept on the premises and presented to the Los Angeles County Sheriff's Department upon request.

42. Parking displaced during any future construction on 22959 Pacific Coast Highway shall be temporarily relocated to the commercial / office building located at 22761 Pacific Coast Highway since it is owned by the same property owner (Kambiz Hakim) as the Malibu Inn. If this situation changes, alternate offsite parking arrangements will need to be coordinated with the Planning Manager prior to building permit issuance for development at 22959 Pacific Coast Highway.

43. Within 60 days of the issuance of the conditional use permit, an after-the-fact building permit shall be obtained for the retaining wall along the hillside at the rear of the property (as identified in Building Permit No. 02-0233), which creates the area for the planter.

Fixed Conditions

44. The conditions under which this conditional use permit was approved may be modified by the City of Malibu without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

45. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of the Malibu Municipal Code 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.

46. 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.

47. This conditional use permit shall become null and void with the demolition of the building.

48. The conditional use permit shall be reviewed by the Planning Manager for compliance with the conditions of approval and a report shall be presented to the Planning Commission no earlier than three months from the date of issuance.

49. 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). If a hearing is required, the City shall notify the property owner / operator

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 7. Certification.

The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 22nd day of November 2010.

JEFFERSON WAGNER, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the M.M.C. and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 10-59 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 22nd day of November, 2010, by the following vote:

AYES:	4	Councilmembers:	Conley Ulich, La Monte, Rosenthal, Sibert
NOES:	0		
ABSTAIN:	0		
ABSENT:	1	Councilmember:	Wagner

LISA POPE, City Clerk
(seal)

City Council Meeting
11-22-10
Item
4.A.

Council Agenda Report

To: Mayor Wagner and the Honorable Members of the City Council

Prepared by: Stephanie Danner, Senior Planner SD

Reviewed by: Joyce Parker-Bozylinski, AICP, Planning Manager JPB
Victor Peterson, Community Development Director

Approved by: Jim Thorsen, City Manager JT

Date prepared: November 4, 2010 Meeting date: November 22, 2010

Subject: Appeal No. 10-002 – Appeal of Planning Commission Resolution No. 10-79, Approving Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 – To Permit the Malibu Inn Restaurant with Live Entertainment Which Will Serve Liquor, Operate Between the Hours of 7:00 a.m. and 2:00 a.m., and Have a Maximum Restaurant Seating Capacity of 94 Patrons, a Maximum Capacity of 340 Patrons for Entertainment Events and 565 Square Feet of Retail Space at the 8,960 Square Foot Commercial Building; Including a Joint Use Parking Agreement for Required Parking Spaces to be Located on the Adjacent Property in the Commercial Visitor Serving–1 Zoning District Located at 22969 Pacific Coast Highway

Appellants:	Robert J. Allan Klaus Obermeyer
Appeal Filed:	September 16, 2010
Application Filing Date:	December 3, 2009 (CUP No. 09-009)
Applicant:	Elizabeth Peterson
Property Owner:	Kambiz Hakim
Zoning:	Commercial Visitor Serving–1 (CV-1)
APN:	4452-019-004
Location:	22969 Pacific Coast Highway

RECOMMENDED ACTION: Adopt Resolution No. 10-59 (Attachment 1) denying Appeal No. 10-002, approving Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building; including a JUPA for required parking spaces to be located on the adjacent property in the Commercial Visitor Serving–1 (CV-1) zoning district located at 22969 Pacific Coast Highway (PCH).

FISCAL IMPACT: The project is being undertaken by a private party and will have no fiscal impact on the City.

DISCUSSION: The matter is an appeal (Appeal No. 10-002 – Attachment 2) of the Planning Commission's approval of CUP No. 09-009 and JUPA No. 10-001 to permit the Malibu Inn to operate at 22969 PCH which was approved by the Planning Commission on September 7, 2010. Planning Commission Resolution No. 10-79 and the related Planning Commission Agenda Reports are included as Attachments 3 and 7.

As the subject application is for a conditional use permit, it is subject to the requirements set forth in the Malibu Municipal Code (M.M.C.) rather than those of the Local Coastal Program (LCP). While the LCP states that a conditional use permit is required for the restaurant, bar and live music uses proposed, there are no other references/requirements for conditional use permits in that document. The project does not require a coastal development permit as no development is being proposed in conjunction with this application. All of the requirements for conditional use permits may be found M.M.C. Chapter 17.66. Likewise, the requirements for the joint use parking agreement are outlined in M.M.C. Section 17.48.040.

The main issues raised in the appeal relate to the consistency of the proposed use with M.M.C. and General Plan requirements and the adequacy of parking for the use. The filed appeal is discussed in this report under "Items on Appeal to the City Council."

After careful examination of the appeal statement and all of the evidence in the record, staff believes that all of the required findings for approval of the project are supported by substantial evidence in the record. Accordingly, staff recommends that the City Council deny the appeal and approve the project entitlements.

PROJECT BACKGROUND:

Surrounding Land Use and Setting

The subject property is located north of PCH, north of the Pacific Ocean and Malibu Pier, in a commercially developed neighborhood. Commercial properties occupy adjacent properties to the south and west. A vacant commercial property, owned by the same owner as the subject property, currently containing a parking lot is located immediately to the east. A steep hill is located immediately adjacent to the northern property line, atop which are residentially zoned parcels and two large residences, the closest of which is approximately 200 feet away. A public parking lot which serves the adjacent Malibu Pier is sited south of the subject property and south of PCH. In addition, there is a small grouping of seven beachfront residences located adjacent to the Pier, across PCH to the southwest.

The subject property is approximately 29,621 square feet in size and is rectangular in shape. The site contains an existing 8,960 square foot building that is one story in height, with the exception of a small 220 square foot dressing room located above the restroom area. Refer to Attachment 7 for site photos and the as-built floor plan. The building currently has five restrooms, two which serve the main service area, one which is located on the upper level in the dressing room and two which are located adjacent to the retail space. The space also includes a large bar, a stage and dance floor area and a billiards room. The total service area proposed for the use equals 2,474 square feet and includes: a 1,184 square foot interior service area, a 751 square foot service area on the outdoor patio which includes a bar located on the western side of the property and a 539 square foot service area in the banquet room located adjacent to the retail space. Finally, a 565 square foot retail space is located at the eastern portion of the building and takes direct access from the parking lot.

There is an outdoor patio located at the western side of the property, which was not a part of the original building. However, the retaining wall, along the hillside at the rear of the property, which creates the area for the patio, was done without the benefit of permits. As a condition of approval, the applicant is required to acquire an after-the-fact building permit for the unpermitted retaining wall. The associated garden wall separating the patio from the parking lot did not require a permit as it was exempt from building permits due to the fact that it does not exceed six feet in height and is located on a flat surface. The service area that exists on the patio (a total of 751 square feet) requires the provision of additional parking spaces, which is discussed in detail in this report.

A total of 20 full size parking spaces plus two Americans with Disabilities Act (ADA) parking spaces are provided onsite. There are two driveway curb cuts which provide access to the property off of PCH and there is a traffic signal and cross walk immediately south of the property, which provides access across the highway to the Pier and the adjacent public parking lot. Finally, a large pole sign is located at the middle of the front property line adjacent to PCH and a second pole sign is located at the eastern property line.

The existing onsite wastewater treatment system (OWTS) includes two septic tanks, three separate leachfield areas and two seepage pits. In addition, the 100 percent future expansion area, dedicated should the existing leachfields fail, is located on the adjacent property (APN 4452-019-005) and is linked to the subject property via a recorded covenant.

Project Description

The applicant currently operates an existing restaurant which serves breakfast and lunch and wishes to expand the use to include dinner service, distilled liquor service and live entertainment with dancing. In order to accomplish the project goal to restore the previously existing use at the Malibu Inn, a CUP is required. Furthermore, due to the requirement that the restaurant / bar / live entertainment use provide parking spaces that cannot be accommodated onsite, a Joint Use Parking Agreement (JUPA No. 10-001) is required to provide the required parking on the adjacent vacant property at 22959 PCH.

Tenant Improvements

The existing service area on the property totals 2,474 square feet (1,184 square foot interior service area, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The service area will not change as a result of the proposed project. Additionally, no new square footage or exterior improvements are included in the application and only minor renovations to the interior of the existing commercial building are proposed. Specific interior improvements to the commercial space include: replacing existing flooring, refinishing the bars, upgrading televisions, changing furniture and lighting fixtures, replacing windows with double pane soundproof glass; while keeping a uniform wainscot and rustic wooden theme throughout.

Onsite Wastewater Treatment System

In April 2010, Ensitu Engineering Inc. completed an in depth analysis of wastewater generation for the proposed use. In order to confirm conformance with percolation test requirements as outlined in the Malibu Plumbing Code, flow

testing was performed at the subject property. The testing required isolation of the front, east and west leachfields prior to beginning the test. On the first day of the test, a licensed soils engineer introduced 6,497 gallons of water to the three dispersal fields in order to pre-soak the leachfields. On each of the following three consecutive days, the soils engineer introduced an additional 6,497 gallons of water to the three fields. A final additional test was performed on the fifth day. Using the allocations of restaurant / retail and entertainment flows outlined in Table 1 below, the water was metered according to the proportion of total absorption area contributed by each leachfield.

The following table shows the estimated flow rate for the proposed use.

Table 1 – Malibu Inn Restaurant / Entertainment / Retail Flow Calcs		
94 restaurant seats	50 gpd* / seat	4,700 gpd
340 entertainment patrons	5 gpd / person	1,700 gpd
565 square foot retail space	1 gpd / 10 sq ft of floor space	57 gpd
2 retail employees	20 gpd / employee	40 gpd
Total Bar / Restaurant Flow		6,497 gpd

*gpd = gallons per day

After the five day testing period, Ensitu determined the following:

1. The existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum;
2. The site is currently served by two 3,000 gallon septic tanks (providing storage for 6,000 gallons total), which meet the required septic tank capacity of 5,998 gallons;
3. The absorption area of the existing leachfields is 3,360 square feet and the existing seepage pits will be abandoned. The existing leachfield size exceeds the minimum required effective absorption area which is 3,187 square feet; and
4. The OWTS is acceptable for the use proposed.

The City Environmental Health Administrator has reviewed the April 2010 Ensitu Report and has approved the project, as proposed. Conditions of approval have been incorporated in City Council Resolution No. 10-59, which reflect the recommendations of the reports and ensure that the wastewater generated by the proposed use is managed.

Hours of Operation

The proposed hours of operation are seven days a week from 7:00 a.m. to 2:00 a.m. Under previous property owners the hours of operation were seven days a week from 8:00 a.m. to 2:00 a.m. Currently only breakfast and lunch are served at the Malibu Inn and it typically closes around mid-afternoon / early evening, after patrons have finished lunch. Upon approval of the conditional use permit, dinner, alcohol service and live entertainment may resume.

Daily Operations

A full menu will be served during all hours of operation, including breakfast, brunch, lunch and dinner offerings. Breakfast and lunch items will be sold throughout the day until close. On days featuring live music, dinner will continue to be served as normal and the kitchen will be open until 2:00 a.m.

The applicant has provided information regarding employees of the Malibu Inn. Mondays through Thursdays, there will be approximately 15 people on staff (including wait staff, bartenders, front of house staff and kitchen staff) throughout the course of each day. On Fridays through Sundays, there will be approximately 24 people on staff throughout the course of each day.

Deliveries are planned for Mondays, Wednesdays and Fridays every week. All deliveries are scheduled between 8:00 a.m. and 11:00 a.m. on those days.

Service Area

The capacity of the existing OWTS, dictates the total number of patrons that may visit the Malibu Inn per day. At current design flow rates, the applicant is permitted a maximum restaurant seating capacity of 94 people in the interior and exterior seating areas.[1] The rest of the tenant space is planned for a food preparation and employee area, as well as restrooms. As stated previously, the existing service area on the property, totaling 2,474 square feet, will not change as a result of the proposed project.

Liquor and Entertainment Licenses

The applicant has applied to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license which permits the sale of beer, wine and distilled spirits for consumption on the licenses premises. The license holder

[1] The LACFD reviewed the proposed CUP and set max building capacity for both the restaurant use (95 patrons) and standing room use (340 patrons). Because the capacity set by the size of the existing OWTS is more restrictive, that standard will rule.

must operate and maintain the premises as a bona fide eating place, maintain suitable kitchen facilities, and make actual and substantial sales of meals for consumption on the premises. Minors are allowed on premises that hold this type of license. The ABC will not issue the license until the applicant has obtained an approved CUP from the City.

In addition, the applicant has also applied for an Entertainment License from the Los Angeles County Sheriff's Department (LACSD) to permit dancing and live entertainment. The LACSD will only consider the proposal after it receives confirmation that the City has issued the CUP. A condition of approval has been included in City Council Resolution No. 10-59 which requires that the property owner submit copies of these licenses to the Planning Division when they are obtained.

Live Entertainment

At its September 7, 2010 meeting, the Planning Commission included a condition of approval to limit the number of live entertainment events as follows:

1. Eight small live entertainment events per month (2 times a week = 96/365 days of the year = 26 percent)
2. Two large live entertainment events[2] per month (24/365 days of the year = 6.5 percent)

Furthermore, conditions of approval were included in Planning Commission Resolution No. 10-79 which: 1) prohibit live entertainment outside on the patio; 2) prohibit unnecessary and boisterous noise from the patio; 3) require that noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit during those hours, as required by M.M.C. Section 8.24.050(L); and 4) require that security personnel be present onsite daily from 9:00 p.m. to closing to ensure that patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

Project Chronology / History

The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location and began operating with live entertainment under the name Crazy Horse Saloon in the late 1970s.

[2] A large event is categorized as having 100 or more attendees.

On June 3, 2008, Over the Counter Permit (OC) No. 08-102 was issued to re-open the 565 square foot retail space for the tenant Sabotage.

Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

On May 26, 2009, breakfast and lunch service at the restaurant resumed. Currently, the Malibu Inn typically closes around mid-afternoon / early evening, after patrons have finished lunch.

On December 3, 2009, the subject application was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the LACSD for review.

On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.
On May 26, 2010, the application was deemed complete for processing.

On July 8, 2010, 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.

On August 3, 2010, at the request of the applicant, the public hearing was continued to the September 7, 2010 Regular Planning Commission meeting.

On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, public testimony and all related information. At the conclusion of the hearing, the Planning Commission adopted Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

On September 16, 2010, Appeal No. 10-002 was filed by Klaus Obermeyer (property owner at 23006 PCH) and Robert J. Allan (property owner at 23018 PCH).

On September 27, 2010, in accordance with Malibu Municipal Code (M.M.C.) Section 17.04.220(C), the appellants submitted additional information related to the appeal before the 10 day deadline.

On October 12, 2010, the appeal was deemed complete by staff.

On October 28, 2010, a Notice of City Council 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.

ITEMS ON APPEAL TO THE CITY COUNCIL

The appellants have expressed several concerns regarding the proposed project. These concerns are related to the proposed conditional use permit's consistency with various sections of the M.M.C. as well as the General Plan.

Listed below in italics are the appellants' statements contained in the filed appeal document; a response to each statement immediately follows each appeal issue. The full text of the appeal is included as Attachment 2.

Table 3 – Responses to Appeal

1	*The project violates M.M.C. Section 17.60.040.*
	M.M.C. Section 17.60.040 states: "A. Uses which were lawfully established prior to March 26, 1993, and which are no longer permitted or which require a discretionary permit as a result of adoption of this title, or any subsequent amendment thereto, may be continuously maintained, subject to the provisions of this section. B. Uses described in subsection A of this section which are discontinued shall not be resumed. Discontinuance occurs where the use has ceased operating for a period of one hundred eighty (180) days, or has changed so as to be in compliance with this title, or where the structure used for the use has been removed or destroyed." The appellants contend that the use should not be resumed. However, the specific text of M.M.C. Section 17.60.040 refers to uses which are no longer permitted. This section does not apply to the proposed use of the subject commercial building for a bar and restaurant with live entertainment because bars, restaurants, and live entertainment are specifically listed as a conditionally permitted use in the CV-1 zoning district. Due to the fact that the dinner service, alcohol sales and live entertainment portion of the proposed use was discontinued for a period of more than 180 days, the property owner was required to submit an application to the City for a conditional use permit. None of the previous tenants of the subject

Table 3 – Responses to Appeal	
	commercial building had a conditional use permit for the operation of a restaurant and bar with live entertainment. The reason no prior conditional use permit exists is due to the fact that the use began prior to cityhood at a time when conditional use permits were not required. As the use continued (up to the closing of the Malibu Inn by the previous property owner) without ceasing for more than 180 consecutive days, a conditional use permit was never required in the past. The proposed use, which has been known by multiple names, has operated on the subject property since before the adoption of any of the land use documents of the City of Malibu (General Plan, Municipal Code and Local Coastal Program). The application to resume the previously existing use was reviewed by staff and approved by appropriate city and county agencies for compliance with the requirements for the issuance of a conditional use permit. The project does not violate M.M.C. Section 17.60.040.
2	*The project violates M.M.C. Section 17.48.040*
	M.M.C. Section 17.48.040 provides the three conditions which must be met prior to approval of a Joint Use Parking Agreement. The appellants assert that there is not enough required onsite parking due to the way in which staff calculated the service area. The appellants state that the use should be required to provide 68 parking spaces, rather than the 53 spaces that are proposed under the subject CUP application. The M.M.C. does not provide a definition of service area or provide the manner by which it should be calculated. As such, staff relied upon previous Planning Commission decisions related to the approvals of the Pierview and Windsail Restaurant projects located at 22706 and 22716 Pacific Coast Highway. For those projects, the service area was calculated using the space which would be served for meals (which would be the primary use of the structure) and subtracting out walkways and other intervening objects. As the Malibu Inn would be primarily used as a restaurant, staff determined that the previous way of determining service area for the other two restaurants was appropriate. The service area calculation plans were given to the Malibu Inn project architect who drew a plan for the Malibu Inn based upon the methodology of the Pierview and Windsail plans. Staff reviewed the plan that was submitted and concurred that it conformed to the previously approved plans. The result of the analysis was that the proposed service area requires 53 parking spaces per M.M.C. requirements.

Table 3 – Responses to Appeal
While the appellants assert that an additional 15 parking spaces are required for the proposed use, they did not provide any evidence as to how this number was determined. Staff relied upon previous decisions of the Planning Commission regarding appropriate calculations of service area for this project. Regarding the three conditions which must be met for the joint use parking agreement to be valid, the Planning Commission determined the following: • The proposed hours of operation for the subject use are from 7:00 a.m. to 2:00 a.m. The adjacent property at 22959 Pacific Coast Highway is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement. • Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. • The subject property owner owns the subject property and the adjacent commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment primarily taking place in the evenings. While the proposed use can change in the future, it is anticipated that there will be no substantial conflict in the principal operating hours for the two properties. Additionally, the appellants make a reference to employees taking up spaces on the property that should instead be used for patrons. It is important to note that all of the parking spaces required by the M.M.C. are being provided in conjunction with the conditional use permit application. The property owner has decided to free up more onsite parking by providing additional parking spaces at another building that he owns (22761 Pacific Coast Highway) where the employees will park. This will prevent employees from parking along Pacific Coast Highway when there are many patrons at the Malibu Inn.

Table 3 – Responses to Appeal	
	Finally, the appellants' statement that "at 53 spaces, it would require each car to contain 6.4 patrons per car" [for those events that will be at maximum capacity], is not relevant to the way in which the M.M.C. designates parking requirements. Per M.M.C. Section 17.48.030, restaurants, entertainment and similar establishments for the sale of food or beverages on the premises require one parking space for each 50 square feet of service area. The code requirements for this type of use are not based on the number of patrons or customers that may be onsite at any one time. As such, the parking requirements have been applied properly for the proposed use.
3	*The project does not comply with the intent of Title 17 of the M.M.C.* *The appellants clarify their statement with "the CV-1 district is intended to provide for visitor serving uses, including motels and bed and breakfast inns, which serve visitors and residents which respect the rural character and natural environmental setting...the nightclub aspect of the proposed use does not respect the character and natural environmental setting in Malibu."*
	In addition to motels and bed and breakfast inns, restaurants, bars and live entertainment are also conditionally permitted uses within the CV-1 zoning district. The proposed use of the Malibu Inn is specifically included in those uses allowed in the CV-1 zone. While the appellants refer to the Malibu Inn as a nightclub, the M.M.C. definition of nightclub is very broad. Nightclub is defined as "meaning any bar, cocktail lounge, discotheque, restaurant, or similar activity which includes alcoholic beverage service, dancing and/or entertainment, whether such activity is the principal business use or incidental to a primary use." Under this definition, most of the restaurants operating in the City would fall under the definition of a nightclub. The primary function of the Malibu Inn will be a restaurant that serves food and alcoholic beverages during its hours of operation. On occasion there will be live entertainment provided, up to a maximum of two large events and eight small events per month. Over a year's time, large events may occur up to 6.5 percent (24/365 days of the year) of the time and small events may occur up to 26 percent (96/365 days of the year) of the time. The relatively small number of entertainment events makes up a small portion of the overall use on the commercial property. The Malibu Inn has historically operated on the subject property for many years and is a visitor and community serving use. With the incorporation of the conditions of approval, the use will respect the character and natural

Table 3 – Responses to Appeal	
	environmental setting in Malibu.
4	*The project would impair the integrity of the CV-1 zone. Finding 2 cannot be made because the project would impair the integrity and character of the zoning district in which it is located.*
	Refer to Response 3. The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties on the landward side of Pacific Coast Highway, east of the pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had California Department of Alcohol Beverage Control (ABC) Liquor License and operated as a restaurant with a bar and live entertainment. The issuance of a conditional use permit to allow the operation of the Malibu Inn, a restaurant and bar with limited live entertainment, will not impair the integrity of the CV-1 zoning district.
5	*The project is not suitable for the type of land use being proposed. Finding 3 cannot be made because there is not enough required parking.*
	The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons of the Malibu Inn. Therefore, the site is physically suitable for the use being proposed.
6	*The project is not compatible with the surrounding uses of the neighborhood. Finding 4 cannot be made.*

Table 3 – Responses to Appeal
The Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space, recreational and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property. Several conditions of approval were included in Planning Commission Resolution No. 10-79. These conditions are related to neighbor concerns regarding potential issues with noise emanating from the property as well as security concerns. The conditions include: • The prohibition of live entertainment on the exterior patio; • A limit on noise from the patio in compliance with the M.M.C. Noise Ordinance; • The requirement that the property owner notify the City Code Enforcement Officer and the LACSD no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance); and • The provision of security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that patrons leaving the establishment will not adversely affect the welfare of neighborhood residents. The Security Plan which was submitted to the Planning Commission on September 7, 2010 details a listing of goals which include: • Creation of a safe and secure environment within the Malibu Inn for all patrons; • Provision of a level of control and safety for all arriving and departing guests; • Mitigation of any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure; and • Diffusion of all situations as they occur. The Security Plan demonstrates an understanding of neighbor concerns and strives to address these concerns through the following actions: • Full disclosure and cooperation with law enforcement personnel and other City officials; • Requirement that security personnel wear easily identifiable uniforms and identification badges at all times;

Table 3 – Responses to Appeal
• Provision of one security guard per 50 patrons, with security staff being present at all times the venue is hosting dancing or live entertainment; • Includes a detailed listing of responsibilities that each security guard will have – including stationary, roving and patio guards; • Security guards will take part in the following training programs: 1) Licensee Education on Alcohol and Drugs (L.E.A.D) which is put on by the Department of Alcoholic Beverage Control; 2) proper cueing to lessen the impact of foot traffic and traffic flow for motor vehicles; 3) emergency preparedness including all safety devices present onsite and emergency escape routes; and 4) Standard First Aid provided through the Red Cross. The conditions set forth in Planning Commission Resolution No. 10-79, as well as those provisions included in the Security Plan, are specifically intended to allow the proposed use to be compatible with the surrounding neighborhood. Additionally, the appellants state that permitting the Malibu Inn to operate under the subject conditional use permit would create a nightclub environment. As stated previously, under the broad definition for nightclub which may be found in the M.M.C., many of the restaurants in the City would be defined as being a nightclub. However, due to the condition which restricts the live entertainment uses of the property to a maximum of 6.5 percent of the time for large entertainment events (those with more than 100 patrons) and 26 percent of the time for small events, the live entertainment aspect of the proposed use of the Malibu Inn has been limited. Furthermore, the appellants assert that the use should close earlier. However, the conditions that have been put into place are intended to limit adverse impacts from the operation of the Malibu Inn. There is no evidence to support the request for the use to close down any earlier than other similar uses in the City. For example, Taverna Tony, Sunset Restaurant, Bui Sushi (11:00 p.m.), Charlie's (11:30 p.m.), Beaurivage (2:00 a.m.), Spruzzo's (12:00 a.m.) and Moonshadows (1:00 a.m.) (as well as the former Barrel Wine Bar – 2:00 a.m.) are all open past 10:00 p.m. Also, the City has recently approved hours of operation via conditional use permits for the following restaurants: Café Habana and the second unoccupied restaurant at the Lumber Yard (1:00 a.m.), Pierview and Windsail restaurants (2:00 a.m.) and the two approved restaurants at Trancas Country Mart (11:00 p.m.).

Table 3 – Responses to Appeal	
	Finally, the Planning Commission, at its September 7, 2010 meeting, added an additional condition of approval which sets a limit on live entertainment events not to exceed two large events and eight small events per month. With the incorporation of all the aforementioned conditions of approval, this proposed use is compatible with the land uses in the surrounding neighborhood.
7	*There is not adequate parking and the project would reduce visitor parking and public access and obstruct public traffic circulation.*
	A detailed parking analysis was completed for the proposed conditional use permit. Pursuant to Malibu Municipal Code (M.M.C.) Section 17.48.030(G), the parking requirements for "restaurants, nightclubs, bars and similar establishments for the sale and consumption of food and beverages on the premises" are one space for each 50 square feet of service area. The proposed use, which includes dinner service, distilled liquor service and live entertainment with dancing does not change the existing service area square footage that currently exists on the property. In addition, the parking requirement for "general retail stores" is one space for each 225 square feet of gross floor area. The Malibu Inn has 2,474 square feet of interior and exterior service area and will need to provide 50 parking spaces (one parking space for each 50 square feet of service area). Additionally, the 565 square foot retail space requires an additional three parking spaces. The total required parking for the Malibu Inn is 53 spaces. Currently, the existing parking lot configuration is composed of 20 standard size parking spaces plus two ADA accessible parking spaces, for a total of 22 spaces. No change to the onsite parking lot is proposed under the subject application and there is no physical way that the parking lot could be reconfigured to accommodate the current code required parking. Therefore, consistent with past operational practices at the Malibu Inn, the applicant will provide the 31 remaining spaces on the adjacent property via a joint use agreement as forth in M.M.C. Section 17.48.040. The adjacent property, immediately east, 22959 Pacific Coast Highway is owned by the same property owner as the Malibu Inn. This property has historically provided parking for the Malibu Inn as the properties have direct access to one another. The property at 22959 Pacific Coast Highway consists of a parking lot but is otherwise undeveloped. There is a covenant

Table 3 – Responses to Appeal	
	recorded between 22969 and 22959 Pacific Coast Highway which dedicates a portion of 22959 Pacific Coast Highway to serve as a wastewater treatment dispersal area for the Malibu Inn. The parking lot currently provides approximately 50 parking spaces (19 spaces in excess of the required parking). Allowing the required parking to be located on the adjacent parcel conforms to the parking development standard which mandates that required parking be located within 300 feet of the use it serves. Although not required, the property owner also proposes a valet parking plan which will park any overflow cars for large entertainment events at a second property that he owns located at 22761 Pacific Coast Highway, which is located approximately 1,700 feet east of the subject property. The garage at 22761 Pacific Coast Highway can accommodate a total of 96 vehicles and although not required, will supplement the 53 total parking spaces required for the use. The Malibu Inn employees will be parking at this parking lot, rather than onsite. The appellants also discuss the issue regarding the construction of an outdoor patio which has displaced some parking spaces. Whether or not the patio has displaced parking spaces is not at issue here. The conditional use permit request applies to the property in its current configuration, not one which may have existed in the past. The baseline condition of the property is that it contains 22 parking spaces. The rest of the parking spaces determined to be required for the proposed use are located on the adjacent property and will be dedicated through a joint use parking agreement. The required parking is provided for the use. The appellants also have requested that a traffic study be conducted. However, no expansion of use from what previously existed is proposed under the subject conditional use permit and no evidence has been submitted which overturns the conclusions made by the Planning Commission in Resolution No. 10-79.
8	*The project is not compatible with the Malibu General Plan. In particular, the following provisions are violated by the proposed use:* *B. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.* *C. Maximize public access to and along the coast and maximize public*

Table 3 – Responses to Appeal	
	recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners. *E. To protect and enhance the quality of the natural environment.* *F. To promote the public health, safety and general welfare.* *G. To ensure that any development in the coastal zone preserves and enhances coastal resources; and protects coastal views and access; and guides growth, development and environmental management in a manner consistent with the provisions of the Land Use Plan of the Local Coastal Program.* *H. To lessen congestion on the streets and provide for adequate off-street parking.*
	The use at the subject property precluded the General Plan, Municipal Code and Local Coastal Program. These land use documents have recognized the use on the subject site as one being conditionally permitted in the CV-1 zoning district. B. With regard to protecting and maintaining the coastal zone environment, the Malibu Inn has existed onsite for more than 50 years. No changes to the project site or structure are proposed under the subject conditional use permit application. As such, the use will not impact the coastal zone environment. C. With regard to maximizing public access to and along the coast, the Malibu Inn is not located along the coast and does not provide access to or public recreational opportunities in the coastal zone. The appellants contend that the use will displace parking typically used for coastal access, but this is not supported by evidence. The required number of parking spaces for the use is provided on the subject property and on the adjacent site both of which are privately owned and are not available of public parking. Therefore, the proposed use is compatible with this provision. E. With regard to protecting and enhancing the natural environment, again, no changes to the project site or structure are proposed under the subject conditional use permit application. As such, the use will not impact the natural environment. F. With regard to promoting public health, safety and welfare, Response Nos. 6 and 11 discuss in detail the ways in which the conditions of approval associated with the operation of the Malibu Inn will serve to promote public

Table 3 – Responses to Appeal	
	health, safety and welfare of those patronizing the site as well as those adjacent property owners. G. With regard to a development preserving and enhancing coastal resources, there is no development proposed. The underlying zoning on the site conditionally allows for the proposed use, so the original intent of the General Plan was that a use like the Malibu Inn could be placed on the subject property. Therefore, the project is consistent with this provision. H. With regard to lessening congestion on the streets and providing for adequate off-street parking, as discussed previously in this report, the proposed use includes a joint use parking agreement to utilize the adjacent property for parking spaces as well as providing another site (22761 Pacific Coast Highway) for employee and large event overflow parking. The M.M.C. required parking is entirely provided on the subject property and the adjacent property and the property owner has exceeded code requirements by providing additional spaces at 22761 Pacific Coast Highway. Without the implementation of this project, there would be no legal mechanism (joint use parking agreement) to require parking on the adjacent property. Without the agreement there would be no mechanism to prevent the practice of parking along Pacific Coast Highway, which currently occurs. The policies of the General Plan were considered during the process to approve the conditional use permit and it was determined that the proposed use complies with the General Plan.
9	*The project does not comply with General Plan Land Use (LU) Policies 3.1.1, 3.2.1 and 4.4.1.* LU Policy 3.1.1 states "The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic value of the area." LU Policy 3.2.1 states "The City shall permit the development of commercial recreational and visitor serving facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, area located where existing low cost recreational uses will be enhanced." LU Policy 4.4.1 states "The City shall encourage establishment and continued operation of small neighborhood and community serving

Table 3 – Responses to Appeal
businesses."
The General Plan, Municipal Code and Local Coastal Program all conditionally allow the proposed use. These land use documents were codified after the use was originally established at the subject property. Regarding LU Policy 3.1.1, it is unclear how permitting a use in an existing commercial building is not compatible with natural resources (i.e. canyon and coastal topography; terrestrial, freshwater and marine habitats; rare, threatened and endangered species of plants and wildlife; and cultural resources sites) and the aesthetic value of the surrounding neighborhood. The building is one story, with the exception of a small second level dressing room, and no exterior renovations to the structure are proposed. The aesthetic value of the area will remain unchanged whether or not the use exists on this property. As such, the proposed use complies with LU Policy 3.1.1. Regarding LU Policy 3.2.1, no commercial visitor serving facilities are being developed at this time. M.M.C. Chapter 17.02 states that development means: "On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). The uses proposed at the Malibu Inn will occur in a commercial structure that has existed on the property for more than 50 years. Allowing a use to continue on the property does not constitute development under this

Table 3 – Responses to Appeal	
	definition. The commercial building was already permitted on this property and therefore complies with LU Policy 3.2.1. Finally, regarding LU Policy 4.4.1, the proposed restaurant, bar and live entertainment uses of the Malibu Inn serve to encourage the continued operation of a community serving business. The restaurant has been in operation since the 1950s at the present location and began operating with live entertainment under the name Crazy Horse Saloon in the late 1970s. The proposed conditional use permit complies with the requirements set forth in the General Plan.
10	*The proposed project does not comply with all applicable requirements of state and local laws. Allowing such a business to exist so close to residential structures with large numbers of people and loud music until 2:00 am seven days a week would constitute a public or private nuisance.*
	According to General Plan Land Use Policy Map Section 2, the proposed land uses in the vicinity of the Malibu Inn property are public open space, commercial visitor serving 1 and 2, community commercial, historic preservation district (the Malibu Pier) and a very small section of single-family residential immediately adjacent to the Pier. Within that section of single-family residential zoning are eight beachfront properties (which currently are developed with seven residences). All other properties along Pacific Coast Highway in the immediate vicinity are zoned non-residential. As such, the surrounding area is predominantly non-residential. Nonetheless, in accordance with the M.M.C. Noise Ordinance (Chapter 8.24), the Planning Commission placed several conditions of approval on the conditional use permit to ensure that it does not constitute a nuisance. The Noise Ordinance requires that sustained noise from the premises of any commercial establishment, including any outdoor area part of or under the control of the establishment, between the hours of ten p.m. and seven a.m. shall not be plainly audible at a distance of five feet of any residential dwelling unit. The two types of nuisance are private nuisance and public nuisance. A private nuisance is a civil wrong; it is the unreasonable, unwarranted, or unlawful use of one's property in a manner that substantially interferes with the enjoyment or use of another individual's property, without an actual trespass or physical invasion to the land. A public nuisance is a criminal

Table 3 – Responses to Appeal	
	wrong; it is an act or omission that obstructs, damages, or inconveniences the rights of the community. There are numerous controls in place, whether specifically set forth in the Noise Ordinance or through the conditions of approval, to prevent the use from creating a nuisance. These conditions of approval serve to implement General Plan Noise Policy 1.1.2 "The City shall protect noise sensitive land uses from negative impacts of proximity of noise generating uses." In addition, there are numerous security measures that have been included in the conditions of approval. As such, the proposed use complies with all applicable requirements of state and local law.
11	*The proposed use would be detrimental to the public interest, health, safety, convenience or welfare.*
	The appellants assert that the approval of the use to remain open until 2:00 am "will create a situation where people will drink more alcohol. Live entertainment events in combination with late night drinking will increase the probability of intoxication, drunk driving, accidents, vandalism, loitering, graffiti and noise." The Planning Commission considered these concerns during the public comment period during the September 7, 2010 public hearing and adopted a set of conditions of approval to address these concerns. Specific conditions require: 1) training for bartenders and servers through the TIPS program (Training for Intervention Procedures) which is designed to prevent intoxication, underage drinking and drunk driving; 2) training for security personnel through the Licensee Education on Alcohol and Drugs (L.E.A.D) program which is put on by the Department of Alcoholic Beverage Control; 3) extensive conditions limiting noise during hours of operation; and 4) the provision of a detailed security plan to monitor patrons both within and outside of the Malibu Inn. All of these requirements are intended to maintain public health, safety and welfare. There is no evidence to support the contention that people who frequent the Malibu Inn will cause accidents, or vandalize/graffiti adjacent properties. The appellants also assert that there is a lack of ability to enforce compliance with the conditions of approval. The evidence does not support this contention. There are numerous conditions of approval which set forth mechanisms to enforce compliance which include a detailed Security Plan which must be provided to the City and LACSD; the requirement for a six

Table 3 – Responses to Appeal	
	month review of the conditional use permit at which time the Planning Commission will be appraised of the property owner's compliance with the requirements of the permit; as well as the involvement of both the City Code Enforcement Officers and the Los Angeles County Sheriff's Department in the operation of the Malibu Inn and coordination for all large entertainment planned (which includes at least three days notice of any large entertainment events planned). Finally, the LACSD is the permitting authority for the Entertainment License which must be obtained by the Malibu Inn to permit dancing and live entertainment. The LACSD will be responsible for enforcing the conditions set forth in that permit.
12	*CUP No. 09-009 is not exempt from the requirement to obtain a coastal development permit (CDP).*
	M.M.C. Section 17.66.010 details the purpose of a conditional use permit as: "Those uses which are regarded as compatible with uses which are automatically permitted in a zoned district but which have a special impact or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the particular use being proposed for a particular location. The purpose of the conditional use permit is to ensure adequate public review and input for all development projects which potentially impact the community; ensure that the proposed development does not impair the integrity of that district; and to provide the opportunity to impose reasonable and necessary conditions to assure compatibility." Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4.3 (Other Improvements), a coastal development permit (CDP) exemption may be granted for improvements to an existing structure other than a single-family residence or a public works facility. The proposed change in use does not involve any of the classes of development which would require a CDP because it would not involve a risk of adverse environmental effect, adversely affect public access or involve a change in use contrary to the policies of the LIP. Therefore, the subject conditional use permit is exempt from the requirement to obtain a CDP.
13	*The joint use parking agreement does not comply with M.M.C. Section 17.48.050(A)(1).*

Table 3 – Responses to Appeal
M.M.C. Section 17.48.050(A)(1) states "Required parking facilities shall be on the same lot as the structure they are intended to serve, except that with proper legal agreement, the planning commission may approve parking on a separate lot. In no event shall required parking be farther than 300 feet from the use it is required to serve. This distance shall be measured along a legal and safe pedestrian path from the parking space to the nearest entrance of the building or use for which the parking is required." The joint use parking agreement does comply with this section of the M.M.C. as the remaining 31 parking spaces are provided on the property immediately adjacent to the Malibu Inn. The distance of the path of travel between the parking spaces and the front door of the Malibu Inn is approximately 100 feet. Furthermore, the appellants cite that the condition regarding the joint use parking agreement (Condition No. 14) was amended at the recommendation of the project planner during the Planning Commission hearing. This is an accurate statement. The condition, as follows, was amended to add the language shown as underlined: "The property at 22959 PCH shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 PCH. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. <u>Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 Pacific Coast Highway may be reallocated to any future development on this site.</u>" The additional language was added at the request of the applicant. It serves to clarify that although the requirement for 31 additional parking spaces is binding, the specific location of those spaces is not. In the future, should the applicant find an alternative location for the 31 required spaces, he may return to the City to amend the conditions in the CUP as well as the joint use

Table 3 – Responses to Appeal	
	parking agreement. In reviewing the future proposal, staff will have to determine that any new location proposed for the required parking spaces complies with the requirements set forth in M.M.C. Section 17.48.040 – Joint Use and Common Parking Facilities. It is common practice for conditions to be amended during Planning Commission hearings and the adopted amendment does not lessen the requirements set forth in the condition.
14	*The Security Plan was submitted at the hearing, thereby depriving the public an opportunity to review and comment on it before the hearing.*
	The requirement for the applicant to provide a detailed Security Plan was included as a condition of approval (Condition No. 30) in the resolution that was before the Planning Commission on September 7, 2010. At the hearing, the applicant provided copies of the plan to the Planning Commission to review. As a result, the Commission amended the condition requiring a Security Plan to state that the final submitted plan shall be no less stringent than the one it reviewed at the September 7, 2010 meeting. It is typical for applicants, as well as members of the general public, to submit correspondence just before or during Planning Commission meetings. The Security Plan was not an application submittal requirement. Staff was not aware that the applicant would be providing the Plan to the Commissioners. Staff's recommendation for approval of the conditional use permit was based upon substantial evidence already in the record and the Plan served to further support that recommendation. The Plan will still be reviewed and approved by the City's Environmental and Community Development Department in conjunction with the LACSD as outlined in the conditions of approval.

PUBLIC CORRESPONDENCE: Since the submittal of the appeal, one item of correspondence has been received from the owner of the Malibu Inn. In addition, correspondence submitted after the date of the Planning Commission agenda report publish date is attached hereto as Attachment 5.

SUMMARY: The appellants have not provided substantial evidence to support the contention that: 1) the findings are not supported by substantial evidence in the record and / or that the decision was not supported by the findings; or 2) the decision was contrary to law.

Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, staff recommends that the City Council adopt Resolution No. 10-59 denying Appeal No. 10-002 and approving Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building; including a JUPA for required parking spaces to be located on the adjacent property at 22969 PCH.

PUBLIC NOTICE: On October 28, 2010, a notice of City Council Public Hearing on Appeal No. 10-002 was published in a newspaper of general circulation within the City and was mailed to property owners and occupants within a radius of 500 feet of the subject property and to all interested parties, regional, state and federal agencies, local libraries and media, and the CCC.

ATTACHMENTS:

1. City Council Resolution No. 10-59
2. Appeal No. 10-002
3. Executed Planning Commission Resolution No. 10-79
4. Security Plan dated January 2010
5. Correspondence
6. Public Hearing Notice

The following documents were provided to the City Council. Copies are available for review at City Hall or on the City's website.

7. Planning Commission Agenda Report dated September 7, 2010
   a. Planning Commission Resolution No. 10-079
   b. Vicinity Map and Aerial Photograph
   c. Department Review Sheets
   d. Site Photographs
   e. As-Built and Event Set-Up Floor Plans
   f. Service Area Plan
   g. Ensitu Report dated April 28, 2010
   h. California Department of Alcoholic Beverage Control License Application
   i. Proposed Parking / Circulation / Valet Plans
   j. Correspondence
   k. Public Hearing / Mailing Notice

RESOLUTION NO. 10-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DENYING APPEAL NO. 10-002, APPROVING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 TO PERMIT THE MALIBU INN RESTAURANT WITH LIVE ENTERTAINMENT WHICH WILL SERVE LIQUOR, OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M., AND HAVE A MAXIMUM RESTAURANT SEATING CAPACITY OF 94 PATRONS, A MAXIMUM CAPACITY OF 340 PATRONS FOR ENTERTAINMENT EVENTS AND 565 SQUARE FEET OF RETAIL SPACE AT THE 8,960 SQUARE FOOT COMMERCIAL BUILDING; INCLUDING A JOINT USE PARKING AGREEMENT FOR REQUIRED PARKING SPACES TO BE LOCATED ON THE ADJACENT PROPERTY IN THE COMMERCIAL VISITOR SERVING–1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (HAKIM)

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

Section 1. Recitals.

A. The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

B. On June 3, 2008, Over the Counter Permit (OC) No. 08-102 was issued to re-open the 565 square foot retail space for the tenant Sabotage.

C. Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

D. On May 26, 2009, breakfast and lunch service at the restaurant resumed. Currently, the Malibu Inn typically closes around mid-afternoon / early evening, after patrons have finished lunch.

E. On December 3, 2009, Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD) for review.

F. On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On May 26, 2010, the application was deemed complete for processing.

H. On July 8, 2010, 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.

I. On August 3, 2010, at the request of the applicant, the public hearing was continued to the September 7, 2010 Regular Planning Commission meeting.

J. On September 7, 2010, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, public testimony and all related information. At the conclusion of the hearing, the Planning Commission adopted Resolution No. 10-79 approving CUP No. 09-009 and JUPA No. 10-001.

K. On September 16, 2010, Appeal No. 10-002 was filed by Klaus Obermeyer (property owner at 23006 Pacific Coast Highway) and Robert J. Allan (property owner at 23018 Pacific Coast Highway).

L. On September 27, 2010, in accordance with Malibu Municipal Code (M.M.C.) Section 17.04.220(C), the appellants submitted additional information related to the appeal before the 10 day deadline.

M. On October 12, 2010, the appeal was deemed complete by staff.

N. On October 28, 2010, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties, regional, state and federal agencies, local libraries and media, and the California Coastal Commission (CCC).

O. On November 22, 2010, the City Council held a duly noticed public hearing on the subject appeal, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

Section 2. Appeal of Action.

The appellants appealed Planning Commission Resolution No. 10-79, contending that the proposed conditional use permit is not consistent with various sections of the M.M.C. as well as the General Plan. Additional information submitted with the appeal includes numerous statements in support of the appeal. Planning Division staff prepared an extensive agenda report responding to each of the appellant's contentions. The City Council concurs with the findings and conclusions of staff as set forth in the report and adopts staff's analysis, findings, and conclusions as though fully set forth herein.

Section 3. Conditional Use Permit Approval and Findings.

Pursuant to M.M.C. Section 17.66.080, the City Council may approve, deny and/or modify an

application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The City Council hereby makes the following findings of fact to approve CUP No. 09-009.

CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the Commercial Visitor Serving–1 (CV-1) zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply with all applicable provisions of the M.M.C.

CUP Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward side of Pacific Coast Highway, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had a California Department of Alcohol Beverage Control (ABC) Liquor Licenses and operated as a restaurant with a bar and live entertainment.

CUP Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. Therefore, the site is physically suitable for the use being proposed.

CUP Finding 4. The proposed use is compatible with the land uses presently on the subject property and in the surrounding neighborhood.

The Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and

residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

A Security Plan which was submitted to the Planning Commission on September 7, 2010 details a listing of goals which include:

- Creation of a safe and secure environment within the Malibu Inn for all patrons;
- Provision of a level of control and safety for all arriving and departing guests;
- Mitigation of any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure; and
- Diffusion of all situations as they occur.

The Security Plan demonstrates an understanding of neighbor concerns and strives to address these concerns through the following actions:

- Full disclosure and cooperation with law enforcement personnel and other City officials;
- Requirement that security personnel wear easily identifiable uniforms and identification badges at all times;
- Provision of one security guard per 50 patrons, with security staff being present at all times the venue is hosting dancing or live entertainment;
- Includes a detailed listing of responsibilities that each security guard will have – including stationary, roving and patio guards;
- Security guards will take part in the following training programs: 1) Licensee Education on Alcohol and Drugs (L.E.A.D) which is put on by the Department of Alcoholic Beverage Control; 2) proper cueing to lessen the impact of foot traffic and traffic flow for motor vehicles; 3) emergency preparedness including all safety devices present onsite and emergency escape routes; and 4) Standard First Aid provided through the Red Cross.

Finally, the Planning Commission, at its September 7, 2010 meeting, added an additional condition of approval which set a limit on live entertainment events not to exceed two large events and eight small events per month. The provisions included in the Security Plan are specifically intended to allow the proposed use to be compatible with adjacent neighbors. With the incorporation of all the aforementioned conditions of approval, this proposed use is compatible with the land uses in the surrounding neighborhood.

CUP 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 Pacific Coast Highway) is owned by the subject property owner and is zoned for commercial development.

CUP 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 serve the proposed project. The LACFD reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department.

In order to confirm conformance with percolation test requirements as outlined in the Malibu Plumbing Code (MPC), Ensitu Engineering Inc. oversaw flow testing at the subject property. The testing required isolation of the front, east and west leachfields prior to beginning the test. On the first day of the test, a license soils engineer introduced 6,497 gallons of water to the three dispersal fields in order to pre-soak the leachfields prior to performing water absorption measurements on the three following consecutive days. On each of the following three consecutive days, the soils engineer introduced an additional 6,497 gallons of water to the three fields. A final additional test was performed on the fifth day. Using the allocations of restaurant / retail and entertainment flows outlined in the MPC, the water was metered according to the proportion of total absorption area contributed by each leachfield.

After a five day testing period, Ensitu determined the following: 1) the existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum; 2) the site is currently served by two 3,000 gallon septic tanks (providing storage for 6,000 gallons total), which meet the required septic tank capacity of 5,998 gallons; and 3) the absorption area of the existing leachfields is 3,360 square feet and the existing seepage pits will be abandoned. The existing leachfield size exceeds the minimum required effective absorption area which is 3,187 square feet. As a result of the testing, Ensitu concluded that the OWTS is acceptable for the use proposed. The City Environmental Health Administrator reviewed the CUP and Ensitu's report and determined that the existing onsite wastewater treatment system (OWTS) is adequate for the proposed use.

As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no

impacts to solar access or public or private views will occur. The existing commercial structure at 22969 Pacific Coast Highway will not change under this application, and therefore, will not adversely impact existing public and private views.

CUP 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not substantially impact public access or circulation.

CUP 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City. The proposed project meets the goals of the following land use policies of the General Plan:

Land Use Policy 3.1.1:	The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
Land Use Policy 3.2.1:	The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.
Land Use Policy 4.4.1:	The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, as conditioned, is consistent with goals, objectives and policies of the General Plan.

CUP Finding 9. The proposed project complies with all applicable requirements of state and local law.

The proposed project will comply with all applicable requirements of State and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies such as the ABC and the Los Angeles County Sheriff's Department.

CUP Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition is included in Section 7 of this resolution which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance).

Furthermore, specific conditions have been included in Section 7 of this resolution which require: 1) training for bartenders and servers through the TIPS program (Training for Intervention Procedures) which is designed to prevent intoxication, underage drinking and drunk driving; 2) training for security personnel through the Licensee Education on Alcohol and Drugs (L.E.A.D) program which is put on by the Department of Alcoholic Beverage Control; 3) extensive conditions limiting noise during hours of operation; and 4) the provision of a detailed security plan to monitor patrons both within and outside of the Malibu Inn. All of these requirements are intended to maintain public health, safety and welfare.

Finally, the report generated in conjunction with the ABC application indicates that the current property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

CUP 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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Section 4. Joint Use Parking Agreement Approval.

As stated in M.M.C. Section 17.48.050(A)(1), the decision making body may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions (which are set forth in M.M.C. Section 17.48.040). The agreement will be between 22959 Pacific Coast Highway and 22969 Pacific Coast Highway, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. The City Council finds that the evidence in the record supports the three following conditions.

JUPA Condition A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 a.m. to 2:00 a.m. The adjacent property at 22959 Pacific Coast Highway is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 Pacific Coast Highway since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with JUPA Condition C.

JUPA Condition B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

JUPA Condition C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

Section 5. City Council Action.

Based on the record as a whole, including but not limited to all written and oral testimony offered in connection with this matter, the City Council hereby denies Appeal No. 10-002 and approves Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to permit the operation of the Malibu Inn at 22969 Pacific Coast Highway, subject to the conditions set forth herein.

Section 6. Conditions of Approval.

Standard 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 for the following:
    a. Operation of a restaurant with live entertainment;
    b. Maximum dining seating capacity of 94 patrons and maximum event capacity of 340 patrons;
    c. Service of distilled liquor;
    d. Interior improvements including:
        i. Replacing existing flooring,
        ii. Refinishing the bars,

iii. Upgrading televisions,
iv. Changing furniture and lighting fixtures, and
v. Replacing windows with double pane soundproof glass; and

e. Joint use parking agreement between properties addressed as 22959 Pacific Coast Highway and 22969 Pacific Coast Highway.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Division. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. 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 Division within 10 days of this decision and prior to issuance of any development permits.

5. This conditional use permit shall be reviewed on a semi-annual basis for the first year, and then on an annual basis thereafter, starting on November 22, 2010. At this time, the property owner shall provide evidence that the joint use parking agreement is still in effect. At least two weeks prior to the review date, the applicant shall pay the Planning Division staff site inspection fee in effect at the time of request for site inspection. A staff planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the conditional use permit may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified. Possible mitigation measures can include:
   a. Modifying the hours of operation;
   b. Restricting alcohol service;
   c. Hiring additional security personnel;
   d. Prohibiting music;
   e. Installing noise mitigating measures / devices; or
   f. Other measures deemed necessary by the Planning Commission.

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

7. All interior tenant improvements shall conform to requirements of the City of Malibu Environmental and Building Safety Division, City Environmental Health Administrator and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.

8. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Manager, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. Revised plans reflecting the minor changes and additional fees shall be required.

Site Specific Conditions

Fire Department

9. All applicable requirements of the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division set forth in the review sheet dated February 18, 2010 shall apply.

Environmental Health

10. Except as specifically required by the conditions of approval, no renovation of the septic tank and drainfield system is required. The City Environmental Health Administrator's approval dated May 13, 2010, does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

11. The piping connections between the grease interceptor, septic tanks and distribution boxes shall be brought into conformance with the Malibu Plumbing Code (MPC). Prior to the authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

12. The subject Environmental Health approval pertains only to the use of the premises not to exceed 94 restaurant seats, 340 nightclub patrons and 565 square feet of retail space.

Sheriff's Department

13. The property owner shall be required to notify the Sheriff's Department (Malibu / Lost Hills Station) and the City of Malibu of any live entertainment event scheduled to take place within the Malibu Inn, especially pertaining to live bands no less than three days prior to the event. If the property owner books a larger event (in excess of 100 attendees), the property owner shall contact the Sheriff's Department to discuss potential requirements for contracting for a law enforcement presence to handle any crowd and traffic control. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

Joint Use Parking Agreement

14. The property at 22959 Pacific Coast Highway shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 Pacific Coast Highway. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall be submitted to the City prior to the commencement of alcohol service and shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking

arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 Pacific Coast Highway may be reallocated to any future development on this site.

15. An amendment to the conditions set forth in the CUP shall be required if there is a proposed change to the joint use parking agreement.

Operations

16. The approved hours of operation are from 7:00 a.m. to 2:00 a.m., seven days per week. Complete closure and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

17. A maximum of 94 seats for dining are approved under this permit. The maximum interior and exterior occupancy for entertainment events is 340 patrons.

18. Live entertainment events shall be limited to a maximum of two large events (defined as events with 100 or more attendees) and eight small events (events with less than 100 attendees) per month.

19. No exterior activity such as trash disposal, recycling pickup, delivery trucks or exterior maintenance is permitted onsite between the hours of 10:00 p.m. and 7:00 a.m. Additionally, bottles and glass containers shall not be emptied into outdoor trash or recycling bins between 10:00 p.m. and 7:00 a.m.

20. This CUP permits the sale of distilled spirits as well as beer and wine with a Type 47 License. The property owner / operator shall obtain all necessary approvals from the California Department of Alcohol Beverage Control. Once obtained, the applicant is required to provide to the Planning Division a copy of the ABC issued On-Premise Consumption License.

21. Prior to the start of employment, employees that serve alcohol shall undergo an alcohol training program such as TIPS (Training for Intervention Procedures), designed to prevent intoxication, underage drinking and drunk driving. Evidence of completion of this training shall be submitted to the Planning Division.

22. This CUP permits live entertainment and dancing. Once obtained, the applicant is required to provide to the Planning Division a copy of the Los Angeles County Sheriff's Department Entertainment License.

23. No live entertainment is permitted on the exterior patio at any time. Low level amplified

music is permitted on the patio during the hours of 7:00 a.m. to 10:00 p.m., daily. Unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 2:00 a.m. shall be prohibited.

24. Prior to the commencement of alcohol service, the property owner / operator shall install small signs in the interior of the business on or near the exit doors requesting that patrons not loiter outside and be courteous and quiet when leaving the building and parking areas.

25. All exterior doors shall remain closed when not being used for ingress/egress purposes. The property owner shall install self-closing door mechanisms on all exterior doors.

26. Noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit between 10:00 p.m. and 7:00 a.m., as required by M.M.C. Section 8.24.050(L).

27. The property owner / operator (or designated representative) shall monitor the noise levels adjacent to nearby residences to check compliance with City noise regulations (i.e. the noise should not be plainly audible within five feet of any residential dwelling unit). If the property owner / operator (or designated representative) determines that the noise level exceeds City noise regulations, they shall immediately notify the musicians to reduce noise levels in compliance with City noise regulations.

28. The property owner / operator shall adhere to a "good neighbor" policy, meaning that the operator and employees must respect the rights of neighboring properties and, to the best of their ability, shall ensure their patrons' compliance with the City's noise and smoking regulations and any applicable conditions of approval for the subject use relating to parking, smoking, litter, noise, loitering, etc.

29. Pursuant to M.M.C. Section 9.34.020, smoking is prohibited in all outdoor dining areas located on private or public property, including the public right-of-way. Smoking is also prohibited within 20 feet of an outdoor dining area, except while actively passing by on the way to another destination.

30. Per M.M.C. Section 9.34.030, the property owner shall post and maintain "no smoking" signs in conspicuous locations within the outdoor dining area. All such signs shall: 1) be no greater than one square foot in size; 2) be prominently displayed; 3) clearly state "no smoking" and/or use the international "no smoking" symbol; and 4) reference M.M.C. Section 9.34.020.

31. Prior to commencement of alcohol service, a final security plan shall be submitted to the City Environmental and Community Development Department and the Los Angeles County Sheriff's Department for review and approval. The plan shall address both physical and operational security issues and shall be no less stringent than the plan submitted to the City

on September 7, 2010. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints. Evidence of the Sheriff's Department approval of the plan shall be provided to the City.

32. The property owner / operator (or designated representative) shall regularly monitor the area outside of the restaurant to ensure peace and quiet. Security personnel shall be provided seven days a week from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

33. At the close of business each day, the property owner / operator shall clean up any litter or any other items that were likely to have been left by patrons of the subject establishment found on the subject property or along the public right-of-way.

34. No sign shall be illuminated after 11:30 p.m., or close of business, whichever occurs last.

35. Any proposed structural changes to the existing signs shall require review for the requirements set forth in M.M.C. Chapter 17.52 (Signs).

36. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

37. 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.

38. The property owner / tenant shall comply with the requirements set forth in M.M.C. Chapter 9.28 (Ban on Plastic Shopping Bags). 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.

39. A copy of the conditions of approval must be kept on the premises and presented to the Los Angeles County Sheriff's Department upon request.

40. Parking displaced during any future construction on 22959 Pacific Coast Highway shall be temporarily relocated to the commercial / office building located at 22761 Pacific Coast

Highway since it is owned by the same property owner (Kambiz Hakim) as the Malibu Inn. If this situation changes, alternate offsite parking arrangements will need to be coordinated with the Planning Manager prior to building permit issuance for development at 22959 Pacific Coast Highway.

41. Within 60 days of the issuance of the conditional use permit, an after-the-fact building permit shall be obtained for the retaining wall along the hillside at the rear of the property (as identified in Building Permit No. 02-0233), which creates the area for the planter.

Fixed Conditions

42. The conditions under which this conditional use permit was approved may be modified by the City of Malibu without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

43. A conditional use permit that is valid and in effect, and was granted pursuant to the provisions of the Malibu Municipal Code 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.

44. 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.

45. This conditional use permit shall become null and void with the demolition of the building.

46. 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). If a hearing is required, the City shall notify the property owner / operator prior to the hearing.

47. 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 7. Certification.

The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 22nd day of November 2010.

JEFFERSON WAGNER, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the M.M.C. and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

AP 10-002

City of Malibu

23815 Stuart Ranch Road, Malibu, CA 90265
(310) 456-2489 ext. 245

RECEIVED
SEP 16 2010
PLANNING DIV.

PLANNING DIVISION
NON-CDP APPEAL SUBMITTAL CHECKLIST

Actions Subject to Appeal: Pursuant to Malibu Municipal Code Section 17.04.220, any person aggrieved by a decision or any portion of a decision made by the Planning Manager/Director under the provisions of this title in connection with a site plan review, variance, stringline modification, conditional use permit, cultural resources review, highway dedication or improvement, or temporary use permit may appeal such action to the Planning Commission. Any person aggrieved in a similar manner by such decision made by the Planning Commission may appeal such action to the City Council.

Planning Manager or Planning Commission date of action: September 7, 2010

Case No.: Planning Commission Resolution No. 10-79 (CUP No. 09-009 & LUPA 10-001)

Site Address/Location: 22969 Pacific Coast Highway, Malibu 90265

Note: Appeals shall be addressed to the appellant body on a form prescribed by the City. The appeal shall state the basis of the appeal and identify the decision or portion of the decision being appealed and stated the grounds for the appeal. Only matters raised in the appeal shall be subject to review. Any matters not raised in the appeal shall not be subject to consideration by the appellate body. The purpose of this limitation is to provide adequate notice to all parties with respect to the issues on appeal and eliminate the necessity of rehearing matters not subject to challenge. Although the issues on appeal will be limited by the appeal, the appellate body will accept new evidence (de novo appeal) and will not be bound by the previous record. [M.M.C. Section 17.04.220(B)]

An appeal shall be filed with the City Clerk within 10 days following the date of action for which appeal is made. Appeals shall be accompanied by the filing fee as specified by the City Council ($282.00 for one finding and $159.00 for each additional finding). An appellant shall have an additional 10 days following the date of filing the appeal to submit to the City Clerk in writing, the specific grounds for the appeal. If the appellant does not submit grounds for the appeal within the time allowed by this section, the City Clerk shall return the filing fee and the appeal shall be deemed to have been withdrawn. [M.M.C. Section 17.04.220(C)]

To submit an appeal:

The appeal must be timely received by the City Clerk either in person or by mail addressed to City of Malibu, Attn: City Clerk, 23815 Stuart Ranch Road, Malibu, CA 90265. For more information, contact Patricia Salazar, Department Specialist, at (310) 456-2489 ext. 245.

ALL of the following must be timely filed to perfect an appeal.

RECEIVED
SEP 16 2010
PLANNING DIV

1. Appeal Letter ✓
   An appeal letter setting for the grounds for the appeal

2. Appeal Fees(s) ✓
   In the form of a check or money order made payable to the City of Malibu. Cash will not be accepted.

3. Appeal Checklist (This form with appellant's signature) ✓

An appellant shall have 10 days following the date of filing to submit the following: 9/27/10

4. Grounds of Appeal Letter ____

   An appellant shall have an additional 10 days following the date of filing the appeal to submit to the City Clerk in writing, the specific grounds for the appeal. If the appellant does not submit grounds for the appeal within the time allowed by this section, the City Clerk shall return the filing fee and the appeal shall be deemed to have been withdrawn. See M.M.C. Section 17.04.220(C) for details. Additional fees may be due at the time appellant files the grounds for the appeal.

5. Public Notice Property Owner and Occupant Mailing Labels and Radius Map ✓
   Two certified sets, 500-foot radius from subject property and in no event less than 10 developed properties, 10 labels minimum, printed on 8 ½" x 11", 3 columns, 10 rows (i.e. Avery 5160) with pre-paid postage.
   Note: Site Plan Reviews within the RR-10 and RR-20 zones require 1,000-foot radius notification.
   Note: Stringline Determination requires 500-foot linear feet and in no event less than 10 developed properties.
   The Planning Division will not accept labels dated more than six months after certification.

I hereby certify that the appeal submittal contains all of the above items. I understand that if any of the items are missing or subsequently deficient, the appeal shall be deemed to have been withdrawn and the filing fee shall be returned.

Klaus Obermeyer / Robert J. Allan *
PRINT APPELLANT'S NAME(S)

818 710 7277 / 310 456 6576 *
TELEPHONE NUMBER

APPELLANT'S SIGNATURE(S)

9-16-10
DATE

Appellant's mailing address: Klaus Obermeyer C/o STEVEN SANDLER 20335 Ventura Blvd Suite 200, Woodland Hills, CA 91364
* Robert Allan 23018 Pacific Coast Highway Malibu CA 90265

Appellant's telephone: 818-710-7277 / 310 456 6576

OFFICE USE ONLY

Action Appealed: CUP 09-009

Appeal Period: 9-8-10 / 9-17-10

Date Appeal Form submitted: 9-16-10 Received by:

Date Grounds of Appeal Letter submitted: 9/16/10 Received by:

Date of Mailing Labels/Radius Map submitted: 9-16-10 Received by:

Appeal Completion Date: _____ by: _____
Name, Title

lorjamalibu@yahoo.com

Klaus Obermeyer

c/o 20335 Ventura Blvd.

Woodland Hills, CA 91364

RECEIVED
SEP 16 2010
PLANNING DIV.

Robert J. Allan

23018 Pacific Coast Highway

Malibu, CA 90265

To: City of Malibu

23815 Stuart Ranch Road

Malibu CA 90265

September 15, 2010

Dear Planning Commission and City Council:

The Appellant seeks review of the Planning Commission decision in Resolution 10-79 dated September 7, 2010 on the application for Conditional Use Permit No.09-009 ("CUP") and Joint Use Parking Agreement No. 10-001 ("JUPA") for the Malibu Inn located at 22969 Pacific Coast Highway in Malibu.

Grounds for appeal include, but are not limited to, the reasons listed below:

1. Violates MMC 17.60.040
2. Violates MMC 17.48.040
3. Does not comply with the intent of title 17 of the MMC
4. The project would impair the integrity of the CV-1 zone
5. The project is not suitable for the type of land being proposed
6. The project is not compatible with the surrounding uses of the neighborhood

RECEIVED
SEP 16 2010
PLANNING DIV

7. There is not adequate parking and the project would obstruct public traffic circulation

8. The project is not compatible with the Malibu General Plan

9. The project does not comply with LUP 3.1.1, LUP 3.2.1 and LUP 4.4.1

10. The proposed project does not comply with all applicable requirements of state and local laws

11. The proposed use would be detrimental to the public interest, health, safety, convenience or welfare.

12. CUP No. 09-009 is not exempt from the requirement to obtain a CDP

Appellants also do not believe that sufficient conditions were placed on the CUP and JUPA to mitigate the impact of noise, increased traffic and parking, potential danger, alcohol-related problems, nuisance and harm from the Malibu Inn's activities to residents and visitors of Malibu.

Appellants reserve the right to add to or otherwise amend this appeal thru the time of the public hearing before the City Council.

Respectfully submitted,

Klaus Obermeyer

Robert J. Allan

Appellants

Klaus Obermeyer

Robert J Allan

Appellants

RECEIVED
SEP 27 2010
PLANNING DIV.

City of Malibu

23815 Stuart Ranch Road

Malibu CA 90265

September 27, 2010

Re: Malibu Inn CUP 09-009 and JUPA 10-001

Dear Planning Commission and City Council Members:

Please see below our additional grounds for appeal of the approval of the CUP and JUPA.

1. **Violates MMC 17.60.040 Non conforming use:**

   Non-Conforming Uses. This section states: "uses which were lawfully established prior to March 26, 1993, and which are no longer permitted or which require a discretionary permit... may be continuously maintained, subject to the provisions of this section. Uses... which are discontinued shall not be resumed. Discontinuance occurs where the use has ceased operating for a period of 180 days... or where the structure used for the use has been removed or destroyed."

   The staff and applicant admit that the use was discontinued, MMC 17.60.040 states "uses...which are discontinued shall not be resumed", therefore the City Council members have the authority and discretion to restrict the permit as necessary in order to protect the health, safety, and welfare of residents and visitors.

   Appellants believe that the CUP and JUPA lack sufficient conditions to mitigate the impact of alcohol-related problems, drunk drivers, crime, noise, increased traffic and reduced parking and public access, potential danger, nuisance and harm from the Malibu Inn's activities and patrons to residents, businesses and visitors of Malibu.

2. **Violates MMC 17.48.040, therefore Finding 1 cannot be made, the proposed use does not comply with all of the applicable provisions of the Malibu Municipal Code. There is not enough required onsite parking.**

   Staff miscalculated the service area. They did not include the bar area when they calculated the Service area. Staff also based calculations on restaurant numbers, not nightclub numbers. At 10pm, the owner/applicant stated they will stop dinner service and take out tables and turn the Inn into a nightclub. The service area then becomes dramatically larger and the parking requirements should be calculated on the highest use.

   At 53 spaces, the Inn is massively underparked for 340 patrons and the 20 plus employees and band members. It is not possible to accommodate parking for 340 people, which is required by the code and the LIP. Even with the JUPA, according to our calculations, the Malibu Inn should be required to have 68 spaces because they did not take into consideration the bar as a service area and have used the wrong formula.

   Furthermore, at 53 spaces, it would require each car to contain 6.4 patrons per car. Realistically, the average car holds 5 people, 340 people in cars holding 5 people each would require 68 parking spaces. Therefore the applicant should provide at least 68 parking spaces. Moreover, employees and patrons will take street parking and displace visitor parking and access.

3. **Does not comply with the intent of title 17 of the MMC, The CV-1 district is intended to provide for visitor serving uses, including motels and bed and breakfast inns, which serve visitors and residents which respect the rural character and natural environmental setting. (Ord. 151 § 15 (part), 1996: prior code § 9265).**
   Finding 8 cannot be made because the "nightclub" aspect of the proposed use does not respect the character and natural environmental setting of Malibu. Furthermore, the proposed use does not meet the goals of following land use policies of the General Plan, including LU Policy 3.1.1, 3.2.1, and 4.4.1. The proposed use is not compatible with the rural and natural environment of Malibu, it will also obstruct public access and it does not provide enough convenient parking.

4. **The project would impair the integrity of the CV-1 zone. Finding 2 cannot be made because the project would impair the integrity and character of the zoning district in which it is located.**

   The Malibu Inn has historically been a restaurant. Since it opened in the 1950's it has run as a restaurant. Contrary to what applicant has stated, it has not been a nightclub continually.

RECEIVED
SEP 27 2010
PLANNING DIV.

During the majority of the cityhood it was a restaurant – it was the Omelette Parlor in the 90's and continued as a restaurant until Mitch Stewart, the previous owner, in approximately 2006 turned it into a nightclub.

The proposed use, a nightclub, does not respect the character of the neighborhood, which is a mixed-use area of residential homes, a pre-school, a religious organization and commercial buildings.

5. **The project is not suitable for the type of land use being proposed.** Finding 3 cannot be made because there is not enough required parking.

6. **The project is not compatible with the surrounding uses of the neighborhood:**

Finding 4 cannot be made. The proposed use is not compatible with the surrounding uses of the neighborhood because people live next door and directly across the street from the Malibu Inn and they have a reasonable expectation that during the week they can go to sleep at a reasonable hour. Furthermore, the area is a mix use area – residential and commercial and allowing a nightclub to run 7 days a week until 2AM ignores the rights and needs of residents, the religious organization and pre-school. The area is not a "nightclub" zone, but the proposed use would create a nightclub environment.

Malibu has many restaurants – many of which close well before 12am and those that have live entertainment, most of them stop entertainment at 11pm. For example, Café Habana, on there voicemail message, states it is open from 10 am to 10 pm Sunday through Thursday and on Friday and Saturdays until 11pm for food and 1 am for drinks only. Duke's closes at 10pm Monday through Thursdays and 11pm on weekends. The Beachcomber, directly across the street from the Malibu Inn, closes at 11 pm. Even the Canyon Club in Agoura, which hosts many concert events, starts entertainment at 8pm and stops most entertainment by 11pm. Therefore, the Malibu Inn should close earlier as well.

7. **There is not adequate parking and the project will reduce visitor parking and public access and public traffic circulation.**
There is not sufficient parking at the venue – there are only 22 spaces onsite and 31 adjacent spaces. Part of the original parking lot has a patio built over it, thereby reducing the amount of parking available. Applicants are being granted a special privilege as to being giving an after the fact permit for the patio and in effect shifting the number of required parking spaces offsite in order to keep the patio open.

In addition, we believe that a traffic study is required. The impact of events attracting 340 people, will have a negative impact on the "rural and natural" environment of Malibu. A traffic study should be completed.

RECEIVED
SEP 27 2010
PLANNING DIV.

8. The project is not compatible with the Malibu General Plan, which states:

The purpose of this article is to implement the policies of the California Coastal Act of 1976, to carry out the policies of the City of Malibu Land Use Plan. In particular the following provisions are violated by the proposed use:

B. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
C Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
E. To protect and enhance the quality of the natural environment.
F. To promote the public health, safety and general welfare
G. To ensure that any development in the coastal zone preserves and enhances coastal resources; and protects coastal views and access; and guides growth, development, and environmental management in a manner consistent with the provisions of the Land Use Plan of the Local Coastal Program.
H. To lessen congestion on the streets and provide for adequate off-street parking.

In sum, the "nightclub" aspect of the proposed use does not enhance the "coastal zone environment", the lack of onsite parking minimizes public access to the coast, the creation of a nightclub environment does not take into the consideration the rights of private property owners, the large events to take place will only increase traffic and reduce adequate off street parking for visitors.

9. The project does not comply with LUP 3.1.1, LUP 3.2.1 and LUP 4.4.1:
The proposed use does not meet the goals of following land use policies of the General Plan because it is not compatible with the rural and natural environment of Malibu, it will also obstruct public access and it does not provide enough convenient parking.

10. The proposed project does not comply with all applicable requirements of state and local laws.

The proposed project violates the MMC, the LIP and the CDP as stated above. Furthermore, allowing such a business to exist so close to residential structures with large numbers of people and loud music until 2:00AM seven days a week would constitute a **public or private nuisance** under California Civil Code Sections 3479, 3480, and 3481 and could result in litigation between the Malibu Inn and the residents. See also, People v. Montoya (1933, Cal App Dep't Super Ct) 137 Cal App 784, 137 Cal App 4th Supp 784, 28 P2d 101, 1933 Cal App LEXIS 857; and People ex rel. Gallo v. Acuna, 14 Cal. 4th 1090, 1119-1120 (Cal. 1997).

RECEIVED
SEP 27 2010
PLANNING DIV.

11. The proposed use would be detrimental to the public interest, health, safety, convenience or welfare.

A nightclub open until 2 AM will create a situation where people will drink more alcohol. The live entertainment events in combination with late night drinking will increase the probability of intoxication, drunk driving, accidents, vandalism, loitering, graffiti, and noise.

Because of the lack of the ability to enforce compliance, the permit is allowing the Malibu Inn to create a public and private nuisance and shifts the burden of enforcement from the city and law enforcement to residents.

Security can only monitor onsite disturbances, patrons, in excessive numbers, once away from the applicant's premises, intoxicated patrons will drive, disturb the peace and quiet of residents, create a nuisance, get into fights, and risk harm to both residents and visitors nearby and along the highway.

12. CUP No. 09-009 is not exempt from the requirement to obtain a CDP.

Proposed project is in the coastal appeal zone. Project violates the following provisions of LIP 3.12.1 because the proposed use will adversely affect public access.

LIP 3.12.1 States:
A. This chapter assures the provision of adequate off-street parking facilities in conjunction with any residential, commercial or other use or development. These standards should be considered the minimum required to preserve the public health, safety, and welfare, and more extensive parking provisions may be warranted in particular circumstances.
B. New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation. Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible.
C. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.
D. Restrictions on public parking, which would impede or restrict public access to beaches, trails, or parklands (including, but not limited to, the posting of "no parking" signs, red curbing, physical barriers, imposition of maximum parking time periods, and preferential parking programs), shall be prohibited except where such restrictions are needed to protect public safety and where no other feasible alternative exists to provide public safety. Where feasible, an equivalent number of public parking spaces shall be provided nearby as mitigation for impacts to coastal access and recreation.

Staff does not take into consideration the amount of parking that will be displaced when the Malibu Inn has events with more than 100 people. All roadside parking will be taken by Malibu Inn patrons, thereby eliminating parking and public access to the beach and parkland, including the Pier, for visitors and beachgoers. There is

RECEIVED
SEP 2 7 2010
PLANNING DIV.

not enough onsite parking or enough additional spaces provided through the JUPA. The number of required parking spaces should be increased.

13. The Joint Use Parking Agreement As stated in M.M.C. Section 17.48.050(A)(1), the Planning Commission may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions:

A. Up to one-half of the parking facilties required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilties required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

Applicants have stated they will have large daytime events as well. These events were not taken into consideration when calculating the amount of adjacent parking available. Therefore it violates LIP 3.12.4.

The required balance of daytime/nighttime use has not been analyzed or met.

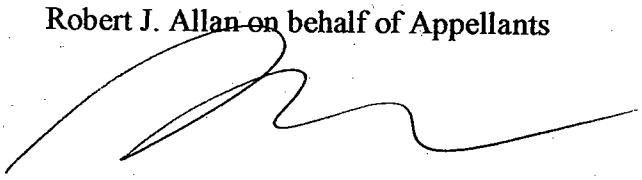
Allowing off site parking is granting applicant a special privilege since the LCP requires all Parking to be on site.

Furthermore, the city planner introduced a change to JUPA at the hearing, which deprived residents an opportunity to review before the hearing. No feasible alternate parking that is within 300ft. was mentioned.

14. **The Security plan was submitted at the hearing thereby depriving the public an opportunity to review and comment on it before the hearing.**

Respectfully submitted

Robert J. Allan on behalf of Appellants



Appellants

Klaus Obermeyer and Robert J. Allan

RECEIVED
SEP 27 2010
PLANNING DIV.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 10-79

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU APPROVING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 TO PERMIT THE MALIBU INN RESTAURANT WITH LIVE ENTERTAINMENT WHICH WILL SERVE LIQUOR, OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M., AND HAVE A MAXIMUM RESTAURANT SEATING CAPACITY OF 94 PATRONS, A MAXIMUM CAPACITY OF 340 PATRONS FOR ENTERTAINMENT EVENTS AND 565 SQUARE FEET OF RETAIL SPACE AT THE 8,960 SQUARE FOOT COMMERCIAL BUILDING IN THE COMMERCIAL VISITOR SERVING - 1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (HAKIM)

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

Section 1. Recitals.

A. The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

B. On June 3, 2008, Over the Counter (OC) Permit No. 08-102 was issued to re-open the 565 square foot retail space as Sabotage.

C. Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

D. On May 26, 2009, breakfast and lunch service at the restaurant resumed.

E. On December 3, 2009, the subject application was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department for review.

F. On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On May 26, 2010, the application was deemed complete for processing.

H. On July 8, 2010, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

I. On August 3, 2010, at the applicant's request, the public hearing was continued to the

September 7, 2010 Regular Planning Commission meeting.

J. On September 7, 2010, 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, shall be exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared and issued 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 Approval and Findings.

The applicant currently operates an existing restaurant which serves breakfast and lunch and wishes to expand the use to include dinner service, distilled liquor service and live entertainment with dancing. In order to accomplish the project goal to restore the previously existing use at the Malibu Inn (22969 Pacific Coast Highway (PCH)), a conditional use permit (CUP) is required.

The existing service area on the property totals 2,474 square feet (1,184 square feet of interior space, 539 square feet in the banquet room and 751 square feet of exterior space on the patio). There is a 565 square foot retail space located at the eastern portion of the building. The service and retail areas will not change as a result of the proposed project. Additionally, no new square footage or exterior improvements are included in the application and only minor renovations to the interior of the existing commercial building are proposed. Specific interior improvements to the commercial space include: replacing existing flooring, refinishing the bars, upgrading televisions, changing furniture and lighting fixtures, replacing windows with double pane soundproof glass; while keeping a uniform wainscot and rustic wooden theme throughout.

The proposed hours of operation are seven days a week from 7:00 am to 2:00 a.m. The previous hours of operation were seven days a week from 8:00 a.m. to 2:00 a.m. A full menu will be served during all hours of operation, including breakfast, brunch, lunch and dinner offerings. Breakfast and lunch items will be sold throughout the day until close. On days featuring live music, dinner will continue to be served as normal and the kitchen will be open until 2:00 a.m.

The applicant has provided information regarding employees of the Malibu Inn. Mondays through Thursdays, there will be approximately 15 people on staff (including wait staff, bartenders, front of house staff and kitchen staff) throughout the course of each day. On Fridays through Sundays, there will be approximately 24 people on staff throughout the course of each day. All deliveries are scheduled between 8:00 a.m. and 11:00 a.m. on those days.
Ensitu Engineering Inc. completed an analysis of wastewater generation for the proposed use (Report

dated April 28, 2010). Ensitu also completed a comprehensive review, including in-the-field testing of the property's existing onsite wastewater treatment system (OWTS) in relation to the level of use and determined that the existing OWTS is acceptable for the use proposed. The City Environmental Health Administrator has reviewed the April 2010 Ensitu Report and has approved the project as proposed.

The capacity of the existing OWTS, dictates the total number of patrons that may visit the Malibu Inn per day. At current design flow rates, the applicant is permitted a maximum restaurant seating capacity of 94 people in the interior and exterior seating areas. The rest of the tenant space is planned for a food preparation and employee area, as well as restrooms. As stated previously, the existing service area on the property, totaling 2,474 square feet, will not change as a result of the proposed project.

The applicant has applied to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license which permits the sale of beer, wine and distilled spirits for consumption on the licenses premises. In addition, the applicant has also applied for an Entertainment License from the Los Angeles County Sheriff's Department to permit dancing and live entertainment.

The applicant has estimated that the live entertainment schedule will be apportioned as follows: approximately eight small live entertainment events per month and one large live entertainment event once every two months.

Parking Analysis

Pursuant to Malibu Municipal Code (M.M.C.) Section 17.48.030(G), the parking requirements for "restaurants, nightclubs, bars and similar establishments for the sale and consumption of food and beverages on the premises" are one space for each 50 square feet of service area. The proposed use, which includes dinner service, distilled liquor service and live entertainment with dancing does not change the existing service area square footage that currently exists on the property. In addition, the parking requirement for "general retail stores" is one space for each 225 square feet of gross floor area.

The Malibu Inn has 2,474 square feet of interior and exterior service area and will need to provide 50 parking spaces (one parking space for each 50 square feet of service area). Additionally, the 565 square foot retail space requires an additional three parking spaces. The total required parking for the Malibu Inn is 53 spaces. Currently, the existing parking lot configuration is composed of 20 standard size parking spaces plus two ADA accessible parking spaces, for a total of 22 spaces. No change to the onsite parking lot is proposed under the subject application and there is no physical way that the parking lot could be reconfigured to accommodate the required parking. Therefore, consistent with past operational practices at the Malibu Inn, the applicant will provide the 31 remaining spaces on the adjacent property via a joint use agreement as forth in M.M.C. 17.48.040.

The adjacent property, immediately east, 22959 PCH is owned by the same property owner as the Malibu Inn. This property has historically provided parking for the Malibu Inn as the properties have direct access to one another. The property at 22959 PCH consists of a parking lot but is otherwise undeveloped. There is a covenant recorded between 22969 and 22959 PCH which dedicates a portion of 22959 PCH to serve as a wastewater treatment dispersal area for the Malibu Inn.

The parking lot currently provides approximately 50 parking spaces (19 spaces in excess of the required parking). Allowing the required parking to be located on the adjacent parcel conforms to the parking development standard which mandates that required parking be located within 300 feet of the use it serves.

Although not required, the property owner also proposes a valet parking plan which will park any overflow cars for larger scheduled events at a second property that he owns located at 22761 PCH, which is located approximately 1,700 feet east of the subject property. The garage at 22761 PCH can accommodate a total of 96 vehicles and although not required, will supplement the 53 total parking spaces required for the use. As a condition of approval, the property owner must notify the City and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event.

In November 2009, CDP No. 09-067 was submitted for 22959 PCH and proposes to construct a new commercial building (retail / office) and includes the provision for a joint use parking agreement. The CDP application is in the initial stages of planning review and is not expected to be approved in the near future. However, the new commercial building design will be required to incorporate the required parking for any proposed office / retail use as well as maintain the 31 required spaces for the Malibu Inn.

Finally, in addition to the parking spaces designated under the joint use parking agreement, there is also a public parking lot to the immediate south along PCH and there is public parking available along both sides of the PCH right-of-way. While these parking areas cannot be counted towards the overall parking spaces required, they may be utilized by patrons of the larger entertainment events. For the most part, these events are expected to take place at night and would not displace any public coastal access parking.

Findings

Pursuant to 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. The CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the CV-1 zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply 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.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward

side of PCH, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had ABC Liquor and Entertainment Licenses and operated as a restaurant with a bar and live entertainment.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. 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 Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents. Therefore, this proposed use is compatible with the land uses 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 PCH) is owned by the subject property owner and is zoned for commercial development.

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 serve the proposed project. The Los Angeles County Fire Department (LACFD) reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department. In addition, the City Environmental Health Administrator reviewed the CUP and determined that the existing OWTS is adequate for the proposed use. As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no impacts to solar access or public or private views will occur.

The proposed project will not create any shade or shadow impacts that would impede solar access. The existing commercial structure at 22969 PCH will not change under this application, and therefore, will not adversely impact 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

The proposed project meets the goals of the following land use policies of the General Plan:

LU Policy 3.1.1:	The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
LU Policy 3.2.1:	The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.
LU Policy 4.4.1:	The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, 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 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 ABC and the Los Angeles County Sheriff's Department.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition has been added to Planning Commission Resolution No. 10-79 which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance). Finally, the report generated in conjunction with the ABC application indicates that the property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Section 4. Joint Use Parking Agreement Approval.

As stated in M.M.C. Section 17.48.050(A)(1), the Planning Commission may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions. The agreement will be between 22959 PCH and 22969, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement.

A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 am to 2:00 a.m. The adjacent property at 22959 PCH is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 PCH since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with subsection C.

B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

Section 5. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001, subject to the conditions listed below.

Section 6. Conditions of Approval.

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 for the following:
   a. Operation of a restaurant with live entertainment;
   b. Maximum dining seating capacity of 94 patrons and maximum event capacity of 340 patrons;
   c. Service of distilled liquor;
   d. Interior improvements including:
      i. Replacing existing flooring,
      ii. Refinishing the bars,
      iii. Upgrading televisions,
      iv. Changing furniture and lighting fixtures, and
      v. Replacing windows with double pane soundproof glass; and
   e. Joint use parking agreement between properties addressed as 22959 PCH and 22969 PCH.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Division. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to Local Coastal Program (LCP) Local Implementation Plan (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 Division within 10 days of this decision and prior to issuance of any development permits.

5. This conditional use permit shall be reviewed on a semi-annual basis for the first year, and then on an annual basis thereafter. At this time, the property owner shall provide evidence that the joint use parking agreement is still in effect. At least two weeks prior to the review date, the applicant shall pay the Planning staff site inspection fee in effect at the time of request for site inspection. A staff planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the conditional use permit may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified. Possible mitigation measures can include:
   a. Modifying the hours of operation;
   b. Restricting alcohol service;
   c. Hiring additional security personnel;
   d. Prohibiting music;
   e. Installing noise mitigating measures / devices; or

f. Other measures deemed necessary by the Planning Commission.

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

7. All interior tenant improvements shall conform to requirements of the City of Malibu Environmental and Building Safety Division, City Environmental Health Administrator and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.

8. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Manager, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. Revised plans reflecting the minor changes and additional fees shall be required.

Fire Department

9. All applicable requirements of the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division set forth in the review sheet dated February 18, 2010 shall apply.

Environmental Health

10. Except as specifically required by the conditions of approval, no renovation of the septic tank and drainfield system is required. The City Environmental Health Administrator's approval dated May 13, 2010, does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

11. The piping connections between the grease interceptor, septic tanks and distribution boxes shall be brought into conformance with the Malibu Plumbing Code (MPC). Prior to the authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

12. The subject Environmental Health approval pertains only to the use of the premises not to exceed 94 restaurant seats, 340 nightclub patrons and 565 square feet of retail spaces.

Sheriff's Department

13. The property owner shall be required to notify the Sheriff's Department (Malibu / Lost Hills Station) and the City of Malibu of any live entertainment event scheduled to take place within the Malibu Inn, especially pertaining to live bands no less than three days prior to the event. If the property owner books a larger event (in excess of 100 attendees), he shall contact the Sheriff's Department to discuss potential requirements for contracting for a law enforcement presence to handle any crowd and traffic control. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

Joint Use Parking Agreement

14. The property at 22959 PCH shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 PCH. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement. Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 PCH may be reallocated to any future development on this site.

15. An amendment to the conditions set forth in this CUP shall be required if there is a proposed change to the joint use parking agreement.

Operations

16. The approved hours of operation are from 7:00 am to 2:00 a.m., seven days per week. Complete closure and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

17. A maximum of 94 seats for dining are approved under this permit. The maximum interior and exterior occupancy for entertainment events is 340 patrons.

18. Live entertainment events shall be limited to a maximum of two large events (defined as events with 100 or more attendees) and eight small events (events with less than 100 attendees) per month.

19. No exterior activity such as trash disposal, recycling pickup, delivery trucks or exterior maintenance is permitted onsite between the hours of 10:00 p.m. and 7:00 a.m. Additionally, bottles and glass containers shall not be emptied into outdoor trash or recycling bins between 10:00 p.m. and 7:00 a.m.

20. This CUP permits the sale of distilled spirits as well as beer and wine with a Type 47 License. The property owner / operator shall obtain all necessary approvals from the California Department of Alcohol Beverage Control. Once obtained, the applicant is required to provide to the Planning Division a copy of the ABC issued On-Premise Consumption License.

21. Prior to the start of employment, employees that serve alcohol shall undergo an alcohol training program such as TIPS (Training for Intervention Procedures), designed to prevent intoxication, underage drinking and drunk driving. Evidence of completion of this training shall be submitted to the Planning Division.

22. This CUP permits live entertainment and dancing. Once obtained, the applicant is required to provide to the Planning Division a copy of the Los Angeles County Sheriff's Department Entertainment License.

23. No live entertainment is permitted on the exterior patio at any time. Low level amplified music is permitted on the patio during the hours of 7:00 a.m. to 10:00 p.m., daily. Unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 2:00 a.m. shall be prohibited.

24. Prior to final planning approval, the property owner / operator shall install small signs in the interior of the business on or near the exit doors requesting that patrons not loiter outside and be courteous and quiet when leaving the building and parking areas.

25. All exterior doors shall remain closed when not being used for ingress/egress purposes. The property owner shall install self-closing door mechanisms on all exterior doors.

26. Noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit between 10:00 p.m. and 7:00 a.m., as required by M.M.C. Section 8.24.050(L).

27. The property owner / operator (or designated representative) shall monitor the noise levels adjacent to nearby residences to check compliance with City noise regulations (i.e. the noise should not be plainly audible within five feet of any residential dwelling unit). If the property owner / operator (or designated representative) determines that the noise level exceeds City noise regulations, they shall immediately notify the musicians to reduce noise levels in compliance with City noise regulations.

28. The property owner / operator shall adhere to a "good neighbor" policy, meaning that the operator and employees must respect the rights of neighboring properties and, to the best of their ability, shall ensure their patrons' compliance with the City's noise and smoking regulations and any applicable conditions of approval for the subject use relating to parking, smoking, litter, noise, loitering, etc.

29. Per M.M.C. Section 9.34.020, smoking is prohibited in all outdoor dining areas located on private or public property, including the public right-of-way. Smoking is also prohibited within 20 feet of an outdoor dining area, except while actively passing by on the way to another destination.

30. Per M.M.C. Section 9.34.030, the property owner shall post and maintain "no smoking" signs in conspicuous locations within the outdoor dining area. All such signs shall: 1) be no greater than one square foot in size; 2) be prominently displayed; 3) clearly state "no smoking" and/or use the international "no smoking" symbol; and 4) reference M.M.C. Section 9.34.020.

31. Prior to commencement of alcohol service, a security plan shall be submitted to the City Environmental and Community Development Department and the Los Angeles County Sheriff's Department for review and approval. The plan shall address both physical and operational security issues and shall be no less stringent than the plan submitted to the City on September 7, 2010. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

32. The property owner / operator (or designated representative) shall regularly monitor the area outside of the restaurant to ensure peace and quiet. Security personnel shall be provided seven

days a week from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

33. At the close of business each day, the property owner / operator shall clean up any litter or any other items that were likely to have been left by patrons of the subject establishment found on the subject property or along the public right-of-way.

34. No sign shall be illuminated after 11:30 p.m., or close of business, whichever occurs last.

35. Any proposed structural changes to the existing signs shall require review for the requirements set forth in M.M.C. Section 17.52 - Signs.

36. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

37. 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.

38. The property owner / tenant shall comply with the requirements set forth in M.M.C. Section 9.28—Ban on Plastic Shopping Bags. 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.

39. A copy of the conditions of approval must be kept on the premises and presented to the Los Angeles County Sheriff's Department upon request.

40. Parking displaced during any future construction on 22959 PCH shall be temporarily relocated to the commercial / office building located at 22761 PCH since it is owned by the same property owner (ASK Group, LLC) as the Malibu Inn. If this situation changes, alternate offsite parking arrangements will need to be coordinated with the Planning Manager prior to building permit issuance for development at 22959 PCH.

41. Within 60 days of the issuance of the conditional use permit, an after-the-fact building permit shall be obtained for the retaining wall along the hillside at the rear of the property (as identified in Building Permit No. 02-0233), which creates the area for the planter.

Fixed Conditions

42. The conditions under which this conditional use permit was approved may be modified by the

City of Malibu without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

43. 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.

44. 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.

45. This conditional use permit shall become null and void with the demolition of the building.

46. 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). If a hearing is required, the City shall notify the property owner / operator prior to the hearing.

47. 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 haven't been substantially met.

Section 7. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 7th day of September, 2010.

JOHN MAZZA, Planning Commission Chair

ATTEST:

JESSICA BLAIR, Recording Secretary

LOCAL APPEAL - Pursuant to LIP 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. 10-79 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 7th day of September 2010, by the following vote:

AYES: COMMISSIONERS: HOUSE, STACK, TOLEDO, JENNINGS AND MAZZA
NOES:
ABSTAIN:
ABSENT:

JESSICA BLAIR, Recording Secretary

Stephanie Danner

From: Alexander Hakim [alexihakim@gmail.com]
Sent: Wednesday, November 10, 2010 11:41 AM
To: l.pope@ci.malibu.ca.us
Cc: pamela@malawbu.com
Subject: Malibu Inn Restaurant

Dear Council Members,

I am writing this letter to discuss the positive ways in which the Malibu Inn will impact the City of Malibu, help to promote the local arts, and our plans moving forward.

First and foremost, we have seen that there is no place in Malibu for local artists and musicians to be able to showcase their talents. Many famous and successful musicians today got their start at the Malibu Inn and have been waiting for a chance to play there again. Just a few weeks ago, Tom Petty requested to play and have his 60th birthday party at the Malibu Inn, however, due to the delay in our CUP, he was forced to go Harvels in Santa Monica instead. We have also been in talks with Julia Holland, a local involved in the community, who would love to be able to host events for the different organizations she's affiliated with. A few months ago we partnered with her to use the Malibu Inn to host an event for the Eco Hero kids, which was a great success. Juliet Beynon is another member of the community who has approached us and stressed her desire for the Malibu Inn to reopen, as well as been in talks with a number of artists who are hoping to play there such as Pat Benetar. We want the Malibu Inn to serve as an outlet and platform in which local members of the community, old and new, can display their talents and share it with the community.

Aside from the muiscal aspect of the Malibu Inn, which it is historically known for, we also will strive to serve exceptional food during all hours of our operation at an affordable price. We have been engaging a renowned chef to create our menu and train the kitchen staff. We have hired an award winning designer to help renovate and give the establishment a facelift, while still keeping its character and integrity in tact. Finally, we have also hired a pair of restaurant consultants, each with 25 years of experience to lead a first class operation of the project. We strongly believe that these key components will help revive the Malibu Inn and make it better than it has ever been.

By being granted our CUP we will also be able to create employment, as well as generate revenue for the city. Everything we are planning is to be done in an organized and responsible fashion. We have hired the professionals to help lead this project and are just beginning to scratch the surface of what we intend to accomplish. With your help we can save an iconic establishment and bring back the memories and rich history that Malibu has grown to enjoy for generations. We look forward to hearing from you and making the city proud.

Warm Regards,
Alexander Hakim

RECEIVED 9.7.10
PLANNING COMMISSION
ITEM NO. 5A

SECURITY PLAN

"Malibu Inn"
22969 Pacific Coast Hwy
Malibu, California 90265

Owned and Operated by:
Malibu Café, LLC – Kambiz Hakim

Security plan prepared by:
Elizabeth Peterson Group, Inc.
1850 Industrial St. #606, Los Angeles, CA 90021
January, 2010

Date Received 09.07.10 Time 6:30pm
Planning Commission meeting of 09.09.10
Agenda Item No. 5A
Total No. of Pages 6 Attachment 4

MALIBU INN
SECURITY PLAN

Malibu Inn

22969 Pacific Coast Highway
Los Angeles, California 90265

Definition of security:

- Freedom from exposure to danger, safety or a place of safety.
- Feelings of or the assurance of safety or certainty.
- That which secures a means of protection and defense.

Goals:

- To create a safe and secure environment within The Malibu Inn for all patrons
- To provide a level of control and safety for all arriving and departing guests of the The Malibu Inn
- To mitigate any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure from The Malibu Inn
- To diffuse all situations as they occur. The The Malibu Inn Security Staff will provide a strong presence by blending integrity and professionalism with advanced techniques of physical security, protection and detection. Current practices of the industry will be augmented with law enforcement strategies and tactics.

Introduction:

A strategy of deterrence will be adopted as to minimize the impact of additional traffic to the community while ensuring the benevolent effects of revenue and business. A policy of zero tolerance will be enacted against narcotics and other contraband. Proactive measures will be utilized (as training is available and techniques are safe). A policy of full disclosure/full cooperation will be in effect towards law enforcement personnel and other city officials. Additionally, full cooperation and coordination with neighboring businesses will act as a force multiplier of security for the community, businesses, patrons and employees.

Uniform for all Security

Security Uniforms: All Security staff will be required to wear
Black Trousers, (No Jeans)
A Plain Black T-Shirt or Polo Shirt
Black Security Jacket- Approved or Provided by The The Malibu Inn
Laminate or Patch on Breast Pocket
The laminate **will always be worn on Breast Pocket, identifying you as A Security Guard for the The Malibu Inn.** All Security will be easily identifiable to Guests, Law Enforcement, and Emergency Services Etc. Security will not work at anytime without a laminate or Breast Pocket Patch.

Structure:

* Hours of Operation:
* Only during special events having live entertainment and/or dancing.

Security listed below is when venue is at full capacity.

Basic security guideline for staffing is as follows:
Head Security present at all times venue is hosting dancing/live entertainment events.

General Security staff based on occupancy and Party or event configuration:
Security Requirement: **1 guard per every 50 patrons.**

During special events having live entertainment events with a maximum occupancy of the The Malibu Inn, there will be a team of security members, depending on occupancy of the event and any special event taking place anywhere within the The Malibu Inn.

Responsibilities:

Each staff member will be trained to set up and control queuing, adhering to the staging request of LA County Sheriff's Department in coordination with any requests from MTA Transit.

All Security shall maintain order within The Malibu Inn and its immediate surroundings and prevent any activity, which would interfere with the quiet enjoyment of their property by nearby residents.

All staff will be knowledgeable to all security positions and the requirements each different position entails.

IT IS THE DUTY OF EVERY MEMBER OF THE TEAM TO PROTECT THE ESTABLISHMENT, ITS PATRONS, AND EMPLOYEES FROM ANY AND ALL PERCEIVED AND REAL THREATENING SITUATIONS.

Head of Security - Guard 1

Roving Security Position - supervise general security staff

- Responsible for all security and safety
- Liaison to state and city officials. Liaison between venue owners, party coordinators, promotional staff all based on security requirements.
- Coordinates space configuration on a nightly basis
- Ensures proper requirement compliance of all security staff
- Maintains the contact information list of all security personnel working each and every shift. Provides law enforcement officials with this list upon their request and with proper government.
- Roves entire venue during operating hours to ensure patron flow, keep aisles and exit pathways clear.
- Maintains CPR certification
- Provides security walk out for departing employees-end of shift

Stationary Security - Guard 2

Controls front door, monitors entry of all patrons.

- Controls access to the restaurant during special events having live entertainment and/or dancing
- Checks for proper identification
- Enforces zero tolerance policy towards narcotics and contraband
- Counts all persons entering the club
- Controls Exit Count on Clicker-Fire Assemblage
- Maintains CPR certification

Stationary Security – Guards 3

Stationary Security

- Maintain properly cued lines if necessary
- Enforce zero tolerance policy towards narcotics and contraband
- Monitor immediate and adjacent parking areas for the following:
    1. Loud music
    2. Drinking in vehicles
    3. Yelling and shouting
    4. Traffic flow

5. Car horns

- Maintain CPR certification

Patio Guard – Guard 4

Roving Security for Mezzanine / during special events having live entertainment and/or dancing

- Monitors bartenders for proper ID's, not over-pouring, operational integrity and maintain security for bar.
- Monitor Basement for Occupancy
- Ensures safety in all lounge areas of the basement floor
- Controls beverage consumption on the basement floor
- Responsible for monitoring back corridor to the kitchen
- Maintain security presence in restroom corridor and patron traffic flow
- Maintain CPR certification

Additional Security Team Members will be scheduled on an as needed basis and determined by The Malibu Inn Operators and Security Head.

Communication:

Each security staff member will carry a hand held Motorola radio. Surveillance attachments (ear piece/microphone) will be utilized as warranted. Management and Security Head of the The Malibu Inn will constantly monitor all radio traffic.

Electronic Security:

The The Malibu Inn will always use an extensive CCTV (Closed Circuit Television) system integrated with an alarm network, which will feed into the control room. This camera system will provide coverage of all interior areas, including all entrances and exits to the premises. The camera system will be activated and in use during any business activity. Advanced digital recording will store all data from the CCTV and alarm systems. All data will be maintained for no less then a 30-day period. All tapes shall be made available to the Central police department upon demand.

Requirements For Security Personnel

A valid Guard Card issued by Consumer Affairs, State of California

Certificate of completion, Alcoholic Beverage Control Department "LEAD Program"

Special Requirement for team leaders only, certificate of CPR (cardio-pulmonary resuscitation) training

Trained on cueing line to lesson the impact of foot traffic and traffic flow for motor vehicles.

Trained in all aspects of how to fill out FI (field interview) reports

Knowledge of general layout to include all safety devices and emergency escape routes Standard First Aid Card, Provided Through Red Cross, Renewed Every 3 years. (This basic Course provides full CPR Training)

Security Personnel Agreement

Verbal skills and proper utilization of force will be our primary tools of conflict resolution. Calm, exacting and professional behavior will give our neighbors and clientèle the strong perception of a good positive security presence, while retaining the ability to use the strength of our bodies **only** when presented with extreme situations.

Each Security Staff Member will be required to obtain a pass in Red Cross training for Basic First Aid. This class will be In addition to completing all seminars and work shops.

The Malibu Inn Management will educate all Security Guards in the basic response skills necessary to assist in the event of a drug overdose, natural disaster, bomb threat etc.

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

RECEIVED
SEP 07 2010
PLANNING DIV.

DATE: February 18, 2010

ATTENTION: PLANNING SECTION

CITY: Malibu

SUBJECT: CUP 09-009

LOCATION: 22969 Pacific Coast Highway

☐ The Fire Department has no additional requirements for this permit.

☒ The required fire flow for public fire hydrants at this location is **2500** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is **1250** gallons per minute at 20 psi. for a duration of two hours. If more than one on-site fire hydrant is required, the on-site hydrant shall be at least **2500** gallons per minute at 20 psi, flowing from two hydrants simultaneously, one of which must be the furthest from the public water source.

☒ Public fire hydrant(s): Install ___ Upgrade __ Verify (flow test) 1 existing public fire hydrant(s).
Private on-site fire hydrant(s): Install ___ Upgrade __ Verify (flow test) ___ existing private on-site fire hydrants.

All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.

☒ **Water:** Flow test the exixting public fire hydrant nearest the lot frontage as indicated on the site plan markup.

☒ **Access:** Existing.

☒ **Special Requirements:** Submit tenant improvement plans to Fire Prevention Engineering, 2600 Agoura Road, Calabasas, CA 91302 (818)880-0341.

☒ **Comments:** Submit a completed LACoFD fire flow form, Form #196 (original only), to Fire Prevention Land Development for review prior to clearance of the CUP.
Additional water system requirements may be required when this land is further subdivided and/or during the building permit process.

Fire Protection facilities; including access, must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Nancy Rodeheffer

Patricia Salazar

Subject: FW: Malibu Inn - Joint Use Parking Amendment

RECEIVED
SEP - 7 2010
PLANNING DIV.

From: Ross Stephenson [mailto:ross@epgla.com]
Sent: Tuesday, August 31, 2010 4:01 PM
To: Elizabeth Peterson; Stephanie Danner; Joyce Parker-Bozylinski
Subject: Malibu Inn - Joint Use Parking Amendment

Ms. Danner & Ms. Bozylinski,

Per our meeting last week, we would like to add some language to item #14 on page 26 of the Planning Commission Resolution, wherein the joint use parking agreement is laid out. We discussed this change at the meeting, though we understand if the report cannot be changed so close to hearing. The below is what the applicant would like added, but if you are required to change the verbiage, please notify us as such.

14. The property at 22959 PCH shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 PCH. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements. A deed restriction shall be recorded on the title of each property reflection the permanent reciprocal parking agreement. ***Should the 31 offsite parking spaces at any point be provided elsewhere, the legal agreement shall be amended to reflect the new offsite parking location. The 31 parking spaces at 22959 PCH may be reallocated to any future development on this site.***

Thank You,

Ross Stephenson
Elizabeth Peterson Group
Associate Planner
P-213.674.2686
F-213.674.2689

Date Received 09.07.10 Time 3:30 pm
Planning Commission meeting of 09.07.10
Agenda Item No. 5A
Total No. of Pages 1

Patricia Salazar

Subject: FW: [web site request] Malibu Inn

From: webmaster
Sent: Tuesday, September 07, 2010 8:34 AM
To: Jessica Blair
Subject: FW: [web site request] Malibu Inn

From: stellem@tellem.com [stellem@tellem.com]
Sent: Monday, September 06, 2010 9:25 PM
To: webmaster
Subject: [web site request] Malibu Inn

Susan Tellem stellem@tellem.com has submitted the following message through the web site:

Regarding the upcoming agenda item Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 - An application for a conditional use permit to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m.. and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building a (Continued from August 3, 2010) - there is a 145 page staff report and that is enough to scare off any one who doesnt want this here in Mallibu

Date Received 9-7-10 Time 8:00 am
Planning Commission meeting of 9-7-10
Agenda Item No. 5A
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

Patricia Salazar

Subject: FW: Malibu Inn Conditional Use Permit

From: Stephanie Danner
Sent: Tuesday, September 07, 2010 8:17 AM
To: Jessica Blair; Ryan Scates
Subject: FW: Malibu Inn Conditional Use Permit

Date Received 9-7-10 Time 8:00 am
Planning Commission meeting of 9-7-10
Agenda Item No. 5A
Total No. of Pages 2

-----Original Message-----
From: zach@father.com [mailto:zach@father.com]
Sent: Monday, September 06, 2010 7:02 AM
To: Stephanie Danner
Subject: Malibu Inn Conditional Use Permit

Zach Mandelstein
23033 Pacific Coast Highway
Malibu, CA 90265

September 6th, 2010

Planning Commission
City Hall
Malibu CA 90265

Re: Malibu Inn Conditional Use Permit

Dear Chair Mazza and Members of the Planning Commission:

I recently heard about the Malibu Inn's application and am compelled to write in response to the recommended actions I read in the Commission Agenda Report.
My family and I are extremely concerned about the Malibu Inn being granted a permit with such weak restrictions.

For many years, I lived at the Surfrider Beach Club, just a few hundred feet away from the Malibu Inn. While living there, I often saw patrons leave the Malibu Inn who were intoxicated. Our building was consistently littered and loitered by these people eating at the 24 hour Jack in the Box after bar closing, and many of them loitered in the parking lot. They also left broken bottles in front of our building and on the sidewalk. Some patrons urinated in front of our building.

Clearly if you close a bar at 2pm you will have people drinking and driving so alcohol service should be stopped earlier.
I have witnessed many fights break out at the Malibu Inn. Some very serious fights involving drunken patrons as they were leaving the bar.
I've seen patrons fight outside in the parking lot. I have also seen bouncers fight with patrons outside in the parking lot.
Also while living at Surfrider Beach Club, sometimes I would DJ in my spare time (at no cost) at the Malibu Inn. I can only describe the behavior I saw of some of the patrons as alarming, there seemed to be little boundaries.
With so many drunk drivers and accidents on PCH lately, I feel that giving the Malibu Inn a permit to "run as a nightclub" would be an invitation to more drinking and driving by locals and visitors to Malibu.

CC: Planning Commission, City Council, CA, PM,
Recording Secretary, Reference Binder, File

I am concerned about the safety of my family and other residents of Malibu.

To reduce the harm from the permit, I feel the Malibu Inn should be closed earlier, or have the service of alcohol stopped earlier, monitor the type of bands allowed to play, and have more security guards.
Please consider my interests and concerns as a neighbor and resident of Malibu.

Sincerely,

Zach Mandelstein
President
Father.com
310-689-8153 cel
424-644-0420 fax
zach@father.com

NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL

The Malibu City Council will hold a public hearing on **MONDAY, November 22, 2010, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23815 Stuart Ranch Road, Malibu, CA, on the appeal of the approval of the coastal development permit identified below.

APPEAL NO. 10-002 – The Appellants, as listed below, filed an Appeal of Planning Commission Resolution No. 10-79, approving Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building; including a joint use parking agreement for required parking spaces to be located on the adjacent property. The grounds for the appeal are that the project does not comply with various sections of the Malibu Municipal Code and the General Plan.

APPELLANTS:	Robert J. Allan and Klaus Obermeyer
APPEAL FILED:	September 16, 2010
APPLICATION FILING DATE:	December 3, 2009
APPLICANT:	SKA Group, LLC
APPLICANT REPRESENTATIVE:	Elizabeth Peterson
LOCATION:	22969 Pacific Coast Highway
APN:	4452-019-004
CITY PLANNER:	Stephanie Danner, Senior Planner 456-2489, ext. 276

FILE

Pursuant to the authority and criteria contained in CEQA, the Planning Commission analyzed the proposal as described above, and 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, shall be exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION was prepared pursuant to CEQA Guidelines Section 15301 – Existing Facilities. The Planning Commission further found that there is no evidence in the record to suggest that any of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

A written staff report will be available at or before the hearing. Following an oral staff report at the beginning of the hearing, the applicant and appellants may be given up to 15 minutes to make a presentation. Any amount of that time may be saved for rebuttal. All other persons wishing to address the Council will be provided three minutes to address the Council. These time limits may be changed at the discretion of the Council. At the conclusion of the testimony, the Council will deliberate and its decision will be memorialized in a written resolution.

Copies of all related documents, including the grounds for appeal, are available for review at City Hall during regular business hours. Written comments may be presented to the City Council at any time prior to the close of the public hearing.

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

If there are any questions regarding this notice, please contact Stephanie Danner, Senior Planner, at (310) 456-2489, ext. 276.

Joyce Parker-Bozylinski, AICP, Planning Manager

Publish Date: October 28, 2010

Commission Agenda Report

Planning Commission Meeting 09-07-10 **Item 5.A.**

To: Chair Mazza and Members of the Planning Commission

Prepared by: Stephanie Danner, Senior Planner

Reviewed by: Joyce Parker-Bozylinski, AICP, Planning Manager

Approved by: Victor Peterson, Community Development Director

Date prepared: August 26, 2010 Meeting date: September 7, 2010

Subject: Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 – An application for a conditional use permit to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building (Continued from August 3, 2010)

Application Filing Date:	December 3, 2009
Applicant:	Elizabeth Peterson
Property Owner:	ASK Group, LLC
Location:	22969 Pacific Coast Highway
APN:	4452-019-004
Zoning:	Commercial Visitor Serving - 1 (CV-1)

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 10-79 (Attachment 1) approving Conditional Use Permit (CUP) No. 09-009 and Joint Use Parking Agreement (JUPA) No. 10-001 to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building in the CV-1 zoning district located at 22969 Pacific Coast Highway (PCH) (Attachment 2).

DISCUSSION: This item was continued from the August 3, 2010 Planning Commission meeting. All correspondence that was received to date is included as Attachment 10. In addition, new conditions of approval have been added to Planning Commission

Resolution No. 10-79 to address some of the concerns raised in the correspondence. Pursuant to Malibu Municipal Code (M.M.C.) Chapter 17.66, the applicant is requesting that the City approve a CUP application for the use of the restaurant to include dinner service, distilled liquor service and live entertainment with dancing. The Malibu Inn has been operating at the subject property since the 1950s as a restaurant and entertainment venue that serves both members of the community as well as visitors to the City of Malibu.

At the end of 2008, the property owner shuttered the restaurant. In May 2009, the restaurant was reopened for breakfast and lunch service only. At that time, the property owner was advised that since the Malibu Inn did not have a valid CUP, a new permit would be necessary to reassume the other aspects of the use including liquor service and entertainment events pursuant to M.M.C. Section 17.60.040 – Non-Conforming Uses. This section states: "uses which were lawfully established prior to March 26, 1993, and which are no longer permitted or which require a discretionary permit...may be continuously maintained, subject to the provisions of this section. Uses...which are discontinued shall not be resumed. Discontinuance occurs where the use has ceased operating for a period of 180 days...or where the structure used for the use has been removed or destroyed."

Currently the restaurant is only permitted to serve breakfast and lunch because that aspect of the use did not cease for more than 180 days. The breakfast and lunch service was determined to be a legal non-conforming use of the site. A legal non-conforming use is also referred to as being "grandfathered". However, since the other aspects of the use did cease for more than 180 days, they could not resume without first obtaining a CUP from the City.

Project Chronology / History

The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

On June 3, 2008, Over the Counter Permit (OC) No. 08-102 was issued to re-open the 565 square foot retail space for the tenant Sabotage.

Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

On May 26, 2009, breakfast and lunch service at the restaurant resumed.

On December 3, 2009, the subject application was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department for review (Attachment 3).

On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

On May 26, 2010, the application was deemed complete for processing.

On July 8, 2010, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

On August 3, 2010, at the request of the applicant, the public hearing was continued to the September 7, 2010 Regular Planning Commission meeting.

Surrounding Land Use and Setting

The subject property is located north of PCH, north of the Pacific Ocean and Malibu Pier, in a commercially developed neighborhood. Commercial properties occupy adjacent properties to the south and west. A vacant commercial property, owned by the same owner as the subject property, currently containing a parking lot is located immediately to the east. A steep hill is located immediately adjacent to the northern property line, atop which are residentially zoned parcels and two large residences, the closest of which is approximately 200 feet away. A public parking lot which serves the adjacent Malibu Pier is sited south of the subject property and south of PCH. In addition, there is a small grouping of seven beachfront residences located adjacent to the Pier, across PCH to the southwest.

The subject property is approximately 29,621 square feet in size and is rectangular in shape. The site contains an existing 8,960 square foot building that is one story in height, with the exception of a small 220 square foot dressing room located above the restroom area. Refer to Attachments 4 and 5 for site photos and the as-built floor plan. The building currently has five restrooms, two which serve the main service area, one which is located on the upper level in the dressing room and two which are located adjacent to the retail space. The space also includes a large bar, a stage and dance floor area and a billiards room. The total service area proposed for the use equals 2,474 square feet and includes: a 1,184 square foot interior service area, a 751 square foot service area on the outdoor patio which includes a bar located on the western side of the property and a 539 square foot service area in the banquet room located adjacent to the retail space (Attachment 6). Finally, a 565 square foot retail space is located at the eastern portion of the building and takes direct access from the parking lot.

There is an outdoor patio located at the western side of the property, which was not a part of the original building. However, the retaining wall, along the hillside at the rear of the property, which creates the area for the patio, was done without the benefit of permits. As a condition of approval, the applicant is required to acquire an after-the-fact building permit for the unpermitted retaining wall. The hardscape and associated garden wall separating the patio from the parking lot do not require building permits. The

service area that exists on the patio (a total of 751 square feet) requires the provision of additional parking spaces, which is discussed in detail in this report.

A total of 20 full size parking spaces plus two Americans with Disabilities Act (ADA) parking spaces are provided onsite. There are two driveway curb cuts which provide access to the property off of PCH and there is a traffic signal and cross walk immediately south of the property, which provides safe access across the highway to the Pier and the adjacent public parking lot. Finally, a large pole sign is located at the middle of the front property line adjacent to PCH and a second pole sign is located at the eastern property line.

The existing onsite wastewater treatment system (OWTS) includes two septic tanks, three separate leachfield areas and two seepage pits. In addition, the 100 percent future expansion area, dedicated should the existing leachfields fail, is located on the adjacent property (APN 4452-019-005) and is linked to the subject property via a recorded covenant.

Project Description

The applicant currently operates an existing restaurant which serves breakfast and lunch and wishes to expand the use to include dinner service, distilled liquor service and live entertainment with dancing. In order to accomplish the project goal to restore the previously existing use at the Malibu Inn, a CUP is required. Furthermore, due to the requirement that the restaurant / bar / live entertainment use provide parking spaces that cannot be accommodated onsite, a Joint Use Parking Agreement (JUPA No. 10-001) is required to provide the required parking on the adjacent vacant property at 22959 PCH.

Tenant Improvements

The existing service area on the property totals 2,474 square feet (1,184 square foot interior service area, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The service area will not change as a result of the proposed project. Additionally, no new square footage or exterior improvements are included in the application and only minor renovations to the interior of the existing commercial building are proposed. Specific interior improvements to the commercial space include: replacing existing flooring, refinishing the bars, upgrading televisions, changing furniture and lighting fixtures, replacing windows with double pane soundproof glass; while keeping a uniform wainscot and rustic wooden theme throughout.

Onsite Wastewater Treatment System

Ensitu Engineering Inc. completed an analysis of wastewater generation for the proposed use (Pg. 1/6 of the April 28, 2010 report included as Attachment 7). The following table shows the estimated flow rate for the proposed use.

Table 1 – Malibu Inn Restaurant / Entertainment / Retail Flow Calcs		
94 restaurant seats	50 gpd* / seat	4,700 gpd
340 entertainment patrons	5 gpd / person	1,700 gpd
565 square foot retail space	1 gpd / 10 sq ft of floor space	57 gpd
2 retail employees	20 gpd / employee	40 gpd
Total Bar / Restaurant Flow		6,497 gpd

*gpd = gallons per day

Ensitu also completed a comprehensive review, including in-the-field testing of the property's existing OWTS in relation to the level of use depicted in Table 1 and determined the following:

1. The existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum;
2. The site is currently served by two 3,000 gallon septic tanks (providing storage for 6,000 gallons total), which meet the required septic tank capacity of 5,998 gallons;
3. The absorption area of the existing leachfields is 3,360 square feet and the existing seepage pits will be abandoned. The existing leachfield size exceeds the minimum required effective absorption area which is 3,187 square feet; and
4. The OWTS is acceptable for the use proposed.

The City Environmental Health Administrator has reviewed the April 2010 Ensitu Report and has approved the project as proposed. Conditions of approval have been incorporated in Planning Commission Resolution No. 10-79, which reflect the recommendations of the reports and ensure that the wastewater generated by the proposed use is managed.

Hours of Operation

The proposed hours of operation are seven days a week from 7:00 am to 2:00 a.m. The previous hours of operation were seven days a week from 8:00 a.m. to 2:00 a.m.

Daily Operations

A full menu will be served during all hours of operation, including breakfast, brunch, lunch and dinner offerings. Breakfast and lunch items will be sold throughout the day until close. On days featuring live music, dinner will continue to be served as normal and the kitchen will be open until 2:00 a.m.

The applicant has provided information regarding employees of the Malibu Inn. Mondays through Thursdays, there will be approximately 15 people on staff (including wait staff, bartenders, front of house staff and kitchen staff) throughout the course of each day. On Fridays through Sundays, there will be approximately 24 people on staff throughout the course of each day.

Deliveries are planned for Mondays, Wednesdays and Fridays every week. All deliveries are scheduled between 8:00 a.m. and 11:00 a.m. on those days.

Service Area

The capacity of the existing OWTS, dictates the total number of patrons that may visit the Malibu Inn per day. At current design flow rates, the applicant is permitted a maximum restaurant seating capacity of 94 people in the interior and exterior seating areas.[1] The rest of the tenant space is planned for a food preparation and employee area, as well as restrooms. As stated previously, the existing service area on the property, totaling 2,474 square feet, will not change as a result of the proposed project.

Liquor & Entertainment Licenses

The applicant has applied to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license which permits the sale of beer, wine and distilled spirits for consumption on the licenses premises (Attachment 8). The license holder must operate and maintain the premises as a bona fide eating place, they must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on premises that hold this type of license. The ABC will not issue the license until the applicant has obtained an approved CUP from the City.

In addition, the applicant has also applied for an Entertainment License from the Los Angeles County Sheriff's Department to permit dancing and live entertainment. The Sheriff's Department will only hear the proposal after it receives confirmation that the City has issued the CUP. A condition of approval has been included in Planning Commission Resolution No. 10-79 which requires that the property owner submit copies of these licenses to the Planning Division when they are obtained.

Live Entertainment

The applicant has estimated that the live entertainment schedule will be apportioned as follows:

1. Approximately eight small live entertainment events per month (2 times a week = 96/365 days of the year = 26 percent)
2. Approximately two large live entertainment events[2] per month (24/365 days of the year = 6.5 percent)

Conditions of approval have been added to Planning Commission Resolution No. 10-79 which: 1) prohibits live entertainment outside on the patio; 2) prohibits unnecessary and

[1] The LACFD reviewed the proposed CUP and set max building capacity for both the restaurant use (95 patrons) and standing room use (340 patrons). Because the capacity set by the size of the existing OWTS is more restrictive, that standard will rule.
[2] A large event is categorized as having 100 or more attendees.

boisterous noise from the patio between the hours of 10:00 p.m. and 7:00 a.m.; 3) requires that noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit during those hours, as required by M.M.C. Section 8.24.050(L); and 4) requires that security personnel be present onsite daily from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

Signs

No change to the existing signage is proposed. Current signage onsite consists of a free-standing, 50 square foot, 30 foot high pole sign and a second 20 square foot, 20 foot high free-standing pole sign. Both of the existing pole signs are non-conforming with regards to existing regulations set forth in M.M.C. Section 17.52 – Signs. M.M.C. Section 17.52.080(D) discusses removal of non-conforming signs. However, this section does not apply to an existing business which continues to conduct the same business on the same premises. In addition, there is a tenant identification sign and a sign for the previously existing retail tenant, Sabotage, which was approved under Sign Permit No. 08-014, on the south-facing building façade. Any future proposed changes to the existing signs would require review for the requirements set forth in M.M.C. Section 17.52.

CUP ANALYSIS

Pursuant to M.M.C. Section 17.26.030(A), conditionally permitted uses in the CV-1 zone include all conditionally permitted uses in the Community Commercial (CC) zone. In the CC zone, subject to the approval of a CUP, M.M.C. Section 17.24.040 (B-D) allows for: 1) restaurants, exceeding a maximum interior occupancy of 125; 2) bars; and 3) live entertainment.

Pursuant to M.M.C. Section 17.48.030(G), the parking requirements for "restaurants, nightclubs, bars and similar establishments for the sale and consumption of food and beverages on the premises" are one space for each 50 square feet of service area. The proposed use, which includes dinner service, distilled liquor service and live entertainment with dancing does not change the existing service area square footage that currently exists on the property. In addition, the parking requirement for "general retail stores" is one space for each 225 square feet of gross floor area.

The Malibu Inn has 2,474 square feet of interior and exterior service area and will need to provide 50 parking spaces (one parking space for each 50 square feet of service area). Additionally, the 565 square foot retail space requires an additional three parking spaces. The total required parking for the Malibu Inn is 53 spaces. Currently, the existing parking lot configuration is composed of 20 standard size parking spaces plus two ADA accessible parking spaces, for a total of 22 spaces. No change to the onsite parking lot is proposed under the subject application and there is no physical way that the parking lot could be reconfigured to accommodate the required parking. Therefore,

consistent with past operational practices at the Malibu Inn, the applicant will provide the 31 remaining spaces on the adjacent property via a joint use agreement as forth in M.M.C. 17.48.040.

The adjacent property, immediately east, 22959 PCH is owned by the same property owner as the Malibu Inn. This property has historically provided parking for the Malibu Inn as the properties have direct access to one another. The property at 22959 PCH consists of a parking lot but is otherwise undeveloped. There is a covenant recorded between 22969 and 22959 PCH which dedicates a portion of 22959 PCH to serve as a wastewater treatment dispersal area for the Malibu Inn.

The parking lot currently provides approximately 50 parking spaces (19 spaces in excess of the required parking). Allowing the required parking to be located on the adjacent parcel conforms to the parking development standard which mandates that required parking be located within 300 feet of the use it serves (Attachment 9).

Although not required, the property owner also proposes a valet parking plan which will park any overflow cars for larger scheduled events at a second property that he owns located at 22761 PCH, which is located approximately 1,700 feet east of the subject property. The garage at 22761 PCH can accommodate a total of 96 vehicles and although not required, will supplement the 53 total parking spaces required for the use. As a condition of approval, the property owner must notify the City and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event.

In November 2009, CDP No. 09-067 was submitted for 22959 PCH and proposes to construct a new commercial building (retail / office) and includes the provision for a joint use parking agreement. The CDP application is in the initial stages of planning review and is not expected to be approved in the near future. However, the new commercial building design will be required to incorporate the required parking for any proposed office / retail use as well as maintain the 31 required spaces for the Malibu Inn.

Finally, in addition to the parking spaces designated under the joint use parking agreement, there is also a public parking lot to the immediate south along PCH and there is public parking available along both sides of the PCH right-of-way. While these parking areas cannot be counted towards the overall parking spaces required, they may be utilized by patrons of the larger entertainment events. For the most part, these events are expected to take place at night and would not displace any public coastal access parking.

Existing utilities serve the site. There are no plans to alter or add to the exterior of the existing structure associated with this project. The proposed minor interior tenant improvements comply with M.M.C. standards. The City of Malibu Environmental and Building Safety Division will review all remodel plans/tenant improvements as part of the issuance of a building permit.

In the past, there have been noise complaints regarding the operation of the Malibu Inn. These complaints are detailed in correspondence included with this report as Attachment 10. To address these concerns conditions of approval have been added to Planning Commission Resolution No. 10-79. These conditions include: prohibiting live entertainment and amplified music on the exterior patio; prohibiting unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 7:00 a.m.; requiring security personnel onsite nightly after 9:00 p.m. to control loitering on the property and / or noisy patrons.

Conditional Use Permit Findings (M.M.C. Section 17.66.080)

The applicant is requesting a CUP to allow the reopening of a previously operating restaurant and entertainment venue with outdoor seating and a distilled alcohol liquor license. Pursuant to 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. The CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the CV-1 zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply 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.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward side of PCH, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the Inn previously had ABC Liquor and Entertainment Licenses and operated as a restaurant with a bar and live entertainment.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces onsite and a the property owner agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. 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 Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents. Therefore, this proposed use is compatible with the land uses 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 PCH) is owned by the subject property owner and is zoned for commercial development.

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 serve the proposed project. The Los Angeles County Fire Department (LACFD) reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department. In addition, the City Environmental Health Administrator reviewed the CUP and determined that the existing OWTS is adequate for the proposed use. As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no impacts to solar access or public or private views will occur.

The proposed project will not create any shade or shadow impacts that would impede solar access. The existing commercial structure at 22969 PCH will not change under this application, and therefore, will not adversely impact 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

The proposed project meets the goals of the following land use policies of the General Plan:

LU Policy 3.1.1: The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.

LU Policy 3.2.1: The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient

parking and, when feasible, are located where existing low cost recreational uses will be enhanced.

LU Policy 4.4.1: The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, 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 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 ABC and the Los Angeles County Sheriff's Department.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition has been added to Planning Commission Resolution No. 10-79 which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance). Finally, the report generated in conjunction with the ABC application indicates that the property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Joint Use Parking Agreement (M.M.C. Section 17.48.040)

As stated in M.M.C. Section 17.48.050(A)(1), the Planning Commission may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions. The agreement will be between 22969 PCH and 22959 PCH, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement.

A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 am to 2:00 a.m. The adjacent property at 22959 PCH is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 PCH since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with subsection C.

B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and

shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. While the proposed use can change in the future, it is anticipated that there will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Division has analyzed the proposal as described above. The Planning Division 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 Division 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).

COASTAL DEVELOPMENT PERMIT EXEMPTION: Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4.3 — Other Improvements, a coastal development permit (CDP) exemption may be granted for improvements to an existing structure other than a single-family residence or a public works facility. The proposed change in use does not involve any of the classes of development which would require a CDP because it would not involve a risk of adverse environmental effect, adversely affect public access or involve a change in use contrary to the policies of the LIP. Therefore, CUP No. 09-009 is exempt from the requirement to obtain a CDP.

CORRESPONDENCE: To date, staff has received several public comments regarding this application which are included as Attachment 10.

PUBLIC NOTICE: Staff published a Notice of Public Hearing in the Malibu Surfside News on July 8, 2010 and mailed the notice to property owners and occupants within a 500 foot radius of the subject property (Attachment 11).

SUMMARY: The required CUP findings can be made. Further, the Planning Division'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. 10-79. The project has been reviewed and conditionally approved for conformance with the M.M.C. by staff and applicable County agencies.

ATTACHMENTS:

1. Planning Commission Resolution No. 10-79
2. Vicinity Map and Aerial Photograph
3. Departmental Review Sheets
4. Site Photographs
5. As-Built and Event Set-up Floor Plans
6. Service Area Plan
7. Ensitu Report dated April 28, 2010
8. California Department of Alcoholic Beverage Control License Application
9. Proposed Parking / Circulation / Valet Plans
10. Correspondence
11. Public Hearing / Mailing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 10-79

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU APPROVING CONDITIONAL USE PERMIT NO. 09-009 AND JOINT USE PARKING AGREEMENT NO. 10-001 TO PERMIT THE MALIBU INN RESTAURANT WITH LIVE ENTERTAINMENT WHICH WILL SERVE LIQUOR, OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 2:00 A.M., AND HAVE A MAXIMUM RESTAURANT SEATING CAPACITY OF 94 PATRONS, A MAXIMUM CAPACITY OF 340 PATRONS FOR ENTERTAINMENT EVENTS AND 565 SQUARE FEET OF RETAIL SPACE AT THE 8,960 SQUARE FOOT COMMERCIAL BUILDING IN THE COMMERCIAL VISITOR SERVING - 1 ZONING DISTRICT LOCATED AT 22969 PACIFIC COAST HIGHWAY (HAKIM)

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

Section 1. Recitals.

A. The building which houses the Malibu Inn was constructed in 1950 and the adjacent lot has historically provided parking. The use has operated under multiple owners for more than 50 years at the current location.

B. On June 3, 2008, Over the Counter (OC) Permit No. 08-102 was issued to re-open the 565 square foot retail space as Sabotage.

C. Due to a change in ownership of the subject property, the business closed in December 2008 and the restaurant and entertainment venue use ceased.

D. On May 26, 2009, breakfast and lunch service at the restaurant resumed.

E. On December 3, 2009, the subject application was submitted to the Planning Division by Elizabeth Peterson. The application was routed to the City Environmental Health Administrator, the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department for review.

F. On January 12, 2010, a Courtesy Notice of Proposed Project was mailed to all property owners and occupants within a 500 foot radius of the subject property.

G. On May 26, 2010, the application was deemed complete for processing.

H. On July 8, 2010, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

I. On August 3, 2010, at the applicant's request, the public hearing was continued to the

September 7, 2010 Regular Planning Commission meeting.

J. On September 7, 2010, 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, shall be exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared and issued 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 Approval and Findings.

The applicant currently operates an existing restaurant which serves breakfast and lunch and wishes to expand the use to include dinner service, distilled liquor service and live entertainment with dancing. In order to accomplish the project goal to restore the previously existing use at the Malibu Inn (22969 Pacific Coast Highway (PCH)), a conditional use permit (CUP) is required.

The existing service area on the property totals 2,474 square feet (1,184 square feet of interior space, 539 square feet in the banquet room and 751 square feet of exterior space on the patio). There is a 565 square foot retail space located at the eastern portion of the building. The service and retail areas will not change as a result of the proposed project. Additionally, no new square footage or exterior improvements are included in the application and only minor renovations to the interior of the existing commercial building are proposed. Specific interior improvements to the commercial space include: replacing existing flooring, refinishing the bars, upgrading televisions, changing furniture and lighting fixtures, replacing windows with double pane soundproof glass; while keeping a uniform wainscot and rustic wooden theme throughout.

The proposed hours of operation are seven days a week from 7:00 am to 2:00 a.m. The previous hours of operation were seven days a week from 8:00 a.m. to 2:00 a.m. A full menu will be served during all hours of operation, including breakfast, brunch, lunch and dinner offerings. Breakfast and lunch items will be sold throughout the day until close. On days featuring live music, dinner will continue to be served as normal and the kitchen will be open until 2:00 a.m.

The applicant has provided information regarding employees of the Malibu Inn. Mondays through Thursdays, there will be approximately 15 people on staff (including wait staff, bartenders, front of house staff and kitchen staff) throughout the course of each day. On Fridays through Sundays, there will be approximately 24 people on staff throughout the course of each day. All deliveries are scheduled between 8:00 a.m. and 11:00 a.m. on those days.
Ensitu Engineering Inc. completed an analysis of wastewater generation for the proposed use (Report

dated April 28, 2010). Ensitu also completed a comprehensive review, including in-the-field testing of the property's existing onsite wastewater treatment system (OWTS) in relation to the level of use and determined that the existing OWTS is acceptable for the use proposed. The City Environmental Health Administrator has reviewed the April 2010 Ensitu Report and has approved the project as proposed.

The capacity of the existing OWTS, dictates the total number of patrons that may visit the Malibu Inn per day. At current design flow rates, the applicant is permitted a maximum restaurant seating capacity of 94 people in the interior and exterior seating areas. The rest of the tenant space is planned for a food preparation and employee area, as well as restrooms. As stated previously, the existing service area on the property, totaling 2,474 square feet, will not change as a result of the proposed project.

The applicant has applied to the California Department of Alcoholic Beverage Control (ABC) for a Type 47 license which permits the sale of beer, wine and distilled spirits for consumption on the licenses premises. In addition, the applicant has also applied for an Entertainment License from the Los Angeles County Sheriff's Department to permit dancing and live entertainment.

The applicant has estimated that the live entertainment schedule will be apportioned as follows: approximately eight small live entertainment events per month and one large live entertainment event once every two months.

Parking Analysis

Pursuant to Malibu Municipal Code (M.M.C.) Section 17.48.030(G), the parking requirements for "restaurants, nightclubs, bars and similar establishments for the sale and consumption of food and beverages on the premises" are one space for each 50 square feet of service area. The proposed use, which includes dinner service, distilled liquor service and live entertainment with dancing does not change the existing service area square footage that currently exists on the property. In addition, the parking requirement for "general retail stores" is one space for each 225 square feet of gross floor area.

The Malibu Inn has 2,474 square feet of interior and exterior service area and will need to provide 50 parking spaces (one parking space for each 50 square feet of service area). Additionally, the 565 square foot retail space requires an additional three parking spaces. The total required parking for the Malibu Inn is 53 spaces. Currently, the existing parking lot configuration is composed of 20 standard size parking spaces plus two ADA accessible parking spaces, for a total of 22 spaces. No change to the onsite parking lot is proposed under the subject application and there is no physical way that the parking lot could be reconfigured to accommodate the required parking. Therefore, consistent with past operational practices at the Malibu Inn, the applicant will provide the 31 remaining spaces on the adjacent property via a joint use agreement as forth in M.M.C. 17.48.040.

The adjacent property, immediately east, 22959 PCH is owned by the same property owner as the Malibu Inn. This property has historically provided parking for the Malibu Inn as the properties have direct access to one another. The property at 22959 PCH consists of a parking lot but is otherwise undeveloped. There is a covenant recorded between 22969 and 22959 PCH which dedicates a portion of 22959 PCH to serve as a wastewater treatment dispersal area for the Malibu Inn.

The parking lot currently provides approximately 50 parking spaces (19 spaces in excess of the required parking). Allowing the required parking to be located on the adjacent parcel conforms to the parking development standard which mandates that required parking be located within 300 feet of the use it serves.

Although not required, the property owner also proposes a valet parking plan which will park any overflow cars for larger scheduled events at a second property that he owns located at 22761 PCH, which is located approximately 1,700 feet east of the subject property. The garage at 22761 PCH can accommodate a total of 96 vehicles and although not required, will supplement the 53 total parking spaces required for the use. As a condition of approval, the property owner must notify the City and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event.

In November 2009, CDP No. 09-067 was submitted for 22959 PCH and proposes to construct a new commercial building (retail / office) and includes the provision for a joint use parking agreement. The CDP application is in the initial stages of planning review and is not expected to be approved in the near future. However, the new commercial building design will be required to incorporate the required parking for any proposed office / retail use as well as maintain the 31 required spaces for the Malibu Inn.

Finally, in addition to the parking spaces designated under the joint use parking agreement, there is also a public parking lot to the immediate south along PCH and there is public parking available along both sides of the PCH right-of-way. While these parking areas cannot be counted towards the overall parking spaces required, they may be utilized by patrons of the larger entertainment events. For the most part, these events are expected to take place at night and would not displace any public coastal access parking.

Findings

Pursuant to 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. The CUP 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.

A restaurant with an interior capacity in excess of 125 people, a nightclub and a bar are all conditionally permitted uses in the CV-1 zoning district. The existing commercial structure includes a total interior square footage of 8,960 square feet, with a service area that totals 2,474 square feet (comprised of 1,184 square foot interior service area which includes the bar, a 751 square foot service area on the outdoor patio which includes a bar and a 539 square foot service area in the banquet room). The project has been conditioned to comply 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.

The proposed use is a commercial use on commercially zoned property and therefore, would not impair the integrity and character of the CV-1 zoning district. The Malibu Inn has occupied the subject property for several decades and is located within a long strip of commercial properties located on the landward

side of PCH, east of the Pier. Furthermore, the proposed project will conditionally permit the previously operating restaurant and therefore is not anticipated to result in a change from the existing conditions within the zoning district. Finally, the use previously had ABC Liquor and Entertainment Licenses and operated as a restaurant with a bar and live entertainment.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The project site contains existing commercial development. The proposed tenant improvements consist of a minor interior remodel only and no exterior changes are included in the project scope. The business has operated on the subject property since the 1950s. A total of 53 parking spaces are required for the proposed use. There are 22 parking spaces that exist onsite and the property owner has agreed to a joint use parking agreement to provide for the remaining 31 spaces to be located on the adjacent property that he also owns. The parking spaces will be provided for the use of the patrons and employees of the Malibu Inn. 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 Malibu Inn has operated at the subject property since the 1950s. It closed briefly at the end of 2008 due to the sale of the property. The property is surrounded by both commercial, open space and residential uses. There is a mix of commercial, office and retail uses in the immediate vicinity of the site. There are very few residences located within close proximity to the subject property.

The property owner has agreed to a condition of approval which will prohibit live entertainment on the exterior patio. In addition, further conditions of approval which limit noise from the patio have been included for this project in compliance with the M.M.C. Noise Ordinance. Furthermore, conditions of approval have been included to require that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance) and to provide security personnel onsite seven days a week from 9:00 p.m. to closing to ensure that noisy and rowdy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents. Therefore, this proposed use is compatible with the land uses 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 proposed use is compatible with existing and future land uses within the zoning district and the general area in which the proposed use is to be located in that the surrounding land uses are comprised of a wide range of commercial uses including restaurants, retail uses, medical and professional offices, as well as public open space to the south. The only vacant property in the immediate vicinity (22959 PCH) is owned by the subject property owner and is zoned for commercial development.

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 serve the proposed project. The Los Angeles County Fire Department (LACFD) reviewed the CUP and issued a conditional approval on February 18, 2010. Some of the conditions require that applicant test existing fire hydrants and submit plans to the Fire Prevention Engineering Department. In addition, the City Environmental Health Administrator reviewed the CUP and determined that the existing OWTS is adequate for the proposed use. As conditioned, the proposed conditional use permit would limit the hours of operation from 7:00 a.m. to 2:00 a.m. daily. No changes to the exterior of the existing structure are proposed, so no impacts to solar access or public or private views will occur.

The proposed project will not create any shade or shadow impacts that would impede solar access. The existing commercial structure at 22969 PCH will not change under this application, and therefore, will not adversely impact 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 existing commercial property is proposed by this CUP. Upon completion of the construction of the commercial building on the adjacent parcel to the east, parking will be accommodated in accordance with the joint use parking agreement. The proposed use will have adequate parking for public access and will not obstruct public traffic circulation. It is anticipated that the reopening of the previously existing use would not 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 CV-1 zoning district. The General Plan defines the CV zone as providing for visitor serving uses which serve visitors and residents such as hotels and restaurants which respect the rural character and natural environmental setting. Visitor serving uses shall be consistent with compatible accessory uses, shall protect the surrounding properties, shall ensure safe traffic circulation and shall promote economically viable visitor serving areas of the City.

The proposed project meets the goals of the following land use policies of the General Plan:

LU Policy 3.1.1:	The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
LU Policy 3.2.1:	The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.
LU Policy 4.4.1:	The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

As such, the proposed project, 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 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 ABC and the Los Angeles County Sheriff's Department.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed project will reopen a previously existing restaurant and bar that provides live entertainment, which is a conditionally permitted use in a commercial zone. As stated in Finding 6, the LACFD has conditionally approved the CUP and set maximum occupancy for both dining and live entertainment events. In addition, the Los Angeles County Sheriff's Department issued a conditional approval of the CUP on May 13, 2010, specifically requiring that the property owner notify the department of all planned entertainment events. A condition has been added to Planning Commission Resolution No. 10-79 which requires that the property owner notify the City Code Enforcement Officer and the Los Angeles County Sheriff's Department no less than three days prior to a large entertainment event (defined as any event with 100 or more persons in attendance). Finally, the report generated in conjunction with the ABC application indicates that the property owner has not been subject to any disciplinary infractions in the past with regard to a liquor license. As conditioned, the proposed use will not be detrimental to the public interest, health, safety, convenience or welfare.

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 reopening a previously existing use within the existing commercial structure. The building footprint and envelope will not change; therefore, there is no new impact related to earth movement, flooding or liquefaction.

Section 4. Joint Use Parking Agreement Approval.

As stated in M.M.C. Section 17.48.050(A)(1), the Planning Commission may approve parking on a separate lot, via a Joint Use Parking Agreement, under the following conditions. The agreement will be between 22959 PCH and 22969, which are under common ownership. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement.

A. Up to one-half of the parking facilities required for a primarily daytime use may be used to meet the requirements of a primarily nighttime use and up to one-half of the parking facilities required for a primarily nighttime use may be used to meet the requirements of a primarily daytime use; provided, that such reciprocal parking arrangement shall comply with subsection C of this section.

The proposed hours of operation for the subject use are from 7:00 am to 2:00 a.m. The adjacent property at 22959 PCH is undeveloped with the exception of the parking lot historically used to provide parking for the Malibu Inn. However, an application (CDP No. 09-67) for a commercial building for that site has been submitted to the Planning Division. The new commercial building design will incorporate the required parking for any proposed office / retail use as well as maintain the required parking for the Malibu Inn pursuant to the joint use parking agreement.

Although the commercial building is not expected to be approved in the near future, staff has anticipated parking impacts during the course of construction and provided conditions of approval to maintain required parking. Parking displaced during construction would be temporarily relocated to the commercial / office building located at 22761 PCH since it is also owned by the same owner as the Malibu Inn.

Historically, the heaviest parking demand at the Malibu Inn is primarily evenings and weekends. Commercial development on the adjacent parcel is anticipated to be either office or retail with primarily daytime operating hours. In addition, the 31 spaces required for the Malibu Inn will be supplementary to the parking spaces required for the new commercial development, so the uses will not be in conflict. Therefore, the reciprocal parking arrangement will comply with subsection C.

B. The planning commission may reduce parking requirements for common parking facilities by up to 25 percent in shopping centers or other commercial areas where a parking lot with common access and joint use is provided.

The property owner has not requested to reduce the required parking spaces. The reciprocal parking agreement will provide additional parking spaces in excess of what is required for the proposed use.

C. The parties concerned shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use is proposed and shall evidence agreement for such use by a proper legal instrument, to which the city is a party.

The subject property owner owns the subject property and the other commercial property involved in the joint use parking agreement. The subject property will operate from 7:00 a.m. to 2:00 a.m. daily, with live entertainment events primarily being held in the evenings. The other property is proposed to be office / retail uses with principal operating hours during the daytime. There will be no substantial conflict in the principal operating hours for the two properties. Prior to the approval of any project on the adjacent lot, all code required parking will need to be provided. A legal agreement between the City and the property owner is required as a condition of approval. The agreement will contain requirements for an annual review by the Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements.

Section 5. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001, subject to the conditions listed below.

Section 6. Conditions of Approval.

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 for the following:
   a. Operation of a restaurant with live entertainment;
   b. Maximum dining seating capacity of 94 patrons and maximum event capacity of 340 patrons;
   c. Service of distilled liquor;
   d. Interior improvements including:
      i. Replacing existing flooring,
      ii. Refinishing the bars,
      iii. Upgrading televisions,
      iv. Changing furniture and lighting fixtures, and
      v. Replacing windows with double pane soundproof glass; and
   e. Joint use parking agreement between properties addressed as 22959 PCH and 22969 PCH.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Division. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to Local Coastal Program (LCP) Local Implementation Plan (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 Division within 10 days of this decision and prior to issuance of any development permits.

5. This conditional use permit shall be reviewed on a semi-annual basis for the first year, and then on an annual basis thereafter. At this time, the property owner shall provide evidence that the joint use parking agreement is still in effect. At least two weeks prior to the review date, the applicant shall pay the Planning staff site inspection fee in effect at the time of request for site inspection. A staff planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the conditional use permit may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified. Possible mitigation measures can include:
   a. Modifying the hours of operation;
   b. Restricting alcohol service;
   c. Hiring additional security personnel;
   d. Prohibiting music;
   e. Installing noise mitigating measures / devices; or

f. Other measures deemed necessary by the Planning Commission.

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

7. All interior tenant improvements shall conform to requirements of the City of Malibu Environmental and Building Safety Division, City Environmental Health Administrator and City Public Works Department, as applicable. Notwithstanding this review, all required permits shall be secured.

8. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Manager, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. Revised plans reflecting the minor changes and additional fees shall be required.

Fire Department

9. All applicable requirements of the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division set forth in the review sheet dated February 18, 2010 shall apply.

Environmental Health

10. Except as specifically required by the conditions of approval, no renovation of the septic tank and drainfield system is required. The City Environmental Health Administrator's approval dated May 13, 2010, does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

11. The piping connections between the grease interceptor, septic tanks and distribution boxes shall be brought into conformance with the Malibu Plumbing Code (MPC). Prior to the authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

12. The subject Environmental Health approval pertains only to the use of the premises not to exceed 94 restaurant seats, 340 nightclub patrons and 565 square feet of retail spaces.

Sheriff's Department

13. The property owner shall be required to notify the Sheriff's Department (Malibu / Lost Hills Station) and the City of Malibu of any live entertainment event scheduled to take place within the Malibu Inn, especially pertaining to live bands no less than three days prior to the event. If the property owner books a larger event (in excess of 100 attendees), he shall contact the Sheriff's Department to discuss potential requirements for contracting for a law enforcement presence to handle any crowd and traffic control. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

Joint Use Parking Agreement

14. The property at 22959 PCH shall serve as a donor site for no less than 31 parking spaces for the subject property at 22969 PCH. A legal agreement (Joint Use and Common Parking Facilities Agreement) between the City and the property shall be required. The agreement shall contain requirements for an annual review by the City Planning Manager with authority to modify the agreement as necessary to maintain onsite parking arrangements. A deed restriction shall be recorded on the title of each property reflecting the permanent reciprocal parking agreement.

15. An amendment to the conditions set forth in this CUP shall be required if there is a proposed change to the joint use parking agreement.

Operations

16. The approved hours of operation are from 7:00 am to 2:00 a.m., seven days per week. Complete closure and all employees must vacate the premises no more than one hour after closing, daily. No after hours operation shall be permitted.

17. A maximum of 94 seats for dining are approved under this permit. The maximum interior and exterior occupancy for entertainment events is 340 patrons.

18. No exterior activity such as trash disposal, recycling pickup, delivery trucks or exterior maintenance is permitted onsite between the hours of 10:00 p.m. and 7:00 a.m. Additionally, bottles and glass containers shall not be emptied into outdoor trash or recycling bins between 10:00 p.m. and 7:00 a.m.

19. This CUP permits the sale of distilled spirits as well as beer and wine with a Type 47 License. The property owner / operator shall obtain all necessary approvals from the California Department of Alcohol Beverage Control. Once obtained, the applicant is required to provide to the Planning Division a copy of the ABC issued On-Premise Consumption License.

20. Prior to the start of employment, employees that serve alcohol shall undergo an alcohol training program such as TIPS (Training for Intervention Procedures), designed to prevent intoxication, underage drinking and drunk driving. Evidence of completion of this training shall be submitted to the Planning Division.

21. This CUP permits live entertainment and dancing. Once obtained, the applicant is required to provide to the Planning Division a copy of the Los Angeles County Sheriff's Department Entertainment License.

22. No live entertainment is permitted on the exterior patio at any time. Low level amplified music is permitted on the patio during the hours of 7:00 a.m. to 10:00 p.m., daily. Unnecessary and boisterous noise from the patio between the hours of 10:00 p.m. and 2:00 a.m. shall be prohibited.

23. Prior to final planning approval, the property owner / operator shall install small signs in the interior of the business on or near the exit doors requesting that patrons not loiter outside and be

courteous and quiet when leaving the building and parking areas.

24. All exterior doors shall remain closed when not being used for ingress/egress purposes. The property owner shall install self-closing door mechanisms on all exterior doors.

25. Noise emanating from the premises shall not be plainly audible at a distance of five feet of any residential dwelling unit between 10:00 p.m. and 7:00 a.m., as required by M.M.C. Section 8.24.050(L).

26. The property owner / operator (or designated representative) shall monitor the noise levels adjacent to nearby residences to check compliance with City noise regulations (i.e. the noise should not be plainly audible within five feet of any residential dwelling unit). If the property owner / operator (or designated representative) determines that the noise level exceeds City noise regulations, they shall immediately notify the musicians to reduce noise levels in compliance with City noise regulations.

27. The property owner / operator shall adhere to a "good neighbor" policy, meaning that the operator and employees must respect the rights of neighboring properties and, to the best of their ability, shall ensure their patrons' compliance with the City's noise and smoking regulations and any applicable conditions of approval for the subject use relating to parking, smoking, litter, noise, loitering, etc.

28. Per M.M.C. Section 9.34.020, smoking is prohibited in all outdoor dining areas located on private or public property, including the public right-of-way. Smoking is also prohibited within 20 feet of an outdoor dining area, except while actively passing by on the way to another destination.

29. Per M.M.C. Section 9.34.030, the property owner shall post and maintain "no smoking" signs in conspicuous locations within the outdoor dining area. All such signs shall: 1) be no greater than one square foot in size; 2) be prominently displayed; 3) clearly state "no smoking" and/or use the international "no smoking" symbol; and 4) reference M.M.C. Section 9.34.020.

30. Prior to commencement of alcohol service, a security plan shall be submitted to the City Environmental and Community Development Department and the Los Angeles County Sheriff's Department for review and approval. The plan shall address both physical and operational security issues. Additionally, the plan shall include a contact phone number of an individual who will be available during entertainment events to address complaints.

31. The property owner / operator (or designated representative) shall regularly monitor the area outside of the restaurant to ensure peace and quiet. Security personnel shall be provided seven days a week from 9:00 p.m. to closing to ensure that noisy patrons leaving the establishment will not adversely affect the welfare of neighborhood residents.

32. At the close of business each day, the property owner / operator shall clean up any litter or any other items that were likely to have been left by patrons of the subject establishment found on the subject property or along the public right-of-way.

33. No sign shall be illuminated after 11:30 p.m., or close of business, whichever occurs last.

34. Any proposed structural changes to the existing signs shall require review for the requirements set forth in M.M.C. Section 17.52 - Signs.

35. Window or other signage visible from the public right-of-way that advertises beer or alcohol shall not be permitted.

36. 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.

37. The property owner / tenant shall comply with the requirements set forth in M.M.C. Section 9.28—Ban on Plastic Shopping Bags. 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.

38. A copy of the conditions of approval must be kept on the premises and presented to the Los Angeles County Sheriff's Department upon request.

39. Parking displaced during any future construction on 22959 PCH shall be temporarily relocated to the commercial / office building located at 22761 PCH since it is owned by the same property owner (ASK Group, LLC) as the Malibu Inn. If this situation changes, alternate offsite parking arrangements will need to be coordinated with the Planning Manager prior to building permit issuance for development at 22959 PCH.

40. Within 60 days of the issuance of the conditional use permit, an after-the-fact building permit shall be obtained for the retaining wall along the hillside at the rear of the property (as identified in Building Permit No. 02-0233), which creates the area for the planter.

Fixed Conditions

41. The conditions under which this conditional use permit was approved may be modified by the City of Malibu without the consent of the property owner or operator if the Planning Commission finds that the use is creating a nuisance.

42. 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.

43. 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.

44. This conditional use permit shall become null and void with the demolition of the building.

45. 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). If a hearing is required, the City shall notify the property owner / operator prior to the hearing.

46. 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 7. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 7th day of September, 2010.

JOHN MAZZA, Planning Commission Chair

ATTEST:

JESSICA BLAIR, Recording Secretary

LOCAL APPEAL - Pursuant to LIP 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. 10-79 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 7th day of September 2010, by the following vote:

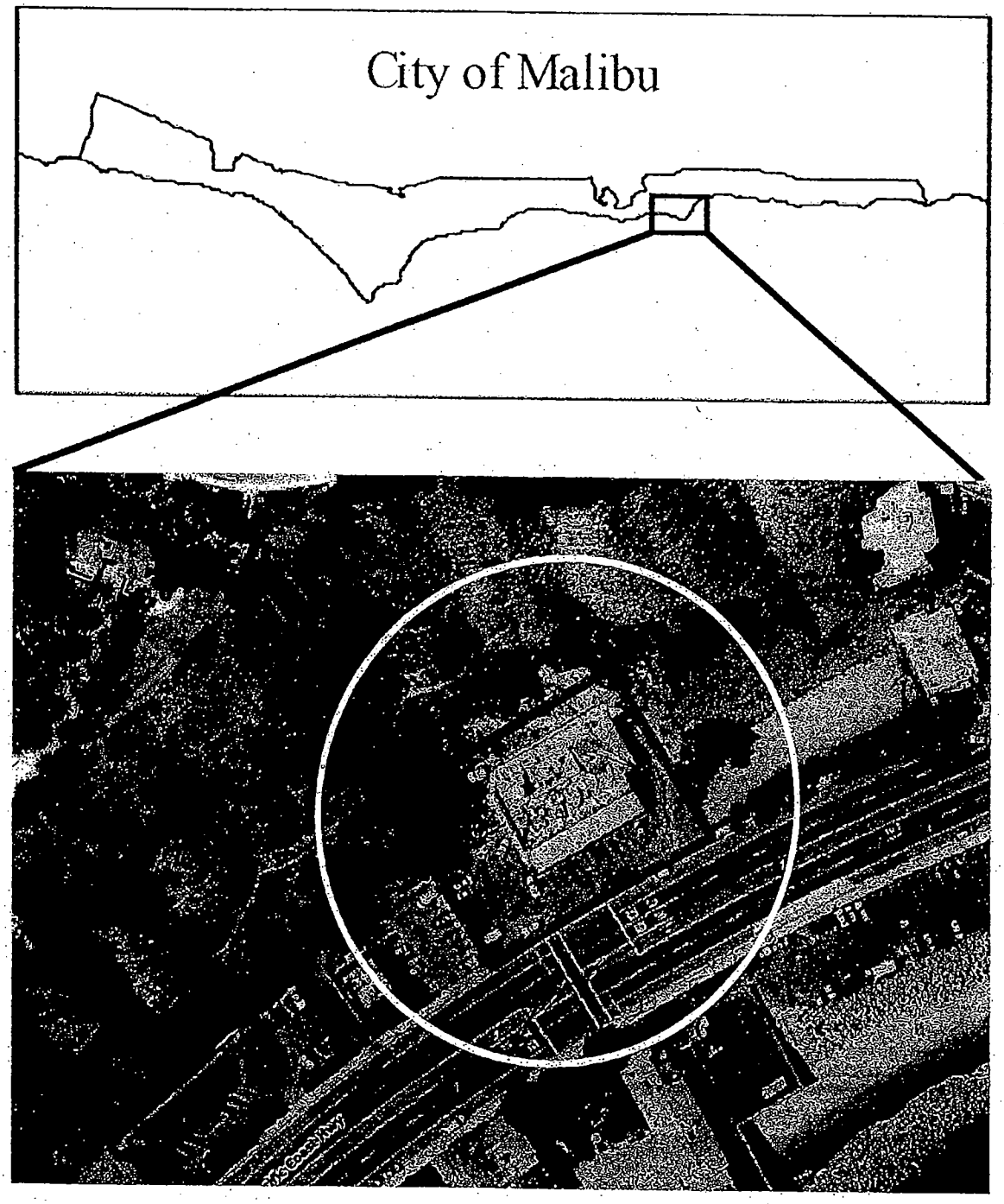
AYES:
NOES:
ABSTAIN:
ABSENT:

_____

JESSICA BLAIR, Recording Secretary

22969 Pacific Coast Highway

VICINITY MAP AND SITE PHOTO



Attachment 2

City of Malibu

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

RECEIVED
FEB 19 2010
PLANNING DIV.

DATE: February 18, 2010

ATTENTION: PLANNING SECTION

CITY: Malibu

SUBJECT: CUP 09-009

LOCATION: 22969 Pacific Coast Highway

☐ The Fire Department has no additional requirements for this permit.

☒ The required fire flow for public fire hydrants at this location is 2500 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is 1250 gallons per minute at 20 psi. for a duration of two hours. If more than one on-site fire hydrant is required, the on-site hydrant shall be at least 2500 gallons per minute at 20 psi, flowing from two hydrants simultaneously, one of which must be the furthest from the public water source.

☒ Public fire hydrant(s): Install ___ Upgrade __ Verify (flow test) 1 existing public fire hydrant(s).
Private on-site fire hydrant(s): Install ___ Upgrade __ Verify (flow test) ___ existing private on-site fire hydrants.

All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.

☒ **Water:** Flow test the exixting public fire hydrant nearest the lot frontage as indicated on the site plan markup.

☒ **Access:** Existing.

☒ **Special Requirements:** Submit tenant improvement plans to Fire Prevention Engineering, 2600 Agoura Road, Calabasas, CA 91302 (818)880-0341.

☒ **Comments:** Submit a completed LACoFD fire flow form, Form #196 (original only), to Fire Prevention Land Development for review prior to clearance of the CUP.
Additional water system requirements may be required when this land is further subdivided and/or during the building permit process.

Fire Protection facilities; including access, must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Nancy Rodeheffer

Stephanie Danner

From: Rodeheffer, Nancy [NRodeheffer@fire.lacounty.gov]
Sent: Thursday, February 18, 2010 9:08 AM
To: Stephanie Danner
Subject: CUP 09-009

Hi Stephanie,

Regarding the CUP for the Malibu Inn, I spoke to Captain Moore at Fire Station 88. Per Captain Moore there were no outstanding issues with the Malibu Inn on the last Fire Department annual inspection.

Best regards,

Nancy Rodeheffer
FPEA II
Land Development
LACoFD
nrodeheffer@fire.lacounty.gov

City of Malibu

23815 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

File # CUP 09-009

CONDITIONAL USE PERMIT
AGENCY APPROVAL

Los Angeles County Sheriff – Malibu/Lost Hills Station

Location: 22969 Pacific Coast Highway
Malibu Café (at the Malibu Inn)

Description: Restaurant Use (7am - 2am), live entertainment, Type 47 license

Applicant/Contact: Elizabeth Peterson

Applicant Phone #: (213)674-2686

Applicant Fax #:

Submit this Approval form, with project plans to:

Deputy Brownell
27050 Agoura Road, Calabasas CA 91302
818-878-1808 fax 818-880-5209
Hours: Monday – Thursday 9:00 a.m. – 5:00 p.m.

Separate applications and fees may be required. A CUP will not be issued until this form, signed by an authorized member of this agency, has been returned to the City of Malibu. Any conditions imposed by this agency will be included in the CUP.

☑ Approved ☐ Denied Conditions Imposed: ☐ No ☑ Yes (see below)

Notes/Comments/Conditions: See Page - 2 -

Name _____ Date _____

Signature _____ Title _____

Malibu Café (At the Malibu Inn) - City of Malibu CUP # 09-009

Special conditions and/or Restrictions:

Applicant is required to keep the Sheriff's Department (Malibu/Lost Hills Station) and the City of Malibu apprised of any live entertainment scheduled to take place within the Malibu Inn, especially pertaining to live bands. The applicant has assured me they were more interested in booking smaller (3) piece type entertainers (jazz, acoustic, etc.) as opposed to larger bands. The applicant is required to advise the Sheriff's Department and the City if they plan on booking a larger band, at which time we will discuss the possibilities of contracting for a law enforcement presence to handle any added crowd & traffic control. The applicant has expressed their intention to remodel the current interior to restore it to a similar layout and decor as the original Malibu Inn. We specifically discussed separating the bar area and eating areas with a wall, which would create a favorable atmosphere for customers that are dinning. The applicant shall keep the City and the Sheriff's department informed as to their plans and progress pertaining to the remodeling.

Other conditions: Applicant is to comply with city permit requirements

Processed By: Deputy Shawn Brownell # 208431

Date: May 13, 2010

City of Malibu

001795

23555 Civic Center Way, Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrato DATE: 12/3/2009

FROM: City of Malibu Planning Department

RECEIVED
MAY 25 2010
PLANNING DIV.

PROJECT NUMBER:	CUP 09-009
JOB ADDRESS:	22969 PACIFIC COAST HWY
APPLICANT / CONTACT:	Elizabeth Peterson
APPLICANT ADDRESS:	1850 Industrial St. Unit 606 Los Angeles, CA 90021
APPLICANT PHONE #:	(213)674-2686
APPLICANT FAX #:	
PROJECT DESCRIPTION:	Restaurant use - Malibu Café

❸ New Construction ❸ Remodel ❸ Fire Damage

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. *

A Sheldon
SIGNATURE

5-13-2010
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 at the City Hall Annex counter Monday through Thursday from 8:00 am to 10:00 am, or by calling (310) 456-2489 x364

Rev: 09/21/06 (gs)

* Conditions of approval show an OWTS Plot Plan attached hereto

22069 PACIFIC COAST HIGHWAY (CUP 09-009)
MALIBU, CA 90265

RESTURANT:	94 Seats (E)
NIGHTCLUB:	340 Patrons (E)
RETAIL:	565 Sq Ft (E)
GREASE INTERCEPTOR:	1 - 10000 Gallon (E)
SEPTIC TANK:	1 - 3000 Gallon (E)
	1 - 3000 Gallon (E)
ACTIVE:	1 - 16' x 100' Drainfield (E)
	1 - 24' x 40' Drainfield (E)
	1 - 20' x 40' Drainfield (E)
FUTURE:	100% (Covenant to use adjacent property)
PERC RATE:	1.94 gpsf (Tested)
REFERENCE:	Ensitu Engineering: Existing OWTS evaluation report dated 4-28-2010

NOTES:

1. This conformance review is for a conditional use permit to operate a restaurant and nightclub. Except as required by the conditions shown below, no renovation of the septic tank and drainfield system is required. This work does not represent an expansion, modification or change in the type or intensity of use of the existing onsite wastewater treatment system.

2. This review relates only to the minimum requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Program (LCP), and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.

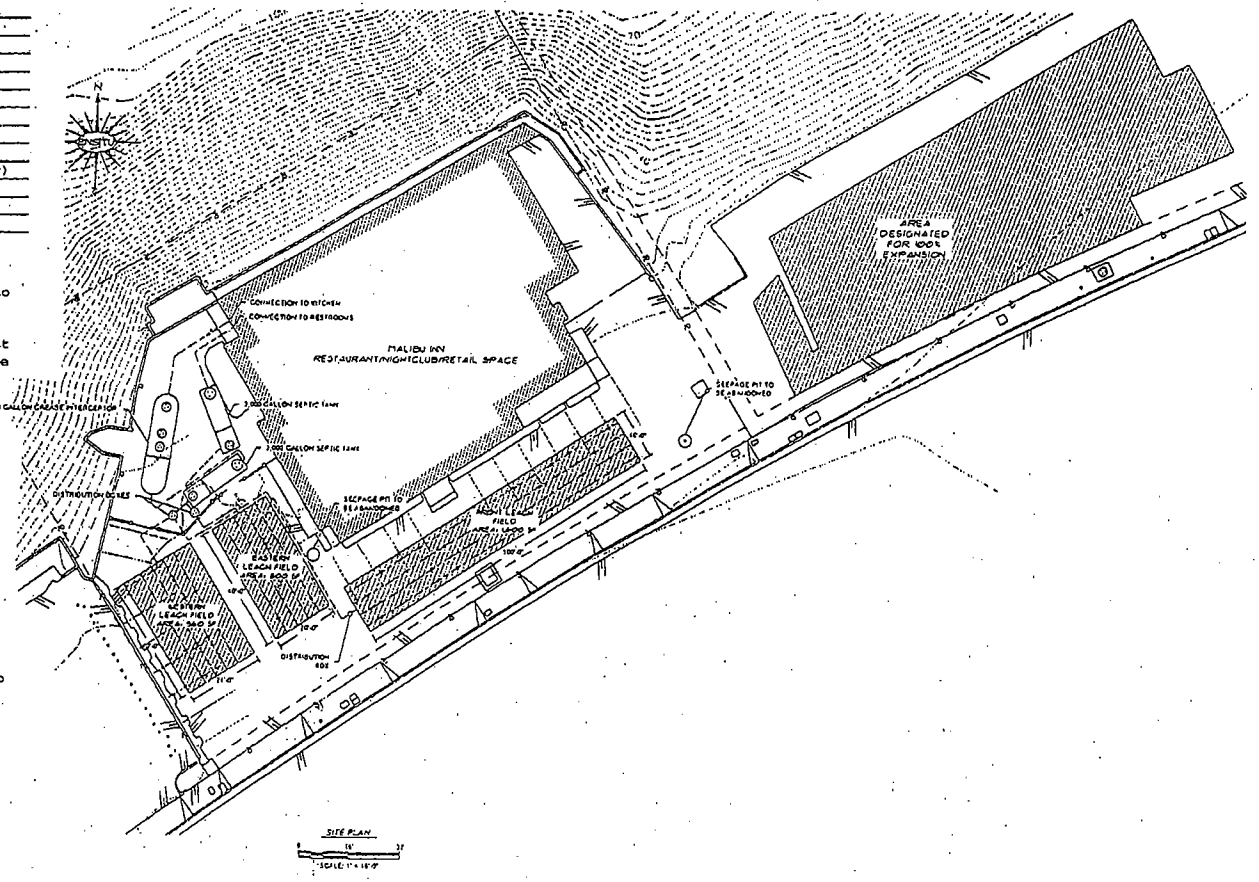
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

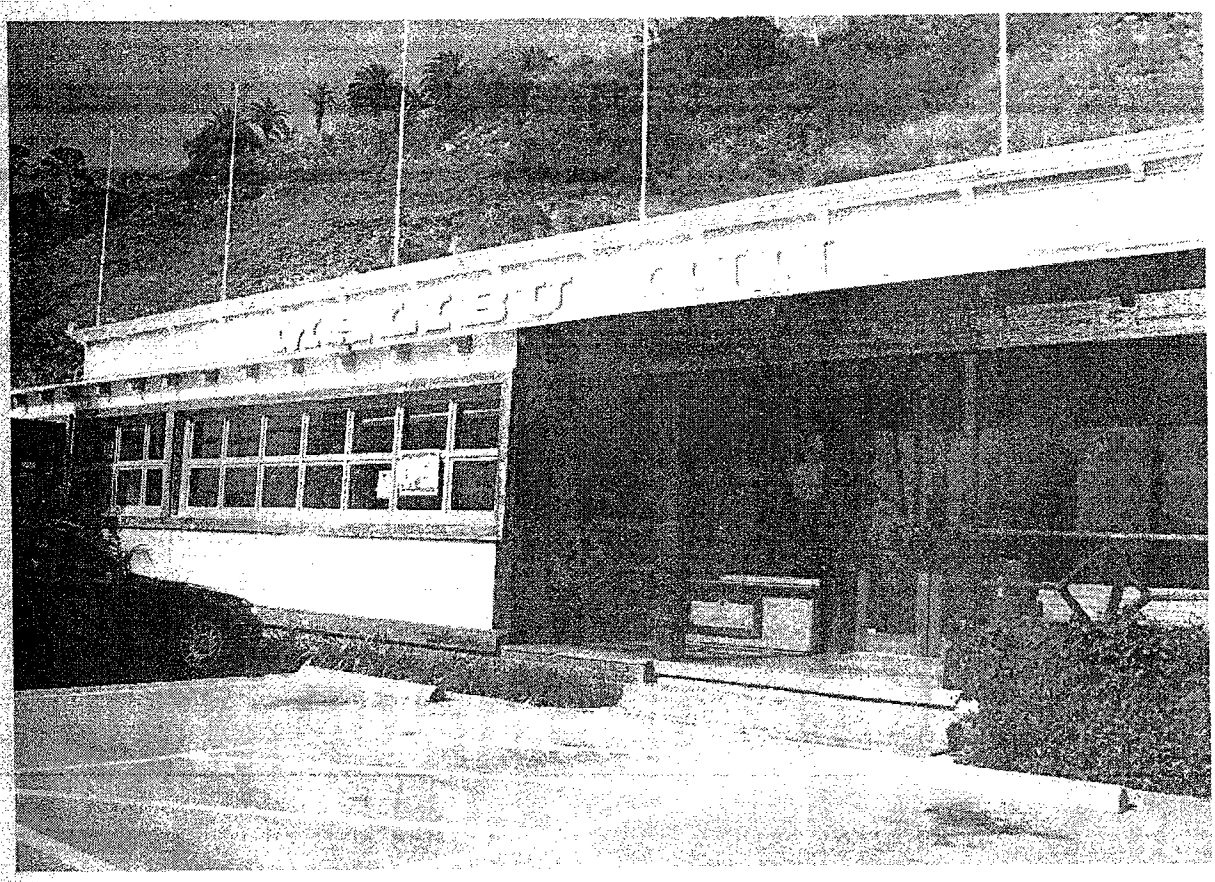
CONDITIONS OF APPROVAL:

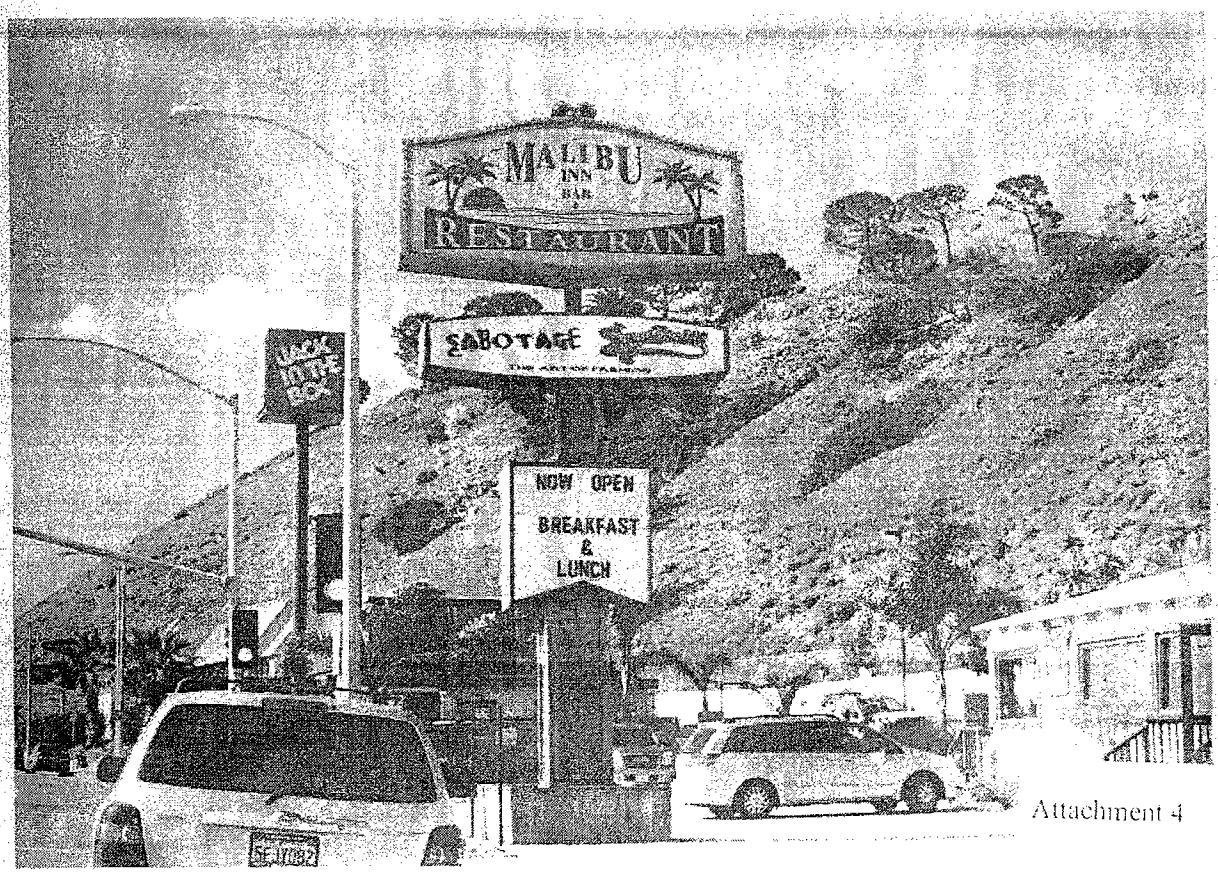
1. The piping connections between the grease interceptor, septic tanks, and distribution boxes shall be brought into conformance with the MPC. Prior to authorization to operate the restaurant during dinner and/or nightclub hours, a piping plan shall be submitted for review and approval, and a final construction permit shall be submitted to the Environmental Health Administrator.

2. Use of the premises shall not exceed 94 restaurant seats, 340 nightclub patrons, and 565 sq ft retail.

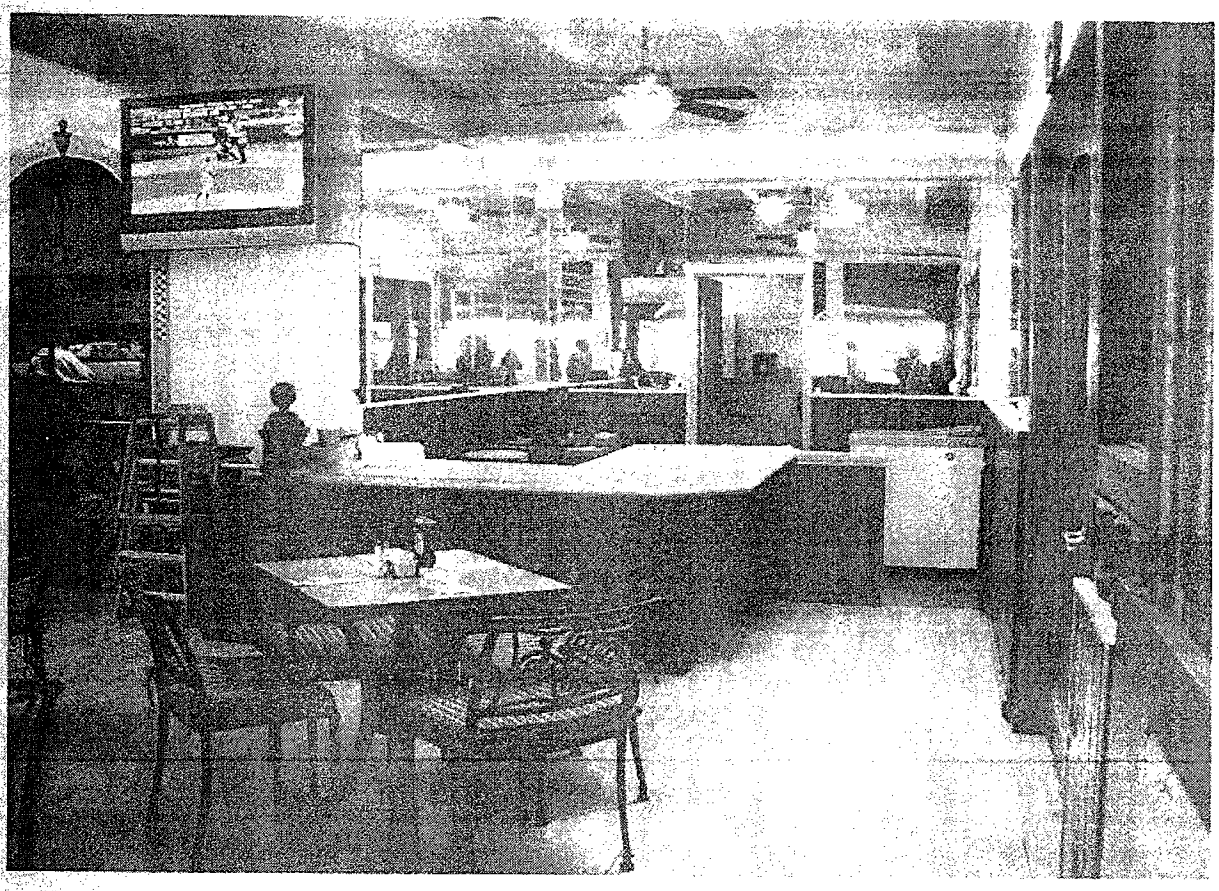
CITY OF MALIBU
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
MAY 13 2010
SIGNATURE
THIS IS NOT AN APPROVAL.
FINAL APPROVAL IS REQUIRED
PRIOR TO THE ISSUANCE OF
ANY CONSTRUCTION PERMITS

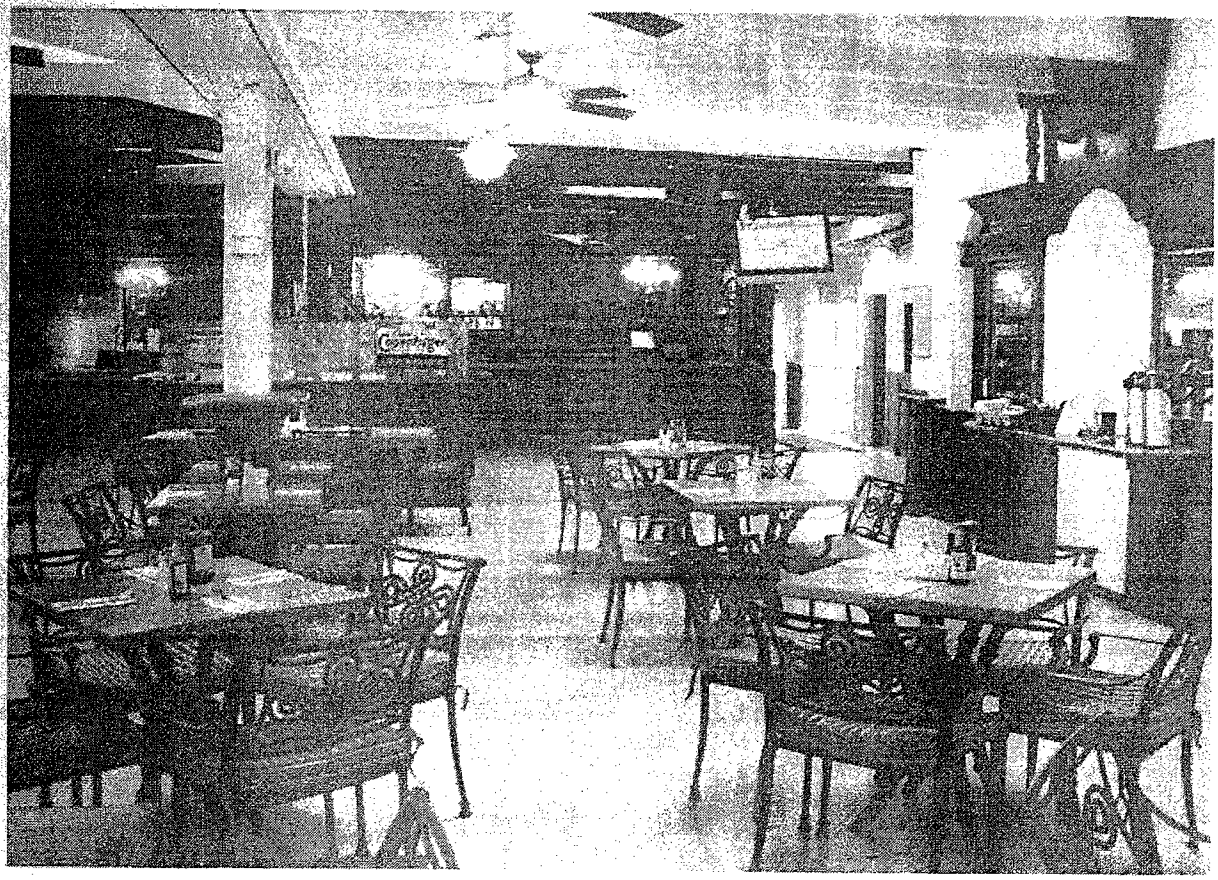


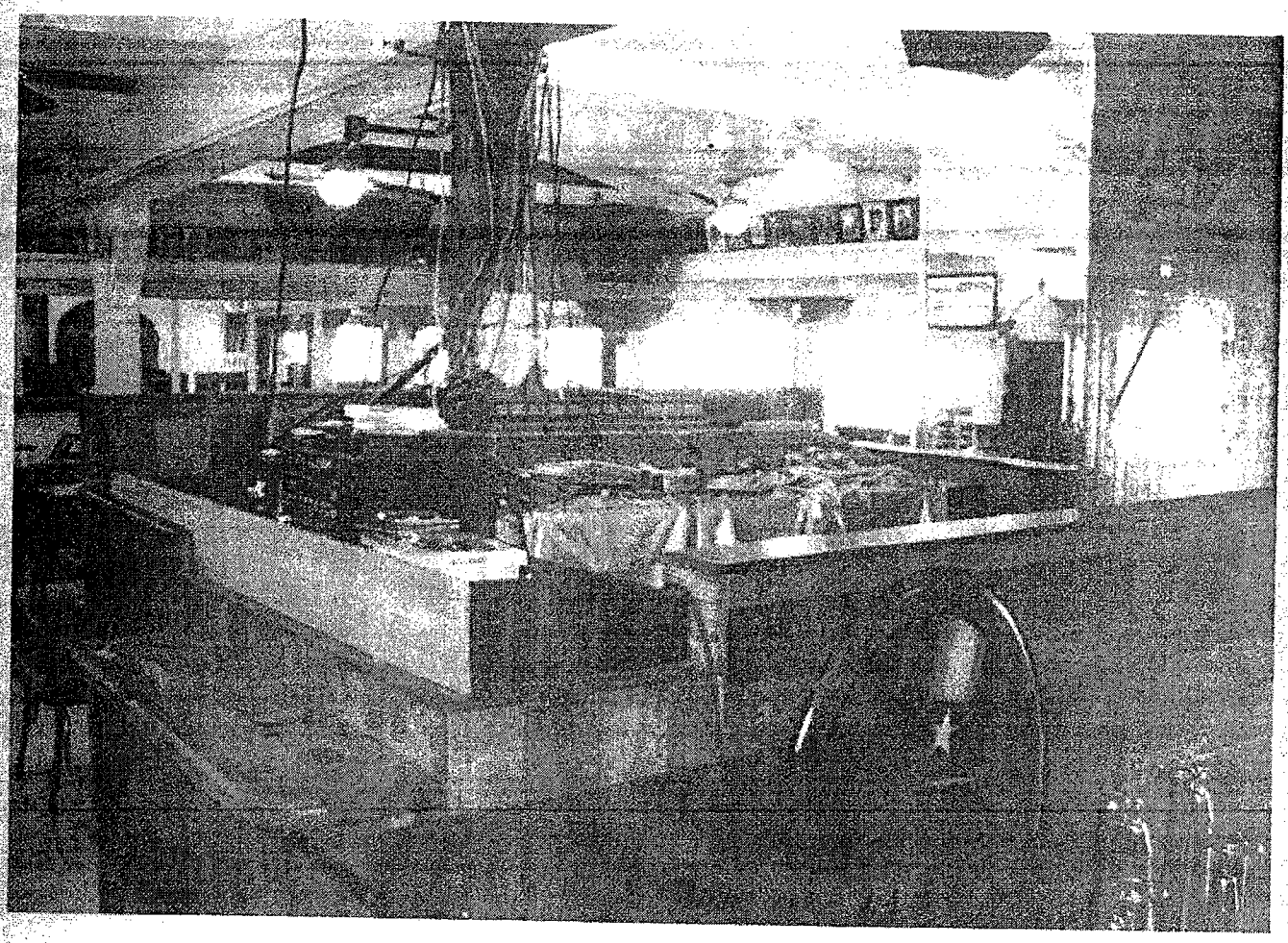


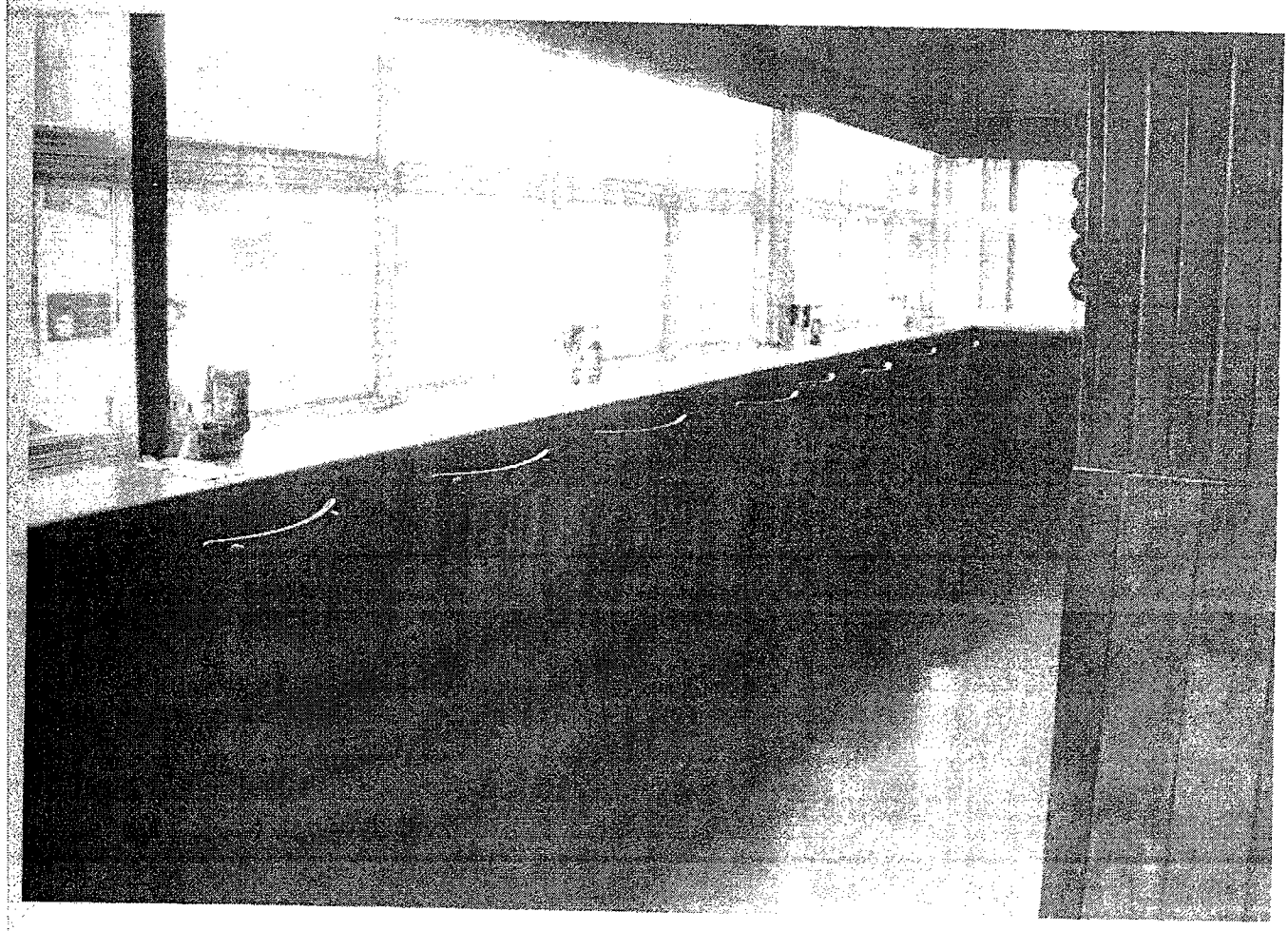


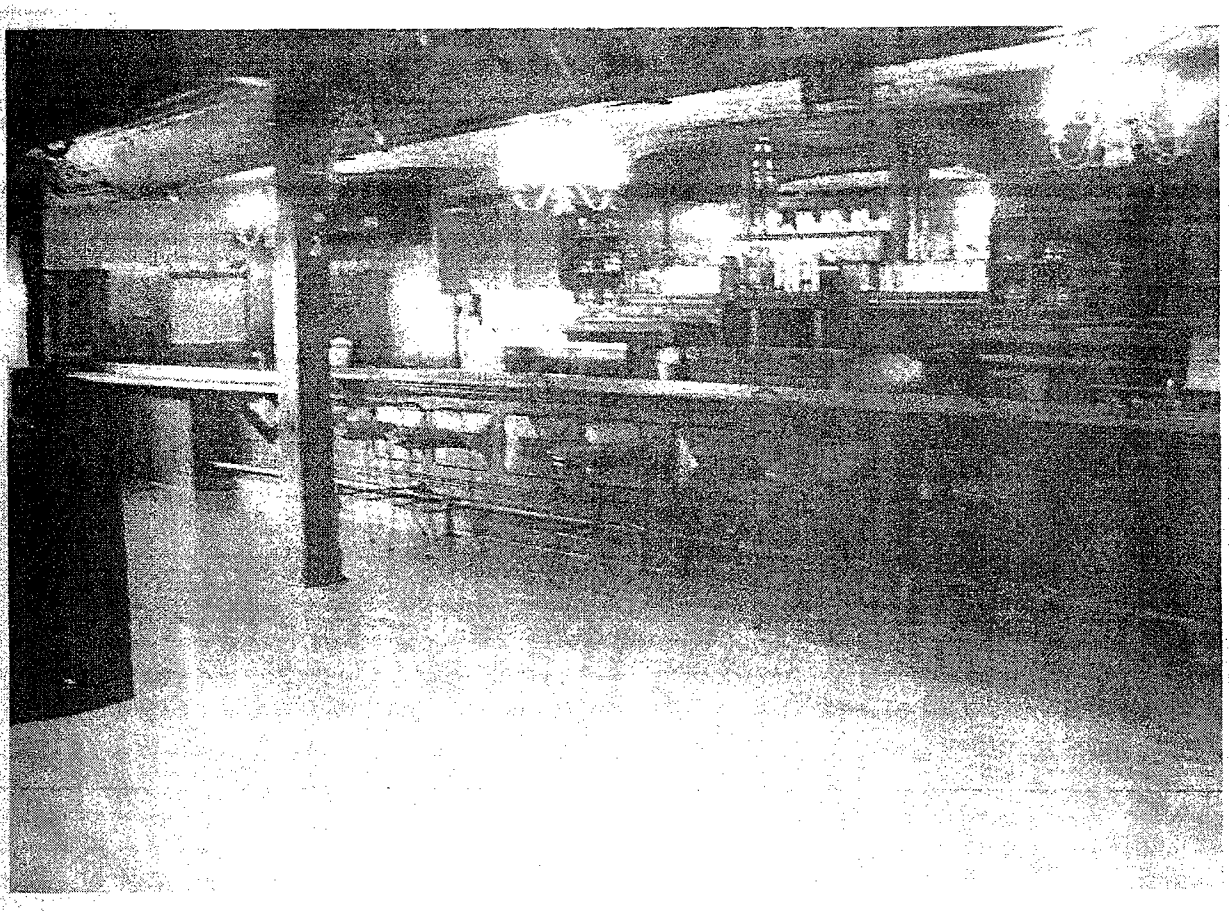
Attachment 4

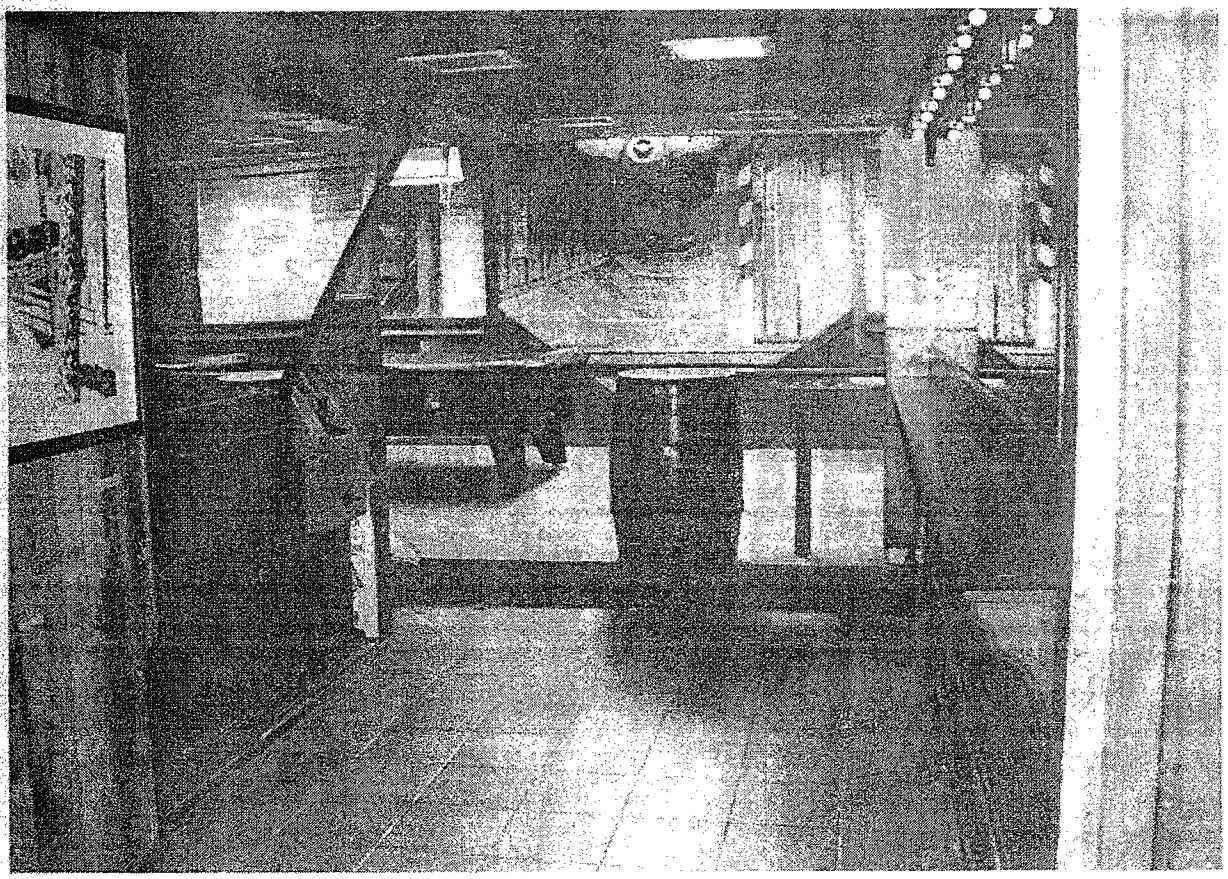


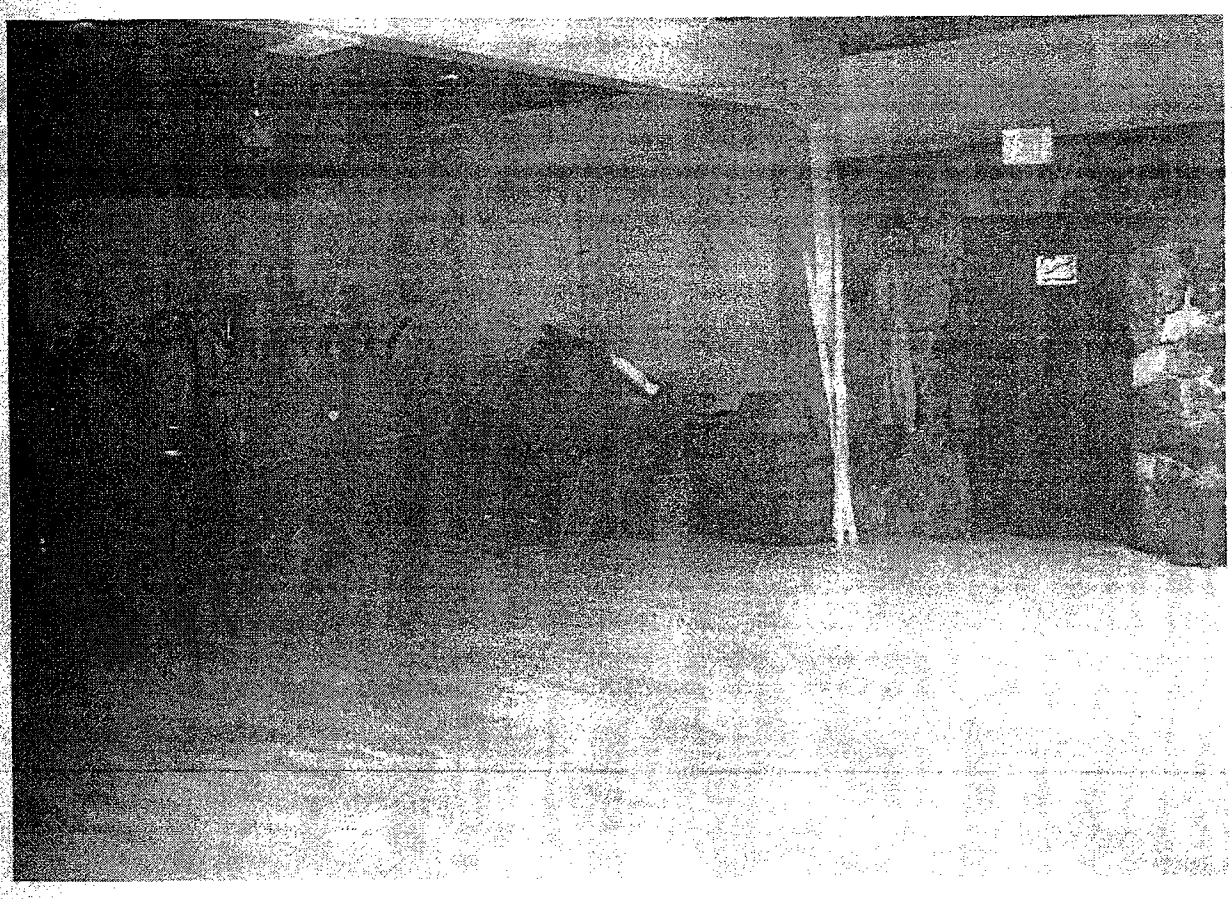




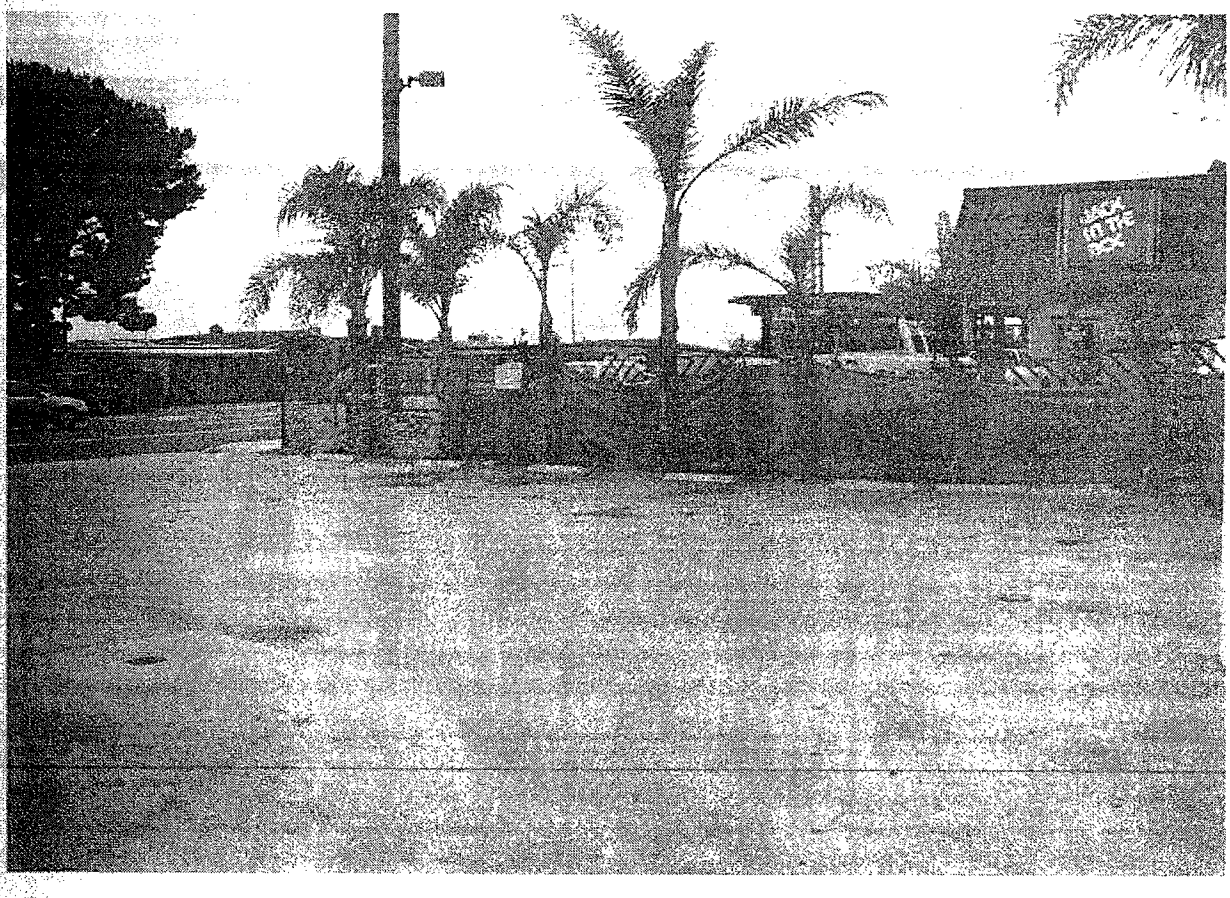








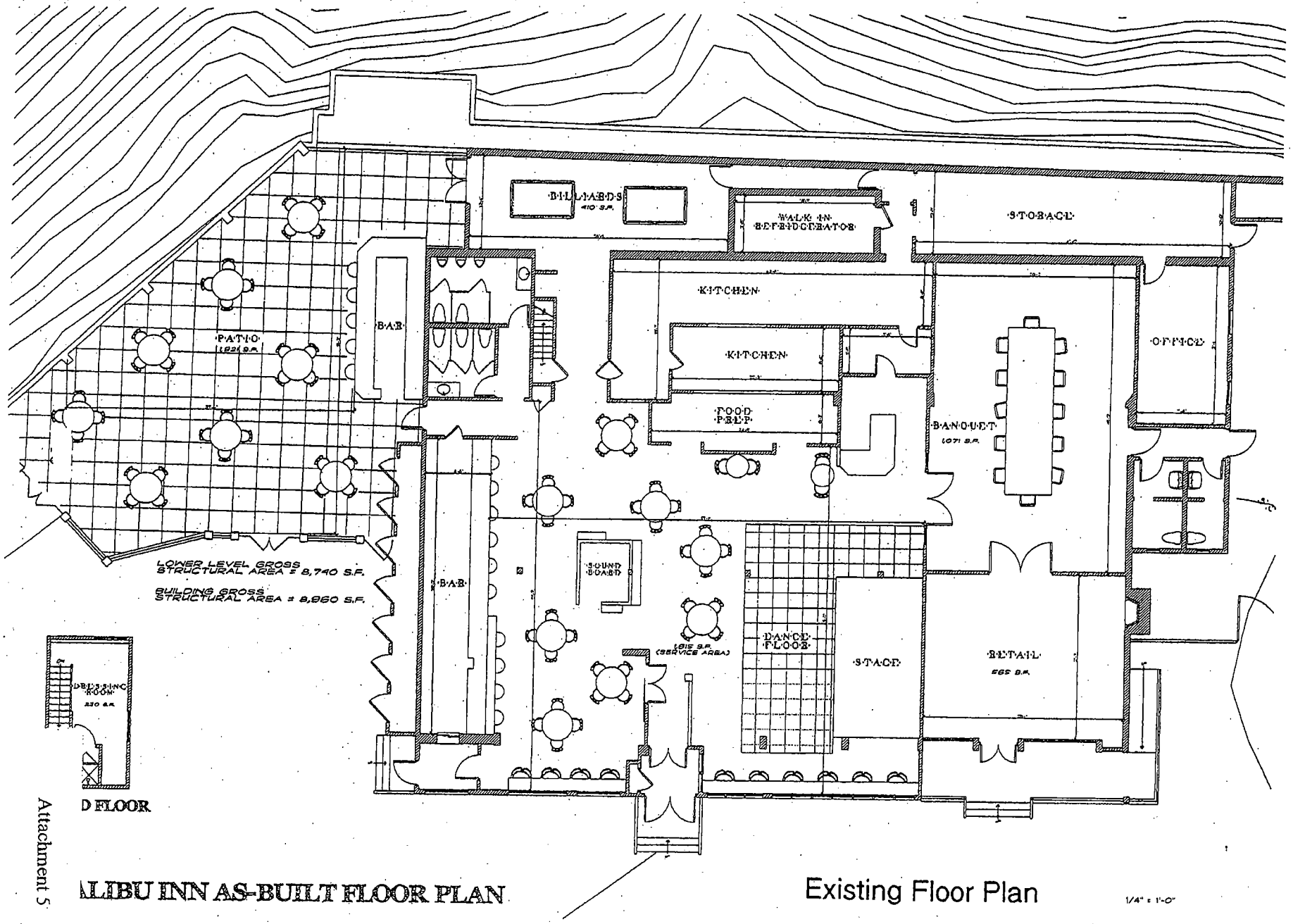




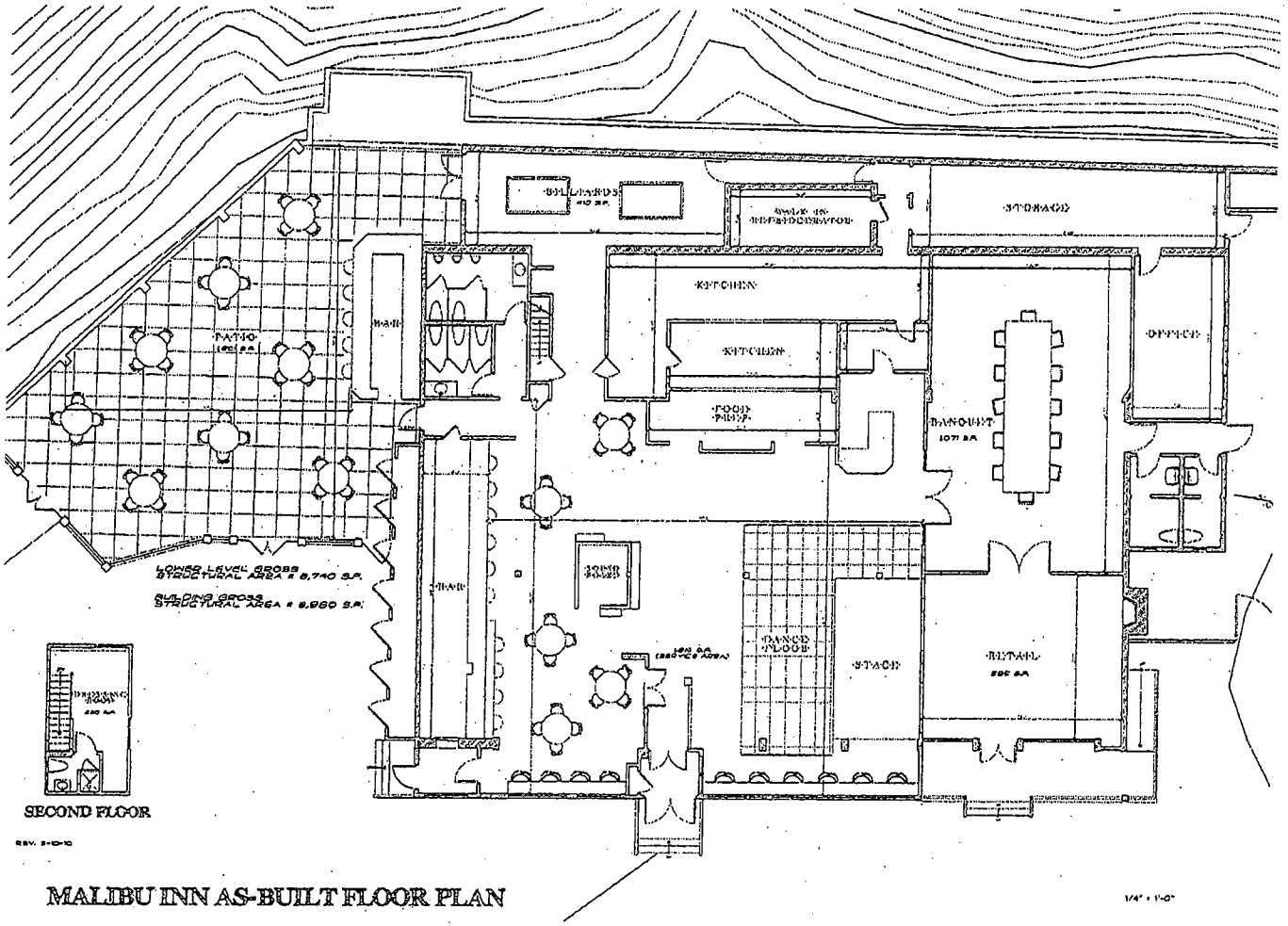




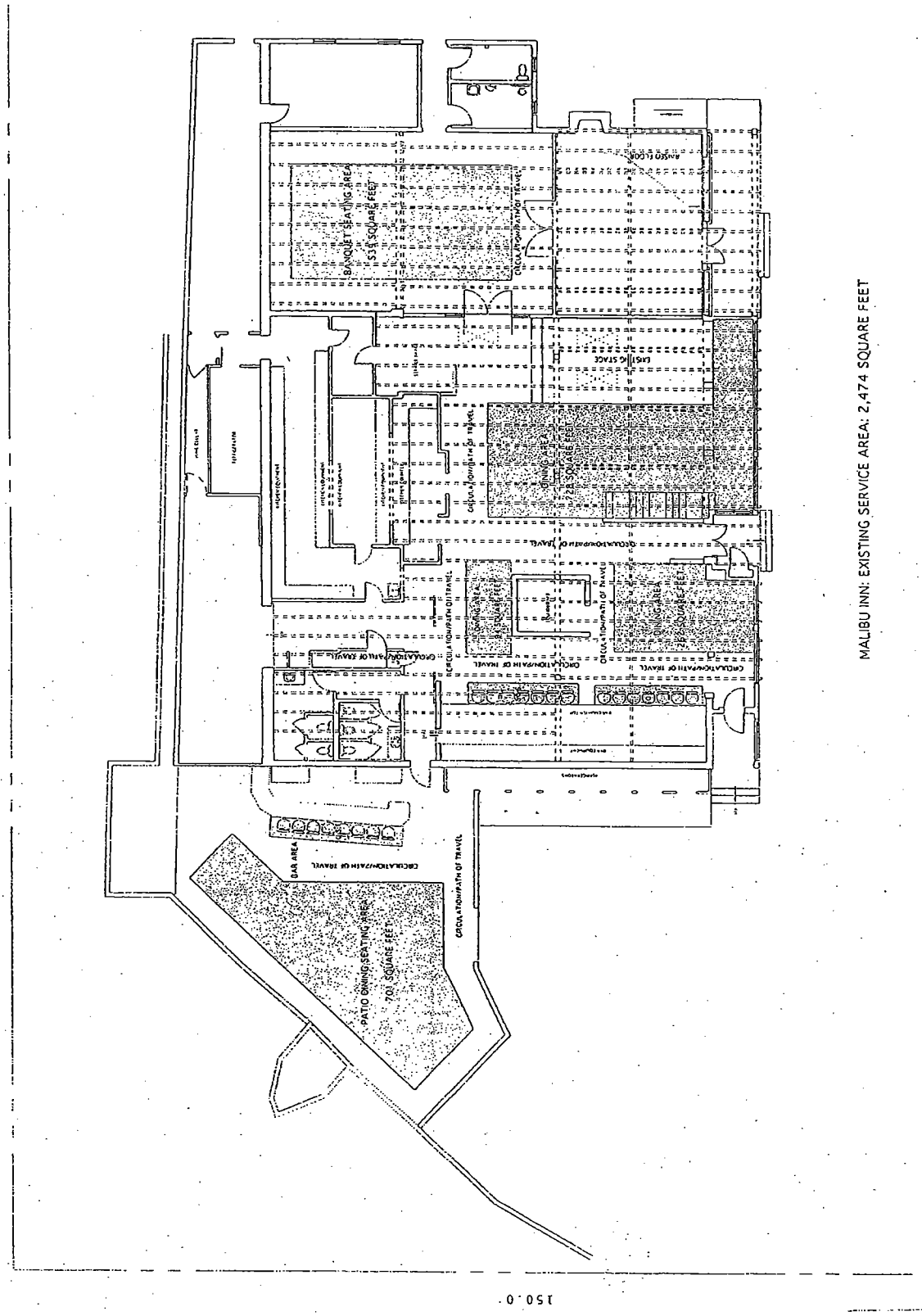




Attachment 5


BILLIARDS
STORAGE
KITCHEN
PATIO
BAR
OFFICE
BANQUET
DANCE FLOOR
STAGE
RETAIL
SECOND FLOOR
MALIBU INN AS-BUILT FLOOR PLAN

Event Set–up



Attachment 6

John N Yaroslaski PE
Ensitu Engineering Inc.
685 Main Street, Suite A
Morro Bay, CA 93442

April 28, 2010

Mr. Kambiz Hakim
SKA Group LLC
1541 Ocean Ave. Ste. 200
Santa Monica, CA 90401

ENSITU
Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

Subject: 498-01 22969 Pacific Coast Highway – Malibu Inn – Acceptability of Flow Test Results And Evaluation of Onsite Wastewater Dispersal Field Adequacy

References:

1) "Percolation Testing of Dispersal System" by GeoConcepts, Inc. covering the subject site, dated April 27, 2010
2) Inspection Report by Mosser Plumbing, Inc. dated May 5, 2009
3) City of Malibu Environmental Health Approval dated September 28, 2004
4) Proposed Flow Test Work Plan to Support Evaluation of Onsite Wastewater Dispersal Field Adequacy by Ensitu Engineering Inc. dated March 24, 2010

Dear Mr. Hakim,

1. INTRODUCTION

This document presents an evaluation of existing onsite wastewater dispersal fields at the above noted site following flow testing performed by GeoConcepts, Inc. according to the above referenced report. Presently the site is occupied by a historic restaurant/nightclub with a 565 square foot (sf) retail space.

2. SITE OCCUPANCY AND DESIGN FLOW

The site is occupied by a historic restaurant/nightclub with a 565 sf retail space. The restaurant/nightclub occupancy is 340 persons with seating for 94. The estimated flow rate is made according to Malibu Plumbing Code, Table K-3, as shown below:

Malibu Inn Restaurant/Nightclub/Retail Flow Calcs		
94 restaurant seats	50 gpd/seat	4,700 gpd
340 nightclub patrons	5 gpd/person	1,700 gpd
565 sf retail space	1 gpd/10 sf floor space	57 gpd
2 retail employees	20 gpd/employee	40 gpd
Total Flow		6,497 gpd

Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

3. SYSTEM COMPONENTS

3.1. GREASE INTERCEPTOR

The site is served by a 10,000 gallon grease interceptor.

According to California Plumbing Code Section K9, Commercial or Industrial Special Liquid Waste Dispersal, Subsection K9(g), grease interceptor sizing is based on the following formula:

Number of meals per peak hour x Waste flow rate x Retention time x Storage factor = Interceptor size (liquid capacity)

Because waste flow according to Malibu Plumbing Code is not calculated by number of meals and flow per meal but rather by gpd per seat the formula is modified to account for flow per hour assuming a restaurant/nightclub open for 16 hours per day. The storage factor for a fully equipped commercial kitchen with 16 hour operation is 2. The retention time for commercial kitchen waste with dishwasher and/or disposal is 2.5 hours.

6,400 gpd / 16 hour operation = 400 gph waste flow rate

Therefore the required grease interceptor capacity is:

400 gph waste flow rate x 2.5 hour retention time x 2 (storage factor for 16 hour operation) = 2,000 gallons

As is this office's preference, the grease interceptor is sized to accommodate a full day's flow rather than the code required minimum.

3.2. SEPTIC TANKS

The site is served by two 3,000 gallon septic tanks (6,000 gallons total).

According to Malibu Plumbing Code, Table K-3(a), sewage dispersal systems sized using an estimated waste/sewage flow rate above 1,500 gpd should be calculated as follows:

Flow x 0.75 + 1,125 = septic tank size

Therefore the required septic tank capacity is:

6,497 x 0.75 + 1,125 = 5,998 gallons

3.3. DISPERSAL

The site is served by the following:

Component	Capacity/Dimensions	Absorption Area
West Leachfield	24' x 40'	960 sf
East Leachfield	20' x 40'	800 sf
Front Leachfield	16' x 100'	1,600 sf
Seepage Pit (to be abandoned)	4' diameter, 13' deep, 3' cap	125 sf
Seepage Pit (to be abandoned)	4' diameter, 13' deep, 3' cap	125 sf

Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

The absorption area of the leachfields is 3,360 sf. The seepage pits shall be abandoned. The total absorption area is 3,360 sf. The percolation rate is established based on sand category soils.

According to Malibu Plumbing Code, Section K-3, the minimum effective absorption area in dispersal fields and seepage pits, in square feet, shall be predicated on the required septic tank capacity and/or estimated waste/sewage flow rate, whichever is greater. Per Subsection K-4(a) dispersal field and seepage pit sizes shall be computed from Table K-4. Per Malibu Plumbing Code Table K-4, the required area (in square feet) of leaching area per 100 gallons in fine sand is 25. Per Subsection K-3(2) where leaching beds are permitted in lieu of trenches, the area of each such bed shall be at least fifty percent greater than the tabular requirements for trenches.

The estimated waste/sewage flow rate is 6,497 gpd. The required grease interceptor and septic tank capacity, combined, is 8,497 gallons. Therefore the minimum effective absorption area shall be predicated on the required grease interceptor and septic tank capacity.

The minimum required effective absorption area is:

8,497 gallons / 100 gallons x 25 sf x 1.5 = 3,187 sf

The adjacent lot has a deed restriction/covenant reserving 100% expansion capacity.

4. DISPERSAL FIELD FLOW TESTING APPROACH

The existing dispersal fields meet minimum effective absorption area requirements as outlined above. In order to confirm conformance with percolation test requirements as outlined in Malibu Plumbing Code, Subsections K-4(b) and K-4(c), flow testing by a licensed soils engineer following the above referenced work plan by Ensitu Engineering was performed according to the above referenced report by GeoConcepts, Inc. A summary of the flow testing results is attached as Appendix A.

Piping to the two seepage pits was capped (and the pits abandoned) to prevent flow to the seepage pits. Piping from the west distribution box to the front distribution box was plugged at both ends (with the plugs later removed) to isolate the front field from the west. Piping from the septic tank to both the west and east distribution boxes was plugged (with the plugs later removed) to isolate the distribution boxes from the septic tank. The septic tanks were pumped prior to testing.

A flow meter was used at each of the three distribution boxes for recording purposes.

On the first day of the flow test a licensed soils engineer introduced 6,497 total gallons of water to the three dispersal fields through the distribution boxes at each field, metered using the allocations of total flow outlined in Table 2 (below) so as to presoak the leachfields prior to performing water absorption measurements on the three following consecutive days. For each leachfield, an initial meter reading was recorded prior to any water additions. Thereafter, each leachfield was filled with clear water. Subsequently, each leachfield was refilled with clear water as necessary. A meter reading and the time of day was recorded after the initial filling and each refill.

On the following three consecutive days, using the schedule outlined in Table 1 (below), a licensed soils engineer introduced 6,497 gpd of metered water to the three dispersal fields through the distribution boxes at each field. Using the allocations of restaurant/retail and nightclub flow outlined in Table 2 (below), the water was metered according to the proportion of total absorption area contributed by each leachfield. For each leachfield, an

ENSITU
Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

initial meter reading was recorded prior to any water additions. Thereafter, each leachfield was filled with clear water. Subsequently, each leachfield was refilled with clear water as necessary over the course of the test periods outlined in Table 1. A meter reading and the time of day was recorded after the initial filling and each refill. Prior to and after each test the monitoring well within each leach field was measured to record the depth to effluent.

After four days of testing additional testing was performed on the fifth day within the three leach fields.

With an estimated waste/sewage flow of 6,497 gpd and 3,360 sf of leachfield absorption area, the loading rate to the fields shall be 1.94 gallons per square foot per day (gpsfd).

7:00AM-9:00PM (14 hours)	Restaurant (94 seats @ 50 gpd/seat) and Retail (97 gpd)	4,797 gallons
9:00PM-1:00AM (4 hours)	Nightclub (340 people @ 5 gpd/person)	1,700 gallons

Table 1 Test Schedule

West	24	40	960	29%	1,856	1,371	486
East	20	40	800	24%	1,547	1,142	405
Front	16	100	1,600	48%	3,094	2,284	810

Table 2 Test Allocation

5. CONTIGENCY PLANS

In the event that the existing OWTS (if approved for the proposed use) fails in the future, the 100% future replacement area reserved on the adjacent lot shall be used for dispersal.

6. CONCLUSION

Ensitu Engineering Inc. hereby certifies that the OWTS, as described above, is acceptable for the use described above.

Any persons concerned with this project, who observe conditions, or features of the site, or its surroundings that are different from those described in this report, should notify EEI immediately for evaluation.

Thank you for the opportunity to have been of service. If you have any questions, or require additional assistance please feel free to contact Ensitu Engineering at (805) 772-0150.

Sincerely,

John N. Yaroslaski PE 60149
Ensitu Engineering Inc.
Project Engineer



Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

This page intentionally left blank.

ENSITU
Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

Appendix A
Summary of Flow Test Results

TABLE A

Leach Field	Restaurant Flow gpd	Nightclub Flow gpd	Total Day & Night Usage gpd
East	1,142	405	1,547
West	1,371	486	1,856
Front	2,284	810	3,094

TEST RESULTS
TABLE B

East Field "D" Box

Date	Time	Start Meter Reading	Finish Meter Reading	Net Volume in Gals.
4/12/10	8:45	341310	341750	440
4/12/10	9:20	342371	342640	269
4/12/10	9:35	342640	343070	433
4/12/10	21:45	345228	345633	405
4/13/10	9:56	347835	348977	1142
4/13/10	21:36	351764	352169	405
4/14/10	11:11	355812	356454	1142
4/14/10	21:18	358322	358727	405
4/15/10	7:31	360941	362083	1142
4/15/10	21:41	364877	365282	405

West Field "D" Box

Date	Time	Start Meter Reading	Finish Meter Reading	Net Volume in Gals.
4/12/10	8:20	339930	341301	1371
4/12/10	21:34	344742	345228	486
4/13/10	9:24	346461	347832	1371
4/13/10	21:28	351278	351764	486
4/14/10	11:31	356454	357825	1371
4/14/10	21:11	357836	358322	486
4/15/10	7:15	359570	360941	1371
4/15/10	21:36	364391	364877	486

RESULTS TABLE B

Front Field "D" Box

Date	Time	Start Meter Reading	Finish Meter Reading	Net Volume in Gals.
4/12/10	9:08	341752	342370	618
4/12/10	9:58	343070	344736	1666
4/12/10	21:58	345633	346443	810
4/13/10	10:27	348977	351261	2284
4/13/10	21:46	352172	352982	810
4/14/10	10:42	353025	355309	2284
4/14/10	21:29	358728	359538	810
4/15/10	8:08	362083	364367	2284
4/15/10	21:48	365282	366092	810

MONITORING DATA
TABLE C

East Field

Monitoring No.	Date	Time	Total Depth	Effluent Depth in ft.
1	4/12/10	8:15	5.0'	3.6'
1	4/12/10	21:23	5.0'	3.0'
1	4/13/10	9:24	5.0'	3.6'
1	4/13/10	21:10	5.0'	4.6'
1	4/14/10	10:34	5.0'	4.0'
1	4/14/10	21:07	5.0'	4.0'
1	4/15/10	7:10	5.0'	4.0'
1	4/15/10	21:34	5.0'	4.0'

West Field

Monitoring No.	Date	Time	Total Depth	Effluent Depth in ft.
1	4/12/10	8:15	5.0'	4.6'
1	4/12/10	21:23	5.0'	4.6'
1	4/13/10	9:24	5.0'	4.6'
1	4/13/10	21:10	5.0'	4.6'
1	4/14/10	10:34	5.0'	4.6'
1	4/14/10	21:07	5.0'	4.6'
1	4/15/10	7:10	5.0'	4.6'
1	4/15/10	21:34	5.0'	4.6'

MONITORING DATA
TABLE C

Front Field

Monitoring No.	Date	Time	Total Depth	Effluent Depth in ft.
1	4/12/10	8:15	5.5'	5.0'
2	4/12/10	8:15	5.5'	5.0'
1	4/12/10	21:23	5.5'	5.0'
2	4/12/10	21:23	5.5'	5.0'
1	4/13/10	9:24	5.5'	5.0'
2	4/13/10	9:24	5.5'	5.0'
1	4/13/10	21:10	5.5'	5.0'
2	4/13/10	21:10	5.5'	5.0'
1	4/14/10	10:34	5.5'	5.0'
2	4/14/10	10:34	5.5'	5.0'
1	4/14/10	9:07	5.5'	5.0'
2	4/14/10	9:07	5.5'	5.0'
1	4/15/10	7:10	5.5'	5.0'
2	4/15/10	7:10	5.5'	5.0'
1	4/15/10	21:34	5.5'	5.0'
2	4/15/10	21:34	5.5'	5.0'

ADDITIONAL TESTING
TABLE D

Leach Field	Date	Time	Start Meter Reading	Finish Meter Reading	Net Volume in Gals.
East	4/16/10	7:29	367900	368000	100
	4/16/10	7:30	368000	368700	700
West	4/16/10	7:07	366111	367482	1371
	4/16/10	7:22	367482	367900	413
Front	4/16/10	7:48	368700	370984	2284
	4/16/10	8:12	370984	375696	4712

California Department of Alcoholic Beverage Control

License Query System Summary as of 10/29/2009

License Information
License Number: 480883 **Status:** PENDING
Primary Owner: MALIBU CAFE LLC
ABC Office of Application: LA/METRO
Business Name
Doing Business As: MALIBU INN
Business Address
Address: 22969 PACIFIC COAST HWY **Census Tract:** 8005.02
City: MALIBU **County:** LOS ANGELES
State: CA **Zip Code:** 90265-4934
Licensee Information
Licensee: MALIBU CAFE LLC
Company Officer Information
Officer: HAKIM KAMBIZ, MANAGING MEMBER
License Types
1) License Type: 47 - ON-SALE GENERAL EATING PLACE
License Type Status: PENDING
Status Date: 22-JUL-2009 **Term:** Month(s)
Original Issue Date: **Expiration Date:**
Master: Y **Duplicate:** 0 **Fee Code:** P40
License Type was Transferred On: **From:** 258784
Current Disciplinary Action
. . . No Active Disciplinary Action found . . .
Disciplinary History
. . . No Disciplinary History found . . .
Hold Information
Hold Date: **Type:** FORM 220
Hold Date: 04-DEC-2008 **Type:** BOARD OF EQUALIZATION HOLD
Hold Date: 17-SEP-2009 **Type:** FRANCHISE TAX HOLD
Escrow
Escrow: BUSINESS TITLE ESCROW 25152 SPRINGFIELD CT STE 285 VALENCIA,CA 91355-1078

- - - End of Report - - -

For a definition of codes, view our glossary.

California Department of Alcoholic Beverage Control

License Query System Summary as of 10/29/2009

License Information
License Number: 258784 **Status:** ACTIVE
Primary Owner: INN MALIBU CORP
ABC Office of Application: LA/METRO
Business Name
Doing Business As: MALIBU INN & RESTAURANT
Business Address
Address: 22969 PACIFIC COAST HWY **Census Tract:** 8005.02
City: MALIBU **County:** LOS ANGELES
State: CA **Zip Code:** 90265-4934
Licensee Information
Licensee: INN MALIBU CORP
Company Officer Information
Officer: PETRI NURIT, PRESIDENT/SECRETARY
License Types
1) License Type: 47 - ON-SALE GENERAL EATING PLACE
License Type Status: ACTIVE
Status Date: **Term:** 12 Month(s)
Original Issue Date: 13-MAY-1991 **Expiration Date:** 30-APR-2010
Master: Y **Duplicate:** 0 **Fee Code:** P0
Condition: OPERATING RESTRICTIONS
License Type was Transferred On: 26-DEC-2002 **To:** 396257
License Type was Transferred On: 15-OCT-2002 **To:** 394093
License Type was Transferred On: PEND **To:** 480883
2) License Type: 58 - CATERER PERMIT
License Type Status: ACTIVE
Status Date: 30-OCT-1998 **Term:** 12 Month(s)
Original Issue Date: 30-OCT-1998 **Expiration Date:** 30-APR-2010
Master: N **Duplicate:** 1 **Fee Code:** NA
Condition: OPERATING RESTRICTIONS
3) License Type: 77 - EVENT PERMIT
License Type Status: ACTIVE
Status Date: 23-JUN-2003 **Term:** Month(s)
Original Issue Date: 23-JUN-2003 **Expiration Date:** 30-APR-2010

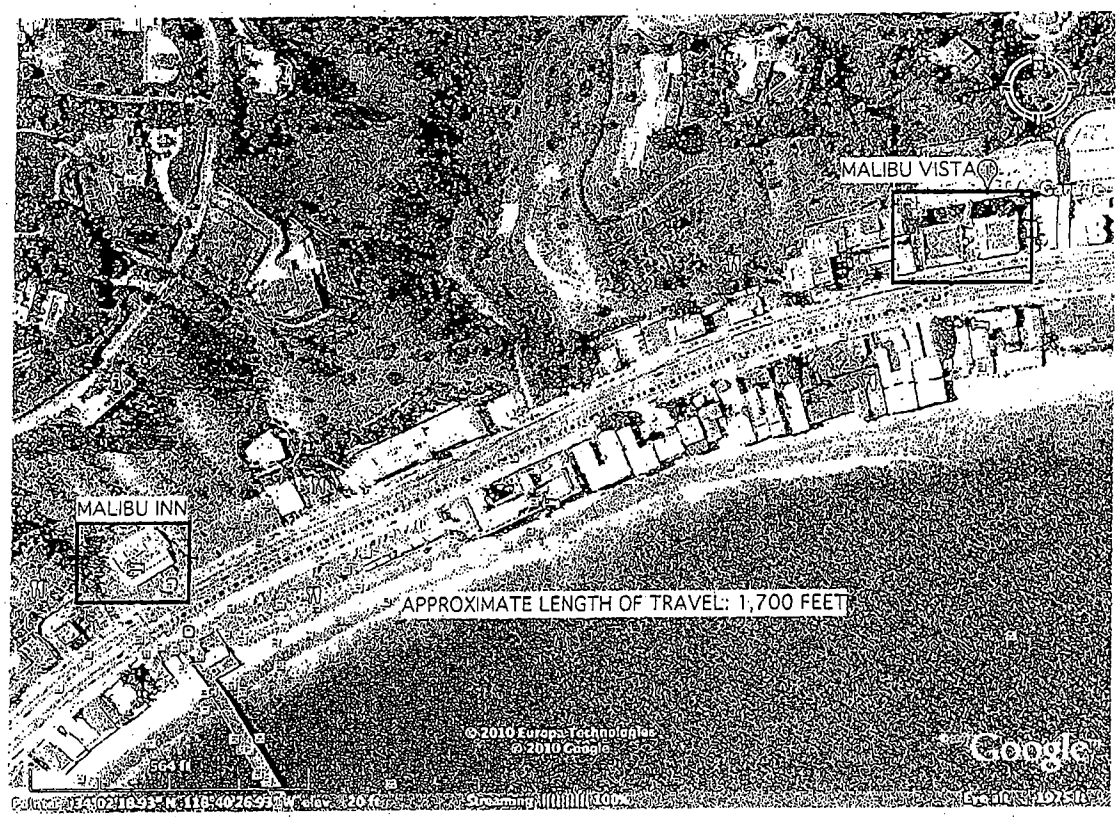
Master: N **Duplicate:** 1 **Fee Code:** NA
Current Disciplinary Action
. . . No Active Disciplinary Action found . . .
Disciplinary History
Reg. Number: 02053407
1) Section Violated: 24200(a)
2) Section Violated: 25602(a)
3) Section Violated: 25658(a)
4) Section Violated: 25658(b)
Proceeding Status: COMPLETE **Decision:** SUSPENDED
Suspension Days: 15 **Stayed Days** **POIC/Fine:** 3000
Suspension Start Date: **Suspension End Date:**
Hold Information
Hold Date: 04-DEC-2008 **Type:** BOARD OF EQUALIZATION HOLD
Hold Date: 17-SEP-2009 **Type:** FRANCHISE TAX HOLD
Escrow
. . . No Escrow found . . .

- - - End of Report - - -

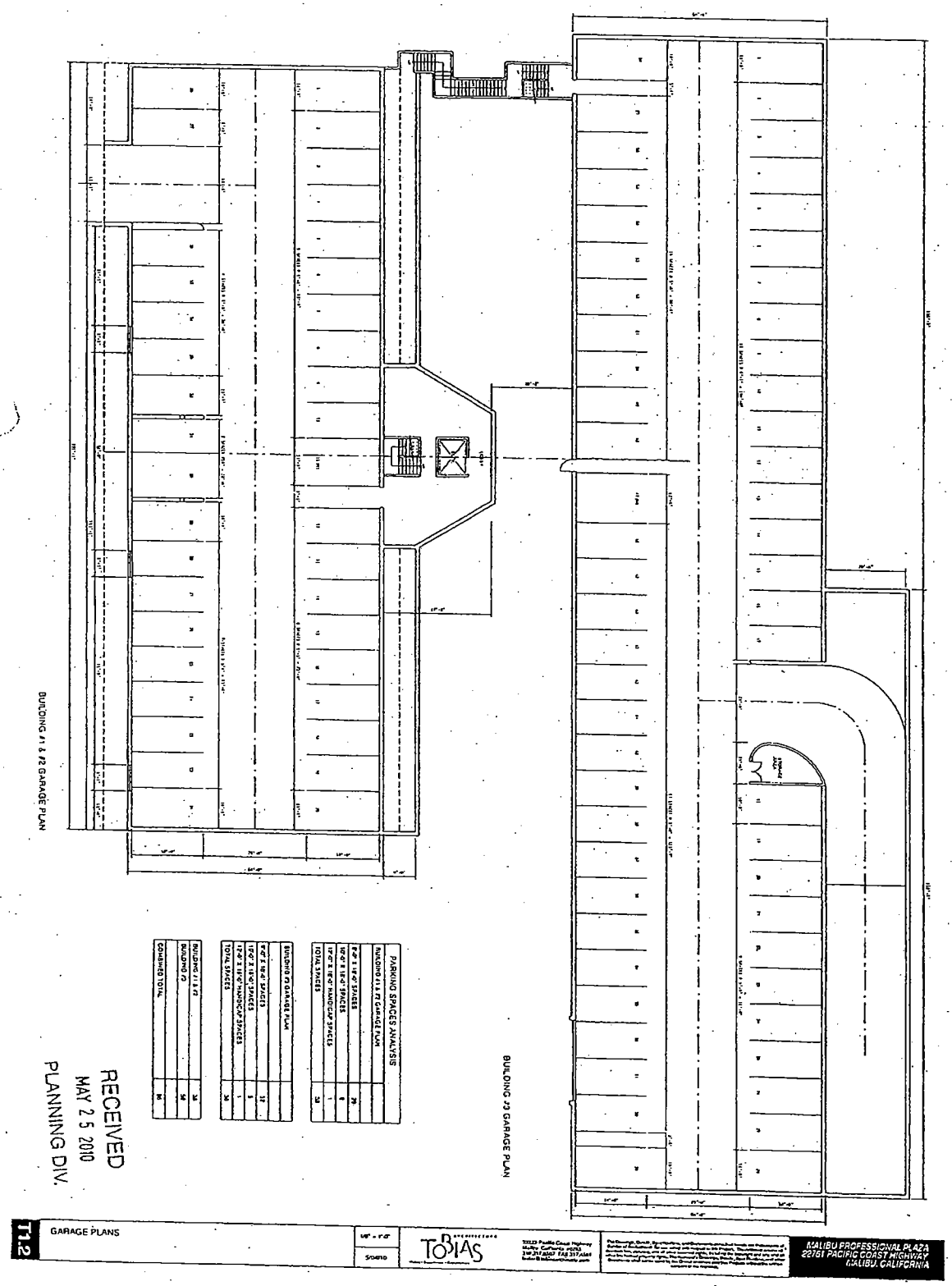
For a definition of codes, view our glossary.

Attachment 9

OFFSITE PARKING ANALYSIS



22761 PCH



– PARKING PLAN –

22761 PCH

the Beachcomber Cafe

Malibu Pier • Crystal Cove

RECEIVED
JAN 22 2010
PLANNING DEPT.

January 19, 2010

City of Malibu Planning Department
23815 Stuart Ranch Road
Malibu, CA 90265

RE: Malibu Inn – Pending CUP Applications
22969 Pacific Coast Hwy.
Malibu, CA 90265

Senior Planner Stephanie Danner,

As the operator and Vice President of The Beachcomber and Ruby's Diner on the Malibu Pier at 23000 Pacific Coast Highway, I am writing this letter in support of the requested conditional use entitlements for the Malibu Inn restaurant.

It may seem slightly odd for me as a competitor in such close proximity of the Malibu Inn to state our support, but I have had the opportunity to speak personally with a lot of visitors and locals alike over that past two years. The stories and fond memories are an asset to the Malibu Community and it would be a shame to lose the elements of the Malibu Inn that have made it such an important part of the community. The area South of Cross Creek is in need of neighborhood restaurants and other venues to meet the needs of Malibu residents and visitors, and the Malibu Inn restaurant has such a fantastic history within Malibu, much like the Malibu Pier that we see only a very promising future.

So, in accordance with applicable zoning regulations and the recent approval of similar projects, this proposed Conditional Use request for The Malibu Inn restaurant will be complimentary to the local neighborhood as it exists today. We respectfully support and request your approval for this restaurant.

Thank you,

Tad Belshe
Vice President, Operations
Beachcomber/Ruby's Diner
23000 Pacific Coast Highway
Malibu, CA 90265

557 Wald, Irvine, CA 92618 • Te[illegible]-8476 • Fax: (949) 644-462

Attachment 10

February 26, 2010

RECEIVED
MAR 11 2010
PLANNING DIV.

City of Malibu Planning Department
23815 Stuart Ranch Road
Malibu, CA 90265

RE: Malibu Inn – Pending CUP Applications
22969 Pacific Coast Highway
Malibu, CA 90265

Senior Planner Stephanie Danner,

Being a local business merchant for 35 years and current Chamber of Commerce Member and former Board Member, I am writing this letter in support of the requested conditional use entitlements for the Malibu Inn restaurant.

The community along this portion of Pacific Coast Highway is a vibrant restaurant/café dining and commercial area full of neighborhood and tourist amenities. It services a wide variety of patrons, and as such benefits from a variety of services. The continued operation of the Malibu Inn restaurant would further strengthen this area as a vibrant commercial corridor and tourist destination.

As Master Concessionaire of the Malibu Pier State Park, I can attest to the advantages of including the Malibu Inn as one of Malibu's world renowned tourist attractions and local go-to spot for locals and out-of-towners alike. I have the utmost confidence and respect for the new owners and their vision of maintaining the integrity of this historical site, which has been in existence since the early 1920's. The Malibu Inn, much like the Malibu Pier, has a history of serving and entertaining the residents and visitors of Malibu, and as such should be allowed to continue offering the same services that it has for decades.

So, in accordance with applicable zoning regulations, and the recent approval of similar projects, this proposed Conditional Use request for the Malibu Inn restaurant will be complimentary to the local neighborhood as it exists today. Please understand that we need more visitor serving conveniences in this part of town.

Thank you,

Jefferson "Zuma Jay" Wagner

Rabbi Levi Cunin

22933 Pacific Coast Highway
Malibu, CA 90265
Phone: 310-456-6588
E-mail: rabbi@jewishmalibu.com

B"H

RECEIVED
MAY 25 2010
PLANNING DIV.

May 18, 2010

To whom this may concern:

I am writing this letter to behalf of Mr. Kambiz Hakim from the Malibu Inn, a friend and neighbor. Mr. Hakim has been a supporter of our organization for a few decades and continues to be a supporter. He continues to demonstrate the characteristics that one hopes for in a neighbor as demonstrated in our dealings.

As one of the few neighbors that live in such close proximity to the location, we are directly affected by any decision made. I feel very comfortable with Mr. Hakim and I write to you in the hopes that he be given the necessary tools to turn the Malibu Inn into a respectable business. I believe that an establishment run by Mr. Hakim would do well for himself, his neighbors and the community at large.

Please consider The Malibu Inn for the permits needed for alcohol sales.

If you wish to discuss this matter further, please feel free to call me at (310) 849-5602.

G-d bless you.

Sincerely,

Rabbi Levi Cunin
Chabad of Malibu

Robert J. Allan
Trustee
Malibu Property Trust
23018 Pacific Coast Highway
Malibu, CA 90265

RECEIVED
MAR 22 2010
PLANNING DIV.

March 17, 2010

Via Registered Mail, Return Receipt Requested

City of Malibu Planning Division
23815 Stuart Ranch Road
Malibu, CA 90265

Re: Courtesy Notice of Proposed Project/Conditional Use Permit No. 09-009 for a development located at 22969 Pacific Coast Highway, Malibu Café and Restaurant at the Malibu Inn ("Malibu Inn")

To whom it may concern:

We write to express our concerns about and objections to the proposed Conditional Use Permit for the Malibu Inn.

Our property is located across the street from, and within five hundred feet of, the Malibu Inn. I, and now my family which includes two elementary school children, have resided at this property for over 20 years. During that time, as the numerous complaints we have filed with the City of Malibu ("Complaints") reflect, we have had numerous problems with the various owners/managers of the Malibu Inn which have interfered with our right to the quiet enjoyment of our property.

The most frequent problem which was the subject of our Complaints involved extremely loud music being played after 10 PM at night every night. The owners/managers of the Malibu Inn would often have live bands perform, play prerecorded music or offer karaoke nights and drink specials that would go on until 2 AM. Many nights amplified music would be played over unpermitted, large, outdoor speakers located on the exterior patio where large groups of people would gather.

After several conversations and meetings with the representatives of the Los Angeles County Sherriff's Department ("LACSD"), we were told the Malibu Sound ordinance did not allow music or loud noises that can be heard by residents in the immediate vicinity of the source of the noise or disturbance after 10 PM. The various owners/managers of the Malibu Inn were all made aware of this ordinance by me and by the LACSD. However, each owner/manager disregarded the ordinance which ultimately resulted in a prosecution against one of the owners and managers for disturbing the peace.

Robert J. Allan
Trustee
Malibu Property Trust
23018 Pacific Coast Highway
Malibu, CA 90265

Mitch Stewart, the last owner of the Malibu Inn changed it from a restaurant to a music venue. He took steps to soundproof the stage area, keep the doors closed, keep the patio speakers off and reduce the number of people on the patio after several complaints had been made first to him and then to the LACSD. The LACSD came to the Malibu Inn on several occasions in response to complaints about violations of the Malibu Noise Ordinance from me, my wife and several other neighbors including Klaus Obermeyer who owns and resided at that time at 23006 Pacific Coast Highway.

The stereo system at the Malibu Inn had a very heavy bass beat. It was so strong at times that it could be felt throughout our home. We had problems reaching the management. They often would not answer the phones and well after midnight at times, we would have to actually go into the restaurant and find the manager to request that the music be lowered. The management would generally act in a hostile manner, refusing to lower the music and telling us if we had a problem we should call the police.

The owners prior to Mitch Stewart were also extremely difficult to work with. Some of our worst experiences were on Karaoke nights when at midnight or later, a few intoxicated people would sing at the top of their voices through the speakers. The manager refused to turn down the music. The owner only stopped this practice after the LACSD cited the manager with disturbing the peace and the manager was charged by the District Attorney. The Malibu Inn was sold to Mitch Stewart shortly thereafter.

In addition, many of the patrons, too intoxicated to drive home, would loiter in the parking lot, talking loudly, or go to the beach afterwards in front of our home and continue to party. We have also been the victim of a breaking and entering by a person who was intoxicated at the time. Our car and our neighbor's car which were parked on PCH in front of our homes were hit by drunk drivers. Another drunk driver smashed through our front gate and a month ago our car was vandalized in front of our home.

In addition to our personal experiences, we hope the following issues will be considered when making a decision whether to grant a CUP and Alcohol license to the Malibu Inn:

1. The Malibu Inn is located within 500 feet of a religious organization, the Chabad of Malibu, a preschool and a Hebrew school run by the Chabad of Malibu, all of which are immediately adjacent to the Malibu Inn parking lot.

2. The Malibu Inn is located within 300 ft to 500 ft of several single family residences whose right to quiet enjoyment will be severely interfered with if alcohol, loud

Robert J. Allan
Trustee
Malibu Property Trust
23018 Pacific Coast Highway
Malibu, CA 90265

music and entertainment are allowed. For example, the Malibu Inn often had concerts and hundreds of young attendees would loiter around after the concert, often intoxicated. Many of them would walk by our property after midnight, yelling and screaming as they walked back to their cars.

3. There is an undue concentration of licenses for the sale of alcoholic beverages in the area. Directly across the street from the Malibu Inn is the Beachcomber restaurant, the Malibu Pier Club and Ruby's, all of which offer alcoholic beverages. In addition, the Malibu Pier Club offers live entertainment. The Pier also hosts several events, from parties to weddings, all of which involve alcohol, loud music, large crowds, and late night activity. Carbon Beach Inn, the hotel south of the Pier also has a restaurant and bar and a few hundred feet further south on PCH is another restaurant/bar named Charlie's.

Our neighbors also feel very strongly about these issues. When Malimo's LLC applied for an alcohol permit, before the Beachcomber leased the Malibu pier, every resident from our neighborhood attended the public hearing to oppose the license.

We hope the planning division can assist in preventing or minimizing the harmful impact to our right to the peaceful and quiet enjoyment of our homes, the public peace, and the potential burden on law enforcement from the proposed activities of the Malibu Inn.

Please feel free to contact me with any questions.

Kindest regards,

Robert J Allan, Trustee
Malibu Property Trust

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1		Larry Boerrigter	2400 Palos Verdes Dr W #6, Palos Verdes Est CA 90274
2		Chris Boerrigter	2400 Palos Verdes Dr. W. #6 Palos Verdes Est, CA 90274
3		JEFFRY SPENCER	1767 WILSHIRE BLVD #1, LOS ANGELES, CA 90024
4			23685 Sea Pearl CA 91403
5		Katie Levine	3315 Grand Burbank, CA 91501
6		JOYCE WEDSELTOFT	1370 E. Orange Grove Bl, Pasadena CA 91104
7		C. BOENKHORN	PO Box 2002 Santa Monica, CA 90406
8		THOMAS G. BUCK	4500 Via Marina #419 Marina Del Rey, CA 90066
9		Emilie Arbaugh	5990 E. Placita Alta Reposa Tucson, Az. 85750
10		Zach Cavaletta	101 N. Tyndall Ave Tucson Az 85750
11		Casey Cooper	331 Rodgers St Ventura, CA 93003
12		Tim Conner	331 Rodgers ST Ventura Ca 93003
13		AVelasco	1027 1/2 1st st. Los Angeles CA 90024
14		Brittni Wood	8757 Canby ave apt 109 Northridge CA 91325
15		Tasha Ward	26223 Inadale Way Malibu CA 90265
16		Henry Ward	26223 Indianola Way Malibu 90265
17		Kevin Fern	1915 Cove Ave #A Palos Verdes, CA 90275
18		Liz Cruz	5570 Hidden Valley Circle #205 Culver City CA 90230

19		Kim Adams	3131 Bagley Ave #7 LA, CA 90034
20		Carol Tarn	1915 Curtis Ave #A, Redondo Beach CA
21		Skyler Peck	2870 Point Dume Dr Malibu CA 90265
22		John Hinrichsen	23852 Pacific Coast Hwy #252 Malibu CA 90265
23		Hermenio Carrillo	3503 Las Flores Canyon Rd. Malibu, CA 90265
24		Emily Peterson	137 S. Spalding Dr #104, Beverly Hills CA 90212
25		Lisa Sickolow	29500 Heathercliff Rd., Malibu CA
26		Steven Sickolow	29500 Heathercliff Road, Malibu
27		Mary Madden	
28		Brent Maddock	2621 33rd St. Santa Monica CA 90405
29		Anthony M. Hawkins	Alhambra, CA 91801
30		Mark Byrnes	UCLA Campus, Los Angeles CA 90095
31		Madelin Hoekzema	5300 S Atlantic Ave #11601, New Smyrna Beach, FL 32169
32		William H. Yarber II	5300 S. Atlantic Ave #11601, New Smyrna Beach, FL, 32169
33		Douglas J Gilbert	2602 Captains Ave, Port Hueneme CA 93041
34		VIRGINIA GILBERT	2602 Captains Ave Port Hueneme CA 93041
35		Nancy Vogel	210 Bernard Ave. Venice, CA. 90291
36		TERRY PETIT	29665 Quail Run Dr. Agoura Hills CA 91301
37		VALERIE WILKINSON	200 N. Huntington Dr. #207 ALHAMBRA 91801
38		Scott Hamilton	1161 Buckingham Dr. Moorpark, CA 93020

39	[signature]	Jennifer Kramer	92 Macgan Pl #9, Thousand Oaks CA 91362
40	[signature]	Diane Wachs	31273 Bailard Rd. Malibu, CA 90265
41	JEFFERSON WAGNER	[signature]	22775 P.C.H. MALIBU, CA. 90265
42	LEJI CUNIN	[signature]	22933 P.C.H. Malibu, CA, 90265
43	Paul Bakker	[signature]	32832 P.C.H. Malibu Ca 90265
44	DAWN GONZALES	[signature]	17734 Devonshire St, Unit 2 Northridge CA 91325
45	DAN LOUNSBURY	[signature]	2164 DECATUR #18 SAN DIEGO CA 92106
46	Randy Meyrette		800 Florida st. Huntington Beach CA 92648
47	[signature]	D. K. Robinson	637 Fairwood Crescent Woodburn Or. 97071
48	[signature]	Mark A Beesley	28471 CATECA Ave Saugus ca 91350
49	[signature]	Robin Kay	5214 Calatrana Drive, Woodland Hills, CA 91364
50	[signature]	John DeCoster	23852 PCH #469, Malibu, CA 90265
51	[signature]	Mira Chen	23852 PCH #717, Malibu, CA 90265
52	[signature]	Max Lile	1873 10th St. Unit C Santa Monica, CA. 90404
53	[signature]	Ashley Lile	"
54	Chris Reneau		3063 West Chapman Ave, Apt 2282, Orange 92868.
55	[signature]	ANDREW PEREZ	"
56	[signature]	GIOVANNI FERRI	"
57	[signature]	Kirk Farris	984 8th St, Santa Monica, CA 90404
58	[signature]	BART WELLS	5314 Wilma St Torrance Ca 90503

59		Mat Shelburne	210 Larsson St. M.B. 90266
60		Christie Hills	8539 De Soto Ave #203 Canoga Park, CA 91304
61		Edward Stevens	690 S. Charles Dr. #4 Thousand Oaks
62		John Elman	23901 Civic Center Way #229 Malibu 90265
63		LEE ELMAN	" " "
64		Carolina	SWEDEN.
65		Shawn Hanson	101 N. Victory Blvd #L-120. Burbank CA 91502
66		Linda Gross	3138 S Barrington Ave #G Los Angeles 90066
67		Steve Millar	Van Nuys CA 91406
68		Kelly Sweeney	Agoura Hills, CA 91301
69		Dawn Armstrong	Glendale, CA 91206
70		Jenny Gutierrez	Beachwood Dr, Los Angeles 90068
71			
72		E.J Curcio	4804 Lanza Cyn Blvd #33 Valley Village 91607
73		David Kramer	19534 Clark St. Shermanoaks CA 91411
74		Ana Missakian	10005 Cone St. N. Hollywood 90029
75		GLENN FISCHER	TOPANGA CYN LA CA 90290
76		ALAN LING	Newbury Park CA 91320
77		Jami	Simi Valley CA 93065
78		DAVID CASIANO	8132 Jumilla Ave Winnetka CA 91306

79		CAROL DEJONG	1245 FITZGERALD Rd "C" Simi Valley CA 93065
80		PAUL SALOMON	4691 BIDWELL ST SIMI VALLEY CA 93065
81		Linwood Small	3291 GRAFTON ST SIMI VALLEY CA 93063
82		H.A. Goldstein	10021 CANOGA AVE Chatsworth CA 91311
83		Kimberly Richardson	27940 Solamint Rd. Apt 10-103 Canyon Country, CA 91387
84	Jeannie Garver	Jeannie Garver	1055 Waltham Rd, Unit D, Simi Valley, CA 93065
85		Kevin Goldstein	10021 Canoga Ave Chatsworth CA 91311
86		JERRIDGE JR	13578 STANSTEAD AVE NORWALK CA 90650
87		RICARDO OCEGUERA	1131 WALNUT CYN. RD. MOORPARK CA. 93021
88	Chris Fuentes	Chris Fuentes	1713 ½A Cochran ave Simi Valley CA 93065
89	GLEB GOFIN		655 2ND ST, HB, CA 90254
90			22445 PCH Malibu 90265
91			10290 PRINCE 93021
92			6611 SMITH & Dr. Oak Park CA 91377
93		RICK MEDAGE	17429 LAHEY STR. GRANADA HILLS, CA 91344
94		Josh Beadel	6746 Turnergrove Dr Lakewood CA 90713
95		Pam Beadel	6746 Turnergrove Dr. Lakewood CA 90713
96		ROBERT MACKENZIE	PO BOX 914 REDONDO BEACH, CA 90279
97		ROBERT GILLIAM	15655 Willow DR. FONTANA, CA 92337
98		SHEILA VAUGHAN	2891 Chestnut Long Beach 90806

99		ALEX NASH	2891 CHESTNUT AVE LONG BEACH 90806
100		Nicole Tennet	638 Landfair AVE D Los Angeles CA 90024

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1		Charles Tenet	655 Gayley Los Angeles CA 90024
2			9029, 20th ST. SANTA MONICA, Ca. 90405
3		Tim CAHILL	3570 Windbrook Creek Rd, Sacramento, CA 95864
4		LAURIE BELL-CAHILL	3510 WINDBROOK CREEK RD, SACRAMENTO, CA 95864
5		Douglas Cannon	111 Forest Hill Dr. Topping Cove Tx 76262
6		Nicid Bradshaw	717 Dartview Richardson TX 75080
7		Robert Wyatt	#273 PCH Malibu, PCH 90265
8		Karen Zoffness	4490 Ocean Cove, Malibu 90265
9		JASON FELTS	23679 CALABASAS RD. #980 CALABASAS CA 91302
10		Justin Berfield	2337 Abbot Kinney Venice, Ca 90291
11		LOGAN FELTS	10100 SANTA MONICA BLVD 1300 LA, CA 90067
12		Gina Felts	24944 Lorena Drive Calabasas, CA 91302
13		JOHN FELTS	11589 Trailbrush Pt. San Diego CA 92126
14		Lorelei Larsen	21663 P.C.H. Malibu CA 90265
15		LARRY LARSEN	" "
16		McVicar McNicol	19425 Soledad Cyn Rd #235 Canyon Country CA
17		Barry M. Ingram	23724 Sandalwood St West Hills CA 91307
18		JUDI MILGRAM	23724 Sandalwood St. West Hills CA 91307

	Signature	NAME	ADDRESS
19		Dennis Morgan	Dennis Morgan Lonations.com
20		Jonna Giovanna	Jonna Giovanna @ yahoo.c
21		Martin Hameline	22917 PCH, Malibu CA
22		Silva Hameline	22917 PC H Malibu
23		JAlvinito	591 Camino de La Reina SD CA 92108
24		Linda Leibovitch	19710 PCH Malibu Ca
25		Sye Leibovitch	19710 PC H Malibu Ca
26		ERIK POLLOCK	6200 DE SOTO AVE. APT 354 02 WOODLAND HILLS, CA 91367
27		RICARDO RUANO	10568 MARKLEIN AVE MISSION HILLS CA 91345
28		Luis Rodas	7031 KEOKUK ave winnetka CA 91306
29		S. Beach	500 S Buena Vista St Burbank CA. 91521
30		Brian Neimeyer	617 S. PCH Redondo Beach CA 90277
31		Rita Neimeyer	617 S PCH Redondo Beach, CA 90277
32		Joey Diamond	4712 Poe Ave. Wills CA 91364
33		Mike Nowell	247 Gazania ct. Thousand Oaks, Ca. 91361
34		JOE ROMAN	EL CAMINO DR Beverly Hills CA 90210
35		ALISON FIFER	BASCULE AVE, WOODLAND HILLS CA 91364
36		George Kulcsar	Bixby Village Dr, Long Beach, CA 90803
37		Gary Reyes	18524 Los Alimos, Northridge CA 91324
38		Hilary Reyes	5753 Mammoth Ave Van Nuys CA 91401

39		Dana Lazzereschi	3742 Hughes Ave. Apt. 201, LA CA 90034
40		Corey Feld	9959 Westwanda., Bev Hills CA 90210
41		Heather Schmidt	9959 Westwanda Dr. Bev Hills CA 90210
42		Sebastian Franklin	20710 PCH Malibu CA 90265
43		Annie OConnor	22447 1/2 PCH unit C Malibu CA 90265
44		Gary Clarke	1466 Calle Magnesolia T.O. Ca. 91360
45		Shawn Edwards	5570 Shadow Canyon Place, Westlake Vlg. CA 91362
46		John Frace	97 Village Circle, MB. CA 90266
47		Dave Cavenagh	PO Box 3895 MANHATTAN BEACH CA. 90266
48		JACK WELCH	3512 Multiview Dr. Los Angeles CA 90068
49		Glen Rotella	523 BOLSA WAY OXNARD CA 93036
50		Tobby Engle	11228 Franklin Ave. Culver City, CA 90230
51		Apolonic Bark	3941 Glendon Way Culver City, CA 90232
52		Sue Williams	Northridge
53		JERRY WILLIAMS	"
54		JIM ROACH	75 LITTLEJOHN LN WESTLAKE VLG. CA 91361
55		VICKIE ROACH	75 Little John LN Westlake Village CA 91361
56		Valerie Ellis	9636 Penfield Chatsworth 91311
57		TYSON LANGERAK	MALIBU CANYON
58		DANIEL SADA	18334 BLYTHE ST., RESEDA, CA 91335

59		Penny GRAYSON	30 Quarterdeck Marina del Rey, CA 90292
60		David Lutfy	29524 Meadowcrest Agoura Hills, CA 91301
61		[illegible]	12435 Pacific Ave. San Francisco CA
62		Michael Soto	12422 Haskell Ave. Los Angeles, CA 90066
63		Mallory OBrien	23926 DeVille Way B Malibu, CA 90265
64		Chad Powell	1005 Cardiff Dr, Crystal Lake, IL 60014
65		Robin Atkinson	602 Manhattan, Joliet, IL 60483
66		Tony Thomas	5810 N. Las Virgenes Rd #394 Calabasas CA 913
67		Ben Thomas	1060 Santa Monica blvd #1300 90067
68		John HAYS	540 ARENA ST EL SEGUNDO 90245
69		JAVIER CASTRO	12700 WESTERN AVE GARDEN GROVE CA 92841
70		Samuel Castro	611 N. Euclid Ave. Ontario CA 91762
71		Leonardo Lopez	8714 N/C Callum St Downey CA 90242
72		Rut Gallardo	8714 Mc callum st Downey CA 90242
73		George M Perez	P.O. Box 831 La Mirada CA 90637
74			16558 B. HARLOST LB, CA 90808
75		Lupe Ceballos	5117 Oakland ST LA CA 90032
76		Jose Franco	610 Cross Av Los CA 90032
77		Anthony Cardenas	600 W. Main St. #200 Alhambra, CA 91801
78		[illegible]	2505 S. Sleepy Spring way H H CA 91745

79		JOE M GARCIA	742 N SOLDANO ave AZUSA CA 91702
80		ALDO NAVARRO	1132 S PIMA AVE W COVINA CA 91790
81		GREG HUTTO	22357 PCH. Malibu CA. 90265
82		NATALIE MILLER	54 S. GUADALUPE AVE, VNA. REDONDO BCH CA 90277
83		[illegible] Edmond	11041 Santa Monica BLVD LA CA 90025
84		Charles F Chandler	1353 Club View Drive La Ca 90024
85		Natalie Chandler	1353 Club View Dr. LA CA. 90024
86		Rebecca Chandler	1353 Club View Dr LA 90024
87		Bradley Meyer	1901 Highland Dr. SNB, CA 92405
88		Christina Reisenweber	13953 Panay Way #213 MdR 90292
89		Charles CJ Hefner	8430 Burton Wy Apt 401
90		DANIA SOISETH	22828 PCH. MALIBU CA 90265
91		MARY VERNA	4308 Coquette Pl, TARZANA, CA 91356
92		Linda West	835 4th St. Santa Monica, CA 90403
93	Debbie Longridge	Debbie Longridge	439 Elmwood Ave, Burbank 90505
94	DAVE HOSECK	DAVE HOSECK	PO Box 1626 TUPANGA CA 90290
95		Larry Peterson	22181 TORO HILLS Dr. SALINAS CA 93908
96		R L Lebedeff	
97		MORGAN MARY	1920 DOROTHY ST#301 LACA 90049
98		DANIEL KHADISHA	526 S BEVERLY DR. Suite 526 BH CA 90212.

99	R Coultrap	Ronda Coultrap	Stanford St. Santa Monica CA
100	Ray Coultrap	Ray Coultrap	Stanford St. Santa Monica, CA

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1	Julie Semmler	Julie Semmler	2120 4th St. #15, Santa Monica, CA 90405
2	A. Brumfield	A. [illegible]	2120 4th St #15 Santa Monica CA 90405
3	Bruce H. Brown	Bruce Brown	20227 STAGE ST. WINNETKA, CA 91306.
4	Terri Brown	Terri Brown	" " " "
5	Emil Herian	Emil Herian	19130 Pacific Coast Hwy #1, Malibu CA 90265
6	Joe Feese	Joe Feese	18830 PCH, Malibu, Ca. 91320
7	Darryl Parker	Darryl Parker	25546 Fedalia Rd Valencia CA. 91355
8	John Clarizio	John Clarizio	13171 Denny St. L.A Ca 91606
9	Kathy Preston	Kathy Preston	1052 ~~Wood~~ Inrod Court, Westlake Village, 91361
10	Zachary Love	Zachary Love	6000 De Soto Ave APT #340 Woodland Hills, CA 91367
11	Brian McCallum	Brian McCallum	2491 Giles Hill Rd Bunker Hill WV 25413
12	George Pierce	George Pierce	100 Green Wood Ave Winchester Va. 22602
13	Michele Gardiner	Michele Gardiner	20652 Kittridge St. Winnetka, CA 91306
14	[illegible]	GARDINER	20652 KITTRIDGE ST. Winnetka, CA 91306
15	[illegible]	BRETT SMITH	29235 HEATHERCLIFF DR. MALIBU, CA. 90265
16	[illegible]	Colin Bright	23926 Del Ville Way, Malibu CA 90265
17	Valli Rosen	Valli Rosen	21500 Califa St. #142 Woodland Hills CA 91367
18	[illegible]	Curtis Rosen	" " " " "

19		Tony CiRaelo	22144 Costanso St Woodland Hills CA 91364
20		Dina Zune	7522 Linley ln. West Hills Ca 91304
21		Chris Wizer	23033 PCH, #218 Malibu CA 90265
22		Aries Sailors	28244 Driver, Agoura Hills, CA 91301
23		Gary Sailors	28244 Driver, Agoura Hills, CA 91301
24		Marie Amato	8310 Joan Lane West Hills Ca 91307
25		Jenny Shattuck	543 Arroyo Ave Santa Barbara Ca 93109
26		Bobby Wife	2229 Graham Ave Redond. Beach CA 90278
27		Bob Weatherman	22781 Canyon Lake Dr N, Canyon Lake CA, 92587
28	Barbara Weatherman	Barbara Weatherman	22781 Canyon Lake Dr. N. Canyon Lake, Ca 92587
29		James Clark	1004 Henderx Ave Thousand Oaks CA 91360
30		Jeff Williams	1453½ Riverside Dr Toluca Lake CA 91602
31		Kimi Perlmutter	5201 San Feliciano Dr Woodland Hills CA 91364
32		Dawn Cramer	80 Farland Newburypark Ca 91320
33		Ed Pitzerald	225 Madrona Newbury Pk. CA. 91320
34		L.F. del Valle	1707 Sepulveda Blvd #115 Manhattan Beach CA 90266
35		Jeff Redman	29390 Reyde Copas Malibu, CA 90265
36		Richard Peck	17366 Sunset Blvd. Pacific Palisades, CA 90272
37		Mark Schum	65700 Seaward Rd Atascadero, CA. 93422
38	Katherine Naster	Katherine Naster	3324 West Ave. L Lancaster, CA 93536

39		Jessica Ralph	3153 e ave h-2 lancaster, Ca
40		DAN BRUINATON	4525 del Rayo Ct Camarillo. 93012
41	Charmaine	Brungton	" " " " "
42		Alfie Jacks	
43	Susan Saunders	Susan Saunders	83 Silver Lake Av, Wakefield, RI 02879
44		[illegible] BAKA	1357 3/4 N. MANSFIELD AVE HOLLYWOOD 90028
45			1640 Riverside Dr Glen, CA 91201
46		Jay Cox	1131 Alta Loma Road #304, West Hollywood 90069
47		Chris Decker	6451 Orange St #103 LA, CA 90048
48		DEBORAH SAMUE	203 Hitchcock Way SB
49		REY VILLALOBOS	203 Hitchcock Way SB
50		Shannon Ankes	2535 Fenton St Edgewater, Co. 80214
51		BLAZKOVA EVA	2137 Fenton St. Edgewater, CO 80214
52		Belen Trevino	29525 Cliffside Dr Malibu CA 90265
53		Virginia S. Gassel	29925 Cliffside Dr. Malibu, CA 90265
54		RYAN BAILEY	1890 N Hillcrest DR Newbury Park, CA 91320
55		Kelly Bailey	1216 Settlers Way, Seguin, TX 78155
56		Derri Greene	6932 S. Niagara Ct. Centennial CO 80112
57		Chuck Greene	6932 S. Niagara Ct. Centennial CO 80112
58		MICHAEL KEEL	2045 AVENIDA REFUGIO #1 Simi Valley CA 93063

59	Dave Tworaga		6480 Katherine RD Spc 79 Simi Valley
60	STEVE KOWAL		3650 EMERALD ST. #T1 TORRANCE, CA. 90503
61	Barbara Kowal	Barbara Kowal	3650 Emerald St #T1 Torrance CA 90503
62	Jonathan Dun		1111 Via Marina Marina Del Rey
63	Mor Cohen		4718 Rhapsody Dr Oak Park, CA 91377
64	Elizabeth Hebert		4718 Rhapsody Dr. OP, CA 91377
65	Melissa Viren		339 Avenida de Royale WLV CA 91362
66	Tom Viren	Tom Viren	31410 Lobo cyn Agoura CA 91301
67	Debbie Viren	Debbie Viren	31410 Lobo cyn Agoura CA 91301
68	Melinda Viren		4124 Higuera St Culver City CA 90232
69	Tony Stewart	Tony Stewart	6731 Wandermere Rd. Malibu CA 90265
70	Steve Harrison	Steve Harrison	5885 Wheelhouse Lane Agoura, CA 91301
71	Richard Seaman		7823 Vicky Ave West Hills CA 91304
72	Tayne Sierra		12100 Wilshire Bl. LA 90025
73	MYKE [illegible]		POB 801656 SC CA 91380
74	PATRICK BERON		6617 Denny Ave Nth Ca 91606
75	BILL HORGAN		1516 Maple ST. Santa Monica 90405
76	Mary Cheng		1712 N Maclay Ave San Fernando, CA 91340
77	Mike Cosentino		5216 Mildred st Simi Valley CA 93063
78	Corrine Cosentino		5216 Mildred St Simi Valley, CA 93063

79	D DAMORI	D Dr	11747 Sunset Blvd. LA CA 90049
80	G. Bongiorno	Gerri Bongiorno	5356 Rhea Ave Tarzana Ca 91356
81	R Bongiorno	R Bongiorno	" " " " " "
82	F. INGRAM		4744712 ADMIRALTY WAY MARINA DEL REY CA, 90292
83	A. MORTE		4750 LINCOLN BLVD. MARINA DEL REY CA. 90292
84	J. EVANS		13752 HOSPITAL RD. NEWPORT BCH CA. 92660
85	E. Allen		202 Valencia #4, San Francisco Ca
86	A. ANDERSON		12087 LA SALLE GARDENA CA
87	C. SCHROEDER		318 MONTECITO AVE CORONA CA 93479
88	M. MILLARD		3815 VOLK AVE LONG BEACH CA 90808
89	J. [illegible]		28 Mountain Ave, Shell Beach, Ca. 93449
90	L. Davis		5917 Calvin, Tarzana CA 91356
91	R Bassett		1752 Hackberry Knoll Deerfield IL 60015
92	O. Sweetman		446 Monterey Blvd. #F2 Hermosa Beach, CA 90254
93	G. Altman		812 Vernon Ave #103 Venice, CA 90291
94	S. Aust	S. Aust	650 Jordan Ave Chico CA 95926
95	R Campbell	R Campbell	650 Jordan Ave Chico CA 95926
96	Alex Anagnostopoulos		6230 A Wilshire Blvd Suite 1140 La Ca 90048
97	Kristina Rio		6068 Weeping Banyan Lane, Woodland Hills, CA 91367
98	Dave Colleton		13763 Comet St. Van Nuys Ca 91405

99	Jim Doran	Sue Doran	22826 Erwin St W. Hills CAL. 91367
100	[signature]	BRAD CHELSTROM	11104 AGUA VISTA #18 N. ~~Hollywood~~ Hollywood CA 91602

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1		Kristal D.	lawndale, Ca. 90260 (cute place ☺)
2		Erik R	W. Olympic Blvd. & S Robertson Blvd 90035
3		Dean Martin	104 Glenbrook cove cam. ca 93010
4		DEAN RUSAS	395 DEL MONTE CTR. #199 MONTEREY, CA 93940
5		BERNICE MCCABE	13316 W. Sunset Blvd 90049
6		JAMES MCCABE	13316 W SUNSET BLVD 90049
7		M CHAMBERS	3385 Telegraph Rd Vta 93003
8		S. Crowley	6171 Merritt Dr Malibu, Ca 90265
9		M CROWLEY	" "
10		Carol Kearon	391 Wisconsin Ave LB CA
11		Carolyn Evans	915 Ocean Dr. Mun. Bch CA
12		celtmail	1341 main st bath pa 18014
13		Vince Szabo	" " "
14		B. Ingram	3417 Sharebeidate Dr malibu
15		MJ Cash	2220 PCH Malibu, CA 90265
16		[illegible]	PO Box 1065, MALIBU, CA 90265
17		Chris Jensen	Nevada City 12784 Red dog RD 95959
18		D Bulfinch	110 N. Lima St Sierra Madre CA

19		JAY SUNDHER	BALLARD ROAD, MALIBU. CA
20		Joel Fisk	8345 White oak, Northridge, CA
21		[illegible]	[illegible]
22		Keith Beyer	401 Prospect St. Oak View, CA 93022
23		Andreas Balogh	3582 Smuggler Way, Boulder, CO 80305
24	STEVE THOMA	Steve Thoma	1410 E Cerritos Ave. Anaheim CA 92801
25	WARREN SHAFER	WFS	5707 TAMPA FL 33619
26	CHAS F SMITH	CFS	29081 FRUITVALE LN. VALLEY CENTER, CA 92082
27		JOHN INGRAM	19070 PACIFIC COAST HWY MALIBU, CA 90265
28		ROGER BERGER	678 Arroyo Oaks Dr, Westlake Village, CA 91362
29		Joseph Simburger	Agoura Hills, CA 91301
30		Cathy Cort	Simi Valley, 93065
31		DNA CASTANEDA	11027 MELODY PARK AVE 91345
32		Karin Coyle	1825 COLORADO CIRCLE 80027
33		[illegible]	5405 Corbin St Simi Valley, CA
34		Ben	20920 [illegible]
35		Biser	9092 [illegible] CA 93255
36		Amber Nino	141 Holly Ave, Cor, CA 93013
37		Nick Bensman	6200 De Soto Ave Apt. 3542 Woodland Hills, CA 91367
38		Kaizen Wright	2061 Ne La Guerra St Woodland Hills, CA

39	[illegible]	MARY L. MARTINEZ	5358 INGLEWOOD BLVD. Culver City, CA 90230
40	R. Roodselaar	R. Roodselaar	5356 Inglewood Blvd Culver City, CA 90230
41	S.M Roodselaar	S.M Roodselaar	3350 Mc Manus Ave Culver City CA 90232
42	Athenagoras Tzionas	Athenagoras Tzionas	7771 Timm rd Vacaville CA 95688
43	Amanda Zisset	Amanda Zisset	368 CROWNPOINTE CIRCLE, VACAVILLE CA 95687
44	Cesar Enos	Cesar Enos	3605 Burning Tree Dr. ONTARIO, CA 91761
45	Chad Heffley	Chad Heffley	557 S. Wrightwood St. Orange, CA 92805
46	Matthew Wisniewski	Matthew Wisniewski	8251 N. 97th. East Avenue Apt. 1419 Owasso, OK 74055
47	Matt Kubala	Matt Kubala	626 S. Burnside Ave Los Angeles, CA 90036
48	Kevin Gregor	K. Gregor	P.O. Box 43252 Port Hueneme, CA 93044
49	Alika Sinclair	A. Sinclair	P.O. Box 43252 Port Hueneme, CA 93044
50	Brandon Guitar	[illegible]	2750 ARTESIA BLVD #455, REDONDO BEACH, CA 90278
51	Stephanie Guitar	[illegible]	2750 ARTESIA BLVD REDONDO BCH, CA 90278
52	Murakami		
53	Tim Woods	[illegible]	781 Cornell Ave Long Beach, CA 90814
54	Stacy Mackey	Stacy Mackey	1016 Humboldt St. Manhattan, KS 66502
55	Cheryl Tillemans	[illegible]	130 Olinda Rd Big Pine, CA 93513
56	Giselle Almonza	Giselle Almonza	22653 Margarita Woodland Hills 91364
57	Rosecrans McLaughlin	Roberto Vaughn	2801 Ocean Park Blvd #366, Santa Monica, CA 90405
58	Sandra Gonsalves	[illegible]	5961 Piuma Ct. Simi Valley, Ca 93063

59	Megan Farrell		1214 N Harper, West Hollywood, CA 90046
60	Bill FARRELL		300 E 33 ST NY NY 10016
61	RAMON OSAKA		9760 MATILIJA AVE [illegible]
62	S.R. De Young		15506 HARVEST GRANADA Hills CA 91344
63	Scott Klingbeil		1425 S.E. 7TH ST GRESHAM OR. 97080
64	Roni Klingbeil		1425 SE 7th St Gresham OR 97080
65	Carol Schmidt-Clason	CAROL SCHMIDT-CLASON	8146 KENYON AVE LA, CA 90045
66	Gary R. Clason	GARY R. CLASON	8146 KENYON AVE LA, CA 90045
67	Judy Curley	JUDY CURLEY	1540 White Eagle Dr. Naperville IL 60564
68	Phil Curley	Phil Curley	1540 White Eagle Dr. Naperville IL 60564
69	Gary Conrad	GARY CONRAD	2701 LA PALMA AVE Anaheim 91728
70	Bill Clemens	Bill Clemens	5200 LA PALMA AVE Anaheim 91728
71	[illegible]	[illegible]	113 - 4940 VALLEYVIEW DRIVE CHILLIWACK B.C
72	T.J. ISE-BAIL		5490 LAS VIRGENES RD CALABASAS, CA 91302
73	Lisa Eidman		5542 Moorpark St Sim Valley CA 93063
74	Jeremy Tetherly		5700 Arlington Ave, Apt 22W BRONX NY 10471
75	[illegible]	Jay Carter	5701 Arlington Ave Bx NY 10471
76	SARAH PILATO		1524 N. Sycamore Ave. Fullerton CA 92831
77	Matt Dimond		29500 #38 Malibu CA 90265
78	Will Ridge		8475 Rosewood Ave CA 90048

79	Stacey Wooten	Swoot	9145 Rosewood Ave W. Hollywood CA 90046
80	Henry T.	miller	131 Entrada DR. #6 S.M. 90402
81	Jon	Schwartz	28966 Mecca Mesa Rd Agoura, CA 91301
82	Lauren	Semple	1181 McClena Dr. Brentwood, CA 90049
83	Tiffany	Betts	[redacted] 23308 Bacana St Malibu CA 90265
84	Rick Betts	Betts	23308 Bocana St. Malibu CA 90265
85	Zack	Shacklee	23308 Bocana St Malibu CA 90265
86	Zac Robichaux	TAD ROBICHAUX	948 PALM AVE, W. HOLLYWOOD, CA 90069
87	KEITH	KEITH NADOLNY	1011 9th ST #3 MIAMI BEACH FL 33139
88	Angelo	Angelo Torrealba	4623 Goldwater Canyon Studio City. CA. 91604
89	[illegible]	Nelson Kadison	C/Sant Dalmau 6C, 1.2 08870 Sitges, Spain
90	Jose	Jose Luis	920 NW 20 AV. Miami FL.
91	Raul Diaz		1011 9th ST Miami, FL
92	Ty Gibson	Ten Gibson	6731 Wandermere Rd. Malibu CA
93	Mayan Sam	MARY ANN SERNA	7823 Vicky the WEST HILLS CA 91307
94	Chantal Hanson	Christine Hanson	3385 Wheelhouse Lane, Agoura Hills CA 91301
95	Jim Matthews	J Matthews	1700 Fanoak So. Pasadena CA 91030
96	Thomas Funk	Thomas Funk	15365 Alsbury Blvd Pacific Palisades CA 90210
97	Philip D'Andrea	Phil D'Andrea	548 ROCK TRAIL, TOPANGA, CA 90290
98	Carrie Kelly		8409 SAWBELLE, VENICE

99		Corinne Fenn	28128 Pacific Coast Hwy, Malibu, CA
100		Ahmad Alsalem	11728 wilshire blvd Los Angeles, CA, 90025

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1		Mary Schultz	1332 Manhattan Beach Blvd. Manhattan Beach, CA 90266
2		Phil Shanahan	1223 Wilshire Blvd Ste 717 Santa Monica CA 90403
3		Jason Skinner	60 15th St. #N Hermosa Beach, CA 90254
4		Lois Thiel	851 Divot Dr. Fernley NEV. 89408
5		DAN THIEL	851 DIVOT D FERNLEY NV, 89408
6		Courtnie Sauls	818 Brand Ave, Burbank, CA
7		Sarah Rosson	4425 Johanna ave, Lakewood CA 90713
8		Annie Greer	26004 Griffith Park Blvd, CACA 90039
9		Laura Fryer	4906 3rd Street Korea Town, CA 90039
10		Miriam Kerver	374 ANZIO Way Oak Park, CA 91377
11		JAMES ZIEMER	13560 STAGECOACH TRAIL MOORPARK CA 93021
12		Ashley Severance	1134 Fairdale Glen, Farmington NY 14425
13		Dominick Severance	1134 Fairdale Glen Farmington, Ny 14425
14		Kevin McGuire	37711 Townsville CT, Murrieta, CA 92563
15		Stuart Inman	634 Landfair Avenue, Apt. B, Los...
16		LINDZEY GRIFFIN	1721 S. WESTGATE AVE., APT 8, LOS ANG... 90025
17		JEFFREY C. LUSTIG	21039 ~~BRYANT ST~~ #105 CANOGA PARK, CA 91304
18		Kirsten Lockhart	10105 Pine Canyon, Black Hawk SD 57718

19		Jim CORBETT	10200 Hooker Cyn Rd Black Hawk 57718
20		Bob Kimball	7717 Varial Ave Canoga Park CA 91304
21		Jill Cole	18608 Kimbrough Canyon Country CA 91351
22		Chris Champine	2331 Fairview Ln, Rochester, MI 48306
23		Eileen Champine	2331 N. Fairview Ln. Rochester Hills MI 48306
24		Kevin Zemlicka	17950 Lassen St. Apt J1 Northridge 91325
25		Guadalupe Zemlicka	17950 Lassen St Apt J-1 Northridge CA 91325
26		Danny Love	1000 Corning St Apt. 115 Los Angeles CA 90035
27		Montana Brown	451C East Roanoke St. Blacksburg, VA 24060
28		Beth Rothschild	9330 Oakcrest Dr. Fairfax, VA 22031
29		Eugene Huh	2163 W. Leland Ave Chicago, IL 60625
30		Veronica Wasylec	2163 W. Leland, Chicago IL 60625
31		MARTIN BRIGHT	PO Box 1976, Marina Del Rey, CA 90295
32		S WINNE	LAS VEGAS, NV 89130
33		K. HEFTNER	5702 Wolfe St Oxnard, Ca 93033
34		Tom Alesio	3556 SIERRA P MALIBU 90265
35			23161 Schoenborn Rd Chatsworth Ca 91311
36			6546 Noddy Av. West Hills CA. 91307
37			1149 Sarco Dr. SD CA 92126
38			1149 Sarco Dr. SD CA 92126

39	[illegible]	Chelsea Bulte	22455 PCH Malibu CA 90265
40	MIKE FIMZI	[illegible]	5726 BEACHCLIFF ROAD LA-CA 90068
41	MIKE DUNKER	[illegible]	612 NORTH ROSE CAN 93063
42	TONY ALVESTI	[illegible]	311 N Robertson Blvd #770 Beverly Hills CA 902
43	Aleigha Stolp	[illegible]	175 Paradise Cove Rd Malibu.
44	Alan P. Moore	ALAN P. MOORE	5878 Leepoos Ferry Rd Morristown TN 37813
45	Chloe Moore		4831 Applegate rd. NC 28562
46	JERRY TURCHIE	Terry Turchie	4254 NOTTINGHAM DR. DAVIS, CA 94506
47	Joy Turchie	Joy Turchie	" "
48	PAUL MASLON	[illegible]	22852 P.C.H. Mal. Br - 90265
49	Sally Emr	Sally Emr	6216 Tapia Dr. Malibu Ca. 90265
50	Rebecca Nugent	[illegible]	20341 Haynes St. Winnetka CA 91306
51	Lisa Heavenly	Stephanie Hernandez	20341 Haynes St. Winnetka CA 91306
52	Ruth Guadalupe Ruiz	Guadalupe	551 S. San Fernando Mission S.F CA 91342
53	Michael Ca.	[illegible]	551 S. San Fernando Mission S.F. 91342
54	Rose Kramer	Rose Kramer	30715 Monte Lado Dr. Malibu, 90265
55	MARY KRAMER	Mary Kramer	" " "
56	David Kramer	[illegible]	" "
57	Kelly Ortiz	[illegible]	3003 Exposition Blvd. Sac CA 95817
58	DAVID ROSS	[illegible]	9300 Washington Blvd, Culver City 90232

59	BRIAN Schroeder	Brian Schroeder	1342 S. Alma Cir. Mesa AZ 85204
60	Vanna Schroeder	Vanna Schroeder	" " " " "
61	Joyce Schroeder	Joyce Schroeder	2609 W. Southern Ave Tempe, Az. 85282
62	John Schroeder	John Schroeder	" " " " "
63	[illegible]		
64		RAMON OMID	3719 Esplanade, Marina Del Rey, CA 90292
65		JACK PATTON	2432 Jefferson Ave, Winston-Salem, NC 27103
66		SUSAN PATTON	" "
67		EVELYN PILLSBURY MORGAN	6615 Sylvia Reseda CA 91335
68	Dawn Dail	Dawn Dail	2220 Ave of Stars #2605 L.A. CA. 90067
69	D. Hall	DAVID HALL	" " " " "
70	[illegible]		6 Caitlewood Ct. Pleasanton Ca. 94566
71	[illegible]		Brentwood CA.
72		Joy Moore	POBox 154 Malibu CA 90265
73	[illegible]	Donna Simons	6920 Bergquist Ave West Hills, CA 91307
74	[illegible]	Joy Raisor	3611 Morgate [illegible] Palos Verdes Ca 90274
75	[illegible]	King Say	" " " " "
76	[illegible]	Brewster Moore	" " " " "
77	[illegible]	Thomas Johnson	1270 OZETA TER W. Hollywood, CA
78	[illegible]	Lynne Skeyhar	PO Box 537 RSF, CA 92067

79		Sharon Verswayveld	1330 Truitt st Glendale CA 91201
80		Matt Verswayveld	1330 Truitt ST Glendale CA 91201
81		Carol Wheelis	14092 Hargrove Ct Moorpark CA 93021
82		EDWARD WHEELIS	14092 HARGROVE CT, MOORPARK, CA 93021
83		Chris Underwood	121 Grapevine rd Oak View CA 93022
84		Jon P Harte	2767 Harbor Blvd Ventura CA 93001
85		ARTHUR BEALS	1215 Anchors Way Dr. #179 Ventura, CA 93001
86		Melissa Adams	18403 B Collins ST Tarzana, CA 91356
87		JAMES TWITTY	PO BOX 455, MALIBU, CA 90265
88		LUIS RICAURTE	12 JOHN ST. LADERA RANCH, CA 92694
89		Joe Udy	28851 WOODCREEK MISSION VIEJO, CA 92692
90		ROBERT CLOHARTY	8110 E TURSO ST LONG BEACH, CA 90808
91		Samuel T. Davey	573 Springbrook North, Irvine, CA 92614
92		JAMES L. WORLAND	6 SAVONA COURT, NEWPORT BEACH, CA 92657
93		Dieter Isenhoff	8841 St. Andrews Av. Westminster CA. 92683
94		PAUL SOWA	18 WADSWORTH, IRVINE 92620
95		RAY LIVERMORE	750 Cindy Lane 92625
96		PETER ALBERT	6250 Alhambra Ave 90041
97		NICK REYLEK	28272 REY DE COPAS LANE MALIBU, CA 90265
98		MICHAEL KELLY	30202 P.C.H. MALIBU CA 90265

99		John Simonsen	4755 Radford Ave. #2	"	"	"	Valley Village	91607
100		Gretl Ridd-Simonsen	"	"	"	"	"	"

Under new ownership, we are anxiously anticipating the approval of our liquor and entertainment liscenses. Would you kindly sign this petition in support of the Malibu Inn attaining these liscences to provide better service, atmosphere, live music and a bar scene to the Malibu community for years to come...

	Signature	Name	Address
1		S. SEROLSKY	318 So. ANITA AVE LA 90049 CA
2		Trakee Jones	P.O. Box 7484 Newport Beach CA 92658
3		Christy Hairlip	16262 Magellan Lane H.B, Ca 92647
4		Dennis Garrett	27132 Brown Lake Way 91387
5		James P. Burton	333 Rock Haven LA
6		MARCIA LANE	PO BOX 48317, LA CA 90048
7		DAVID LOVERING	" " " "
8		Reno Azar	258 CHY Ct Newbury Park CA 91320
9		Terry Azar	29 La Encina Newbury Park CA 91320
10		MARYANN SHERRITT	3023 DAHLGREN LA CA 90066
11		William A. Sherritt	" " " "
12		Ben Wasky	1048 Bradford Dr Mt Juliet TN 37122
13		Valene Wasky	" " " " " "
14		Kevin Hill	29220 N 123rd Dr Peoria AZ 85383
15		Steven M Sheridan	4423 Arbor Rd Long Beach Ca 90808
16		Tom Holter	1612 Fair Oaks Ave. #24 S Pasadena Ca 91030
17		Yvonne Marbat Mendez	6848 Cedros Ave Van Nuys Ca 91405
18		William Hoelter	114 32nd Place Manhattan Beach 90266

19	Thomas Yacono	Yacono	27328 Cooper Glen, Agoura Hills, CA 91301
20	Rachel Smith	R Smith	29141 Singingwood Dr. Santa Clarita, CA 91390
21	Patrick Park		19310 Roadaer Ave Torrance CA 90503
22	Annette Park		19310 Ronald Ave Torrance CA 90503
23	Jamie Armendariz		5040 Riverside Dr #131 Chino CA 91710
24	Arthur Armendariz		1009 Sunset Ave La Puente CA 91746
25	Taylor Timpin		22125 PCH Malibu CA 90265
26	Pamela Seine	Pamela Seine	3684 San Pasqual St. Pasadena CA. 91107
27		Tom Jones	115 N Garfield Pl Monrovia, CA 91016
28		Barb Lunsford	0477 Telephone Rd Ventura, CA 93003
29			4633 Telephone Rd #200 Ventura, CA 93003
30		Cheryl Taylor	3[illegible] Ave Signal Hill 90755
31		Crystal Wood	12423 1/2 Washington Pl Los Angeles, CA 90066
32			Agoura Hills CA 91301
33		Jon M. Brandler	1337 Ocean Front Santa Monica CA 90401
34		Susan Brandler	1337 Ocean Front Santa Monica 90401
35		Melisa Weinberg	27417 Country Glen Rd. Agoura Hills CA 91301
36		Erinn Kantor-Weinberg	4016 Defender Drive, Agoura Hills, CA 91301
37		Bill Machado	9741 Reseda #39 North Ridge CA. 91324
38		ERIK GRAHAM	9741 Reseda #39 " " "

39		Kenneth Usery	502 Monte Vista, CA 92602
40		David Brooks	2960 Madison Ave, Santa Monica CA 90405
41	Susan Taylor Shee	Susan Taylor Shee	4184 Amber Place Baldwin Park
42	Courtney Silver	Courtney Silver	901 Ocean Ave #206 Santa Monica, CA 90405
43	John Ortiz		24109 Malibu Rd. Malibu 90265
44	Niki Singleton	Niki Singleton	24107 Malibu Rd Malibu 90265
45	Jack Singleton	Jack Singleton	24107 Malibu Rd Malibu 90265
46	Rocco Urbisi	Rocco Urbisi	28711 PCH #15 Malibu, Ca 90265
47	Gaetano Zocco		180 Holly #2 Carpinteria CA 93067
48	Bella Allen		1234 15th st SM. CA. 90404
49		Addie Beck	340 Sandpiper Dr. Davis, CA 95616
50		Cameron Beck	" " " " " "
51		Hans, Dan	226 Colony View Cir. Malibu, CA 90265
52		David Trafton	1250 Via Pintada Riverside, Ca. 92507
53		Mary Colombo	4130 Calle Isabella, San Clemente, CA 92672
54		RITA BRATKOVICH	1791 CRYSTAL VIEW CIR THOUSAND OAKS, CA 91320
55		Thomas Bratkovich	1791 Crystal View Cir Thousand Oaks CA 91320
56		John Croshaw	10330 Downey Ave #25 Downey, Ca. 90241
57		Shelley Williams	3235 Winterbrook Ct Thousand Oaks, CA 91360
58		Kou Fox	2438 Pleasant Way, E Thousand Oaks, CA 91362

59	Scott Elmore	Scott Elmore	134 Fairview Rd Thousand Oaks 91362
60		Chris Kennedy	619 Hampshire Rd Westlake Vlg, CA 91361
61		JACOB A LEONCI	619 HAMPSHIRE RD WESTLAKE, CA 91361
62		J. Smith	630 West Sixth Street 90017
63		P. Keenan	PO Box 24975 LA CA 90024
64		TRENT A. MICKEY	PO BOX 24823 LA CA 90024
65		Jason House	PO Box 24451 LA CA 90024
66		A Dunlap	PO BOX 24451 LA CA 90024
67		Robert James	9207 CHRISTOPHER ST. CYPRESS, CA 90630
68	Catherine James	Catherine James	9207 Christopher St, Cypress, CA 90630
69			552 June St Oxnard
70		DWIGHT MATNEY	723 CENTER LN STA PAULA CA 93060
71		SEAN EZELL	23679 CALABASAS RD CALABASAS CA 91302
72	Trivie Tillisch	TRIVIE TILLISCH	19265 Santa Rita TARZANA CA 91356
73		Tony Preston	26353 W. PLATA LANE CALABASAS, CA. 91302
74		Steve Berna	PO Box 5096 Montecito CA 93150
75		Josh Crowl	6850 Farralone Ave. Canoga Park CA 91303
76	Donna M. Vitale	Donna M. Vitale	1612 Amador Ln Newbury Park CA 91320
77		SHAUN HAGHIGHAT	1932 Pelham #302, LA, CA 90025
78		Lisa Freier	1932 Pelham Ave #302 LA CA 90025

79	Suzanne Eden	Suzanne Eden	6419 South Saltair Ave / Westla CA 90025
80		Sharon Jennings	9088 25th St SM, CA 90403
81		Samuel Jackson	501 Los Angeles St L.A. Calif 90013
82		Gwenyth Peoples	622 Wall St LA Calif 90014
83		Bärbel Schmitz	261 E Alegria Ave #7 Sierra Madre CA 91024
84		JANINA KAUFFMANN	261 E ALEGRIA AVE APT #7 SIERRA MADRE CA 91024
85		CARLY K. NELSON	632 OCEAN PARK BLVD #10 SM, CA 90405
86		CHRIS Kanzler	632 Ocean Park Blvd #10 Santa Monica, Cal 90405
87		Stephen Fitzpatrick	2720 Seabreeze Drive, Malibu CA 90265
88		Mary Ellen Jenkins	28570 Seahridge Dr. Malibu, 90265
89		Eleanor Starlin	" " "
90		Peter Guignard	2050 BLUEWING JOHNSTOWN, CO 80534
91		ALAN HALL	2102 Arbor Circle Brea CA 92821
92		Michael Murphy	P.O. BOX 701 Malibu CA. 90265
93		Cheryl Murphy	25615 Mulholland Hwy Calabasas CA 91302
94		Kristen Moore	390 S York Elmhurst, IL 60126
95		Samantha Moore	390 S. York Elmhurst, IL 60126
96		Patti Neil	1935 Country Grove Ln, Encinitas CA 92024
97		Joshua Aghtari	616 N. Bedford Dr. Beverly Hills CA
98		JOEY APESCO	1015 3rd ST #23 SANTA MONICA

99	[signature]	VICTORIA SHAPIRO	8569 BURTON WAY, LOS ANGELES 90048
100	[signature]	Adriel Darvish	3171 Deep Canyon Dr. BH, CA 90210

July 23, 2010

RECEIVED
JUL 23 2010
PLANNING DIV.

Dear Ms. Danner:

It is very important to me that I express my concerns about the Malibu Inn to you. The Inn's activities will impact me and my family greatly on a daily basis. I have lived across the street from the Malibu Inn for almost 12 years. For most of that 12 years, I have had nothing but problems with each of the owners of the Malibu Inn. I anticipate arguments from the current owner will include he will be different and he will respect the neighbors desire for peace and quiet. However, as with owners of a business, the goal is to make money and I have experienced, he will escalate activities in directions to do that.

How do I know this, because I am seeing it right now with our other restaurant neighbor, the Beachcomber, who are turning their venue into a nightclub as well. In the beginning the Beachcomber offered 3 piece bands (piano, horn and strings) in the afternoons. The music was not amplified so it did not disturb us. However, for the past several months, the Beachcomber has offered live amplified music on it's deck. They bring in 6-8 musicians who play rock n' roll cover songs. In the beginning they began at 6pm, and went to 10pm, then 11pm , then 12am. I had to go there several times to complain before management agreed to stop at 10pm. However, the volume of the amplified music went up each time. Then last week they added music on Saturday night and Sunday afternoon.

We have 2 young children, 7 and 10 who go to bed at 8:30pm. For the past month, we have been unable to sit in our bedrooms and watch tv because the music was so loud at the Beachcomber, we had to go out of our homes. We return to put the kids to sleep – but still loud music is playing. I again went to management to explain that one night of music was unbearable but 2 nights was beyond my ability to handle. His arguments focused on the fact he needed to make money, and the biggest attraction right now was the live music and the owners want to offer it on more nights. The owners also want the Malibu Inn to open so they can get their overflow business, and blasting loud music from the pier will help attract that. So our homes will be in the middle of a "nightclub" zone. I do not think it is fair to subject the residents of our community to this type of "nuisance".

So now in the face of another "nightclub" being opened across the street from us, you can see how afraid I am. Afraid that I will have to suffer through days and nights of loud music, echoing voices from intoxicated people on their patio, with no regard for the residents, loudly talking people on the way to their cars, or loitering in the parking lot, and some who like to ring our doorbell as they pass by at 2am.

I have experienced all these activities for all the years the Malibu Inn was opened at night.

Previously, the last owner of the Malibu Inn, Mitch Stewart, escalated his activities over time as well. He started with bands once a week, then twice, then 4-5 times. The type of band changed too, from more mellow rock bands to Metal and Punk rock bands. He then had large events other nights with crowds of people on the outdoor patio area talking loudly or screaming.

Date Received 07-23-10 Time 11:00 am
Planning Commission meeting of 08-03-10
Agenda Item No. 6A
Total No. of Pages 2

CC: Planning Commission, City Council, CA, PM,
Recording Secretary, Reference Binder, File

They also had many "sicky dicky" nights, whose logo was of a man throwing up from too much partying. These events attracted young "partying" types. Often the police were called out to break up fights. Numerous young people were intoxicated and on drugs. I have heard from several people who went to the Malibu Inn that the place was rampant with drugs.

We had so many problems that finally the Sherriff's stepped in and told Mitch if he did not comply they would seize any sound equipment from his establishment. They also told him to give us his home phone number to call whenever there was problem. I called Mitch several times late at night to complain. He finally understood what we had to go through, unable to sleep, waiting for the sherriff's to come to hear our complaints, then waiting for them to come back from the Inn.

Before him, Sam Khoury was the manager. He refused to lower the music and played till 1 or 2 am almost every night. The Sherriff's finally got tired of him breaking the law that they charged him with disturbing the peace. He soon left the Malibu Inn after that.

I invite you to go to the beachcomber to hear how loud the music is so you can see what we have to go through from the early evening on and what we could be potentially subjected to by the Malibu Inn.

I want to now focus my concern about loud music played at any time, not just past 10pm, as the volume of the music prevents us from enjoying the peace and quiet of our homes at all times.

I also want to ask why do we need another nightclub in Malibu? I see the Malibu Inn as a historic building that would be a great restaurant. If it was just a restaurant, I would not be opposed to alcohol. But if it's a nightclub, then I am opposed to drunk people getting into fights, loitering, and driving down PCH.

Soon the old Windsail and Pierview will be open, what activities are in store for these venues?

Is this part of PCH going to become like the Sunset Strip ?

I am also concerned that the following restrictions have not been suggested, no signs to say keep quiet, limits on how loud music can be played before 10 pm, what types of entertainment are offered, what system for complaints by residents, etc.

I am just a small voice, but I do hope you hear me and can help me.

Sincerely,

Stella Yap

23018 PCH

Malibu, CA 90265

Jessica Blair

From: Stephanie Danner
Sent: Monday, July 26, 2010 5:32 PM
To: Jessica Blair
Subject: FW: Hearing on Malibu Inn

RECEIVED
JUL 27 2010
PLANNING DIV.

Correspondence.

-----Original Message-----
From: uclagrad96 [mailto:uclagrad96@yahoo.com]
Sent: Monday, July 26, 2010 10:43 AM
To: Stephanie Danner
Cc: Stefanie Edmondson; rjallan@aol.com
Subject: Hearing on Malibu Inn

Dear Ms. Danner:

I wanted to follow up with an email after our meeting on Friday. Thank you for your time. As we said to you we still have many concerns about the Malibu Inn reopening as a nightclub. I do not believe that the conditions currently recommended in the Report to the Planning Commission are sufficient enough to protect the safety and welfare of the residents of Malibu.

Our family will be in Canada with relatives next week. My husband and I would like the opportunity to state our concerns and suggestions for conditions to the Commission in person, so I wanted to ask you one more time if any changes are possible. If the August 3 hearing can't be changed, can we ask for a second hearing date for the people who could not make the August 3 hearing?

Please let me know your thoughts.

Kindest regards,

Stella Yap
23018 Pacific Coast Highway
Malibu, CA 90265

Date Received 07-27-10 Time 8:00 am
Planning Commission meeting of 08-03-10
Agenda Item No. 6H
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM,
Recording Secretary, Reference Binder, File

Jessica Blair

From: Stephanie Danner
Sent: Monday, July 26, 2010 8:11 AM
To: Jessica Blair
Subject: FW: Malibu Inn

RECEIVED
JUL 26 2010
PLANNING DIV.

Correspondence

From: Sari Drucker [mailto:sdrucker@earthlink.net]
Sent: Saturday, July 24, 2010 7:35 AM
To: Stephanie Danner
Cc: sedmonson@ci.malibu.ca.us
Subject: Malibu Inn

Dear Ms. Danner:

My husband and I have lived across the street from the Malibu Inn for 15 years. We just learned about the possibility of a "nightclub" at the Malibu Inn. This is the first time we have heard this. We are very concerned. I was told there is an application to have live music played until 2am in the morning. **I don't think you realize how sound carries here.** Last time this happened the music was so loud, we could not even hear our own TV in our house. I know this because it happens every time the Beachcomber has a band. To allow this until 2am everyday would mean we would never get a good night's sleep. **This is also a residential neighborhood.**

We understand that permits for amplified live music, alcohol, and late hours are all being considered.

Our house is approximately 300' away from this establishment and STRONGLY OBJECT to this. We are unable to attend the hearing and would like the opportunity to make our objections in person. Therefore, WE HEREBY REQUEST A CONTINUANCE TO THE HEARING.

Kindly respond at your earliest convenience.

Sincerely,

Ron and Sari Drucker
23030 Pacific Coast Highway
Malibu, CA 90265
310-456-6204

cc:Stefanie Edmonson

Date Received 07/26/10 Time 8:00am
Planning Commission meeting of 08/03/10
Agenda Item No. 6F
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

RECEIVED
AUG 02 2010
PLANNING DIV.

ROBERT J. ALLAN
Trustee
Malibu Property Trust
23018 Pacific Coast Highway
Malibu, California 90265
***Telephone*: (310) 456-6576**
***Facsimile*: (310) 456-3195**
e-mail: rjallan@aol.com

July 27, 2010

ORIGINAL VIA HAND DELIVERY
Via email: jblair@ci.malibu.ca.us

Chair Mazza and Members of the Planning Commission
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Re: Commission Agenda Report on the The Malibu Inn's ("Applicant") Application for a Conditional Use Permit 09-009 ("CUP") and Joint Use Parking Agreement No.: 10-001 ("PA")

Dear Chair Mazza and Members of the Planning Commission:

I write in response to the recommended actions contained in the Commission Agenda Report dated July 22, 2010 prepared by Stephanie Danner, Senior Planner.

Our family and our neighbors in the Surfrider Beach and adjacent communities are extremely concerned about the referenced matter.

I want to emphasize my concerns as a resident of Malibu for over 25 years, who lives with my wife, 10 year old son and 7 year old daughter across the street from the Malibu Inn and who also works in the Malibu Plaza building, half a block from the Malibu Inn and to state my objections to the CUP and PA, as written, and to explain the bases for my objections.

Prior to the Malibu Inn being closed in 2008, my family and I had numerous, on-going problems with the previous owners and managers of the Malibu Inn for at least 15 years. Each new owner or manager would come to Malibu and tell the City, my neighbors and I they would run an establishment that would benefit the community. However, I have only experienced the opposite. Over the past 15 years each new owner and their managers slowly converted the Malibu Inn from a full service restaurant and bar into a nightclub, concert hall, karaoke hall, and party place filled into the late hours of the night with loud and intoxicated young people.

Date Received 8-2-10 Time 8:00 am
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 5

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

We are extremely concerned that the new owner and the manager, who is the same manager employed by the former owner, will do the same. We question why the owners want to keep the Malibu Inn open until 2 am with live entertainment and alcohol. Most restaurants in Los Angeles let alone Malibu close well before midnight. Malibu is a family community, not a nightclub destination.

As the Malibu Sheriffs experience with the last owner and current manager of the Malibu Inn clearly establishes, if the Malibu Inn is allowed to have live entertainment and serve alcohol until 2 am it will attract primarily non-resident, young partying types from out of town who will drink and drive down PCH endangering their lives and the lives of the residents of Malibu. It will also encourage Malibu residents who dine there to drink and drive home late at night up and down PCH and up the canyons, endangering people and property.

My wife and I spoke with Stephanie Danner, the senior planner for these applications last Friday. The planning department issued a report with a proposed resolution to be finalized at the hearing that includes the following "conditions of approval" which my neighbors, my family and over 75 people who have signed a petition in the last 2 days do not feel are adequate to protect the safety and welfare of the customers of the Malibu Inn and the community, our neighborhood and our property in general:

1. No live entertainment or amplified music on the "patio"; (however the report does not mention anything about music played inside the Malibu Inn being audible from the exterior of the Malibu Inn.)

2. Unnecessary and boisterous noise shall not be audible from the patio from 10pm - 2 am; (however this does not specifically prevent unreasonable noise before 10 pm nor does it prohibit noise from the Malibu Inn that is plainly audible within 5 feet of a residence emanating from the exterior of the Malibu Inn after 10pm.)

3. The owner must notify the code enforcer and Sherriff's Department 3 days before an event with 100 persons or more and have a contact for complaints during events. However, no condition has been imposed for how to enforce compliance by the owner at other times of the day or night. The responsibility for monitoring and minimizing noise and crowds should be on the Malibu Inn, not on neighbors to call the Sheriff's Department or the code enforcement officer every time there is a problem. This is especially true given the Malibu city ordinance limiting code enforcement. Furthermore, Deputy Brownell's condition in the agency approval letter to require the Malibu Inn to keep the Sherriff's apprised of any live entertainment is not reflected in the Planning Commission resolution.

4. Security personnel be present from 9pm to closing in order to control noisy and rowdy patrons which clearly indicates the planning department anticipates these types of patrons at the Malibu Inn.

Chair Mazza and Members of the Planning Commission
July 27, 2010

Last Friday, my wife spoke with the manager of the Malibu Inn regarding our concerns. As I mentioned earlier, the current manager, Sean, is the same manager that worked for Mitch Stewart, the previous owner with whom we and the Sheriff's Department had all the problems with (liquor license violations, fights, drugs, etc.) and he tried to convince her he will do a better job of booking bands and complying with the Malibu Noise Ordinance ("Ordinance") as manager for the new owners than he did as manager for Mitch Stewart. When my wife mentioned the 10pm cutoff for noise he said it will be up to the Sheriff's Department to determine if the Malibu Inn is violating the Ordinance - meaning we would have to call them every time there is a violation of the Ordinance or any other violation of the Malibu Municipal Code ("Code"). She also had concern about the late hours, however, he went on to say the Malibu Inn should have the right to play music until 2am because between 10 and 2 is when they anticipate having the most customers. This is obviously contrary to the owner's statement in their petition and application for the CUP that they just want to bring "better service, atmosphere, live music, and a bar scene to the Malibu community". It appears they really want to have a nightclub. He also said Moonshadows is able to stay open until 2 am and play loud music despite having had several drinking related accidents, complaints to the Sheriff's Department, etc., so the Malibu Inn should be able to do the same without interference.

As you undoubtedly know, the Sheriff's Department is not capable of monitoring or determining compliance with the Ordinance because the city has refused their request for the city to purchase a sound monitoring device.

I understand a restaurant needs the income from liquor sales to survive. I do not believe it needs live bands/DJ's and amplified music 7 days a week until 2am. Nowhere else in Malibu is this activity allowed. The reason for that is simply no one in Malibu wants venues with people drinking late and then driving home in the evening.

Malibu is a family community, not a nightclub town.

I believe The Malibu Inn will not attract the type of visitors Malibu wants or needs.

If a CUP is granted, then I hope the planning commission and city council impose sufficient conditions to protect the residents and the public from the harm the Malibu Inn "nightclub" will bring to our community.

Some of the conditions I suggest that should be required are earlier closing hours to minimize late night drinking and driving, limits on how loud music can be played before 10pm, soundproofing measures, sound monitoring devices inside and outside to Malibu Inn to ensure compliance with the conditions, the Ordinance and the Code, the types of entertainment to be offered (the application mentioned 3 piece jazz bands, but that is obviously not what is intended), the number of events per month or year, a system for complaints by residents to the owner (hotline), and signs that say to be quiet near residents.

The city should require the owners to conduct sound studies inside the Malibu Inn and in front of adjacent residences to measure noise in order to place the burden of complying with the

conditions of the CUP on the owners not the Sheriff's Department or the city code enforcement officer, have a condition restricting the volume of the music and related noise before 10pm and a condition mandating compliance with the Ordinance after 10 PM.

The applicant/ owner, not the Sheriff's Department, the city and the taxpayers in the city should be responsible for enforcing compliance with interior and exterior noise levels mandated by the Code and Ordinance, prohibiting loud voices or crowd activity in the parking areas and insuring litter, debris or graffiti in or near the Malibu Inn, the parking and surrounding areas is quickly removed so that it does not negatively impact the surrounding community.

We are also concerned about the overuse of the septic system. Hundreds of people will be using the system daily. When the prior owner operated the Malibu Inn and held live events I personally witnessed the septic system overflowing, the overflow being hosed into the gutter and it being pumped out the following morning. What effect will this have on the area and the residents and how will the Water District react to this proposed use?

Neither the CUP nor the PA appear to require as a condition of issuance a covenant to be recorded against the parking lot and office building owned by the applicant requiring those parking facilities to be available for use by the Malibu Inn. Without a recorded covenant there is simply not sufficient parking for the uses contemplated by the CUP. The application states the Malibu Inn will have 12 employees during the week and 24 on the weekends. There are only 22 parking spaces at the Malibu Inn. Where will these employees park?

The lot adjacent to the Malibu Inn currently owned by the applicant has 30 parking spaces. These parking spaces are the subject of the PA but not a condition of the CUP. The applicant has applied for the PA because in order to get a CUP they have to have more parking spaces to accommodate the restaurant and customers they anticipate. The applicant also has 90 parking spaces in an office building down the street owned by the applicant. The question remains where do the other 200 plus people anticipated to attend a large event park?

Plans to develop that adjacent parking lot have been submitted by the owner. So the 30 parking spaces in that lot will only be available for use without a covenant running with the land for a very short period of time. The applicant has proposed valet service to his office building but still most people will try to park along the Pacific Coast Highway which is already over utilized by employees from the Malibu Pier, Malibu Plaza and other adjacent businesses. Between the Malibu Pier parking, which is insufficient for their own use according to the Sate of California and the other businesses, parking will be impossible on weekend days and nights and some weekday nights.

I have been told by Rabbi Cunin that he only signed a letter of support for a CUP to allow the Malibu Inn to sell liquor, not to provide live entertainment or remain open until 2 am seven days a week. He told me the applicant told him he would let the Chabad use his adjacent parking lot.

I have also been told by a representative of the Beachcomber Restaurant that the one of the reasons Tad Belshe signed a letter of support for the CUP was because of a similar statement by the applicant to Mr. Belshe that he would allow the Beachcomber to use his adjacent parking lot and the hope that the Beachcomber will benefit from overflow customers from the Malibu Inn.

I would highly recommend the Planning Commission examine very closely what the owners of the Malibu Inn intend to do and to determine what conditions are necessary to insure the safety and welfare of the residents of Malibu before the Planning Commission approves the CUP or the PA as proposed.

Kindest regards,

Robert J. Allan

cc: Stephanie Danner *via email* sdanner@ci.malibu.ca.us
City of Malibu

Stefanie Edmondson *via email* sedmondson@ci.malibu.ca.us
City of Malibu

Los Angeles Regional Water Quality Control Board
320 West 4th Street
Los Angeles, CA 90013-2343

ROBERT J. ALLAN
Trustee
Malibu Property Trust
23018 Pacific Coast Highway
Malibu, California 90265
***Telephone*: (310) 456-6576**
***Facsimile*: (310) 456-3195**
e-mail: rjallan@aol.com

RECEIVED
JUL 30 2010
PLANNING DIV.

July 30, 2010

ORIGINAL VIA HAND DELIVERY
Via email: jblair@ci.malibu.ca.us

Chair Mazza and Members of the Planning Commission
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Re: Commission Agenda Report on the The Malibu Inn's ("Applicant") Application for a Conditional Use Permit 09-009 ("CUP") and Joint Use Parking Agreement No.: 10-001 ("PA")

Dear Chair Mazza and Members of the Planning Commission:

Please find enclosed a petition signed by residents and other concerned individuals who are in support of denying Malibu Inn's request for a Conditional use Permit allowing live entertainment until 2am or a nightclub in Malibu. Please let me know if you have any questions.

Kindest regards,

Robert J. Allan

Date Received 7-30-10 Time 4:00 pm
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 6

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

Malibu Inn is under new ownership and is in the process of trying to get a live entertainment license and a liquor license. They want to have live bands play untill 2am 7 days a week. Do we need a nightclub serving alcohol till 2 am in Malibu? Do we need drunk patrons loitering around all night, more traffic and parking problems, and drunk drivers driving up and down PCH. Surfrider Beach residents are opposed to the Malibu Inn becoming a nightclub. Please kindly sign this petition in support of denying Malibu Inn's request for a Conditional Use Permit allowing live entertainment until 2am or a nightclub in Malibu. This will help ensure the safety and peace of mind of the residents of Malibu.

	Signature	Name	Address
1		David Olan	20645 SEABOARD Malibu CA
2		MARK FRIEDMAN	23022 PHC HWY CA MALIBU.
3		JAwelle Ericamm	23022 PCH Malibu CA 90265
4		Rick Mehlinger	1221 Ocean Ave, S.M. 90401
5		Andrew Jackson under reasonable conditions	3217 Sumac Ridge Dr MALIBU, CA 90265
6		Elaine Schifman	5740 Calpine Dr Malibu Ca 90265
7		M. OSTERMAN	22601 PCH Malibu 90265
8		Tim Boyd-Smith	P.O.B 121 MALIBU 90265 -
9		Justin Sikes	23410 civic center WY Malibu 90265
10		Gideon Ben Abu	23561 P.C.H. Malibu, CA 90265

11		Alex Sitkovetsky	23302 W. Bocana St. Malibu 90265
12		Elena "	" " "
13		Levon	3882 CROSS CREEK RD MALIBU.
14	Ron Drucker	RON DRUCKER	23030 PCH Malibu 90265
15		Sari Drucker	23030 PCH Malibu 90265
16		ALEXANDER ASTIN	23034 PCH MALIBU 90265
17	Helen S. Astin	HELEN S. ASTIN	23034 PCH MALIBU 90265
18		Jonathan Roth	23006 PCH Malibu 90265
19		Alisa Roth	23006 PCH Malibu 90265
20		Maria Moss	21757 Castlewood Dr. 90265
21	Nick Moss	Nicki Moss	21757 Castlewood Dr. 90265
22	Heather Tarver		23310 W. Pompano St Malibu 90265.
23			14013 Captains Row Marina Del Rey
24			14013 Captains Row MDR CA 90292
25			23215 PCH 90265
26		GEOFF STEELE	6415 SYCAMORE MEADOWS DR. MALIBU CA 90265
27		Wes Van Pelt	27500 Byrdale Rd. Agoura Hills 9301

28		BARRY VAN DYKE	27800 BLUEMOUND RD. AGOURA H.Hs
29		Lynell Perna	27412 Latigo Bay View Dr. Malibu
30		Chris Perna	27412 Latigo Bay View Dr. Malibu
31		Emily Goodin	25362 Malibu Rd. Malibu CA. 9026
32		GINA LEE	21012 Costanso St W.H. Ca 91364
33		JULES HERSHEY	30004 TRAIL CREEK Dr AGOURA CA 91301
34		TEA LEONI	900 WILSHIRE BLVD 90212
35		Tim Feit	11862 Stafford Lane
36		Bill Lawrence	19 Cliffside drive, Malibu
37		CHRISTA LAWRENCE	" " Malibu
38		REBECCA GRONER	UNDER REASONABLE CONDITIONS 3851 Sweetwater Cyn Malibu CA 90265
39		Jillian Rydell	28910 BONIFACE DR malibu, CA 90265
40		Leslie Goldstein	29500-146 Heathercliff CR 90265
41		Sarah-Jayne Simon	5811 Zumirez Drive Malibu, CA. 90265
42		S Cunin	22933 PCH Malibu CA 90265
43	PATRICIA GERARD		30724 El Pescador Dr Malibu 90265
44	DIRK TWITCHELL		P.O. 7684 THOUSAND OAKS CA.

45	[illegible]	[illegible]	SANTA MONICA, 90403
46	KOF		P.O-Box 2852 Malibu CA 90265
47	Donjo Maddonna	Donjo	205 E. Franklin Ave El Segundo Ca 90245
48	Sharon Olan	Sharon Olan	20645 Seaboard Rd Malibu 90265
49	[illegible]	Ms. Olan	527 Via De La Paz Pac. Palisades CA 90272
50	[illegible]	B. Olan	20645 Seaboard Rd Malibu 90265
51	[illegible]	Andy Lyons	27537 P.C.H. [illegible] 90265
52	[illegible]	ALLEN SARLO	22001 PCH. MALIBU CA 90265
53	Sophia Sarlo	Sophia Sarlo	22001 PCH Malibu CA 90265
54	[illegible]	Jeff Ho	2554 LINCOLN BLVD VENICE CA 90291
55	[illegible]	Linda Echegaray	26317 T.O. Blvd #186 Calabasas 91302
56	[illegible]	Jennifer Polk	26237 Fairside Rd Malibu CA 90265
57	[illegible]	Stephen Polk	26237 FAIRSIDE RD MALIBU CA 90265
58	[illegible]	Diana Knight	22917 Pacific Coast Hwy Malibu CA 90265
59	[illegible]	Betsy Bojanowski	3270 Sumac Ridge Malibu 90265
60	[illegible]	Y. Smith	21345 Rambla Vista Malibu CA 90265
61	[illegible]	Melissa Sawyer	22917 Pacific Coast Hwy Malibu, CA 90265

62		Carleton Yoder	5736 N. Las Virgenes Road 134, Calabasas, CA, 91302
63		Hans Dau	3213 Colony View, Malibu, CA 90265
64		Jie zhu	1953 Goshen Ave #4 Los Angeles CA 90089
65		Stella W. Yap	23018 Pacific Coast Hwy, Malibu, CA 90265
66		Robert J. Allen	23018 P.C.A. malibu CA 90265
67		Robert D Leidescher	2965 Sherwin Ave, Ventura, CA 93003
68		Shahla Mohageri	22917 Pacific Coast Hwy, Suite 350, Malibu, CA 90265 22849 Cass Ave., Woodland Hills, CA 91364
69		DAVID SIEGEL	22917 PCH #300 Malibu, CA 90265
70		Rod Rummelsburg	22917 PCH #350, Malibu CA 90265 4330 Jasmine Ave, Culver City, CA 90232
71		JIM SMITH	22917 PCH Ste 300 Malibu, Ca. 90265
72		Nicole Jacuson	22917 PCH Ste 300 Malibu, CA 90265
73		Van Tran	22917 PCH #300A Malibu CA 90265
74		TRONG DINH	22917 PCH #300A 90265
75		Edythe Huang	22917 PCH #350 Malibu, CA 90265
76			
77			
78			

Patricia Salazar

From: Jessica Blair
Sent: Monday, August 02, 2010 6:22 AM
To: Patricia Salazar
Subject: FW: application for Conditional Use Permit 09-009

From: Alexander Astin [aastin@gseis.ucla.edu]
Sent: Sunday, August 01, 2010 3:44 PM
To: Jessica Blair
Cc: Stephanie Danner; Stefanie Edmondson; Bob Allen; uclagrad96; Sari Drucker
Subject: application for Conditional Use Permit 09-009

Dear Ms. Blair:

Please convey this letter to the Planning Commission. Thank you!

Dear Chair Mazza and members of the Planning Commission:

Our house is located across the street from the Malibu Inn at 23034 Pacific Coast Highway. We had both planned to attend the August 3 hearing, but we now understand that consideration of the application has been postponed.

We would like to register our strong opposition to the proposal for a CUP 09-009, on several grounds. First, the plan to have live music that will play until 2:00 AM will be extremely disruptive. The same manager has played live music on previous occasions and it has proved to be heavily amplified and extremely loud, disturbing our peace and quiet and interfering with our sleep. (contrast this with the former jazz club Pasquale's, which operated on PCH for many years with little noise problem.) We understand that the owners of the Inn have said that the live music would consist of a 3-piece jazz band, which would be much less of a problem than heavily amplified rock music, but without some written stipulation from the city to that effect, the manager cannot be held accountable.

Another serious problem with the proposal is the extremely large numbers of customers that the owners are proposing to host. Given that the limited parking space at the Inn is not capable of accommodating so many people, serving them liquor until 2:00 AM will inevitably result in large numbers of inebriated people loitering and wandering on the sidewalk in front of our house, greatly increasing the noise and the risk of vandalism (or worse).

We respectfully request that the Planning Commission reject this proposal.

Sincerely,

Alexander W. Astin & Helen S. Astin
23034 PCH
310-456-6548
aastin@gseis.ucla.edu

Date Received 8-2-10 Time 8:00 am
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

RECEIVED
AUG 02 2010
PLANNING DIV.

AMERICAN COMMERCIAL EQUITIES

ORIGINAL VIA HAND DELIVERY
Via email: jblair@ci.malibu.ca.us

Date Received 8-2-10 Time 8:00 am
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 2

July 30, 2010

Chair Mazza and Members of the Planning Commission
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Re: Commission Agenda Report on The Malibu Inn's ("Applicant") Application for a Conditional Use Permit 09-009 ("CUP") and Joint Use Parking Agreement No.: 10-001 ("PA")

Dear Chair Mazza and Members of the Planning Commission:

We write in response to the proposed actions contained in the Commission Agenda Report dated July 22, 2010.

We are the owner of the Malibu Plaza building at 22917 Pacific Coast Highway located one-half block from the Malibu Inn. We did not receive notice of the public hearing and suspect that other affected parties may not have received notice.

We join in the objections to the proposed actions contained in the July 27, 2010 letter from Robert J. Allan, Trustee (copy attached).

In addition to Mr. Allan's objections, we would like to note that before the Malibu Inn was closed in 2008, like Mr. Allan, we had numerous on-going problems with the previous owners and managers of the Malibu Inn. These problems included the following:

First, patrons of the Malibu Inn parked in our structure which significantly adds to our liability to our tenants and to third parties resulting from intoxicated patrons

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

alibu, California 90265 • Tel: 310-774-5300 • Fax: 310-774-5444

potentially causing property damage and personal injury. The joint use parking arrangement won't solve this issue. Our security patrol costs will increase.

Second, our building's parking structure is above street level and not easily visible from the street. Accordingly, the parking structure is an attractive location for patrons to congregate, resulting in increased clean up costs for us from the patrons' broken bottles, debris and relieving themselves on the property.

Third, our tenants, some of whom work late at night, have been harassed by intoxicated patrons in the parking structure.

Based on the numerous liability, public nuisance and health and safety issues raised by Malibu Inn's application, we request that it be denied or, alternatively, that sufficient conditions be imposed to alleviate these concerns.

Very truly yours,
American Commercial Equities

By: _____
Marvin M. Lotz
President

cc: Stephanie Danner *via email* sdanner@ci.malibu.ca.us
City of Malibu

Stefanie Edmondson *via email* sedmondson@ci.malibu.ca.us
City of Malibu

Los Angeles Regional Water Quality Control Board
320 West 4th Street
Los Angeles, CA 90013-2343

Robert J. Allan *via email* rjallan@aol.com
Trustee, Malibu Property Trust

Patricia Salazar

From:	Jessica Blair
Sent:	Friday, July 30, 2010 2:15 PM
To:	Patricia Salazar
Subject:	FW: Malibu Inn Petition
Attachments:	Malibu Inn Petition.pdf

RECEIVED
JUL 30 2010
PLANNING DIV.

From: Carleton Yoder [cyoder@rjallanlaw.com]
Sent: Friday, July 30, 2010 2:04 PM
To: Jessica Blair
Subject: Malibu Inn Petition

I have attached a PDF file of a petition 75 individuals signed by residents and other concerned individuals who are in support of denying Malibu Inn's request for a Conditional Use Permit allowing live entertainment until 2am or a nighclub in Malibu.

Please let me know if you have any questions.

Carleton Yoder
Allan Law Group P.C.
22917 Pacific Coast Highway, Suite 350
Malibu, CA 90265
(310) 456-3024
(310) 317-0484 [fax]
cyoder@rjallanlaw.com [email]

Date Received 7-30-10 Time 2:15 pm
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 8

CC: Planning Commission, City Council, CA, PM,
Recording Secretary, Reference Binder, File

Malibu Inn is under new ownership and is in the process of trying to get a live entertainment license and a liquor license. They want to have live bands play untill 2am 7 days a week. Do we need a nightclub serving alcohol till 2 am in Malibu? Do we need drunk patrons loitering around all night, more traffic and parking problems, and drunk drivers driving up and down PCH. Surfrider Beach residents are opposed to the Malibu Inn becoming a nightclub. Please kindly sign this petition in support of denying Malibu Inn's request for a Conditional Use Permit allowing live entertainment until 2am or a nightclub in Malibu. This will help ensure the safety and peace of mind of the residents of Malibu.

	Signature	Name	Address
1		David Olon	20645 SEABOARD Malibu CA
2		MARK FRIEDMAN	23022 PHC HWY CA MALIBU.
3		JAwelle Ericanna	23022 PCH Malibu CA 90265
4		Rick Mehlinger	1221 Ocean Ave, S.M. 90401
5		Andrew Jackson under reasonable conditions	3217 Sumac Ridge Dr MALIBU, CA 90265
6		Elann Schifman	5740 Calpine Dr Malibu Ca 90265
7		M. OSTERMAN	22601 PCH Malibu 90265
8		Tim Boyd-Smith	P.O.B 121 MALIBU 90265 -
9		Justin Sikes	23410 civic center way Malibu 90265
10		Gideon Ben Abu	23561 P.C.H. Malib, CA 90265

11		Alex Sitkovetsky	23302 W. Bocana St. Malibu 90265
12		Elena "	" "
13		Levon	3882 CROSS CREEK RD MALIBU.
14	Ron Drucker	RON DRUCKER	23030 PCH Malibu 90265
15		Gari Drucker	23030 PCH Malibu 90265
16		ALEXANDER ASTIN	23034 PCH MALIBU 90265
17	Helen S. Astin	HELEN S. ASTIN	23034 PCH MALIBU 90265
18		Jonathan Roth	23006 PCH Malibu 90265
19		Alisa Roth	23006 PCH Malibu 90265
20		Maria Moss	21757 Castlewood Dr. 90265
21	Nick Moss	Nicki Moss	21757 Castlewood Dr. 90265
22	Heather Jarvis		23310 W. Pompano St Malibu 90265.
23		D. Hodis	14013 Captains Row Marina Del Rey
24	B. Bernier	G. Bernier	14013 Captains Row NDR CA 90292
25	Dick Van Dyke		23215 W. Pt Dr Malibu 90265
26		GEOFF STERN	6415 SYCAMORE MEADOWS DR. MALIBU CA 90265
27		Wes Van Pelt	27500 Blyfield Rd. Agoura Hills 91301

28		BARRY UMANOFF	27800 BLETHORCE AD. AGOURA H.Is
29		Lynell Perna	27412 Latigo Bay View Dr. Malibu
30		Chris Perna	27412 Latigo Bay View Dr. Malibu
31		Emily Goodman	25362 Malibu Rd. Malibu Ca. 90265
32		GENA LEE	21012 Costanso St W.H. Ca 91364
33		JULES HERSHFIELD	30004 Teal Creek Dr. Agoura CA 91301
34		TEA LEONI	9100 Wilshire Blvd 900 12
35		Tim Feit	11862 Stafford lane
36		Bill Lawrence	6th Cliffside drive, Malibu
37		CHRISTA LAWIENCE	Malibu
38		REBECCA GRENNELL	UNDER REASONABLE CONDITIONS 3851 Sweetwater Cyn Malibu CA 90265
39		Jillian Rydell	28910 Bonifacio Dr malibu, CA 90265
40		Leslie Goldstein	29500-146 Heathercliff CA 90265
41		Sarah-Jayne Simon	5810 Zumirez Drive Malibu, CA. 90265
42		S Cunin	22933 PCH Malibu CA 90265
43	PATRICIA GREENFIELD		30724 El Pacaro Dr Malibu 90265
44	DIRK TWITCHELL		PO. 7684 THOUSAND OAKS CA.

45	MARK LINDSEY		SANTA MONICA, 90403
46	KOFI		P.O. Box 2852 Malibu, CA 90265
47	Dario Marchiano	Dario	205 E. Franklin Ave El Segundo Ca. 90245
48	Sharon Olan	Sharon Olan	20645 Seaboard Rd Malibu 90265
49		Ms. Olan	527 Via De La Paz Pac. Palisades, CA 90272
50		B. Olan	20645 Seaboard Rd Malibu 90265
51		Andy Lyons	27537 P.C.H. MALIBU 90265
52		ALLEN SARLO	22001 P.C.H. MALIBU CA 90265
53	Sophia Sarlo	Sophia Sarlo	22001 PCH Malibu CA 90265
54		Jeff Ho	2554 LINCOLN BLVD VENICE CA 90291
55		Linda Echegaray	26347 T.O. Blvd #180 Calabasas 91302
56		Jennifer Polk	26237 Fairside Rd Malibu CA 90265
57		Stephen Polk	26237 FAIRSIDE RD MALIBU CA 90265
58		Diana Knight	22917 Pacific Coast Hwy Malibu CA 90265
59		Betsy Bojanowski	3270 Sumac Ridge Malib. 90265
60		Y. Smith	21345 Rambla Vista Malibu CA 90265
61		Melissa Sawyer	22917 Pacific Coast Hwy Malibu, CA 90265

62		Carleton Yoder	5736 N. Las Virgenes Road 134, Calabasas, CA, 91302
63		Haus_Dan	3213 Colony View, Malibu, CA 90265
64		Jie zhu	1953 Goshen Ave #4 Los Angeles CA 90049
65		Stella W. Yap	23018 Pacific Coast Hwy, Malibu, CA 90265
66		Robert J. Allen	23018 P.C.A. Malibu CA 90265
67		Robert D Ludaescher	2965 Sherwin Ave, Ventura, CA 93003
68		Shahla Mahajeri	22917 Pacific Coast Hwy, Suite 350, Malibu, CA 90265 22849 Cass Ave., Woodland Hills, CA 91364
69		DAVID SINGELTON	22917 PCH #300 Malibu, CA 90265
70		Rafi Ramandsburg	22917 PCH #350, Malibu CA 90265 4330 Jasmine Ave, Culver City, CA 90232
71		JIM SMITH	22917 PCH Ste 300 Malibu, Ca. 90265
72		Nicole Jacuson	22917 PCH Ste 300 Malibu, CA 90265
73		Van Tran	22917 PCH #300A Malibu CA 90265
74		TRONG D NH	22917 PCH #300 A 90265
75		Edythe Huang	22917 PCH #350 Malibu, CA 90265
76			
77			
78			

79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			

96			
97			
98			
99			
100			

Patricia Salazar

From: Jessica Blair
Sent: Friday, July 30, 2010 12:26 PM
To: Patricia Salazar
Subject: FW: Malibu Inn

RECEIVED
JUL 30 2010
PLANNING DIV.

From: Yoder, Carleton (student) [Carleton.Yoder@pepperdine.edu]
Sent: Friday, July 30, 2010 11:10 AM
To: Jessica Blair
Cc: Stephanie Danner
Subject: Malibu Inn

Ms. Blair,
It recently has come to my attention that the Malibu Inn has applied for permits which would allow them to serve alcohol and host live entertainment past midnight seven days a week. This will have a direct impact on me in two different ways. First, I am currently a law student at Pepperdine University. I regularly travel from Malibu to Santa Monica via the Pacific Coast Highway (PCH). As such, I know firsthand how congested PCH can be and know that the hundreds of people traveling to Malibu to see a show at the "Inn" will further frustrate my commute. Accordingly, I have a major concern about intoxicated individuals driving home on PCH after a show. Anyone who has been to a "club" that has live entertainment can attest to the fact that heavy drinking is often involved, and people drive home after the show when they most certainly should not. I do not want to have to worry, more than I already do, about driving home on PCH at night and being hit by a drunk driver. This situation is compounded by the fact that when a show is over, there will be a mass exiting from Malibu Inn. The majority of people leaving will either drive south to Santa Monica or north to Malibu Canyon, exposing risk to anyone who happens to be driving on PCH during that time frame. Furthermore, to stress how dangerous PCH already is, earlier this summer (June 4, 2010) my car was totaled when a LA County Public Works truck slammed into a row of cars parked alongside PCH causing a seven car accident. This happened around lunch time, with a driver who was sober. I can only assume that such occurrences will increase if individuals are able to party and drink until 2:00am at the Malibu Inn.
Second, I currently work in Malibu near the Malibu Inn. Every day I have to fight to find a parking spot. The side of PCH near Malibu Inn is constantly, and completely, lined with cars during all hours of the day. One can't help but wonder how much more difficult parking will become once Malibu Inn opens, and where hundreds of people will park when a live band plays.
I do have one more thing I would like to add. Being a twenty six year old graduate student, and one who used to but no longer goes out to clubs, I know through personal experience what a "bar and restaurant" is versus a "nightclub". While I may not frequent clubs anymore, I still do go to the occasional beer bar in Santa Monica. Said "bar and restaurant" is an upscale eatery and bar that is located on Main Street; however, the establishment does not offer shows and closes at 12:00am despite it being located in an entirely commercial area. The Malibu Inn's proposed hours of operation and pitch of live entertainment screams out "nightclub".
I hope you reconsider granting the Malibu Inn permits for alcohol and live entertainment.
Thank you,
Carleton Yoder

Date Received 7-30-10 Time 12:26 pm
Planning Commission meeting of 8-3-10
Agenda Item No. 6A
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

Jessica Blair

From: Stephanie Danner
Sent: Wednesday, July 28, 2010 4:18 PM
To: Joyce Parker-Bozylinski; Jessica Blair
Cc: Stefanie Edmondson
Subject: FW: Malibu Inn - Request For Public Hearing Postponement

RECEIVED
JUL 29 2010
PLANNING DIV.

From: Elizabeth Peterson [mailto:elizabeth@epgla.com]
Sent: Wednesday, July 28, 2010 2:24 PM
To: Stephanie Danner
Cc: Lester Tobias; Kambiz Hakim; Jane Weber; Steven Hakim; Brandon Finch; Ross Stephenson
Subject: Malibu Inn - Request For Public Hearing Postponement

RE: CUP No. 99-009
Variance No. 10-013
Joint Parking Use No. 10-001
The Malibu Inn - Request For Public Hearing Postponement

Hi Stephanie,

After consulting with the Applicant, we would like to respectfully request to postpone our scheduled public hearing for Tuesday, August 3rd in order to obtain some clarification and direction from Staff. We were hoping maybe to be placed on the Spetember 7th Public Hearing Agenda if that's still possible?

And as always, thank you again for your time and dedication to this case, it's greatly appreciated by all.

Respectfully,
Elizabeth Peterson

President
Elizabeth Peterson Group, Inc.
1850 Industrial Street, #606
Los Angeles, CA 90021
www.EPGLA.com

elizabeth@epgla.com
office: 213-674-2686
fax: 213-674-2689

Date Received 07-29-10 Time 8:00am
Planning Commission meeting of 08-03-10
Agenda Item No. 10F
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM,
Recording Secretary, Reference Binder, File

Jessica Blair

From: Janelle Friedman [janellefriedman@gmail.com]
Sent: Thursday, July 29, 2010 8:09 AM
To: Stephanie Danner; Jessica Blair
Cc: gnkjeep@aol.com
Subject: RE: Application re Malibu Inn/Hearing
Attachments: Malibu Inn.doc

RECEIVED
JUL 29 2010
PLANNING DIV.

Dear Ms. Danner:

On closer look, I did receive the Notice of Public Hearing which was postmarked July 8, 2010. The hearing is August 3, 2010. That is less than 30 days notice, which is not enough time to change plans to accommodate the Hearing - especially in the summer months.

Again, I hereby request a continuance to the Hearing so that I may attend. In the event that a continuance is not granted, I have attached a letter outlining my objections.

Thank you and sincerely,

Janelle Friedman

From: Stephanie Danner [mailto:sdanner@ci.malibu.ca.us]
Sent: Friday, July 23, 2010 11:48 AM
To: 'janellefriedman@gmail.com'
Subject: RE: Application re Malibu Inn/Hearing

Ms. Friedman,

Your objections are noted. I will forward your email to the Planning Commission. The Commission is the only entity that may grant a continuance and they will decide whether or not to postpone the hearing on the evening of August the 3rd.

For the record, a Courtesy Notice of the Proposed Application was mailed to all property owners and occupants within 500 feet of the Malibu Inn on January 12, 2010. A notice was sent to both your residence at 23022 PCH and also to Barbara Mortensen, 681 San Lorenzo St, Santa Monica, CA (the owner of record per the LA County Assessor). A copy of this notice is attached for your reference.

Please note that there is no variance associated with the proposed project. Please refer to the staff report for further information on the project that will be before the Planning Commission:
http://www.ci.malibu.ca.us/download/index.cfm/fuseaction/download/cid/15925/

Regards,

Stephanie

Stephanie Danner
Senior Planner
City of Malibu Planning Division
23815 Stuart Ranch Road
Malibu, CA 90265
T 310.456.2489, extension 276
F 310.456.7650

Date Received 07-29-10 Time 8:00 am
Planning Commission meeting of 08-03-10
Agenda Item No. 6F
Total No. of Pages 4

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

From: Janelle Friedman [mailto:janellefriedman@gmail.com]
Sent: Thursday, July 22, 2010 10:07 PM
To: Stephanie Danner
Cc: sedmonson@cl.malibu.ca.us; Stefanie Edmondson
Subject: Application re Malibu Inn/Hearing

Dear Ms. Danner:

My husband and I have just found out about the possible "nightclub" and variance being approved in the Malibu Inn space. Although we are across the street neighbors, this is the first we have been made aware of any plans to occupy that space. We understand that amplified live music, alcohol, and late hours are among the variances.

We live approximately 300' away from this establishment and STRONGLY OBJECT to the application requests. We are unable to attend the hearing and would like the opportunity to make our objections in person. Therefore, WE HEREBY REQUEST A CONTINUANCE TO THE HEARING.

Kindly respond at your earliest convenience.

Sincerely,

Mark & Janelle Friedman
23022 Pacific Coast Highway
Malibu, CA 90265
310-456-0809
janellefriedman@gmail.com
mark@levelfourllc.com

cc:Stefanie Edmonson

Janelle Friedman
23022 Pacific Coast Highway
Malibu, CA 90265

July 28, 2010

Planning Commission
Senior Planner Stephanie Danner
23815 Stuart Ranch Road
Malibu, CA 90265

RE: My Opposition to The Malibu Inn Application for a Conditional Use Permit 09-009 and Joint Use Parking Agreement No. 10-001

Dear Ms. Danner and Members of the Planning Commission:

I write to express my concerns regarding the Conditional Use Permit application submitted by the Malibu Inn that will allow live entertainment and alcohol until 2 AM and the Joint Use Parking Agreement.

I have resided across the street from the Malibu Inn for over ten years with my husband and two children, ages 12 and 14. When the Malibu Inn was open before as a bar and club, we often had problems with excessive noise, drunken people, accidents, and littering. One evening our neighbor's parked cars were hit by a drunk driver just outside our front door. One of the cars was totaled, but luckily no one was injured.

The Malibu Inn often had bands play that attracted a very rowdy crowd, and many times the Sheriff's were called to intercede.

Since the Beachcomber and Ruby's have opened, we have also experienced increased parking and traffic problems. I can't imagine what it will be like when the Malibu Inn starts having large events all week long. Currently there is not enough parking for the Pier visitors or employees, let alone the employees of the Malibu Inn.

The Beachcomber and Pier have live entertainment and many large events. The Beachcomber has become a source of extremely loud music on Friday nights attracting groups of late night drinkers as well. We are extremely concerned that when the Malibu Inn starts its late night activities, we will be surrounded by a "club zone".

This will affect our ability to enjoy the peace and quiet of our home, and more importantly, our safety, because I believe that late night drinking will increase the number of drunk drivers along Pacific Coast Highway. The only exit out of the Malibu Inn is north or south on PCH. This is a grave concern to my family, and I'm sure to all the residents of Malibu, the tourists who visit, and anyone driving along PCH as well. Malibu is "27 Miles of Scenic Beauty" and I hope the probability of unsafe driving is not increased.

Our neighborhood is both a residential and commercial area. There are apartments to the north of the Malibu Inn and many homes above the Malibu Inn as well. As such, the resident's interest should be taken into consideration.

Please re-examine the need for granting an entertainment and alcohol permit combined with late hours. In the alternative, please impose more conditions on the permit that would help minimize the impact on our lives as neighbors and protect the safety of all Malibu residents and visitors. For example, the Malibu Inn should be closed earlier (most places close by 12am on weekends and 11pm on weekdays), control over the volume from music and bands who play there, add more security guards to watch that guests who leave do not bother the neighborhood homes and cars.

Please postpone the Hearing to allow more residents to voice their opinions. In the event the Hearing is not changed, I hope the Commission will review and consider the issues in my letter.

Sincerely,

Janelle Friedman

cc:Stefanie Edmondson
Jessica Blair

Jessica Blair

From: Stephanie Danner
Sent: Tuesday, July 27, 2010 3:59 PM
To: Jessica Blair
Subject: FW: Application for Variance re Malibu Inn

RECEIVED
JUL 27 2010
PLANNING DIV.

Correspondence.

From: Jonathan Roth [mailto:jroth@CanyonPartners.com]
Sent: Tuesday, July 27, 2010 3:35 PM
To: Stephanie Danner
Cc: sedmonson@ci.malibu.ca.us; aliroth@gmail.com; Klaus
Subject: Application for Variance re Malibu Inn

Dear Ms. Danner:
My wife and I have just learned that the owners of the Malibu Inn space on Pacific Coast Highway are seeking a variance to obtain a liquor license and, among other things, to permit amplified music at the venue. Although we literally reside across the street, this is the first we have been made aware of any variance being sought for that space. Given the nature of the variance being sought, I would have expected to have received written notice of the upcoming August 3 hearing.

We live approximately 300' away from this establishment and STRONGLY OBJECT to the granting of any variance that will allow the sale of alcohol and permit amplified music. We understand that the hearing is set for the evening of next Tuesday, August 3. Because of the late notice, it is not likely that we will be able to attend the hearing. I also understand that a number of our neighbors will also be unable to attend. As such, we respectfully request that the hearing be postponed to a later date. We have strong objections to the granting of the requested variance and would like an opportunity to be heard.

Please let us know of your decision whether to postpone as soon as you are able so that we may plan accordingly. Thank you in advance.

Jonathan Roth
Principal
Canyon Capital Realty Advisors
2000 Avenue of the Stars
11th Floor
Los Angeles, CA 90067
310-272-1555 (phone)
310-272-1556 (fax)
310-272-1542 (assistant's line)
jroth@canyonpartners.com

Date Received 07-27-10 Time 4:00pm
Planning Commission meeting of 08-03-10
Agenda Item No. 6A
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

RECEIVED
AUG 02 2010
PLANNING DIV.

Malibu Management Inc.

ORIGINAL VIA HAND DELIVERY
Via email: jblair@ci.malibu.ca.us

July 30, 2010

Chair Mazza and Members of the Planning Commission
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Re: Commission Agenda Report on The Malibu Inn's ("Applicant")
Application for a Conditional Use Permit 09-009 ("CUP") and
Joint Use Parking Agreement No.: 10-001 ("PA")

Dear Chair Mazza and Members of the Planning Commission:

We write in response to the proposed actions contained in the Commission Agenda Report dated July 22, 2010.

We are a tenant in the Malibu Plaza building at 22917 Pacific Coast Highway located one-half block from the Malibu Inn. We did not receive notice of the public hearing and suspect that other affected parties may not have received notice.

We join in the objections to the proposed actions contained in the July 27, 2010 letter from Robert J. Allan, Trustee (copy attached).

In addition to Mr. Allan's objections, we would like to note that before the Malibu Inn was closed in 2008, like Mr. Allan, we had numerous similar on-going problems with the previous owners and managers of the Malibu Inn.

Based on the numerous liability, public nuisance and health and safety issues raised by Malibu Inn's application, we request that it be denied or, alternatively, that sufficient conditions be imposed to alleviate these concerns.

Very truly yours,

Jim Smith
Vice President

Date Received 8-2-10 Time 8:00 am
Planning Commission meeting of 8-3-10
Agenda Item No. 6H
Total No. of Pages 2

[illegible] Coast Hwy · Suite 300 · Malibu · CA · 90265
) 774-5300 · Fax (310) 774-5333

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

cc: Stephanie Danner *via email* sdanner@ci.malibu.ca.us
City of Malibu

Stefanie Edmondson *via email* sedmondson@ci.malibu.ca.us
City of Malibu

Los Angeles Regional Water Quality Control Board
320 West 4th Street
Los Angeles, CA 90013-2343

Robert J. Allan *via email* rjallan@aol.com
Trustee, Malibu Property Trust

Jessica Blair

From: Stephanie Danner
Sent: Friday, July 23, 2010 11:48 AM
To: Jessica Blair
Subject: FW: Application re Malibu Inn/Hearing

RECEIVED
JUL 23 2010
PLANNING DIV.

Correspondence.

From: Janelle Friedman [mailto:janellefriedman@gmail.com]
Sent: Thursday, July 22, 2010 10:07 PM
To: Stephanie Danner
Cc: sedmonson@ci.malibu.ca.us; Stefanie Edmondson
Subject: Application re Malibu Inn/Hearing

Dear Ms. Danner:

My husband and I have just found out about the possible "nightclub" and variance being approved in the Malibu Inn space. Although we are across the street neighbors, this is the first we have been made aware of any plans to occupy that space. We understand that amplified live music, alcohol, and late hours are among the variances.

We live approximately 300' away from this establishment and STRONGLY OBJECT to the application requests. We are unable to attend the hearing and would like the opportunity to make our objections in person. Therefore, WE HEREBY REQUEST A CONTINUANCE TO THE HEARING.

Kindly respond at your earliest convenience.

Sincerely,

Mark & Janelle Friedman
23022 Pacific Coast Highway
Malibu, CA 90265
310-456-0809
janellefriedman@gmail.com
mark@levelfourllc.com

cc:Stefanie Edmonson

Date Received 07-23-10 Time 12:00 pm
Planning Commission meeting of 08-03-10
Agenda Item No. 6H
Total No. of Pages 1

CC: Planning Commission, City Council, CA, PM, Recording Secretary, Reference Binder, File

NOTICE OF PUBLIC HEARING
CITY OF MALIBU
PLANNING COMMISSION

The Malibu Planning Commission will hold a public hearing on **Tuesday, August 3, 2010, at 6:30 p.m. in the Council Chambers, Malibu City Hall**, 23815 Stuart Ranch Road, Malibu, CA, for the project identified below.

CONDITIONAL USE PERMIT NO. 09-009, VARIANCE NO. 10-013 AND JOINT USE PARKING AGREEMENT NO. 10-001 — An application for a conditional use permit to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building; including a variance from the requirement that joint use parking be located within 300 feet of the use it serves.

APPLICATION FILING DATE:	December 3, 2009
APPLICANT:	Elizabeth Peterson
PROPERTY OWNER:	SKA Group, LLC
LOCATION:	22969 Pacific Coast Highway
APN:	4452-019-004
ZONING:	Commercial Visitor Serving – 1 (CV-1)
CITY PLANNER:	Stephanie Danner, Senior Planner (310) 456-2489, extension 276

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Division has analyzed the proposal as described above. The Planning Division 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 are therefore, exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared pursuant to CEQA Guidelines Section 15301 – Existing Facilities. The Planning Division 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).

A written staff report will be available at or before the hearing. Following an oral staff report at the beginning of the hearing, the applicant may be given up to 15 minutes to make a presentation. Any amount of that time may be saved for rebuttal. All other persons wishing to address the Commission will be provided up to three minutes to address the Commission. These time limits may be changed at the discretion of the Commission. At the conclusion of the testimony, the Commission will deliberate and its decision will be memorialized in a written resolution.

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 close 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

Attachment 11

specified by the City Council. Appeal forms may be found online at www.ci.malibu.ca.us or in person at City Hall, or by calling (310) 456-2489, extension 374.

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

If there are any questions regarding this notice, please contact Stephanie Danner, Senior Planner, at (310) 456-2489, extension 276.

Joyce Parker-Bozylinski

JOYCE PARKER-BOZYLINSKI, AICP
Planning Manager

Publish Date: July 8, 2010

Notice Continued...

A written staff report will be available at or before the hearing. Following an oral staff report at the beginning of the hearing, the applicant may be given up to 15 minutes to make a presentation. Any amount of that time may be saved for rebuttal. All other persons wishing to address the Commission will be provided up to three minutes to address the Commission. These time limits may be changed at the discretion of the Commission. At the conclusion of the testimony, the Commission will deliberate and its decision will be memorialized in a written resolution.

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 close 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.ci.malibu.ca.us or in person at City Hall, or by calling (310) 456-2489, extension 374.

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

If there are any questions regarding this notice, please contact Stephanie Danner, Senior Planner, at (310) 456-2489, extension 276, or at sdanner@ci.malibu.ca.us.

Date: July 8, 2010

By: Joyce Parker-Bozylinski, AICP, Planning Manager

Notice of Public Hearing

City of Malibu Planning Division
23815 Stuart Ranch Road
Malibu, CA 90265

Planning Division

City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2489 Fax (310) 456-7650

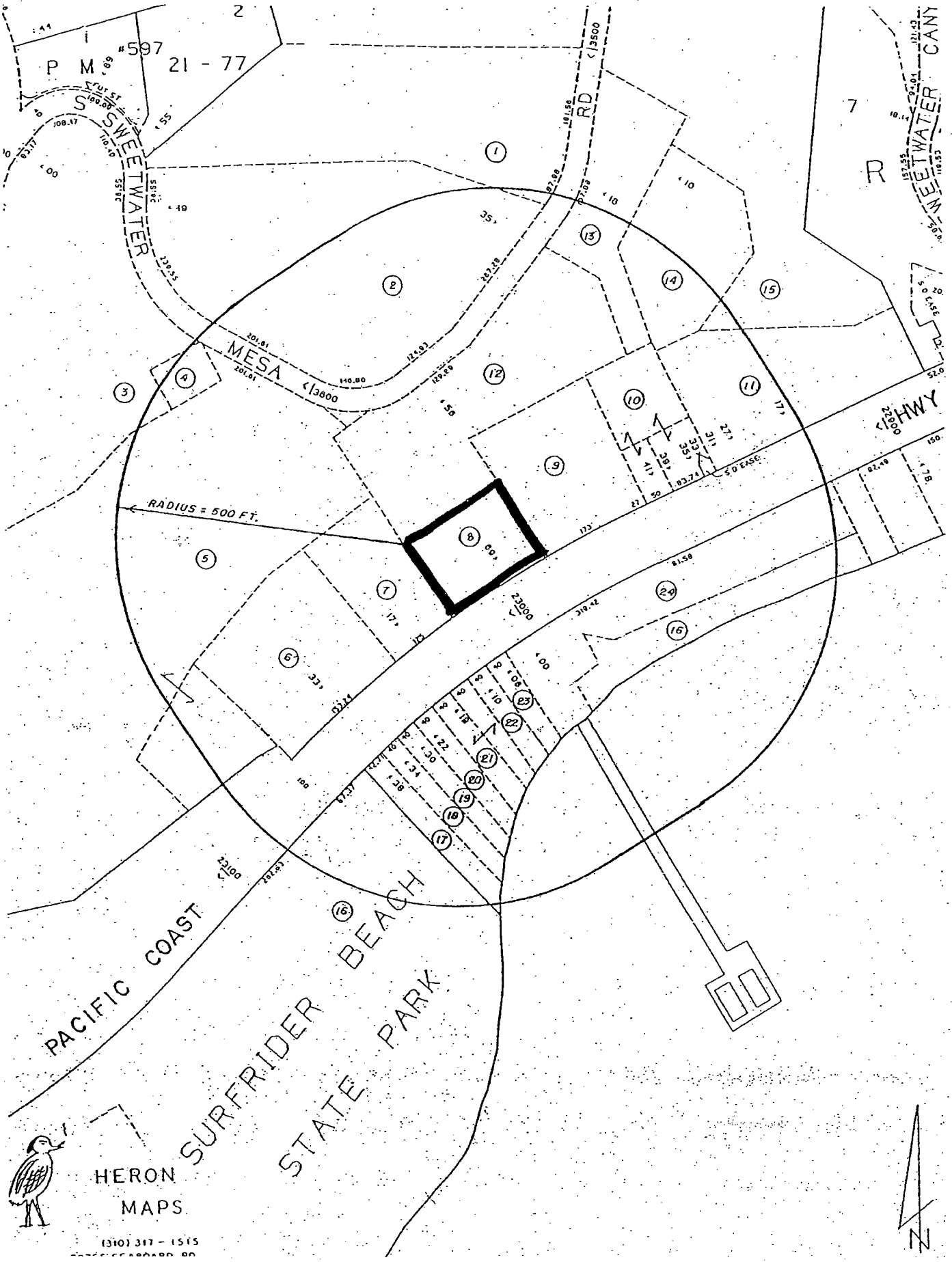
NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Tuesday, August 3, 2010, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23815 Stuart Ranch Road, Malibu, CA**, for the project identified below.

CONDITIONAL USE PERMIT NO. 09-009, VARIANCE NO. 10-013 AND JOINT USE PARKING AGREEMENT NO. 10-001 — An application for a conditional use permit to permit the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at the 8,960 square foot commercial building; including a variance from the requirement that joint use parking be located within 300 feet of the use it serves.

APPLICATION FILING DATE:	December 3, 2009
APPLICANT:	Elizabeth Peterson
OWNER:	SKA Group, LLC
LOCATION:	22969 Pacific Coast Hwy
APN:	4452-019-004
ZONING:	Commercial Visitor Serving - 1 (CV-1)
CITY PLANNER:	Stephanie Danner Senior Planner (310) 456-2489, ext. 276 sdanner@ci.malibu.ca.us

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Division has analyzed the proposal as described above. The Planning Division 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 are therefore, exempt from the provisions of CEQA. Accordingly, a CATEGORICAL EXEMPTION will be prepared pursuant to CEQA Guidelines Section 15301 – Existing Facilities. The Planning Division 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).


P M #597 21 - 77
SWEETWATER
MESA
RD
HWY
RADIUS = 500 FT.
PACIFIC COAST
SURFRIDER BEACH
STATE PARK
HERON
MAPS
(310) 317 - 1515

Appeal of Conditional Use Permit No. 09-009 & Joint Use Parking Agreement No. 10-001

Malibu Inn

22969 Pacific Coast Highway

An appeal of the Planning Commission's approval of a restaurant with live entertainment and liquor operating between the hours of 7 a.m. and 2 a.m. and having a maximum restaurant capacity of 94 patrons, a maximum entertainment event capacity of 340 patrons and 565 sq ft of retail space.

Vicinity Map



Conditional Use Permit

- Zoning designation — CV-1 zone requires a CUP for restaurants, bars and live entertainment uses.
- On Sept. 7, 2010, the Planning Commission approved:
  - A restaurant and bar with live entertainment and a retail store;
  - Hours of operation are from 7:00 a.m. to 2:00 a.m. daily;
  - Food and liquor service during hours of operation; and
  - Maximum of 8 small live entertainment events per month and two large entertainment events (more than 100 attendees) per month.

  - Restaurant seating capacity capped at 94 people
  - Entertainment event capacity capped at 340 people

Conditions of Approval

In response to correspondence and testimony received, the Planning Commission adopted numerous conditions of approval to address noise, safety and operational concerns:

- Refer to pg. 12 of the CC Resolution for operational conditions;

- Permit will be reviewed 6 months from approval date for compliance with conditions;
- A security plan, to be approved by the Sheriff Dept., must be submitted;
- The number of live entertainment events allowed per month has been limited to 8 small events and 2 large events;
- Sheriff Dept. reviewed and approved project, applicant must obtain an Entertainment Permit for dancing; and
- Applicant must obtain approval from California ABC for the liquor license.

Item on Appeal

- On September 16, 2010, an appeal of the Planning Commission's approval was filed by two individuals who own homes across from the Malibu Inn, south of PCH.

- The appeal contends that the proposed use does not comply with the Malibu Municipal Code and that the required number of parking spaces is not provided.

Correspondence

- Letters received from:
  - Quarterhorse Equities (Nov. 22, 2010)
    - Safety concerns of nearby commercial property
  - Julia Holland (Nov. 22, 2010)
    - In favor of the proposed application
  - Beth Lucas (Nov. 22, 2010)
    - Public safety concerns on PCH
  - Cindy Vandor (Nov. 21, 2010)
    - Public safety concerns on PCH
  - Appellant (Nov. 19, 2010)
  - Applicant (Nov. 10, 2010)

Staff Recommendation

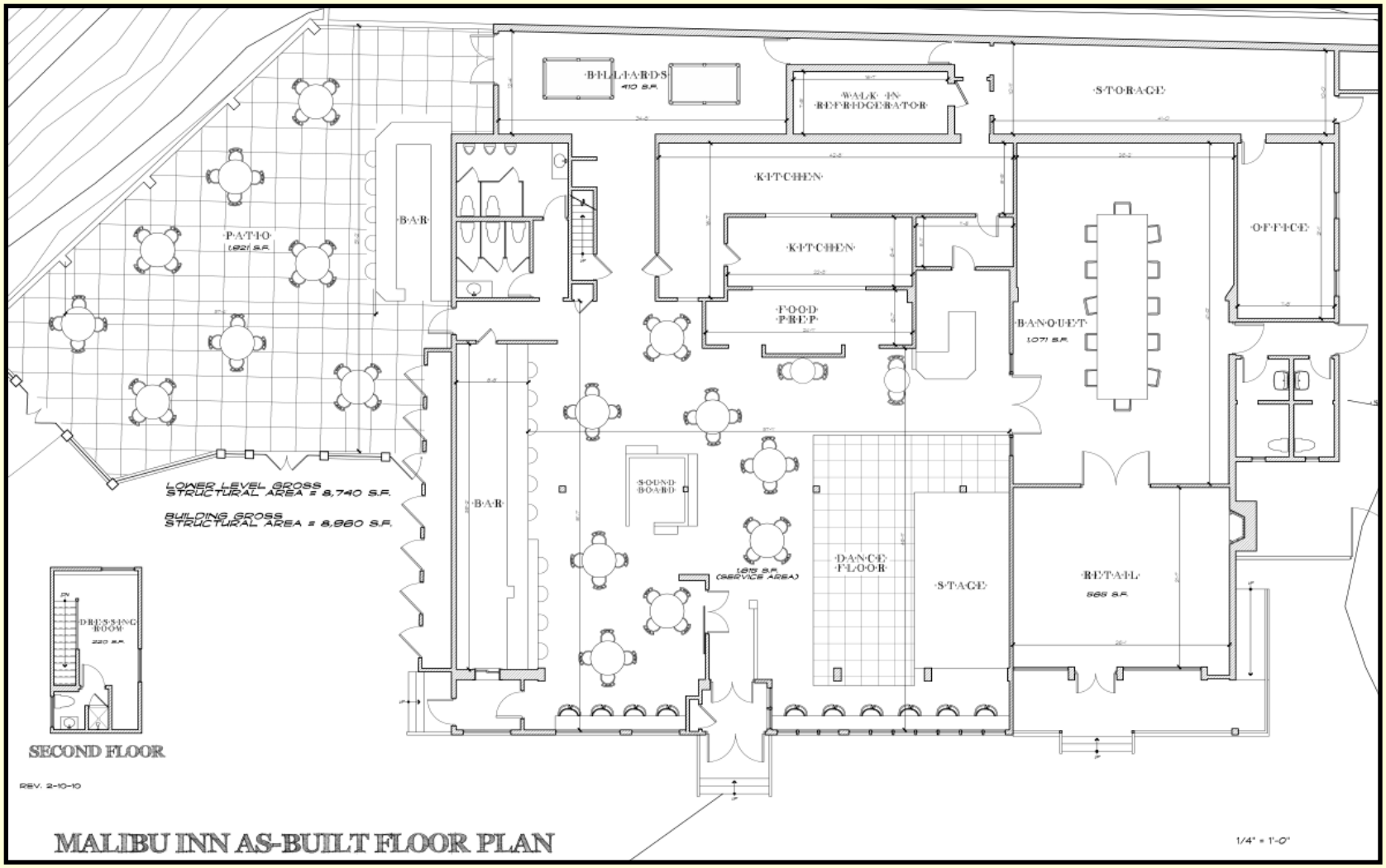
- After careful examination of the appeal statement and all of the evidence in the record, staff believes that all of the required findings for approval of the project are supported by substantial evidence in the record.

- Accordingly, staff recommends that the City Council adopt Resolution No. 10-59, denying Appeal No. 10-002 and approving Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to allow the Malibu Inn restaurant with live entertainment which will serve liquor, operate between the hours of 7:00 a.m. and 2:00 a.m., and have a maximum restaurant seating capacity of 94 patrons, a maximum capacity of 340 patrons for entertainment events and 565 square feet of retail space at 22969 Pacific Coast Highway.

Aerial View of Property



Existing Floor Plan



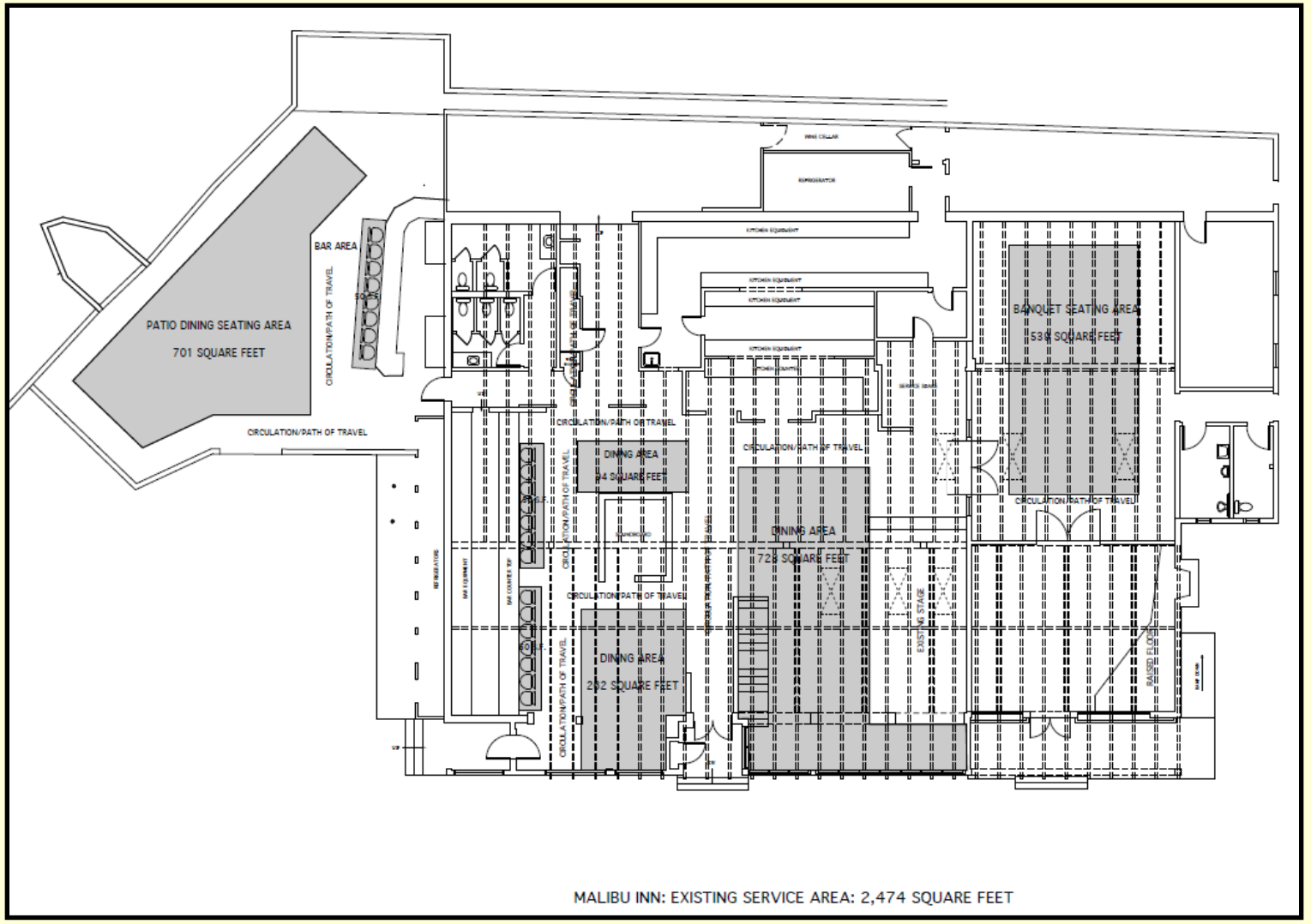
Restaurant Hours in the City

- Existing restaurants:
  - Bui Sushi (11:00 pm)
  - Charlie's (11:30 pm)
  - Beaurivage (2:00 am)
  - Spruzzo's (12:00 am)
  - Moonshadows (1:00 am)
  - Barrel Wine Bar (2:00 am)
- Recent City approvals:
  - Café Habana and the second unoccupied restaurant at the Lumber Yard (1:00 am)
  - Pierview and Windsail restaurants (2:00 am)
  - Two approved restaurants at Trancas Country Mart (11:00 pm)

Environmental Health Review – Onsite Wastewater Treatment System

- Ensitu completed a comprehensive review, including in-the-field testing of the property's existing OWTS in relation to the level of use depicted in in the Malibu Plumbing Code and determined the following:
  - The existing grease interceptor capacity is sized to accommodate a full day's flow, rather than the code required minimum;
  - The site's two septic meet the required septic tank capacity;
  - The existing leachfield size exceeds the minimum required effective absorption area; and
  - The existing OWTS is acceptable for the use proposed.
- The City Environmental Health Administrator reviewed the April 2010 Ensitu Report and approved the project as proposed.

Service Area Calculation



Parking Analysis

- M.M.C. Section 17.48.030(G) states the parking requirements for “restaurants, nightclubs, bars and similar establishments for the sale and consumption of food and beverages on the premises” are one space for each 50 square feet of service area.

- The Malibu Inn has 2,474 square feet of interior and exterior service area and will need to provide 50 parking spaces (one parking space for each 50 square feet of service area).
- Additionally, the 565 square foot retail space requires an additional three parking spaces.
- The total required parking for the Malibu Inn is 53 spaces.

Parking Analysis (continued)

- Currently, the existing parking lot configuration is composed of 20 standard size parking spaces plus two ADA accessible parking spaces, for a total of 22 spaces.
- The 31 remaining required spaces will be provided on the adjacent property via a joint use parking agreement as set forth in M.M.C. Section 17.48.040.
- The required parking for the proposed use is provided.

Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 4.B.

To: Chair Hill and Members of the Planning Commission

Prepared by: Adrian Fernandez, Assistant Planning Director

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2022 Meeting date: April 4, 2022

Subject: Malibu Inn Motel - Coastal Development Permit No. 09-067, Mitigated Negative Declaration No. 20-003 and Initial Study No. 20-003, Conditional Use Permit No. 18-002, Variance Nos. 18-029, 18-030, 18-031, and 20-035, Site Plan Review No. 18-025, and Joint Use Parking Agreement No. 18-001 – An application for development of a motel project (Continued from January 11, 2022)

Location: 22959 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-019-005
Owner: Surfrider Plaza, LLC

RECOMMENDED ACTION: Continue the item to a date uncertain to permit the applicant additional time to resolve compliance with the Memorandum of Understanding between the City and Regional Water Quality Control Board.

Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 5.A.

To: Chair Hill and Members of the Planning Commission

Prepared by: Philip Coronel, Assistant Planner

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2022 Meeting date: April 4, 2022

Subject: Coastal Development Permit–Woolsey Fire No. 19-001 and Variance No. 19-016 - An application for the reconstruction of an unpermitted, pre-existing non-conforming walk-out basement, decks, new swimming pool, and associated development (Continued from January 18, 2022)

Location: 4756 Latigo Canyon Road, not within the appealable coastal zone
APN: 4459-002-021
Owner: James and Kim Tomlinson

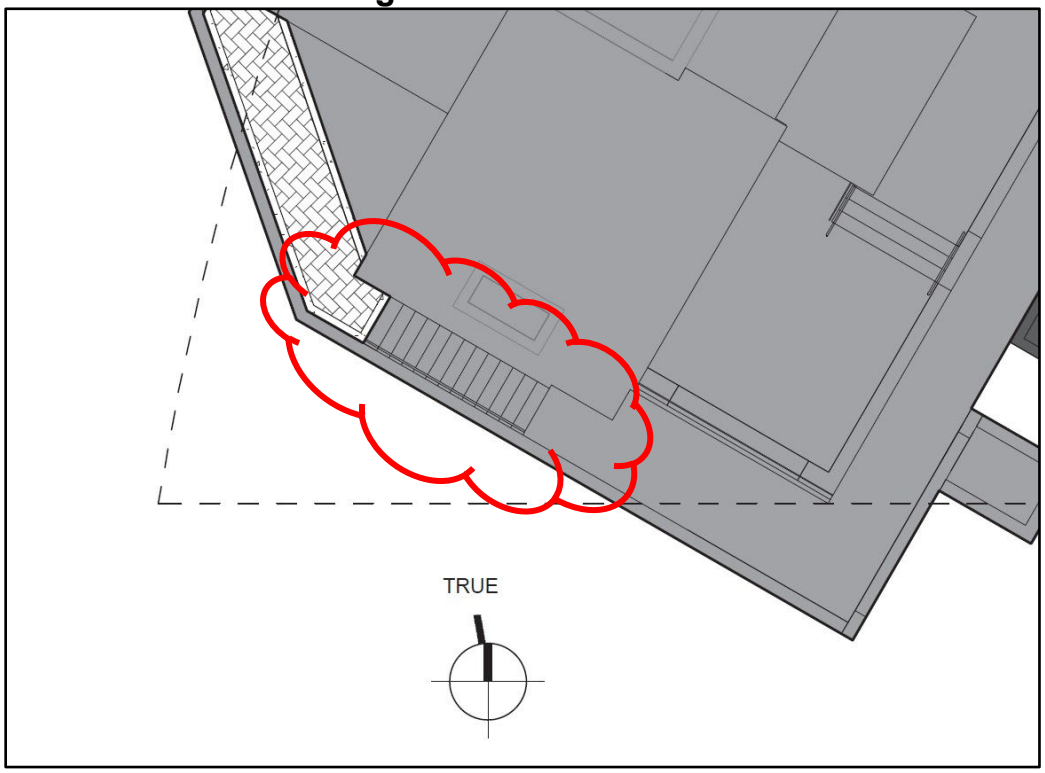
RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-05 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP)–Woolsey Fire No. 19-001 to allow for the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system (OWTS), including Variance (VAR) No. 19-016 for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre (RR-2) zoning district at 4756 Latigo Canyon Road (Tomlinson).

DISCUSSION: On January 18, 2022, the Planning Commission continued the subject item to a date uncertain to analyze evidence to determine whether the original basement could have been permitted under the rules that existed at the time of its construction. The basement was constructed without the benefit of permits sometime between 2000 and 2003 out of the crawlspace beneath the approved residence. The rules at the time the

basement was constructed allowed basements to daylight less than 50 percent.[1] Basements, in their entirety, were excluded from the total development square footage (TDSF) calculation. The basement rules were modified a couple of times since then to the rules we now have in place. These rules do not allow basements to daylight more than three vertical feet and only the initial 1,000 square feet of basement is exempt from the TDSF calculation and half of the basement area in excess of the initial 1,000 square feet is counted towards TDSF.

Based on the evidence provided by the applicant, staff determined that the original basement was constructed in compliance with applicable rules at the time of construction. Due to new Fire Department access provisions, the basement that was last presented to the Planning Commission daylighted just over 50 percent. Since then, a small adjustment was made to a Fire Department-required access stairway (Figure 1). That adjustment permitted the restoration of pre-existing grade against a small portion of the basement's exterior wall. The applicant provided a revised exhibit showing that 50.5 percent of the basement's total exterior wall surface is below grade (762 square feet of the total 1,510 square feet) (Exhibit B). As a result, the revised exhibit now demonstrates that the proposed basement would be in compliance with the applicable rules that existed pre-2004.

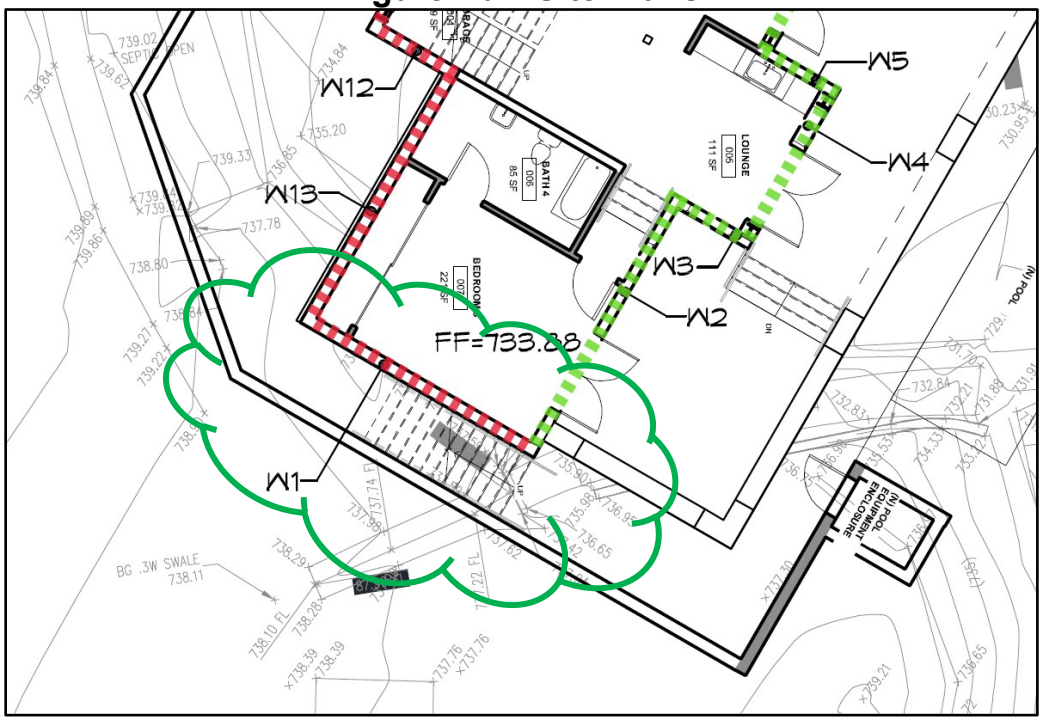
Figure 1a – Site Plans



Site Plan dated 01/18/22

[1] BASEMENT - that portion of a building or structure which is between floors and ceiling, which is partly below and partly above grade. but so located that the vertical distance from grade to the floor below is more than the vertical distance from grade to ceiling.

Figure 1b – Site Plans



Revised Site Plan dated 4/4/22

The analysis and findings in the January 18, 2022 Commission Agenda Report do not need to be modified as a result of the minor adjustment that was made since then. Resolution No. 22-55 has been updated to include updated recitals and adoption date due to the continuance. No other changes to the January 18, 2022 report or resolution were made.

EXHIBITS:

A. Planning Commission Resolution No. 22-05
B. Revised Basement Calculation Plan
C. Correspondence from the Applicant/Owner
D. Public Hearing Notice
E. January 18, 2022 Item 4A Agenda Report

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-05

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 WOOLSEY FIRE NO. 19-001 TO ALLOW FOR THE RECONSTRUCTION OF A PREVIOUSLY EXISTING, UNPERMITTED NON-CONFORMING BASEMENT, AND CONSTRUCTION OF A NEW SWIMMING POOL AND ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING VARIANCE NO. 19-016 FOR THE PROPOSED BASEMENT TO DAYLIGHT MORE THAN THREE VERTICAL FEET BELOW A RESIDENCE DESTROYED BY THE 2018 WOOLSEY FIRE, LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 4756 LATIGO CANYON ROAD (TOMLINSON)

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

SECTION 1. Recitals.

A. On May 21, 2019, an application for Coastal Development Permit-Woolsey Fire (CDPWF) No. 19-001 and Variance (VAR) No. 19-016 was submitted to the Planning Department by applicant Daniel Ziese, on behalf of the owners James and Kim Tomlinson. The application was routed to the City geotechnical consultant reviewers, City Environmental Health Administrator, City Biologist, and the City Public Works Department for review as well as the Los Angeles County Fire Department (LACFD) and Water District No. 29 (WD29).

B. On June 5, 2019, Planning Department staff conducted a site visit to document site conditions, the property and surrounding area.

C. On January 22, 2020, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On November 11, 2021, 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 December 6, 2021, the Planning Commission continued the item to the January 18, 2022 Regular Planning Commission meeting.

F. On January 18, 2022, the Planning Commission held a duly noticed public hearing on the subject application. The Planning Commission continued the subject item to a date uncertain to analyze evidence to determine whether the original basement could have been permitted under the rules that existed at the time of its construction.

G. On April 4, 2022, 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 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 15301(e) – Existing Facilities and 15303(d) 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 evidence in the record, including the content of the Commission Agenda Report for the project and hearing on January 18, 2022, and pursuant to Local Coastal Program (LCP) Local implementation Plan (LIP), including Sections 13.7(B) and 13.9 and Malibu Municipal Code (MMC), the Planning Commission hereby makes the findings of fact below, and approves CDPWF No. 19-001 and VAR No. 19-016 to allow the reconstruction of a previously existing non-conforming walk-out basement, new swimming pool, and new onsite wastewater treatment system (OWTS), including VAR No. 19-016 for a basement which daylights more than three feet; for the residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre (RR-2) zoning district at 4756 Latigo Canyon Road.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed variance, 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 is located in the RR-2 zoning district, an area designated for rural residential uses. A single-family residence and associated development are permitted uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, WD29, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigations, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards with the inclusion of the requested VAR.

2. The project consists of a new OWTS, swimming pool, landscaping, and basement, all of which are permitted uses within the RR zoning classification of the subject property. The selected locations for the proposed developments have been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD, and the project meets the City's residential development policies of the LCP and MMC. The proposed project does not impact fuel modification zones, ESHA buffers, or change the footprint or massing of the house. No public or private views will be impacted by the proposed project. In addition, enclosing the open space below the residence reduces the risk from fire caused by embers accessing the underside of the

structure. As such, the proposed project, as designed, is the least environmentally damaging alternative.

B. Variance Findings for a Basement Daylighting More Than Three Feet (LIP Section 13.26.5)

1. Due to the topography of the site, strict application of the code would deprive the subject property of creating a basement; a feature enjoyed by many properties throughout the City, without significant grading. The house is not able to be constructed in the same way as the original design, on piles with natural grade beneath the residence, as that is considered a "soft story," which is no longer allowed. The area beneath the elevated part of the house requires a poured concrete slab in order to make it a "hard story". This new foundation requirement will give the house more structural rigidity while creating a concrete slab below the first floor. As such, the proposed basement would enclose the open space beneath the residence, which will exist regardless due to the topography of the site and structural design requirements. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, and no expansion of fuel modification zones will be required.

2. The City Biologist, City Building Official, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and LACFD have reviewed the proposed project and determined it was consistent with all applicable safety, health or welfare regulations and policies. With the incorporation of the conditions set forth by these departments, the project will not be detrimental or injurious to the property or public interest, safety, health, or welfare in that the proposal is consistent with the residential uses that exist on the site and in the neighborhood. In addition, all adjacent neighbors with a view of the rear of the property have submitted letters of support for the project.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed single-family residence is consistent with the uses permitted in the applicable zoning designation. Basements are commonly included in single-family residential development throughout Malibu. Therefore, granting the proposed variance does not constitute a special privilege to the property owner.

4. This variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies. It would be allowing the development of square footage which does not increase the footprint or overall height of the structure and does not include square footage beyond the maximum allowed. The intent of the standards allowing non-conforming structures to be rebuilt through approval of a planning verification application, adopted by City Council in 2018, allow previously existing, destroyed non-conformities to remain. Although it was not constructed with permits by the previous owner, the basement was constructed at a time that it would have been allowed. Had permits been issued, the property owner would be able to rebuild the walkout basement without a CDP.

5. The proposed uses are consistent with the permitted uses in the applicable RR-2 zoning district. The proposed variance would not authorize an unpermitted use or activity.

6. The proposed variance would allow for the enclosure of a space which will exist due to the structural design requirements for the rest of the house. Enclosing the open space beneath the residence reduces the risk from fire caused by embers accessing the underside of the

residence. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, which existed prior to destruction by fire. No expansion of fuel modification will be required. Furthermore, the proposed project has been reviewed and approved by the City Biologist, Building Safety Division, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD. As such, the subject parcel is physically suitable for the proposed variance.

7. The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD reviewed the proposed project and determined it was in conformance with State and local requirements. Therefore, the proposed project complies with all applicable requirements of State and local law.

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

1. The proposed project is a new swimming pool, OWTS, and daylighting basement. All elements of the proposed project except for the proposed new seepage pits are located behind the residence and would be blocked from sight from the roadway by the subject residence, the neighboring property to the south, and existing vegetation. Story poles were not placed on the project site as the project will not alter the mass, height, or bulk of the development which previously existed. Based on a staff site visit on June 5, 2019, it was determined the proposed development is not expected to have significant adverse scenic or visual impacts, as the new development will have limited to no visibility from the scenic road. Therefore, the project as conditioned will not have significant adverse scenic or visual impacts due to project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

2. The project, as conditioned will not have adverse scenic or visual impacts.

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

4. The project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and no feasible alternatives would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

5. 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 scenic road and will not impact sensitive resources. Therefore, the proposed development, as designed, is sited to minimize or otherwise contribute to conformance to sensitive resources.

E. Hazards (LIP Chapter 9)

1. The proposed project was determined to not increase instability of the site or structural integrity from a geologic, flood or fire hazards perspective. It has been determined that the project is not located in a hazard zone, except that the project site is located within an ancient landslide area and within an extreme fire hazard area. Based on review of the project plans by City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department and LACFD, these specialists and agencies determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability from geologic 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. Furthermore, since the entire city limits of Malibu are located within a high fire hazard area, a condition is included in Section 5 of this resolution that requires the property owner to indemnify the City from any hazards associated with wildfire.

2. The project as designed, conditioned, and approved by the City Geologist 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.

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

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

5. No adverse impacts to sensitive resources are expected.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDPWF No. 19-001 and Variance No. 19-016, 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 project described herein. The scope of work approved includes:
    a. A new 1,463 square foot basement (231.5 square feet towards Total Development Square Footage (TDSF));
    b. New 200 square foot swimming pool and spa and associated equipment;
    c. 378 square feet of new first floor deck, which created 943 square feet of covered deck area that counts towards TDSF;
    d. New landscaping; and
    e. Replacement OWTS

    Additional Discretionary Requests

    f. VAR No. 19-016 for a basement daylighting more than three vertical feet.

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 as received on October 6, 2021. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department prior to the issuance of any development permits.

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

6. This resolution, signed and notarized Acceptance of Conditions Affidavit, major remodel policy and signed agreement (if applicable) and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).

7. The CDP shall 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. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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 Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District No. 29 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 Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

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

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

Lighting

15. Exterior lighting must comply with the Dark Sky Ordinance and 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.

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

17. 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.

18. 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.

19. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

20. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

21. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Construction / Framing

22. 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.

Biology

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

24. 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).

25. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback or fronting Latigo Canyon Road shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

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

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

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

29. Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

30. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for

maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22.

31. Use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

32. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

Grading/Drainage/Hydrology (Public Works)

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. 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
	Sandbag 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 with 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.

36. 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 as 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.

37. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

Geology

38. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers 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 consultant reviewers prior to the issuance of a grading permit.

39. Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Swimming Pool / Spa

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

41. 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(A).

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

43. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, algaecides, or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:
    a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
    b. There are sufficient BMPs in place to prevent soil erosion; and
    c. The discharge does not reach in to the MS4 or to the ASBS (including tributaries)

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

45. 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. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

46. Pursuant to MMC Section 9.20.040(B), all ponds, decorative fountains shall require a water recirculating/recycling system.

Onsite Wastewater Treatment System (OWTS)

47. The final Architectural Site Plan (Sheet A1.1) must show the proposed OWTS, including the treatment tank, dispersal area(s), and all lines of connection.

48. In accordance with MMC, prior to Environmental Health approval, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

49. 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 MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

50. Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC 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 OWTS plot plan shall show essential features of the OWTS and must fit onto an 11inch 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).

51. A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS 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 OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

52. 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 drainage fixture equivalents, 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 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. 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.

53. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the existing 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."

54. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MMC.

55. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

56. 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 OWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.

57. Prior to final Environmental Health approval, 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

58. Prior to final Environmental Health approval, proof of ownership of the subject property shall be submitted.

59. The City geotechnical consultant reviewers' final approval shall be submitted to the City Environmental Health Administrator.

Deed Restriction

60. 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.

Prior to Occupancy

61. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled, and state the facilities where all materials were taken.

62. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu 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.

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

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

65. Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 15-21. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.

Fixed Conditions

66. This coastal development permit shall run with the land and bind all future owners of the property.

67. 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 4th day of April 2022.

KRAIG HILL, Planning Commission Chair

ATTEST:

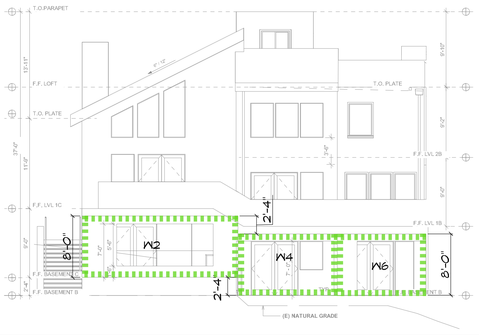
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.04.220 (Appeal of Action), 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 filing fee, as specified by the City Council. 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, extension 245.

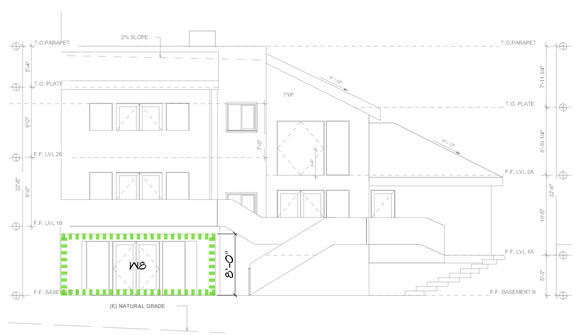
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-05 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 4th day of April 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

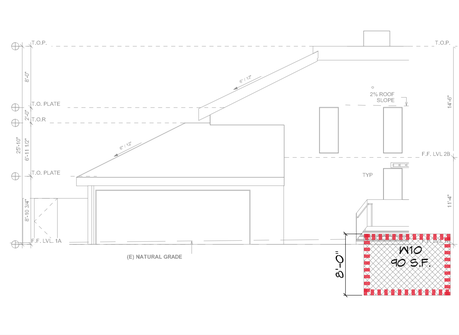
REBECCA EVANS, Recording Secretary



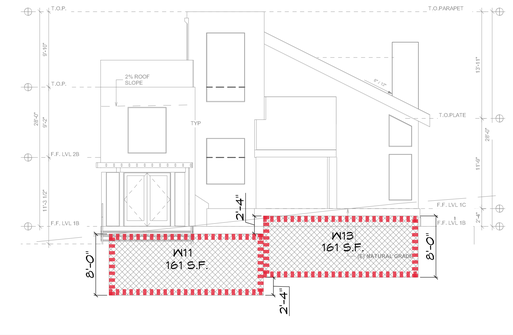
EAST ELEVATION B | SCALE: 1/8"=1'-0" | **20**



EAST ELEVATION A | SCALE: 1/8"=1'-0" | **15**



WEST ELEVATION B | SCALE: 1/8"=1'-0" | **10**



WEST ELEVATION A | SCALE: 1/8"=1'-0" | **5**

WALL AREA BELOW GRADE

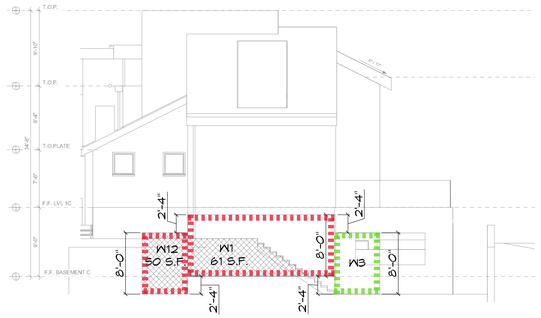
BASEMENT WALL ABOVE GRADE

BASEMENT WALL FULLY OR PARTIALLY BELOW GRADE

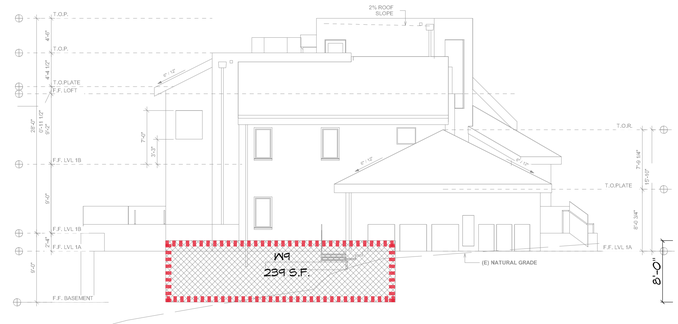
BASEMENT WALLS

WALL #	WALL WIDTH X HEIGHT	WALL AREA	WALL AREA BELOW GRADE	WALL AREA ABOVE GRADE	TOTAL WALL AREA	TOTAL WALL AREA BELOW GRADE	TOTAL WALL AREA ABOVE GRADE	% OF TOTAL WALL AREA BELOW GRADE
W1	19'-0" X 8'-0"	152 S.F.	61 S.F.	91 S.F.	1,510 S.F.	762 S.F.	748 S.F.	762 S.F. / 1,510 S.F. =50.5%
W2	20'-3" X 8'-0"	162 S.F.	0 S.F.	162 S.F.				
W3	5'-9" X 8'-0"	46 S.F.	0 S.F.	46 S.F.				
W4	13'-0" X 8'-0"	104 S.F.	0 S.F.	104 S.F.				
W5	5'-9" X 8'-0"	46 S.F.	0 S.F.	46 S.F.				
W6	11'-7" X 8'-0"	93 S.F.	0 S.F.	93 S.F.				
W7	5'-7" X 8'-0"	45 S.F.	0 S.F.	45 S.F.				
W8	20'-1" X 8'-0"	161 S.F.	0 S.F.	161 S.F.				
W9	29'-11" X 8'-0"	239 S.F.	239 S.F.	0 S.F.				
W10	11'-3" X 8'-0"	90 S.F.	90 S.F.	0 S.F.				
W11	20'-2" X 8'-0"	161 S.F.	161 S.F.	0 S.F.				
W12	6'-3" X 8'-0"	50 S.F.	50 S.F.	0 S.F.				
W13	20'-2" X 8'-0"	161 S.F.	161 S.F.	0 S.F.				

LEGEND | **WALL CALCULATIONS** | **19**



SOUTH ELEVATION | SCALE: 1/8"=1'-0" | **14**



NORTH ELEVATION | SCALE: 1/8"=1'-0" | **4**



SITE PLAN - BASEMENT LEVEL | SCALE: 1" = 10'-0" | **1**

ZIESE
Architecture, Inc.
810 MOULTON AVE, SUITE #7 LOS ANGELES, CA 90031

ARCHITECT STAMP



CONSULTANT STAMP

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
BASEMENT WALLS CALCULATIONS EXHIBIT

REVISIONS

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS THEREOF, ARE PROPRIETARY AND SHALL NOT BE COPIED, DISCLOSED, OR USED IN WHOLE OR IN PART EXPLOITED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF DANIEL J. ZIESE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARATED TO DESCRIBE NEW WORK ONLY. IN ADDITION, CONTRACTOR SHALL FIELD ACCURATELY NOTE EXISTING CONDITIONS. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF EXISTING CONDITIONS AND IS NOT RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND USE BY CONSULTANTS, CONTRACTORS, SUBCONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY DIMENSIONS AND SHALL NOT SCALE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED
© COPYRIGHT, ZIESE ARCHITECTURE, INC. 2018

G.01

EXHIBIT B

Received
1/18/22
Planning Dept.

Planning Commission

From: Tomlinson, Jim <[redacted].com>
Sent: Monday, January 17, 2022 9:20 PM
To: Planning Commission; Philip Coronel
Cc: Kim Tomlinson; Daniel Ziese
Subject: Supplemental Information re 4756 Latigo Canyon Road Variance Request
Attachments: 220117 TR_Basement Walls Exhibit.pdf; CDPWF 19-001 - 4756 LATIGO CANYON RD - 4459-002-021 - SUPPORT DOCUMENTS exhibit.pdf

To the City of Malibu Planning Commission –

I am writing to provide additional information in support of our request for a variance for 4756 Latigo Canyon Road, which is Item 4a on the agenda for the Commission's regular meeting of January 18. This is Coastal Development Permit–Woolsey Fire No. 19-001.

Today, Jim Tomlinson (one of the property owners) and Daniel Ziese (the project architect) met at the property with Chair Hill and Commissioner Mazza. Chair Hill and Commissioner Mazza posed a question about the percentage of the daylit basement of the structure destroyed by the Woolsey Fire that was below ground. In response to this question, Mr. Ziese analyzed the previous daylit basement using the original building drawings and determined that 833 square feet of the total 1,349 square foot basement wall area was situated below ground. This is approximately 62%. Mr. Ziese's analysis is attached. Therefore, it appears the original daylit basement was finished by the previous owner at a time when it would have been allowed without a variance.

I also have attached a document with four examples of homes along Latigo Canyon Road – just down the street from our property – that appear to have daylit basements. This information is not in the agenda report but we think you may find it helpful for your analysis.

We look forward to the meeting tomorrow evening and thank you for your consideration of our application.

Sincerely,
Jim and Kim Tomlinson

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 1/18/22 Time 7:30 AM
Planning Commission meeting of 1/18/22
Agenda Item No. 4A
Total No. of Pages 6

EXHIBIT C



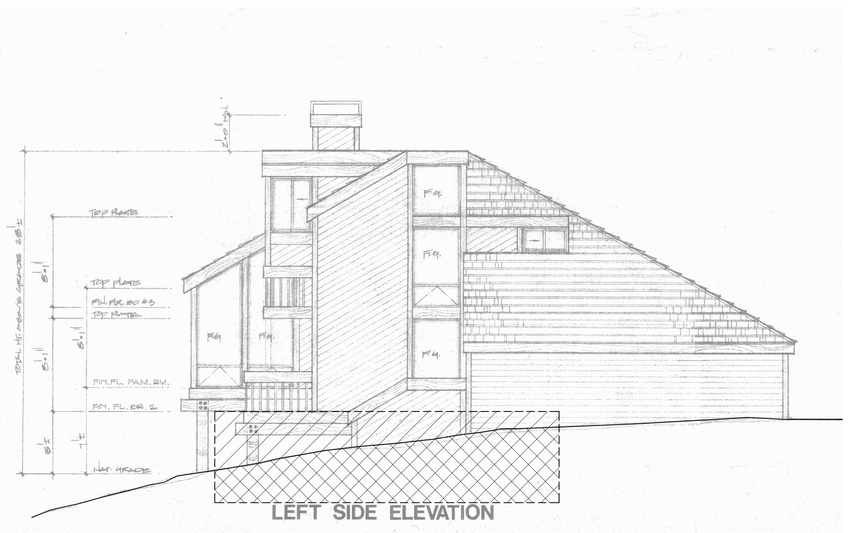
(E) REAR ELEVATION

SCALE: 3/16 =1'-0"



(E) FRONT ELEVATION

SCALE: 3/16 =1'-0"



(E) LEFT SIDE ELEVATION

SCALE: 3/16 =1'-0"



(E) RIGHT SIDE ELEVATION

SCALE: 3/16 =1'-0"

LEGEND (WALL AREA)

TOTAL	1,349 SF X 50% = 674.5 SF	
BELOW GROUND	833 SF	
	833 SF > 674.5 SF	

ZIESE
Architecture, Inc.
612 MOULTON AVE., SUITE #7, LOS ANGELES, CA 90031

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEEET NAME
EXISTING ELEVATIONS EXHIBIT

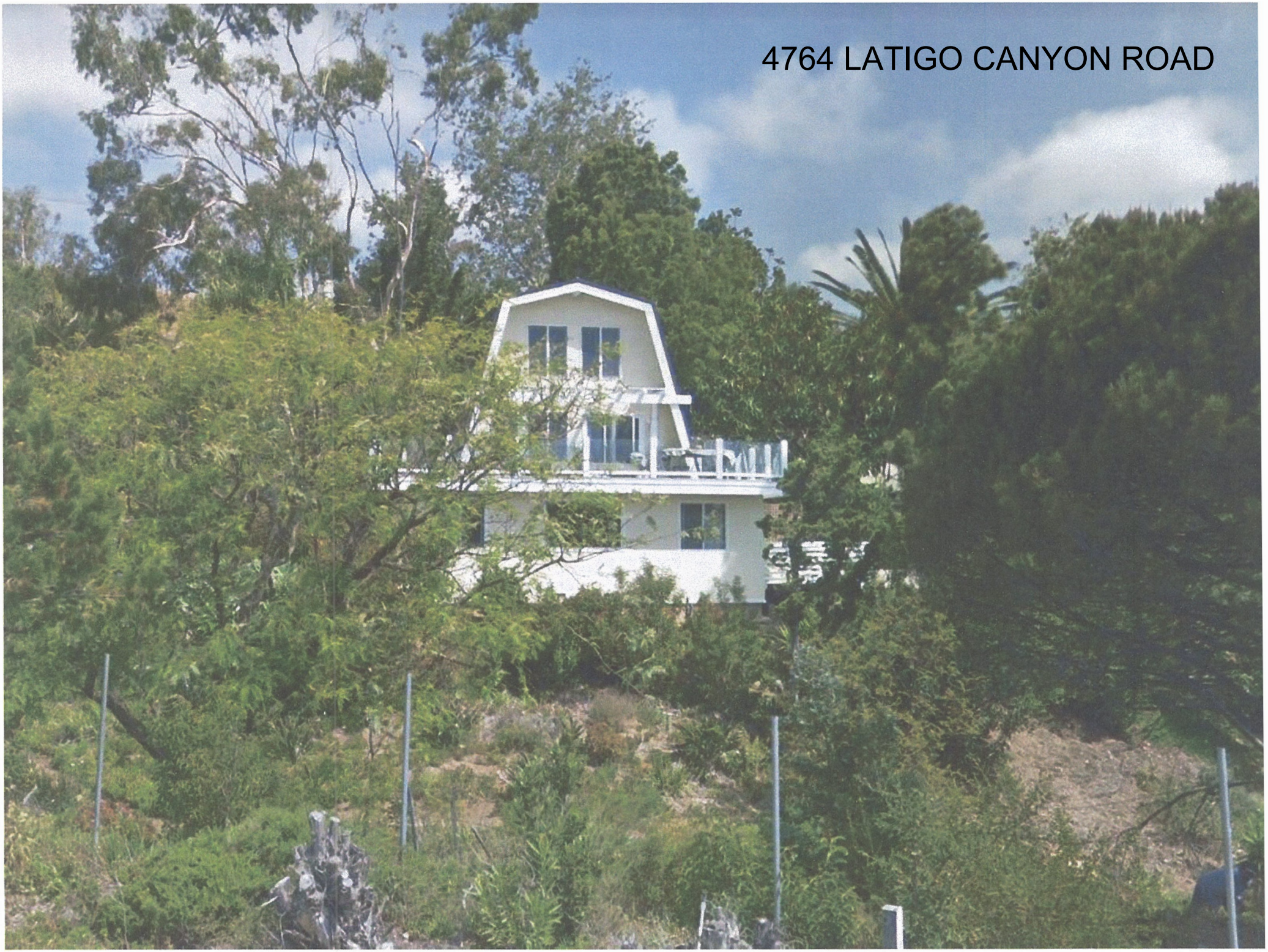
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS THEREOF, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF DANIEL J. ZIESE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT OR ACCURATE EXISTING CONDITIONS. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION TO THE DRAWING DOCUMENT AND EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND EVALUATION BY THE CLIENT, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A3.3

1/17/2022 3:04:54 PM


4764 LATIGO CANYON ROAD


4980 LATIGO CANYON ROAD
Hell Rose Place
Latigo Canyon Rd


5475 LATIGO CANYON ROAD
Latigo Canyon Rd
Latigo Canyon Rd

4860 LATIGO CANYON ROAD

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, April 4, 2022, at 6:30 p.m**. for the project identified below which will be held via teleconference only in order to reduce the risk of spreading COVID-19 pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT-WOOLSEY FIRE NO. 19-001 AND VARIANCE NO. 19-016 - An application to allow the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system, including a variance for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire

LOCATION / APN / ZONING:	**4756 Latigo Canyon Rd** / 4459-002-021 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER(S):	Ziese Architecture / James and Kim Tomlinson
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15301(e), 15303(e) and (d)
APPLICATION FILED:	May 21, 2019
CASE PLANNER:	Philip Coronel, Assistant Planner, pcoronel@malibucity.org (310) 456-2489, ext. 373

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review at City Hall or by contacting the Case Planner. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit www.malibucity.org/virtualmeeting.

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 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.

RICHARD MOLLICA, Planning Director

Date: March 10, 2022

Exhibit D

Commission Agenda Report

Planning Commission Meeting
01-18-22
Item 4.A.

To: Chair Hill and Members of the Planning Commission

Prepared by: Philip Coronel, Assistant Planner

Reviewed: Richard Mollica, Planning Director

Date prepared: January 6, 2022 Meeting date: January 18, 2022

Subject: Coastal Development Permit–Woolsey Fire No. 19-001 and Variance No. 19-016 - An application for the reconstruction of an unpermitted, pre-existing non-conforming walk-out basement, decks, new swimming pool, and associated development (Continued from December 6, 2021)

Location: 4756 Latigo Canyon Road, not within the appealable coastal zone
APN: 4459-002-021
Owners: James and Kim Tomlinson

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-05 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP)–Woolsey Fire No. 19-001 to allow for the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system (OWTS), including Variance (VAR) No. 19-016 for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre (RR-2) zoning district at 4756 Latigo Canyon Road (Tomlinson).

DISCUSSION: On December 6, 2021, prior to opening of the public hearing, the Planning Commission continued this item to the January 18, 2022 Regular Planning Commission meeting. No substantive changes have been made to this report with the exception of the addition of the owner's correspondence received for the December 6 meeting. The resolution has been updated to reflect the Commission's continuance and the date of this meeting.

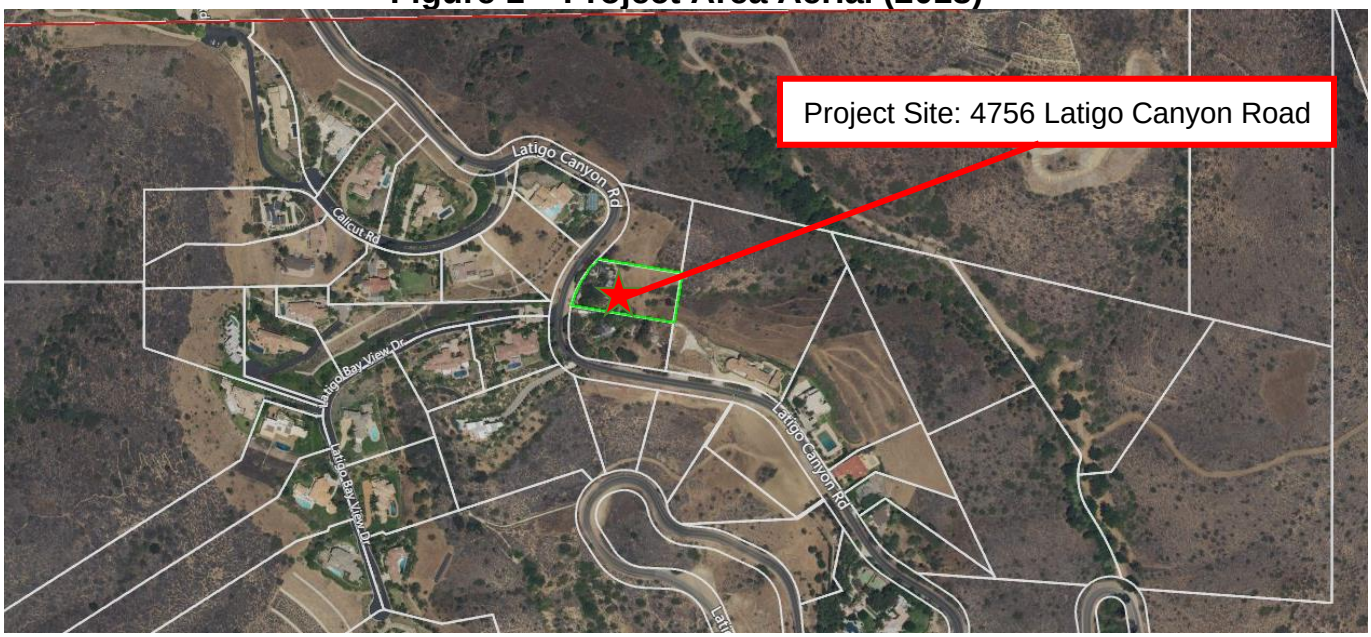
EXHIBIT E

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 subject property is a rectangular-shaped lot, as seen in Figure 1. Approximately one acre in size, the lot is characterized by sloped topography which descends from Latigo Canyon Road towards the canyon bottom to the east (Figure 2). The previously existing 4,161 square foot three-story residence and associated development, destroyed in the 2018 Woolsey Fire, was originally constructed in 1979 as permitted by the California Coastal Commission (CCC) under CDP No. P-1-31-77-89.

Figure 1 – Project Area Aerial (2018)

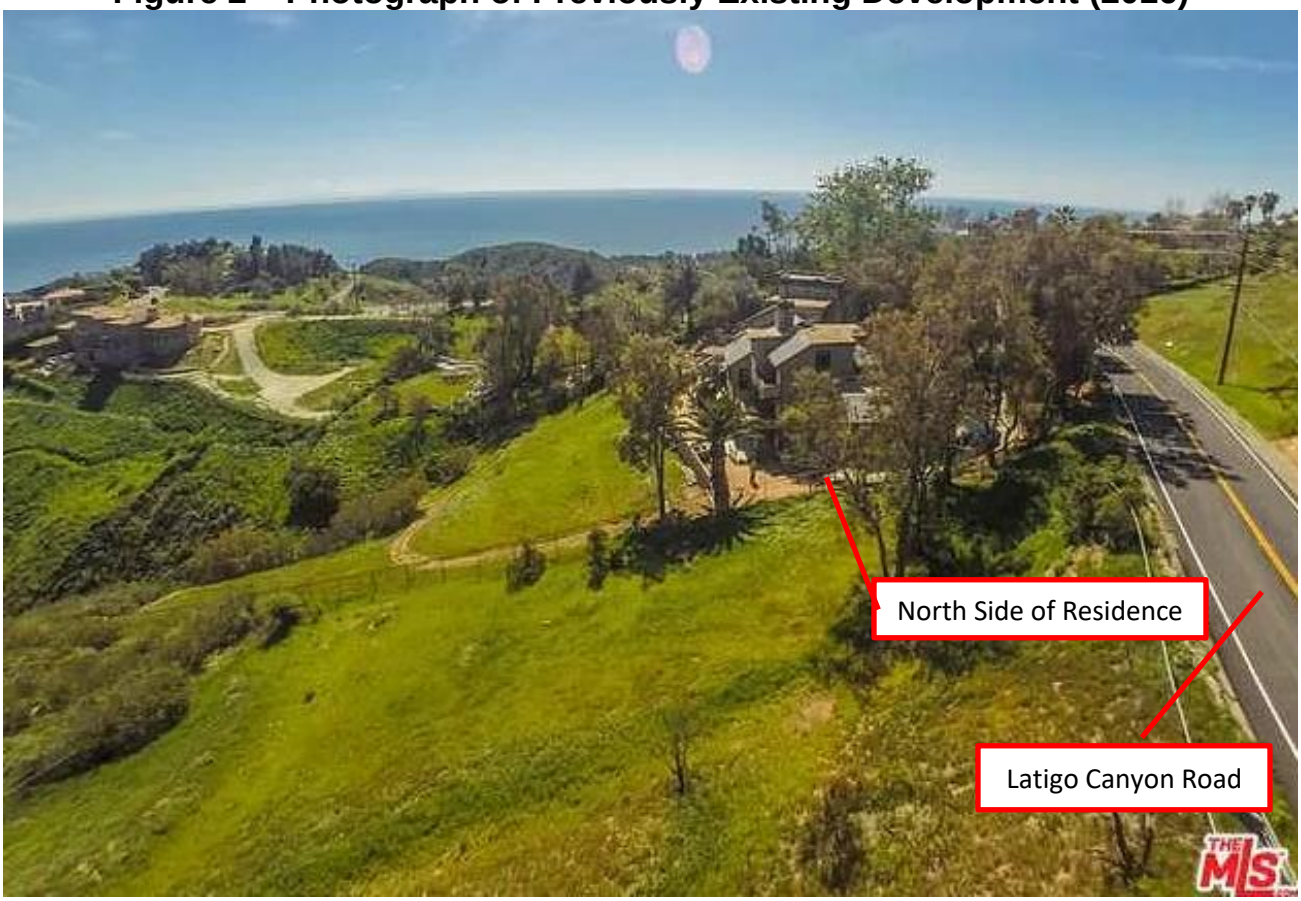


Source: City of Malibu GIS – *please note that all property lines are approximate*.

The dwelling was developed under County and CCC regulations in place at the time, and as a result, does not conform to the current design and development standards of the MMC and LCP. The non-conformities include building encroachments into the required ESHA and front yard setback, building height exceeding 18 feet, up to 31 feet from average finished grade, and inclusion of a third story. The property's zoning conformance is discussed in more detail later in this report.

The residence has been approved to be reconstructed, plus approximately six percent new square footage, per the original CCC-approved CDP plans under Planning Verification-Woolsey Fire (PVWF) No. 20-009. Construction began in October 2020. The proposed residence is designed to take advantage of the previously existing development's footprint, remaining retaining walls, and driveway alignment. The rebuilt residence will maintain the previously existing height as measured from the front (west side); 11 feet above the centerline of the frontage road.

Figure 2 – Photograph of Previously Existing Development (2016)



Source: MLS Photograph Provided on Zillow (2016)

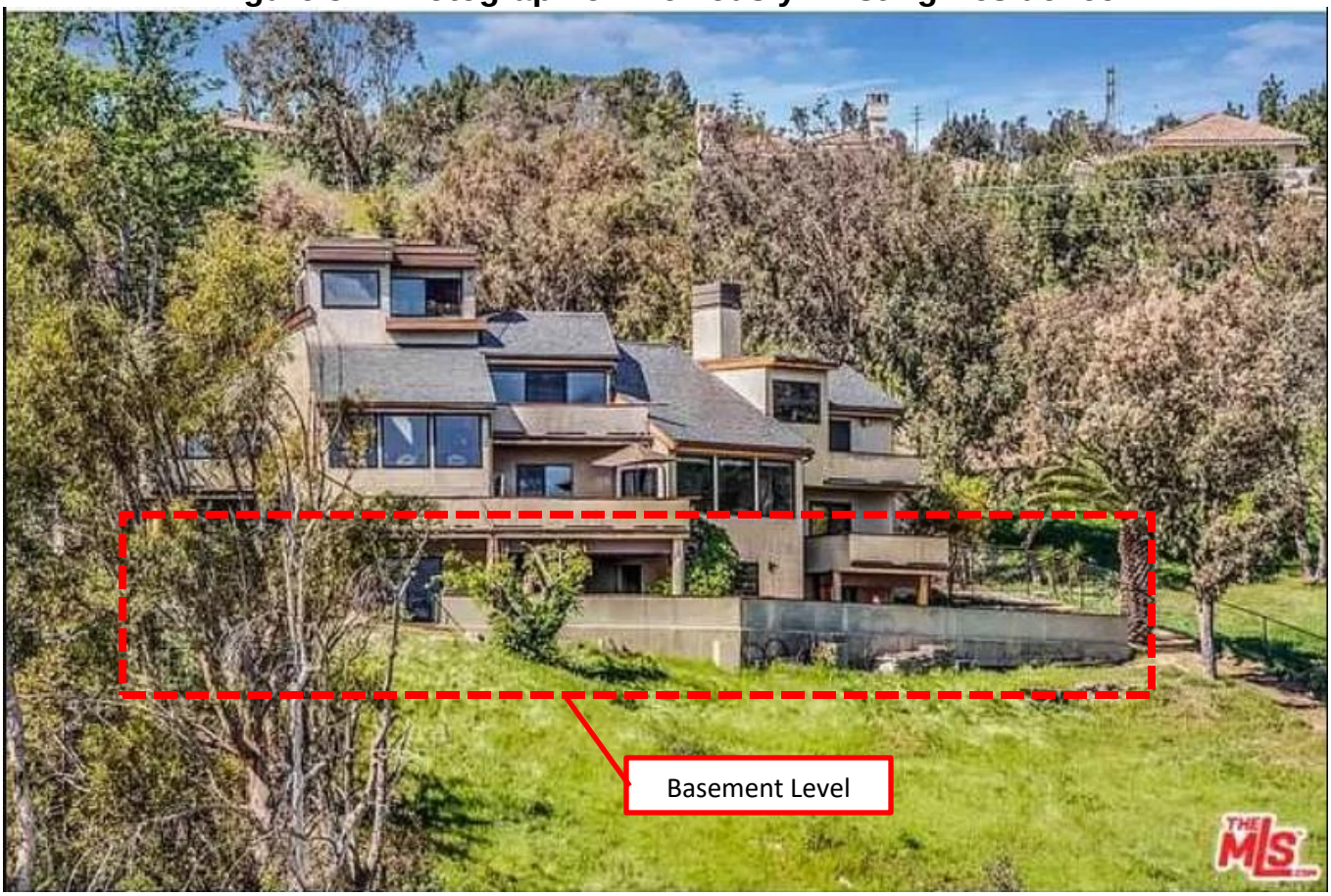
The original house, and the approved rebuild, is designed to be built on piles, elevating portions of the lowest floor above grade (see Figure 2). Sometime between 2000 and 2003, prior to the acquisition of the property by the current owners in 2016, a basement level was built out of the open space beneath the approved structure without the benefit of permits. It was not known by the current owners that the basement level had been built without the benefit of permits until research of the original plans took place following the fire.

The proposed 1,463 square foot basement does not exceed twelve feet in height, is located entirely below the first floor living area, and is only one floor, as specified for basements per LCP Local Implementation Plan (LIP) Section 3.6[1]. However, the proposed walkout basement is not subterranean on the southern or eastern sides. While a walkout basement like this was in compliance with City standards prior to 2004[2], it does not meet the current definition of a basement pursuant to LIP Section 2.1. The current basement definition states that the vertical distance between the finished grade adjacent to the exterior of a basement wall to the bottom and the finished floor above the basement should not exceed three vertical feet. As such, the owners have requested a variance to allow the basement to daylight more than three feet above finished grade in order to maintain the condition of the house as it was at the time of purchase. The basement will not add any additional height to the approved residence since it will be entirely below the first floor and the first floor is partially elevated with piles.

[1] See LIP Section 3.6(K)(3): "Any portion of a basement wall extending beyond the first-floor footprint above shall be non-daylighting. All basements shall be limited to one floor level, not to exceed twelve feet in height." and LIP Section 2.1: “BASEMENT - that portion of a building or an area enclosed by walls located below finished grade and beneath or partially beneath the first floor footprint above, where the vertical distance from finished grade to the bottom of the finished floor above is no more than 3 vertical feet at all points around the perimeter of all exterior walls. A basement does not constitute a story.”

[2] The City Council adopted new basement rules allowing basements to daylight no more than three feet, and to exclude only 1,000 square feet from TDSF adopted in September 2004 with Ordinance No. 266.

Figure 3 – Photograph of Previously Existing Residence



Source: MLS Photograph Provided on Zillow (2016)

In addition, a new OWTS, swimming pool, decking, and landscaping are proposed as part of this application. The pool is proposed to be placed behind the rear of the house. The expanded first floor decks will project more than six feet from the structure and thereby add 943 square feet of TDSF.

The proposed project will not affect the bulk or mass of the house. The only grading proposed is required by the new swimming pool and OWTS, and the addition of the basement would not affect the setbacks or height of the structure already approved and under construction. The reconstructed residence is built on a pile foundation. In accordance with current building code, the area beneath the elevated part of the house requires a poured concrete slab in order to make it a “hard story”. The original house did not have this, and the area beneath would be considered a “soft story,” which is no longer allowed. As such, the proposed basement would enclose the open space beneath the residence, which will exist regardless, due to the topography of the site and structural design requirements. The proposed basement would simply be enclosing the open space beneath the house. Furthermore, enclosing the open space beneath the home reduces future fire hazard from embers blowing beneath the elevated portion of the structure. The

footprint and massing of the development will not be changed by the inclusion of the walkout basement, and no expansion of fuel modification zones will be required.

It should be noted that the building plan check process for the entire house, including the pool, basement, and OWTS has already been completed as the entire scope of work included in both the approved PVWF and proposed CDPWF were submitted simultaneously. None of the scope of work included in this project has been approved for construction. No finished flooring, fixtures, finishes, non-load-bearing partition walls, or exterior doors and windows will be installed in the crawlspace unless the requested variance is approved. If the variance is not approved, the area will remain an unfinished crawlspace.

Surrounding Land Uses and Project Setting

As shown in Figure 1 above, the subject property is located on the east side of Latigo Canyon Road, which is considered a scenic road pursuant to LCP Land Use Plan (LUP) Policy 6.2, approximately 750 feet south from the City's northern boundary. The surrounding properties consist of vacant land and single-family residences in the RR-2 zoning district.

The project site does not contain mapped trails on or adjacent to it, according to the LCP Park Lands Map. According to the LCP Environmentally Sensitive Habitat Area (ESHA) and Marine Resources Map a small portion of ESHA area is located on the northeastern corner of the property. No new development is proposed outside of the previously disturbed developed area, so no impacts to ESHA are expected. In addition, the proposed swimming pool is 100 feet away from the mapped ESHA area at its nearest point, does not expand the existing fuel modification zones or the existing development area.
Table 1 provides a summary of the lot dimensions and the lot area of the subject parcel.

Table 1 – Property Data	
Lot Depth	294 feet, 8 inches
Lot Width	150 feet
Gross Lot Area	43,773 square feet (1 acre)
Net Lot Area*	43,770 square feet (1 acre)

*Net Lot Area = Gross Lot Area minus the area of access easements and 1 to 1 slopes (3.2 square feet).

Project Description

The proposed scope of work is as follows:

Construction

a. A new 1,463 square foot basement (231.5 square feet towards Total Development Square Footage (TDSF))[3];
b. New 200 square foot swimming pool and spa and associated equipment;
c. 378 square feet of new first floor deck, which created 943 square feet of covered deck area that counts towards TDSF;
d. New landscaping; and
e. Replacement OWTS.

Additional Discretionary Requests

a. VAR No. 19-016 for a basement daylighting more than three vertical feet.

LCP Analysis

The LCP consists of the LUP and LIP. The LUP contains programs and policies implementing 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 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

The nine remaining LIP chapters do contain required findings: 1) Coastal Development Permit; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. For the reasons described in this report, including the project site, the scope of work and substantial evidence in the record, only the following chapters and associated findings are applicable to the project: Coastal Development Permit (including the required findings for the VAR), Scenic Visual and

[3] Pursuant to LIP Section 3.6(K)(3), The initial one-thousand (1,000) square feet of a basement shall not count toward TDSF; additional area in excess of one-thousand (1,000) square feet shall be included in the calculation of TDSF at the rate of one (1) square foot of TDSF for every two (2) square feet of proposed basement square footage.

Hillside Resource Protection, and Hazards. 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 geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District No. 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 3 – Department Review Sheets). WD29 provided a letter to the applicant stating that WD29 can serve water to the property. The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals, and policies with the inclusion of VAR No. 19-016.

Zoning (LIP Chapter 3)

The project is subject to non-beachfront development and design standards set forth under LIP Sections 3.5 and 3.6. Table 2 provides a summary and indicates the proposed project meets those standards with the inclusion of the requested variance.

Table 2 – LCP Zoning Conformance

Development Requirement	Allowed/ Required	Proposed	Comments
SETBACKS (ft.)			
Front Yard (20% or 65 ft., whichever is less)	58 ft., 10 in.	30 ft.	Existing Non-Conforming*
Rear Yard	44 ft., 2 in.	189 ft., 10 in.	Complies*
Side Yard (10% - Min)	15 ft.	18 ft., 9 in.	Complies*
Side Yard (25% - Cumulative)	37 ft., 6 in.	30 ft.	Complies*
ESHA SETBACK	100 ft. from mapped ESHA	100 ft., 2 in. from mapped ESHA	Complies
PARKING			
Enclosed	2	2	Complies*
Unenclosed	2	2	Complies*
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)	7,043.56 sq. ft.	5,336 sq. ft.	Complies
1st Floor*2/3rds = 2nd Floor sq. ft.	2,832.71 sq. ft.*2/3 = 1,898 sq. ft.	1,512 sq. ft.	Complies
IMPERMEABLE COVERAGE	13,131.9 sq. ft.	9,310 sq. ft.	Complies

Table 2 – LCP Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
HEIGHT (ft.) (*as measured from the bottom of the finished floor of the first floor)*	18 ft.	28 ft.	Existing Non-Conforming*
Height *(Basement Floor)*	12 Ft.	9 Ft.	Complies
Daylighting Exterior Walls *(as measured from finished grade to the bottom of the finished floor above)*	*3 vertical feet or less*	*Up to 9 ft.*	*VAR No. 19-016*
SITE OF CONSTRUCTION	3:1 or flatter	3:1 or flatter	Complies
FENCES/WALLS/HEDGES/GATES			
Front Yard	6 ft.; lower 42 in. view impermeable	6 ft.; lower 42 in. view impermeable	Complies
Rear Yard	6 ft.	6 ft. Max	Complies*
Side Yards	6 ft.	6 ft. Max	Complies*
Retaining Walls	6 ft.	6 ft. Max	Complies

*No change as a result of the proposed project.

Grading (LIP Chapter 8)

LIP Section 8.3 ensures that new development minimizes the visual 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. As summarized in Table 3 and as shown on the grading plans, the total amount of non-exempt grading for the previously approved project as well as the proposed project is 594 cubic yards. Therefore, the proposed project complies with grading requirements set forth under LIP Section 8.3.

Table 3 – LCP Grading Conformance						
	Exempt**			**Non-Exempt**	**Remedial**	**Total**
	R&R*	Understructure	Safety			
Cut	0 cy	71 cy	5 cy	240 cy	0 cy	316 cy
Fill	0 cy	218 cy	89 cy	354 cy	0 cy	661 cy
Total	342 cy	**289 cy**	**94 cy**	**594 cy**	**0 cy**	**1,319 cy**
Import	0 cy	147 cy	84 cy	114 cy	0 cy	345 cy
Export	0 cy	0 cy	0 cy	0 cy	0 cy	0 cy

*Note: R&R= Removal and Recompaction; cy = cubic yards

**Exempt grading includes all Removal and Recompaction (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 Los Angeles County Fire Department).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archaeological Report was prepared by Dr. Alan Garfinkel Gold, RPA on August 31, 2019, for the proposed project site. No archaeological resources were found onsite during the Phase I investigation. The Phase I Archaeological Report determined that the project area yielded no archaeological resources and modifications to the project area would not have adverse effects on 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 proposed project for conformance to LIP Chapter 17 requirements for water quality protection. A standard condition of approval for this project requires that prior to the issuance of any development permit, a Local Storm Water Pollution Prevention Plan incorporating construction-phase Erosion and Sediment Control Plan and Best Management Practices, must be approved by the City Public Works Department. With the implementation of these conditions, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The project includes a new OWTS to serve the residence, including two seepage pits and one future pit and a 3,634-gallon MicroSepTec tank with ultraviolet disinfection unit. The existing two septic tanks and leach fields are proposed to be demolished and the new system will be clustered more closely to the rest of the development, entirely within the previously disturbed development area.

The OWTS has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the LCP and MMC. The proposed OWTS has been approved for installation by the City Environmental Health Administrator having met all applicable requirements. Conditions of approval have been included in the resolution, which require continued operation, maintenance, and monitoring of onsite facilities.

LIP Findings

A. General Coastal Development Permit (LIP Chapter 13)

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

Finding 1. 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 RR-2 zoning district, an area designated for rural residential uses. A single-family residence and associated development are permitted uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, WD29, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigations, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards with the inclusion of the requested VAR.

Finding 2. If the project is located between the first public road and the sea, that the project is in conformity to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

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

Finding 3. The project is the least environmentally damaging alternative.

The following alternatives to the proposed project were considered.

Alternative Project – The subject single-family residence is being rebuilt in accordance with the plans originally approved by the CCC in order to take advantage of the existing building pad, minimize disturbance of additional land, and avoid construction on the steep slopes behind (to the east of) the proposed development. The proposed new OWTS is located closer to the structure, away from steep slopes and the mapped ESHA area. The proposed swimming pool could be relocated to completely within the previously disturbed development area, however, because it conforms to required setbacks and does not expand fuel modification zones, the pool is not expected to have any environmentally damaging impacts as proposed.

The reconstructed residence is built on a pile foundation. As described above, in accordance with current code, the area beneath the elevated part of the house requires a poured concrete slab in order to make it a “hard story”. The original house did not have this and the area beneath is considered a “soft story,” which is no longer allowed. This new foundation requirement will give the house more structural rigidity while creating a concrete slab below the first floor. As such, the proposed basement would enclose the open space beneath the residence, which will exist regardless due to the topography of the site and structural design requirements. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, and no expansion of fuel modification zones will be required. An alternative to allowing the basement to daylight more than three vertical feet would be to design the basement to be subterranean on all sides. This could be achieved by either siting the house significantly farther forward on the property, away from the sloped area, or raising the finished grade on the southern and eastern sides of the house. The residence is already approved and cannot be relocated farther forward due to the existing non-conforming setback. Importing fill to grade the rear and side yards to match the natural grade which existed prior to the work conducted without the benefit of permits is feasible, however, it would require significantly more non-exempt grading and import of fill materials, which is not considered an environmentally superior alternative.

Siting the development on the most disturbed portion of the property reduces environmental impacts due to landform alteration. Additionally, the proposed development does not affect the footprint or massing of the residential structure, or impact views from the scenic road or neighboring properties. The project could be designed to include grading to make the proposed basement conform to the daylighting standard. However, recontouring the site now would not present any significant environmental benefit. Therefore, an alternative project would not provide an environmental advantage and would not meet the project objectives.

Proposed Project – The project consists of a new OWTS, swimming pool, landscaping, and basement, all of which are permitted uses within the RR zoning classification of the subject property. The selected locations for the proposed developments have been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD, and the project meets the City’s residential development policies of the LCP and MMC. The proposed project does not impact fuel modification zones, ESHA buffers, or change the footprint or massing of the house. No public or private views will be impacted by the proposed project. In addition, enclosing the open space below the residence reduces the risk from fire caused by embers accessing the underside of the structure. As such, the proposed project, as designed, is the least environmentally damaging alternative.

Finding 4. 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.

According to the LCP ESHA and Marine Resources Map, a small portion of ESHA is located on the northeastern boundary of the property. However, no new development is proposed outside of the existing developed area. In addition, neither the new swimming pool, which remains 100 feet from the ESHA boundary, nor any of the other proposed work expand the existing fuel modification area. The project is exempt from the requirement of a detailed biological study of the site and review by the Environmental Review Board pursuant to LIP Section 4.4.4(B) because the proposed swimming pool, hardscaping, and landscaping are within the existing developed/ landscaped area and do not require additional fuel modification. As such, this finding does not apply.

B. Variance for a Basement Daylighting More Than Three Feet (LIP Section 13.26.5)

Pursuant to LIP Sections 2.1, basements may not daylight more than three vertical feet as measured from the finished grade to the bottom of the finished floor above; therefore, a variance is required to allow the basement to daylight up to nine feet. LIP Section 13.26.5 requires that the City makes ten findings in consideration and approval of a variance. Based on the foregoing evidence contained within the record, the required findings for VAR No. 19-016 are made as follows.

Finding 1. 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.

Due to the topography of the site, strict application of the code would deprive the subject property of creating a basement; a feature enjoyed by many properties throughout the City, without significant grading, as discussed in Section A. As described above, the house is not able to be constructed in the same way as the original design, on piles with natural grade beneath the residence, as that is considered a “soft story,” which is no longer allowed. The area beneath the elevated part of the house requires a poured concrete slab in order to make it a “hard story”. This new foundation requirement will give the house more structural rigidity while creating a concrete slab below the first floor. As such, the proposed basement would enclose the open space beneath the residence, which will exist regardless due to the topography of the site and structural design requirements. The

footprint and massing of the development will not be changed by the inclusion of the walkout basement, and no expansion of fuel modification zones will be required.

In addition, due to the property's sloped topography, building the basement to be completely subterranean would require more extensive grading. Basements are commonly incorporated into residential developments throughout Malibu. As discussed above, requiring a basement on the subject property to be completely subterranean would not be the least environmentally damaging alternative. Strict application of the zoning ordinance would deprive the property of the privilege of having a basement without substantial expense and landform alteration.

Finding 2. 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 City Biologist, City Building Official, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and LACFD have reviewed the proposed project and determined it was consistent with all applicable safety, health or welfare regulations and policies. With the incorporation of the conditions set forth by these departments, the project will not be detrimental or injurious to the property or public interest, safety, health, or welfare in that the proposal is consistent with the residential uses that exist on the site and in the neighborhood. In addition, all adjacent neighbors with a view of the rear of the property have submitted letters of support for the project (Attachment 5).

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed single-family residence is consistent with the uses permitted in the applicable zoning designation. Basements are commonly included in single-family residential development throughout Malibu. Therefore, granting the proposed variance does not constitute a special privilege to the property owner.

Finding 4. 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.

This variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies. It would be allowing the development of square footage which does not increase the footprint or overall height of the structure and does not include square footage beyond the maximum allowed. The intent of the standards allowing non-

conforming structures to be rebuilt through approval of a planning verification application, adopted by City Council in 2018, allow previously existing, destroyed non-conformities to remain. Although it was not constructed with permits by the previous owner, the basement was constructed at a time that it would have been allowed. Had permits been issued, the property owner would be able to rebuild the walkout basement without a CDP.

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The requested variance is to allow a walkout basement and is not associated with ESHA buffer or other protection standards. Therefore, this finding does not apply.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 2 of the Malibu LIP.

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

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed uses are consistent with the permitted uses in the applicable RR-2 zoning district. The proposed variance would not authorize an unpermitted use or activity.

Finding 8. The subject site is physically suitable for the proposed variance.

The proposed variance would allow for the enclosure of a space which will exist due to the structural design requirements for the rest of the house. Enclosing the open space beneath the residence reduces the risk from fire caused by embers accessing the underside of the residence. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, which existed prior to destruction by fire. No expansion of fuel modification will be required. Furthermore, the proposed project has been reviewed and approved by the City Biologist, Building Safety Division, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD. As such, the subject parcel is physically suitable for the proposed variance.

Finding 9. The variance complies with all requirements of state and local law.

The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD reviewed the proposed project and determined it was in conformance with State and local requirements. Therefore, the proposed project complies with all applicable requirements of State and local law.

Finding 10. 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 or encroach upon public parking. Therefore, this finding does not apply.

C. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

As stated in Section A, Finding 4, the subject property contains a small amount of designated ESHA overlay on the northeastern corner of the property. However, all new development proposed is within the footprint of the previously disturbed residential development area. In addition, the proposed swimming pool remains over 100 feet from the ESHA boundary. The new OWTS proposed is clustered closer to the residence and farther from the ESHA area than the existing OWTS. None of the proposed work would expand the existing fuel modification area. On August 4, 2020, the City Biologist approved the proposed project and determined that the project is not expected to result in any adverse impacts to significant biological resources. As conditioned, the proposed project will result in less than significant impacts to sensitive resources, and no significant loss of vegetation or wildlife, or encroachments into an ESHA. Therefore, the findings of LIP Section 4.7.6 are not applicable.

D. Native Tree Protection (LIP Chapter 5)

No protected native trees exist within the project area. Therefore, the findings contained in LIP Chapter 5 do not apply.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, provides views to, or is visible from any scenic area, scenic road or public viewing area. The subject property is located on Latigo Canyon Road, which is considered a scenic road pursuant to LUP Policy 6.2. Therefore, LIP Chapter 6 applies, and the five findings set forth in LIP Section 6.4 are made as follows.

Finding 1. 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 swimming pool, OWTS, and daylighting basement. All elements of the proposed project except for the proposed new seepage pits are located behind the residence and would be blocked from sight from the roadway by the subject residence, the neighboring property to the south, and existing vegetation. Story poles were not placed on the project site as the project will not alter the mass, height, or bulk of the development which previously existed. Based on a staff site visit on June 5, 2019, it was determined the proposed development is not expected to have significant adverse scenic or visual impacts, as the new development will have limited to no visibility from the scenic road. Therefore, the project as conditioned will not have significant adverse scenic or visual impacts due to project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

Finding 2. 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 1, as conditioned, the project will not have significant adverse scenic or visual impacts.

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

As previously discussed in Section A, Finding 3, the project as proposed and conditioned is the least environmentally damaging alternative.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

The project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and no feasible alternatives would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

Finding 5. 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 1, 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 scenic road

and will not impact sensitive resources. Therefore, the proposed development, as designed, is sited to minimize or otherwise contribute to conformance to sensitive resources.

F. Transfer of Development Credits (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

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 Section 9.2(A) must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project has the potential to 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 geotechnical consultant reviewers, City Public Works Department, and LACFD. The required findings are made as follows:

Finding 1. 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 prepared by CalWest Geotechnical Consulting Engineers, dated July 17, 2020 and November 20, 2019, and Landphases, Inc., dated September 20, 2019, and EPD Consultants dated November 24, 2019, as stated on the Geotechnical Review Sheet, dated August 18, 2020 (Attachment 3). It should be noted that, since then, the building plan check process for the entire house, including the swimming pool, basement, and OWTS has already been completed as the entire scope of work was submitted simultaneously. As explained above, none of the scope of work included in this project has been approved for construction.

According to the geotechnical reports, the proposed development was determined to not increase instability of the site or structural integrity from a geologic, flood or fire hazards perspective. It has been determined that the project is not located in a hazard zone, except that the project site is located within an ancient landslide area and with an extreme fire

hazard area. Based on review of the project plans by City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department and LACFD, these specialists and agencies determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability from geologic 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.

All recommendations of the City geotechnical consultant reviewers and City Public Works Department shall be incorporated into the final design and construction including foundations and grading. Final plans shall be reviewed and approved by the City geotechnical consultant reviewers and City Public Works Department prior to the issuance of a grading permit.

Landslide

A landslide is mapped north and east of the site, on the edge of the northern property boundary; however, the Project Geotechnical Consultants conclude this is the remnant of an ancient landslide with no signs of recent movement based on mapping and aerial photographic review. The site is located in a state mapped earthquake-induced landslide hazard zone; however, slope stability was evaluated to support construction of the new pool and OWTS, and met minimum factor of safety requirements for new construction for both static and seismic conditions.

Furthermore, new construction will be supported on pile foundations embedded through colluvium and fill into bedrock a minimum of 10 feet. Site walls not attached to the residence and the pool will utilize pile foundations embedded into bedrock. The house will utilize piles and structural slabs, and the decks are structural slabs supported by pile and grade beam over fill. As such, the proposed project, as designed and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving landslide hazards.

Fire Hazard

The entire city limits of Malibu are within an identified fire hazard zone. The property is currently subject to wildfire, however, 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 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 included in the resolution to require compliance with all LACFD development standards. As such, the proposed project, as designed and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

Finding 2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding 1, the project as designed, conditioned, and approved by the City geotechnical consultant reviewers and City Public Works Department, does not have any significant adverse impacts on site stability or structural integrity from geologic or fire hazards due to the project design.

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

As previously stated in Section A, the project, as proposed and conditioned, is the least environmentally damaging alternative.

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

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department and LACFD. These specialists and agencies determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Section A, there are no feasible alternatives to the proposed development that would result in less site disturbance.

Finding 5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As previously discussed in Section A, the proposed project, as designed and conditioned, will not have adverse impacts on sensitive resources.

H. Shoreline and Bluff Development (LIP Chapter 10)

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

I. Public Access (LIP Chapter 12)

LIP Section 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
B. New development between the nearest public roadway and the sea.
C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the subject property and the proposed project do not meet any of these criteria in that no trails are identified on the LCP Park Lands Map on or adjacent to the property, and the property is not located between the first public road and the sea, or on a bluff or near a recreational area. The requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

J. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

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 15301(e) – Existing Facilities and 15303(d) 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 received correspondence from the property owner on November 29, 2021 requesting a change in the order of the agenda for the December 6, 2021 Planning Commission meeting (Attachment 5).

PUBLIC NOTICE: On November 11, 2021, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to property owners and occupants within a 500-foot radius of the subject property (Attachment 7).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 22-05. 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. 22-05
2. Project Plans
3. Department Review Sheets
4. Three-Dimensional Renderings
5. Correspondence
6. Site Photographs
7. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-05

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 WOOLSEY FIRE NO. 19-001 TO ALLOW FOR THE RECONSTRUCTION OF A PREVIOUSLY EXISTING, UNPERMITTED NON-CONFORMING BASEMENT, AND CONSTRUCTION OF A NEW SWIMMING POOL AND ONSITE WASTEWATER TREATMENT SYSTEM, INCLUDING VARIANCE NO. 19-016 FOR THE PROPOSED BASEMENT TO DAYLIGHT MORE THAN THREE VERTICAL FEET BELOW A RESIDENCE DESTROYED BY THE 2018 WOOLSEY FIRE, LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 4756 LATIGO CANYON ROAD (TOMLINSON)

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

SECTION 1. Recitals.

A. On May 21, 2019, an application for Coastal Development Permit -Woolsey Fire (CDPWF) No. 19-001 and Variance (VAR) No. 19-016 was submitted to the Planning Department by applicant Daniel Ziese, on behalf of the owners James and Kim Tomlinson. The application was routed to the City geotechnical consultant reviewers, City Environmental Health Administrator, City Biologist, and the City Public Works Department for review as well as the Los Angeles County Fire Department (LACFD) and Water District No. 29 (WD29).

B. On June 5, 2019, Planning Department staff conducted a site visit to document site conditions, the property and surrounding area.

C. On January 22, 2020, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On November 11, 2021, 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 December 6, 2021, the Planning Commission continued the item to the January 18, 2022 Regular Planning Commission meeting.

F. On January 18, 2022, 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 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 15301(e) – Existing Facilities and 15303(d) and (e) – New Construction. The Planning Commission has further determined that none of the six

DRAFT

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 evidence in the record, including the content of the Commission Agenda Report for the project and hearing on January 18, 2022, and pursuant to Local Coastal Program (LCP) Local implementation Plan (LIP), including Sections 13.7(B) and 13.9 and Malibu Municipal Code (MMC), the Planning Commission hereby makes the findings of fact below, and approves CDPWF No. 19-001 and VAR No. 19-016 to allow the reconstruction of a previously existing non-conforming walk-out basement, new swimming pool, and new onsite wastewater treatment system (OWTS), including VAR No. 19-016 for a basement which daylights more than three feet; for the residence destroyed by the 2018 Woolsey Fire, located in the Rural Residential-Two Acre (RR-2) zoning district at 4756 Latigo Canyon Road.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed variance, 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.

DRAFT

A. General Coastal Development Permit (LIP Chapter 13)

1. The project is located in the RR-2 zoning district, an area designated for rural residential uses. A single-family residence and associated development are permitted uses. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, WD29, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigations, the proposed project, as conditioned, conforms to the LCP and MMC in that it meets all applicable residential development standards with the inclusion of the requested VAR.

2. The project consists of a new OWTS, swimming pool, landscaping, and basement, all of which are permitted uses within the RR zoning classification of the subject property. The selected locations for the proposed developments have been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD, and the project meets the City's residential development policies of the LCP and MMC. The proposed project does not impact fuel modification zones, ESHA buffers, or change the footprint or massing of the house. No public or private views will be impacted by the proposed project. In addition, enclosing the open space below the residence reduces the risk from fire caused by embers accessing the underside of the structure. As such, the proposed project, as designed, is the least environmentally damaging alternative.

B. Variance Findings for a Basement Daylighting More Than Three Feet (LIP Section 13.26.5)

1. Due to the topography of the site, strict application of the code would deprive the subject property of creating a basement; a feature enjoyed by many properties throughout the City, without significant grading. The house is not able to be constructed in the same way as the original

design, on piles with natural grade beneath the residence, as that is considered a "soft story," which is no longer allowed. The area beneath the elevated part of the house requires a poured concrete slab in order to make it a "hard story". This new foundation requirement will give the house more structural rigidity while creating a concrete slab below the first floor. As such, the proposed basement would enclose the open space beneath the residence, which will exist regardless due to the topography of the site and structural design requirements. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, and no expansion of fuel modification zones will be required.

2. The City Biologist, City Building Official, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and LACFD have reviewed the proposed project and determined it was consistent with all applicable safety, health or welfare regulations and policies. With the incorporation of the conditions set forth by these departments, the project will not be detrimental or injurious to the property or public interest, safety, health, or welfare in that the proposal is consistent with the residential uses that exist on the site and in the neighborhood. In addition, all adjacent neighbors with a view of the rear of the property have submitted letters of support for the project.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed single-family residence is consistent with the uses permitted in the applicable zoning designation. Basements are commonly included in single-family residential development throughout Malibu. Therefore, granting the proposed variance does not constitute a special privilege to the property owner.

4. This variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies. It would be allowing the development of square footage which does not increase the footprint or overall height of the structure and does not include square footage beyond the maximum allowed. The intent of the standards allowing non-conforming structures to be rebuilt through approval of a planning verification application, adopted by City Council in 2018, allow previously existing, destroyed non-conformities to remain. Although it was not constructed with permits by the previous owner, the basement was constructed at a time that it would have been allowed. Had permits been issued, the property owner would be able to rebuild the walkout basement without a CDP.

5. The proposed uses are consistent with the permitted uses in the applicable RR-2 zoning district. The proposed variance would not authorize an unpermitted use or activity.

6. The proposed variance would allow for the enclosure of a space which will exist due to the structural design requirements for the rest of the house. Enclosing the open space beneath the residence reduces the risk from fire caused by embers accessing the underside of the residence. The footprint and massing of the development will not be changed by the inclusion of the walkout basement, which existed prior to destruction by fire. No expansion of fuel modification will be required. Furthermore, the proposed project has been reviewed and approved by the City Biologist, Building Safety Division, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD. As such, the subject parcel is physically suitable for the proposed variance.

DRAFT

7. The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and LACFD reviewed the proposed project and determined it was in conformance with State and local requirements. Therefore, the proposed project complies with all applicable requirements of State and local law.

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

1. The proposed project is a new swimming pool, OWTS, and daylighting basement. All elements of the proposed project except for the proposed new seepage pits are located behind the residence and would be blocked from sight from the roadway by the subject residence, the neighboring property to the south, and existing vegetation. Story poles were not placed on the project site as the project will not alter the mass, height, or bulk of the development which previously existed. Based on a staff site visit on June 5, 2019, it was determined the proposed development is not expected to have significant adverse scenic or visual impacts, as the new development will have limited to no visibility from the scenic road. Therefore, the project as conditioned will not have significant adverse scenic or visual impacts due to project design, location or other reasons. Standard conditions of approval have been included for colors, materials, and lighting.

2. The project, as conditioned will not have adverse scenic or visual impacts.

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

4. The project, as designed and conditioned, is not expected to adversely affect scenic and visual resources and no feasible alternatives would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

5. 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 scenic road and will not impact sensitive resources. Therefore, the proposed development, as designed, is sited to minimize or otherwise contribute to conformance to sensitive resources.

E. Hazards (LIP Chapter 9)

1. The proposed project was determined to not increase instability of the site or structural integrity from a geologic, flood or fire hazards perspective. It has been determined that the project is not located in a hazard zone, except that the project site is located within an ancient landslide area and within an extreme fire hazard area. Based on review of the project plans by City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department and LACFD, these specialists and agencies determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability from geologic 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. Furthermore, since the entire city limits of Malibu are located within a high fire hazard area, a condition is included in Section 5 of this resolution that requires the property owner to indemnify the City from any hazards associated with wildfire.

DRAFT

2. The project as designed, conditioned, and approved by the City Geologist 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.

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

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

5. No adverse impacts to sensitive resources are expected.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDPWF No. 19-001 and Variance No. 19-016, 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 project described herein. The scope of work approved includes:
   a. A new 1,463 square foot basement (231.5 square feet towards Total Development Square Footage (TDSF));
   b. New 200 square foot swimming pool and spa and associated equipment;
   c. 378 square feet of new first floor deck, which created 943 square feet of covered deck area that counts towards TDSF;
   d. New landscaping; and
   e. Replacement OWTS

   Additional Discretionary Requests

   f. VAR No. 19-016 for a basement daylighting more than three vertical feet.

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 as received on October 6, 2021. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

DRAFT

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant shall file this form with the Planning Department prior to the issuance of any development permits.

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

6. This resolution, signed and notarized Acceptance of Conditions Affidavit, major remodel policy and signed agreement (if applicable) and all Department Review Sheets attached to the agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).

7. The CDP shall 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. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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 Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District No. 29 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 Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals have been exhausted.

12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

DRAFT

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.

Lighting

15. Exterior lighting must comply with the Dark Sky Ordinance and 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.

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

17. 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.

18. 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.

19. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

20. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

DRAFT

21. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Construction / Framing

22. 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.

Biology

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

24. 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).

25. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback or fronting Latigo Canyon Road shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

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

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

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

29. Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

30. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22.

31. Use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure

DRAFT

with no limitation on application area.

32. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

Grading/Drainage/Hydrology (Public Works)

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. 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
	Sandbag 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 with 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.

36. 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;

DRAFT

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 as 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.

37. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

Geology

38. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers 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 consultant reviewers prior to the issuance of a grading permit.

39. Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Swimming Pool / Spa

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

41. 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(A).

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

DRAFT

43. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, algaecides, or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:
    a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
    b. There are sufficient BMPs in place to prevent soil erosion; and
    c. The discharge does not reach in to the MS4 or to the ASBS (including tributaries)

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

45. 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. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

46. Pursuant to MMC Section 9.20.040(B), all ponds, decorative fountains shall require a water recirculating/recycling system.

Onsite Wastewater Treatment System (OWTS)

47. The final Architectural Site Plan (Sheet A1.1) must show the proposed OWTS, including the treatment tank, dispersal area(s), and all lines of connection.

48. In accordance with MMC, prior to Environmental Health approval, an application shall be made to the Environmental Sustainability Department for an OWTS operating permit.

49. 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 MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

50. Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC 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 OWTS plot plan shall show essential features of the OWTS and must fit onto an 11inch 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).

51. A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS 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 OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped

DRAFT

by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

52. 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 drainage fixture equivalents, 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 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. 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.

DRAFT

53. The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or replace the existing 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."

54. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the MMC.

55. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

56. 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 OWTS after construction shall be submitted. Only original wet signature documents are acceptable and shall be submitted to the City Environmental Health Administrator.

57. Prior to final Environmental Health approval, 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

58. Prior to final Environmental Health approval, proof of ownership of the subject property shall be submitted.

59. The City geotechnical consultant reviewers' final approval shall be submitted to the City Environmental Health Administrator.

Deed Restriction

60. 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.

DRAFT

Prior to Occupancy

61. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled, and state the facilities where all materials were taken.

62. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu 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.

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

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

65. Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 15-21. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.

Fixed Conditions

66. This coastal development permit shall run with the land and bind all future owners of the property.

67. 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.

DRAFT

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 18th day of January 2022.

KRAIG HILL, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to 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.

DRAFT

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-05 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 18th day of January 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

REBECCA EVANS, Recording Secretary

1. THE ARCHITECT WILL BE THE INTERPRETER OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THE JUDGE OF THE PERFORMANCE THEREUNDER BY BOTH THE CONTRACTOR AND OWNER.

2. THE ARCHITECT'S DECISIONS IN MATTERS RELATING TO THE ARTISTIC EFFECT WILL BE FINAL IF CONSISTENT WITH THE INTENT OF THE CONTRACT DOCUMENTS.

3. ALL CONSTRUCTION AND MATERIALS SHALL BE AS SPECIFIED AND AS REQUIRED BY THE CURRENT EDITION OF THE C.B.C., LOCAL CODES, AND AUTHORITIES.

4. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE STARTING WORK. SHOULD A DISCREPANCY APPEAR IN THE SPECIFICATIONS OR DRAWINGS, OR IN THE WORK DONE BY OTHERS FROM THE CONTRACT DOCUMENTS THAT AFFECT WORK, NOTIFY THE ARCHITECT AT ONCE FOR INSTRUCTION ON HOW TO PROCEED. IF THE CONTRACTOR PROCEEDS WITH THE WORK KNOWING OF AN ERROR, INCONSISTENCY, OR OMISSION IN THE CONTRACT DOCUMENTS WITHOUT INSTRUCTION FROM THE ARCHITECT, THE CONTRACTOR SHALL MAKE GOOD ANY RESULTING DAMAGE OR DEFECT TO THE SATISFACTION OF THE ARCHITECT.

5. SHOULD A CONFLICT OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, THE SPECIFICATIONS SHALL TAKE PRECEDENCE, UNLESS A WRITTEN DECISION FROM THE ARCHITECT HAS BEEN OBTAINED WHICH DESCRIBES A CLARIFICATION OR ALTERNATE METHOD AND/OR MATERIALS.

6. THE CONTRACTOR SHALL CONFINE HIS OPERATIONS ON THE SITE TO AREAS PERMITTED BY THE OWNER. THE WORK SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE LAWS, LOCAL ORDINANCES, PERMITS, AND THE CONTRACT DOCUMENTS.

7. THE JOB SITE SHALL BE MAINTAINED IN A CLEAN, ORDERLY CONDITION FREE OF DEBRIS AND LITTER, AND SHALL NOT BE UNREASONABLY ENCUMBERED WITH ANY MATERIALS OR EQUIPMENT. EACH SUB-CONTRACTOR IMMEDIATELY UPON COMPLETION OF EACH PHASE OF HIS WORK SHALL REMOVE ALL TRASH AND DEBRIS AS A RESULT OF HIS OPERATION.

8. ALL MATERIAL STORED ON THE SITE SHALL BE PROPERLY STACKED AND PROTECTED TO PREVENT DAMAGE AND DETERIORATION UNTIL USE. FAILURE TO PROTECT MATERIALS MAY BE CAUSE FOR REJECTION OF WORK.

9. THE CONTRACTOR SHALL DO ALL CUTTING, FITTING, OR PATCHING OF HIS WORK THAT MAY BE REQUIRED TO MAKE ITS SEVERAL PARTS FIT TOGETHER PROPERLY AND SHALL NOT ENDANGER ANY OTHER WORK BY CUTTING, EXCAVATING, OR OTHERWISE ALTERING THE TOTAL WORK OR ANY PART OF IT. ALL PATCHING, REPAIRING AND REPLACING OF MATERIALS AND SURFACES CUT OR DAMAGED IN EXECUTION OF WORK, SHALL BE DONE WITH APPLICABLE MATERIALS SO THAT THE SURFACES REPLACED WILL, UPON COMPLETION, MATCH THE SURROUNDING SURFACES.

10. NO PORTION OF THE WORK REQUIRING A SHOP DRAWING OR SUBMISSION SHALL BE COMMENCED UNTIL THE SUBMISSION HAS BEEN REVIEWED BY THE ARCHITECT. ALL SUCH PORTIONS OF THE WORK SHALL BE IN ACCORDANCE WITH THE APPROVED SHOP DRAWINGS AND SAMPLES.

11. DIMENSIONS:
 A. ALL DIMENSIONS HAVE PREFERENCE OVER SCALE.
 B. ALL DIMENSIONS ARE TO THE EDGE OF FINISH UNLESS OTHERWISE NOTED.
 C. CEILING HEIGHT DIMENSIONS ARE FROM FINISH FLOOR SLAB TO FACE OR FINISH CEILING MATERIAL UNLESS OTHERWISE NOTED.

12. PROVIDE ALL NECESSARY BLOCKING, BACKING AND FRAMING FOR LIGHT FIXTURES, ELECTRICAL UNITS, A.C. EQUIPMENT AND ALL OTHER ITEMS AS REQUIRED.

13. WHERE LARGER STUDS OR FURRINGS ARE REQUIRED TO COVER PIPING AND CONDUITS, THE LARGER STUD SIZE OR FURRING SHALL EXTEND THE FULL SURFACE OF THE WALL WIDTH AND LENGTH WHERE THE FURRING OCCURS.

14. PROVIDE ALL ACCESS PANELS AS REQUIRED BY GOVERNING CODE TO ALL CONCEALED SPACES, VOIDS, ATTICS, ETC. VERIFY TYPE REQUIRED WITH ARCHITECT PRIOR TO INSTALLATION.

15. EACH LITE OF MATERIAL INSTALLED IN HAZARDOUS LOCATIONS SHALL HAVE A PERMANENT LABEL INDICATING SAFETY GLAZING USED FOR THOSE INSTALLATIONS. LABELS FOR TEMPERED GLASS SHALL BE VISIBLE WHEN GLAZED. SPANDREL GLASS MAY HAVE REMOVABLE LABELS.

16. CONSTRUCTION DUST CONTROL - DURING CONSTRUCTION, DUST CONTROL MEASURES SHALL BE REQUIRED. GRADING WILL BE DISCONTINUED DURING FIRST-STAGE SMOG ALERTS AND SUSPENDED DURING PERIODS OF HIGH WINDS (I.E. OVER 15 MILE PER HOUR). ALL HAULING TRUCKS SHALL HAVE LOADS COVERED OR WETTED AND LOADED BELOW THE SIDEBOARDS TO MINIMIZE DUST. (APPLIES TO DEMOLITION, GRADING, AND CONSTRUCTION)

BUILDING DEPARTMENT NOTES

A. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL-BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES - WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.

B. OBTAIN PERMITS FROM PUBLIC WORKS PRIOR TO CONSTRUCTION FOR: A. TEMPORARY PEDESTRIAN PROTECTION AS REQUIRED BY LABC SECTION 3306. B. FOR ANY CONSTRUCTION NEAR ANY STREET OR PUBLIC AREA.

C. OUTLETS ALONG WALL COUNTER SPACE , ISLAND AND PENINSULA COUNTER SPACE IN KITCHENS SHALL HAVE A MAXIMUM SPACING OF 48". (210-52 NEG)

D. THE FIRST LIGHT IN THE NEW AND REMODELED BATHROOMS AND KITCHEN SHALL BE AN ENERGY EFFICIENT LIGHT MEETING A MINIMUM OF 40 LUMENS PER WATT (E.G. FLUORESCENT LAMP). (T-24, SEC. 130(B) & 150(K))

E. AUTOMATIC GARAGE DOOR OPENERS, IF PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. (R309.4)

F. AN APPROVED SEISMIC GAS SHUTOFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWNSTREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING. (PER ORDINANCE 170,158) (SEPARATE PLUMBING PERMIT IS REQUIRED).

G. PLUMBING FIXTURES ARE REQUIRED TO BE CONNECTED TO A SANITARY SEWER OR TO AN APPROVED SEWAGE DISPOSAL SYSTEM (R306.3).

K. KITCHEN SINKS, LAVATORIES, BATHTUBS , SHOWERS, BIDETS, LAUNDRY TUBS AND WASHING MACHINE OUTLETS SHALL BE PROVIDED WITH HOT AND COLD WATER AND CONNECTED TO AN APPROVED WATER SUPPLY (R306.4).

L. BATHTUB AND SHOWER FLOORS, WALLS ABOVE BATHTUBS WITH A SHOWERHEAD, AND SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE . SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR (R307.2).

J. PROVIDE ULTRA-LOW FLUSH WATER CLOSETS FOR ALL NEW CONSTRUCTION. EXISTING SHOWER HEADS AND TOILETS MUST BE ADAPTED FOR LOW WATER CONSUMPTION.

K. UNIT SKYLIGHTS SHALL BE LABELED BY A LA CITY APPROVED LABELING AGENCY . SUCH LABEL SHALL STATE THE APPROVED LABELING AGENCY NAME, PRODUCT DESIGNATION AND PERFORMANCE GRADE RATING. (RESEARCH REPORT NOT REQUIRED). (R308.6.9)

L. WATER HEATER MUST BE STRAPPED TO WALL. (SEC. 507.3, LAPC)

M. FOR EXISTING POOL ON SITE, PROVIDE AN ALARM FOR DOORS TO THE DWELLING THAT FORM A PART OF THE POOL ENCLOSURE.THE ALARM SHALL SOUND CONTINUOUSLY FOR A MIN. OF 30 SECONDS WHEN THE DOOR IS OPENED. IT SHALL AUTOMATICALLY RESET AND BE EQUIPPED WITH A MANUAL MEANS TO DEACTIVATE (FOR 15 SEES. MAX.) FOR A SINGLE OPENING. THE DEACTIVATION SWITCH SHALL BE AT LEAST 54" ABOVE THE FLOOR.

GENERAL NOTES 23

(6109 OF LABC)

N. FOR EXISTING POOL ON SITE, PROVIDE ANTI-ENTRAPMENT COVER MEETING THE CURRENT ASTM OR ASME FOR THE SUCTION OUTLETS OF THE SWIMMING POOL, TODDLER POOL AND SPA FOR SINGLE FAMILY DWELLINGS PER ASSEMBLY BILL (AB) NO. 2977. (3162B)

O. SMOKE DETECTORS SHALL BE PROVIDED FOR ALL DWELLING UNITS INTENDED FOR HUMAN OCCUPANCY, UPON THE OWNER'S APPLICATION FOR A PERMIT FOR ALTERATIONS, REPAIRS, OR ADDITIONS, EXCEEDING ONE THOUSAND DOLLARS ($1,000). (R314.6.2)

P. WHERE A PERMIT IS REQUIRED FOR ALTERATIONS, REPAIRS OR ADDITIONS EXCEEDING ONE THOUSAND DOLLARS ($1,000), EXISTING DWELLINGS OR SLEEPING UNITS THAT HAVE ATTACHED GARAGES OR FUEL-BURNING APPLIANCES SHALL BE PROVIDED WITH A CARBON MONOXIDE ALARM IN ACCORDANCE WITH SECTION R315.2. CARBON MONOXIDE ALARMS SHALL ONLY BE REQUIRED IN THE SPECIFIC DWELLING UNIT OR SLEEPING UNIT FOR WHICH THE PERMIT WAS OBTAINED. (R315.2.2)

Q. EVERY SPACE INTENDED FOR HUMAN OCCUPANCY SHALL BE PROVIDED WITH NATURAL LIGHT BY MEANS OF EXTERIOR GLAZED OPENINGS IN ACCORDANCE WITH SECTION R303.1 OR SHALL BE PROVIDED WITH ARTIFICIAL LIGHT THAT IS ADEQUATE TO PROVIDE AN AVERAGE ILLUMINATION OF 6 FOOT-CANDLES OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES ABOVE THE FLOOR LEVEL. (R303.1)

R. A COPY OF THE EVALUATION REPORT AND/OR CONDITIONS OF LISTING SHALL BE MADE AVAILABLE AT THE JOB SITE

S. VEHICULAR ACCESS DOORS SHALL COMPLY WITH SECTION R612.4.

T. BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. (R319 .1)

U. PROTECTION OF WOOD AND WOOD BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE-TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE. PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPAU1.

V. PROVIDE ANTI-GRAFFITI FINISH WITHIN THE FIRST 9 FEET, MEASURED FROM GRADE , AT EXTERIOR WALLS AND DOORS. *EXCEPTION: MAINTENANCE OF BUILDING AFFIDAVIT* IS *RECORDED BY THE OWNER TO COVENANT AND AGREE WITH THE CITY OF* LOS *ANGELES TO REMOVE ANY GRAFFITI WITHIN* 7-DAYS *OF THE GRAFFITI BEING APPLIED.* (6306)

GENERAL NOTES (CONTINUE) 19

FIRE / LIFE SAFETY

1. THERE SHALL BE A LANDING OR FLOOR ON EACH SIDE OF EACH EXTERIOR DOOR. THE WIDTH OF EACH LANDING SHALL BE NOT LESS THAN THE DOOR SERVED. LANDINGS SHALL HAVE A DIMENSION OF NOT LESS THAN 36 INCHES (914 MM) MEASURED IN THE DIRECTION OF TRAVEL. THE SLOPE AT EXTERIOR LANDINGS SHALL NOT EXCEED 1/4 UNIT VERTICAL IN 12 UNITS HORIZONTAL (2 PERCENT). [R311.3 CRC]
2. FLIGHTS OF STAIRWAYS SHALL HAVE HANDRAILS ON EACH SIDE AND SHALL COMPLY WITH SECTION 1014. WHERE GLASS IS USED TO PROVIDE THE HANDRAIL, THE HANDRAIL SHALL COMPLY WITH SECTION 2407. [1011.11 CBC]
3. HANDRAIL HEIGHT, MEASURED ABOVE STAIR TREAD NOSINGS, OR FINISH SURFACE OF RAMP SLOPE, SHALL BE UNIFORM, NOT LESS THAN 34 INCHES (864 MM) AND NOT MORE THAN 38 INCHES (965 MM). [1014.2 CBC]
4. STAIRWAYS SHALL BE NOT LESS THAN 36 INCHES (914 MM) IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT AND BELOW THE REQUIRED HEADROOM HEIGHT. THE CLEAR WIDTH OF STAIRWAYS AT AND BELOW THE HANDRAIL HEIGHT, INCLUDING TREADS AND LANDINGS, SHALL BE NOT LESS THAN 311/2 INCHES (787 MM) WHERE A HANDRAIL IS INSTALLED ON ONE SIDE AND 27 INCHES (698 MM) WHERE HANDRAILS ARE INSTALLED ON BOTH SIDES. [R311.7.1 CRC]
5. THE MINIMUM NET FREE VENTILATING AREA SHALL BE 1/150 OF THE AREA OF THE VENTED SPACE.

FIRE/ LIFE SAFETY NOTES 18

6. THE EXPOSED ROOF DECK ON THE UNDERSIDE OF UNENCLOSED ROOF EAVES SHALL CONSIST OF ONE OF THE FOLLOWING: [R337.7.4 RCR]
 A. NONCOMBUSTIBLE MATERIAL.
 B. IGNITION-RESISTANT MATERIAL.
 C. ONE LAYER OF 5/8-INCH TYPE X GYPSUM SHEATHING APPLIED BEHIND AN EXTERIOR COVERING ON THE UNDERSIDE EXTERIOR OF THE ROOF DECK.
 D. THE EXTERIOR PORTION OF A 1-HOUR FIRE RESISTIVE EXTERIOR WALL ASSEMBLY APPLIED TO THE UNDERSIDE OF THE ROOF DECK DESIGNED FOR EXTERIOR FIRE EXPOSURE INCLUDING ASSEMBLIES USING THE GYPSUM PANEL AND SHEATHING PRODUCTS LISTED IN THE GYPSUM ASSOCIATION FIRE RESISTANCE DESIGN MANUAL.
7. THE WALKING SURFACE MATERIAL OF DECKS, PORCHES, BALCONIES AND STAIRS SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION WHEN ANY PORTION OF SUCH SURFACE IS WITHIN 10 FEET (3048 MM) OF THE BUILDING.
8. THE WALKING SURFACE MATERIAL OF DECKS, PORCHES, BALCONIES AND STAIRS SHALL BE CONSTRUCTED WITH ONE OF THE FOLLOWING MATERIALS: [R337.9.3 CRC]
 A. MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF SECTION R337.9.4 WHEN TESTED IN ACCORDANCE WITH BOTH ASTM E2632 AND ASTM E2726.
 B. IGNITION-RESISTANT MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF SECTION R337.4.3 WHEN TESTED IN ACCORDANCE WITH ASTM E84 OR UL 723.
 C. MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF BOTH SFM STANDARD 12-7A-4 AND SFM STANDARD 12-7A-5.
 D. EXTERIOR FIRE RETARDANT TREATED WOOD.
 E. NONCOMBUSTIBLE MATERIAL.
 F. ANY MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF SFM STANDARD 12-7A-4A WHEN ATTACHED EXTERIOR WALL COVERING IS ALSO COMPOSED OF NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
 G. ANY MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF SECTION R337.9.5 WHEN TESTED IN ACCORDANCE WITH ASTM E2632 AND WHEN ATTACHED EXTERIOR WALL COVERING IS ALSO COMPOSED OF ONLY NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIALS.

FIRE/ LIFE SAFETY NOTES (CONTINUE) 19

This project is to be approved and constructed in two phases. The first phase (PV) is to replace the house and the second phase (CDP) is to replace a previously-existing, non-conforming basement. Since the basement requires a variance, we are submitting for the house replacement with the future basement being built out as a crawlspace. The crawlspace will be converted to a basement after variance approval. For the first phase, the building is designed structurally to accommodate the new house and the future basement but no finish slab, fixtures, finishes, non-load-bearing partition walls, or exterior doors and windows will be installed in the crawlspace until the variance for the second phase is approved. If the variance is not approved, the area will remain a crawlspace.

PHASING NOTES 18

1. SEPARATE PERMIT TO BE PROVIDED FOR PV SYSTEMS

UNDER SEPARATE PERMIT 13

OWNERS
KIM TOMLINSON
JIM TOMLINSON
4756 LATIGO CANYON ROAD
MALIBU, CA 90265
TEL: (703) 887-1765
TEL: (703) 963-3840

ARCHITECT
DANIEL ZIESE
ZIESE ARCHITECTURE, INC.
612 MOULTON AVENUE, #7
LOS ANGELES, CA 90031
TEL: (323) 275-1340

STRUCTURE
VALLEY STRUCTURE, INC
10211 LEMONA AVE
LOS ANGELES, CA 91345
TEL: (818) 590-5318

CIVIL
DELANE ENGINEERING
2812 SANTA MONICA BLVD, #206
SANTA MONICA, CA 90404
ATTN: SCOTT UHLES
(310) 546-5711

GEOTECHNICAL
LAND PHASES INC.
5158 COCHRAN ST.
SIMI VALLEY, CA 93063
ATTN: JAKE HOLT
(805) 522-5174

LANDSCAPE
WEEDS GARDEN & INTERIOR DESIGN
3572 VETERAN AVE.
LOS ANGELES, CA 90034
ATTN: NANCY KNAPP
(310) 600-8750

TITLE 24
PROMECH ENGINEERING INC.
325 PARKWOOD DRIVE
GLENDALE, CA 91202
ATTN: SIMIK SIMONIAN
TELL: (818) 281-7654

CONTRACTOR
ADDITION BUILDING & DESIGN
4335 VAN NUYS BLVD #354
SHERMAN OAKS, CA 91403
ATTN: MIKE ROSS
(818) 823-3862

PROJECT DIRECTORY 8

APPLICABLE CODES:
2019 CBC, 2019 CGBC, 2019 CPC, 2019 CMC, 2019 CEC, 2019 CEnC, 2017 ENERGY CODE, MALIBU MUNICIPAL CODE (MMC), 2016 WITH LACo 2017 AMENDMENTS, NFPA

SCOPE OF WORK:
RECONSTRUCTION OF A PREVIOUSLY EXISTING NON-CONFORMING WALK-OUT BASEMENT AT A WOOLSEY FIRE AFFECTED PARCEL INCLUDING A VARIANCE FOR A BASEMENT WHICH DAYLIGHTS MORE THAT THREE FEET, NEW SWIMMING POOL, NEW O.W.T.S., NEW LANDSCAPING

ZONING: RR-2
CONSTRUCTION TYPE: TYPE V-B, SPRINKLERED
ASSESSOR'S PARCEL NO.: 4459-002-021
LEGAL DESCRIPTION:
LAND OF MATTHEW KELLER IN THE RANCHO TOPANGA MALIBU SEQUIT*POR OF LOT 7 PARCEL MAP 74-63
PROJECT ADDRESS: 4756 LATIGO CANYON ROAD MALIBU, CA. 90265
GROSS PARCEL AREA: 43,773 S.F.
NET PARCEL AREA 43,773 S.F.

	(E)	(N)	TOTAL
DECK AREA			
BASEMENT LVL DECK COVERED	565 SF	378 SF	943 SF
BASEMENT LVL DECK UNCOVERED	766 SF	0	766 SF
1ST LVL DECK	857 SF	378	1,235 SF
2ND LVL DECK	93 SF	0	93 SF
LOFT LVL DECK	553 SF	0	553 SF
TOTAL	2,834 SF	378 SF	3,590 SF

* DOES NOT INCLUDE (N) 200 S.F. POOL

FLOOR AREA			
BASEMENT LVL	0	1,463 - 1,000** = 463 463/2 = 232	232
1ST FLOOR	2,192	0	2,192
2ND FLOOR	1,150	0	1,150
LOFT	178	0	178
GARAGE	641	0	641
TOTAL	4,161	232	4,393

** 1ST 1,000 S.F. OF BASEMENT EXEMPT

STORIES: 3
BUILDING HEIGHT 28'-0"

ALLOWABLE IMPERMEABLE 13,131.9 S.F.
(E) IMPERMEABLE COVERAGE: 9,310 S.F.
(N) IMPERMEABLE COVERAGE: 9,510.00 S.F.

REQUIRED SET BACK CALCULATION:
FRONT: 20% OF DEPTH
294.6' X 0.20 = 58.9' = **58'-10"**
REAR: 15% OF DEPTH
294.6' x 0.15 = 44.2' = **44'-2"**
SIDE: TOTAL BOTH SIDES IS 25% OF WIDTH
150' X 0.25 = 37.5' 37.5'/2 = 18.75' = **18'-9"**

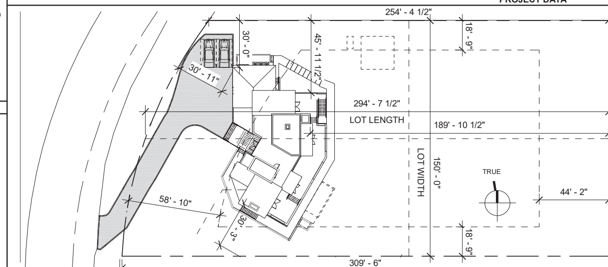
PARKING:

	ENCLOSED	UNENCLOSED
REQUIRED	2	2
PROPOSED	2	2

TDSF :
UP TO 1/2 ACRE = 21,780 x 0.177 + 1,000 = 4,855
1/2 - 1 ACRE = 21780 x 0.1 = 2,178
1 - 1 1/2 ACRE = (43,773 - 43,560) X 0.05 = 10.56
7,043.56 S.F. ALLOWABLE

TDSF (4,393 S.F.) + COVERED DECK AREA (943 S.F.) = 5,336 5,336 < 7,046.56

PROJECT DATA 5



PLOT PLAN SCALE: 1/32 =1'-0" 4

A0.1	GENERAL INFORMATION
A0.2	RESIDENTIAL CONSTRUCTION TYPE V SHEETS
A0.3	RESIDENTIAL CONSTRUCTION TYPE V SHEETS
A0.7	SPECIFICATION
A0.11	DIAGRAMS
A0.14	NEW OWTS
A0.15	NEW OWTS
A1.1	SITE PLAN
A1.2	SITE PLAN FIRE HYDRANT
A1.4	SCHEDULES
A2.1A	BASEMENT AS-BUILT PLAN
A2.1B	BASEMENT PLAN
A2.2	FIRST FLOOR PLAN
A2.3	SECOND FLOOR PLAN
A2.4	LOFT FLOOR PLAN
A2.5	ROOF PLAN
A3.3	ELEVATIONS
A3.4	ELEVATIONS
A4.1	SECTIONS
A4.2	SECTIONS
A5.3	ENLARGED PLANS - INT. STAIRS
A6.1	WALL TYPES
A6.2	DETAILS
A6.5	DETAILS

CDP

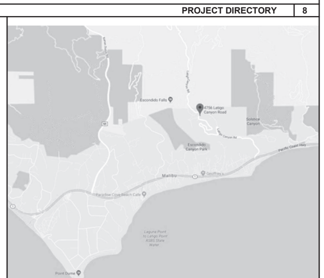
SHEET INDEX 1

C	CENTERLINE
&	AND
L	ANGLE
@	AT
(PE)	PREVIOUSLY EXISTING
(N)	NEW DEVELOPMENT
A.	ABOVE
A.B.	ANCHOR BOLT
ABV.	ABOVE
A.C	AIR CONDITIONER
A.D.	AREA DRAIN
ADD'L	ADDITIONAL
ADJ.	ADJUSTABLE
AGGR.	AGGREGATE
ALUM.	ALUMINUM
ASPH.	ASPHALT
BD.	BOARD
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BM.	BEAM
BOT.	BOTTOM
CAB.	CABINET
CAS.	CASEMENT
C.A.	COLUMN BASE
CEM.	CEMENT
CER.	CERAMIC
C.I.	CAST IRON
CLG.	CEILING
CLKG.	CAULKING
CLO.	CLOSET
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONSTR.	CONSTRUCTION
CONT.	CONTINUOUS
CORR.	CORRIDOR
CTSK.	COUNTERSUNK
CNTR.	COUNTER
CTR.	CENTER
C.B.	CURTAIN WALL
DBL.	DOUBLE
DEPT.	DEPARTMENT
D.F.	DRINKING FOUNTAIN
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DIR.	DIRECTION
DISP.	DISPENSER
DN.	DOWN
D.O.	DOOR OPENING
DR.	DOOR
DWR.	DRAWER
D.S.	DOWNSPOUT
DWG.	DRAWING
E.	EAST
EA.	EACH
E.J.	EXPANSION JOINT
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EMER.	EMERGENCY
ENCL.	ENCLOSURE
ENL.	ENLARGED
EQ.	EQUAL
EQPT.	EQUIPMENT
E.W.	EACH WAY
EX.	EXISTING
EXP.	EXPANSION
EXT.	EXTERIOR
F.A.	FIRE ALARM
F.B.	FLAT BAR
F.C.	FAN COIL
F.D.	FLOOR DRAIN
FDN.	FOUNDATION
F.A.	FIRE EXTINGUISHER
F.F	FINISH FLOOR
FIN.	FINISH
FL.	FLOOR
FLR.	FLOOR
FLASH.	FLASHING
FLUOR.	FLUORESCENT
F.A.	FINISH GRADE
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.M.	FACE OF MASONRY
F.O.S.	FACE OF STUD
FPRF.	FIREPROOF
F.R.	FIRE RATED
F.R.A.	FIRE RETARDANT TREATED
F.S.	FULL SIZE
FT.	FOOT OR FEET
FTG.	FOOTING
FURN.	FURNACE
FURR.	FURRING
FUT.	FUTURE
GA.	GAUGE
GALV.	GALVANIZED
G.D.	GRAB BAR
GL.	GLASS
GND.	GROUND
GR.	GRADE
GYP.	GYPSUM
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HD	HOLD DOWN
HDWD.	HARDWOOD
HDWE.	HARDWARE
H.M.	HOLLOW METAL
HORIZ.	HORIZONTAL
HR.	HOUR
HGT.	HEIGHT
HTR.	HEATER
I.D.	INSIDE DIAMETER
INSUL.	INSULATION
INT.	INTERIOR
JAN.	JANITOR
JT.	JOINT
KIT.	KITCHEN
K.P.	KING POST
LAB.	LABORATORY
LAM.	LAMINATE
LAV.	LAVATORY
LKR.	LOCKER
LT.	LIGHT
L.W.	LIGHT WEIGHT
MA,	MASTER
MAX.	MAXIMUM
MECH.	MECHANICAL
MEMB.	MEMBRANE
MET.	METAL
MFR.	MANUFACTURER
MH.	MANHOLE
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTD.	MOUNTED
MTL.	MATERIAL
MUL.	MULLION
N.	NORTH
N.I.A.	NOT IN CONTRACT
NO.	NUMBER
NOM.	NOMINAL
O/	OVER
O.A.	OVERALL
OBS.	OBSCURE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OFF.	OFFICE
O.H.	OPPOSITE HAND
OPNG.	OPENING
OPP.	OPPOSITE
PE.	PREVIOUSLY EXISTING
PEN.	PENETRATION
P.H.	PANIC HARDWARE
PRCST.	PRECAST
PLAS.	PLASTER
PLYWD.	PLYWOOD
PR.	PAIR
PT.	POINT
P.T.	PRESSURE TREATED
PTN.	PARTITION
Q.T.	QUARRY TILE
R.	RISER
RAD.	RADIUS
R.A.L.	ROOF ACCESS LADDER
R.D.	ROOD DRAIN
REF.	REFERENCE
REFR.	REFRIGERATOR
RGTR.	REGISTER
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
REM.	REMODELED
RM.	ROOM
R.O.	ROUGH OPENING
RWD.	REDWOOD
S.	SOUTH
S.C.	SOLID CORE
SCHED.	SCHEDULE
SECT.	SECTION
S.F.	STOREFRONT
SH.	SHELL
SHR.	SHOWER
SHT.	SHEET
SIM.	SIMILAR
SL.	SLIDER
S.M.	SHEET METAL
SP.	SPACE
SPEC.	SPECIFICATION
SPF	SPRAY POLYETHYLENE FOAM
SQ.	SQUARE
S.ST.	STAINLESS STEEL
S.SK.	SERVICE SINK
STA.	STATION
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SUSP.	SUSPENDED
SYM.	SYMMETRICAL
S.W.	SHEAR WALL
T.	TREAD
T.C.	TOP OF CURB
TEL.	TELEPHONE
TER.	TERRAZZO
T.&G.	TONGUE AND GROOVE
THK.	THICK
T.O.	TOP OF
T.O.C.	TOP OF CHIMNEY
T.O.F.F.	TOP OF FINISH FLOOR
T.O.P.	TOP OF PARAPET
T.O.R.	TOP OF ROOFING
T.P.	TOP OF PAVEMENT
T.V.	TELEVISION
T.W.	TOP OF WALL
TYP.	TYPICAL
UNF.	UNFINISHED
U.N.S.	UNLESS NOTED OTHERWISE
UR.	URINAL
VERT.	VERTICAL
VEST.	VESTIBULE
W.	WEST
W/	WITH
W.C.	WATER CLOSET
WD.	WOOD
W.H.	WATER HEATER
W.I.C.	WALK IN CLOSET
W/O	WITHOUT
W.P.	WATERPROOF
WSCT.	WAINSCOT
WT.	WEIGHT
WTR.	WATER
W.W.F.	WELDED WIRE FABRIC

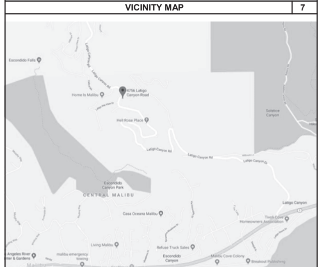
ABBREVIATIONS 16

STRUCTURAL GRID LINE
WALL SECTION
SECTION NUMBER / SHEET NUMBER — BUILDING SECTION
ELEVATION NUMBER / SHEET NUMBER — ELEVATION
DETAIL NUMBER / SHEET NUMBER — DETAIL
SHEET NUMBER / ELEVATION NUMBER — INTERIOR ELEVATION
Room name 101 150 SF — ROOM NAME / NUMBER
DOOR NUMBER — DOOR SYMBOL
WINDOW NUMBER — WINDOW SYMBOL
KEY NOTE
REVISION
Name Elevation — DATUM REFERENCE
WALL NUMBER — WALL SYMBOL

SYMBOLS 11



VICINITY MAP 7



LOCATION MAP 6

ZIESE Architecture, Inc.
612 MOULTON AVE., SUITE #7, LOS ANGELES, CA 90031

ARCHITECT STAMP

Received
Oct. 6, 2021
Planning Dept.

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
GENERAL INFORMATION

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS THEREOF, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF DANIEL J. ZIESE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT OR ACCURATE EXISTING CONDITIONS. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND EVALUATION BY THE CLIENT, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A0.1

10/6/2021 2:22:02 PM

ATTACHMENT 2

Georgia-Pacific

DensGlass® Sheathing

Technical Service Hotline 1.800.225.6119 or
www.gpgypsum.com

Manufacturer
Georgia-Pacific Gypsum
133 Peachtree Street
Atlanta, GA 30303

Georgia-Pacific Canada
2180 Meadowvale Boulevard, Suite 200
Mississauga, ON L5N 5S3

Technical Service Hotline: 1-800-225-6119

Description
DensGlass® Sheathing is a gypsum panel made of a treated, water-resistant core, surfaced with fiberglass mats and a GOLD colored primer coating. Providing superb protection from the elements, DensGlass Sheathing is resistant to delamination and deterioration due to weather exposure—even during construction delays that last as long as twelve months after installation and are backed by a limited warranty against delamination and deterioration for up to 12 months of exposure to normal weather conditions.* DensGlass Sheathing panels are also mold-resistant, and have scored a 10, the highest level of performance for mold resistance under ASTM D3273 test method.

DensGlass Sheathing exhibits a dimensional stability that assures resistance to warping, rippling, buckling and sagging for a flat and even substrate and is noncombustible as defined and tested in accordance with ASTM E136 or CAN/ULC S114. Since DensGlass Sheathing is strong in both directions, it may be installed either parallel or perpendicular to wall framing members (always follow specific assembly installation instructions).

Primary Uses
Because of the superior performance of DensGlass Sheathing, it is specified for exterior walls, ceilings and soffits in a wide variety of applications. These include exterior insulation and finish systems (EIFS); cavity brick or stone veneer applications; cladding such as wood siding, vinyl siding, composition siding, wood shingles, shakes, conventional stucco systems, plywood siding panels; and interior finish systems that require a substrate panel with superior fire and moisture resistance.

For EIFS applications, DensGlass Sheathing is an ideal substrate for adhesive or mechanical application of expanded polystyrene or extruded polystyrene insulation, and is recommended in all climate zones.

Manufacturers of water and air resistive barriers, which include attached flexible membranes, self-adhered membrane and liquid applied, have found DensGlass Sheathing to be a suitable substrate for their systems.

DensGlass Sheathing is an ideal product for exterior ceilings and soffits for both cold and warm climate zones. It resists sagging, even under exceptionally humid conditions. Panels are applied directly to structural framing. Surface and joints may be finished and painted, or surfaced with an exterior finish system.

Limitations
DensGlass Sheathing is resistant to normal weather conditions, but it is not intended for immersion in water. Cascading roof/floor water should be directed away from the sheathing until appropriate drainage is installed.

Avoid any condition that will create moisture in the air and condensation on DensGlass Sheathing. The use of forced air heaters creates volumes of water vapor which, when not properly vented, can condense on building materials. The use of those heaters and any resulting damage is not the responsibility of Georgia-Pacific Gypsum. Consult heater manufacturer for proper use and ventilation.

When DensGlass Sheathing panels are used in slanted wall applications, that portion of the wall must be temporarily protected from the elements. Do not allow water to pond or settle on sheathing. Also, exposed wall ends must be covered to prevent water from infiltrating the cavity.

Georgia-Pacific Gypsum does not warrant and is not responsible or liable for the performance of the cladding or exterior systems applied over DensGlass Sheathing. The suitability and compatibility of any system is the responsibility of the system manufacturer or design authority.

Do not laminate masonry surfaces to DensGlass Sheathing; use furring strips or framing.

DensGlass Sheathing is not intended for roof applications. For roof applications, consult our DensDeck® Roof Board brochure.

DensGlass Sheathing is not intended for interior or exterior tile applications. For interior tile applications, consult our DensShield® Tile Backer brochure.

DensGlass Sheathing should not be used in lieu of plywood where required.

Do not apply DensGlass Sheathing below grade.

For all installations, design details such as fasteners, sealants and control joints per system specifications must be properly installed. Openings and penetrations must be properly flashed and sealed. Failure to do so will void the warranty.

Do not use DensGlass Sheathing as a base for nailing or mechanical fastening. Fasteners should be flush to the face of the board, not countersunk.

Technical Data
DensGlass Sheathing is noncombustible as described and tested in accordance with ASTM E136 or CAN/ULC S114.

DensGlass Sheathing exceeds ASTM C1396 sheathing standards for humidified deflection by a factor of 10 in tests over the standard for regular gypsum sheathing.

5/8" (15.9 mm) DensGlass® Fireguard® Sheathing is UL and ULC classified **Type DGG.**

DensGlass Sheathing is manufactured to meet ASTM C1177.

Flame spread and smoke develop rating of 0/0 when tested in accordance with ASTM E84 or CAN/ULC S102.

Handling and Use–CAUTION
This product contains fiberglass facings which may cause skin irritation. Dust and fibers produced during the handling and installation of the product may cause skin, eye and respiratory tract irritation. Avoid breathing dust and minimize contact with skin and eyes. Wear long sleeve shirts, long pants and eye protection. Always maintain adequate ventilation. Use a dust mask or NIOSH/MSHA approved respirator as appropriate in dusty or poorly ventilated areas.

Material Safety Data Sheet (MSDS) is available at www.buildgp.com/safetyinfo or call 1-404-652-5119.

Product Data
Thicknesses: 1/2" (12.7 mm); 5/8" (15.9 mm) is Type X (ASTM C1177)
Width: 4' (1220 mm) standard, tolerance up to ± 1/8" (3.2 mm)
Lengths: 8' (2438 mm), 9' (2743 mm) or 10' (3048 mm) standard
Edges: Square

* For complete warranty details, visit www.gpgypsum.com.

continued

Submittal Approvals

Job Name _____

Contractor _____

Date _____

Stamps/Signatures

Georgia-Pacific

DensGlass® Sheathing

Technical Service Hotline 1.800.225.6119 or
www.gpgypsum.com

Physical Properties

Properties	1/2" (12.7 mm) DensGlass® Sheathing	5/8" (15.9 mm) DensGlass® Fireguard® Sheathing
Width, nominal	4' (1219 mm) ± 1/8" (3 mm)	4' (1219 mm) ± 1/8" (3 mm)
Length, standard	8' (2440 mm), 9' (2743 mm), 10' (3048 mm), ± 1/8" (6 mm)	8' (2440 mm), 9' (2743 mm), 10' (3048 mm), ± 1/4" (6 mm)
Weight, nominal, lbs./sq. ft. (Kg/m²)	1.9 (9)	2.5 (12)
Edges	Square	Square
Bending radius[1]	8' (1829 mm)	8' (2438 mm)
Racking strength[2], lbs./ft. (drv) (N/m), Ultimate--not design value	>540 (7878)	>854 (9544)
Flexural strength[3], parallel, lbf. (N), 4" weak direction	>80 (356)	>100 (445)
Compressive strength	min. 500 psi (3445 kPa)	min. 500 psi (3445 kPa)
Humidified deflection[1,4]	<.039" (6 mm)	<.118" (3 mm)
Permanence[5], Perms (ng/Pa•s•m²)	>23 (1300)	>17 (970)
R Value[6], (ft²•°F•hr/BTU (m²•K/W)	.56 (0.099)	.67 (0.118)
Combustibility[7]	Noncombustible	Noncombustible
Linear expansion with moisture change, in./in %RH (mm/mm %RH)[8]	8.25 x 10⁻⁶	8.25 x 10⁻⁶
Surface burning characteristics per ASTM E84 or CAN/ULC S102: Flame spread/smoke developed	0/0	0/0
Coefficient of thermal expansion, in/in/°F (mm/mm/°C)	8.5 x 10⁻⁶ (15.3 x 10⁻⁶)[9]	8.5 x 10⁻⁶ (15.3 x 10⁻⁶)[9]

[1] Tested in accordance with ASTM C473
[2] Tested in accordance with ASTM E84 (dry cup method)
[3] Tested in accordance with ASTM C518 (heat flow meter)
[4] Specified values per ASTM C1177

[5] Double fasteners on ends as needed
[6] Tested in accordance with ASTM E72
[7] As defined and tested in accordance with ASTM E136 or CAN/ULC S114
[8] As stated by Gypsum Association GA-235
[9] Tested in accordance with ASTM E228-85

Georgia-Pacific Gypsum

U.S.A. Georgia-Pacific Gypsum LLC
Georgia-Pacific Gypsum II LLC
Canada Georgia-Pacific Canada II

SALES INFORMATION AND ORDER PLACEMENT
U.S.A. West: **1-800-824-7583**
Central: **1-800-225-6115**
South Central: **1-800-231-6060**
Southeast: **1-800-327-3344**
Northeast: **1-800-947-4497**
CANADA Canada Toll Free **1-800-387-6823**
Quebec Toll Free **1-800-361-6496**

TECHNICAL INFORMATION
U.S.A. and Canada **1-800-225-6119**, www.gpgypsum.com

©2014 Georgia-Pacific Gypsum LLC. All rights reserved. 5/14. DP-TM -LG. Item #GDTDG

TRADEMARKS Unless otherwise noted, all trademarks are owned by or licensed to Georgia-Pacific Gypsum LLC.

WARRANTIES, REMEDIES AND TERMS OF SALE For current warranty information for this product, please go to www.gpgypsum.com and select the product for warranty information. All sales of this product by Georgia-Pacific are subject to our Terms of Sale available at www.gpgypsum.com.

UPDATES AND CURRENT INFORMATION The information in this document may change without notice. Visit our website at www.gpgypsum.com for updates and current information.

CAUTION For product fire, safety and use information, go to www.buildgp.com/safetyinfo or call 1-800-225-6115.

FIRE SAFETY CAUTION Passing a fire test in a controlled laboratory setting and/or certifying or labeling a product as having a one-hour, two-hour, or any other fire resistance or protection rating does not mean that the product will resist fire for that length of time in an actual fire. Fire tests of either a particular assembly/system incorporating the product, or any system made of the product itself, will necessarily provide one-hour fire resistance, two-hour fire resistance, or any other specified fire resistance or protection in an actual fire. In the event of an actual fire, you should immediately take any and all actions necessary for your safety and the safety of others without regard for any fire rating of any product or assembly/system.

DENS GLASS SHEATHING (CLASS A) | 4

GENERAL NOTES | 1

10/6/2021 2:22:02 PM

ZIESE architecture, inc.
ECOARCHITECTURE - SUSTE DE LOS ANGELES, CA 90064

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

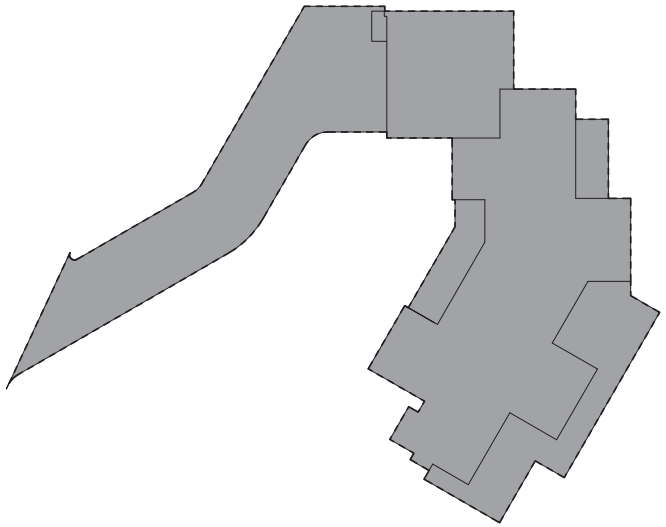
SHEET NAME
SPECIFICATION

ISSUE DATE
Issue Date

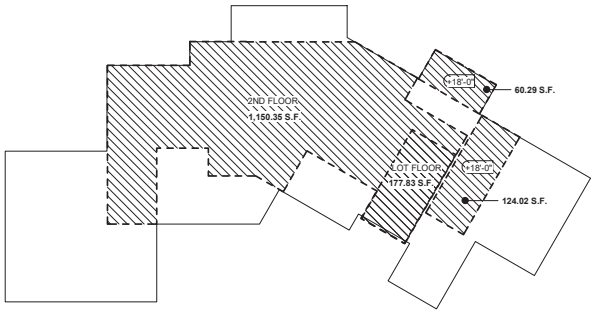
REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SPECIFICATIONS, ARE THE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS. ALL IDEAS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A0.7



PRE. EXISTING IMPERMEABLE COVERAGE PLAN SCALE: 1" =10'-0" 19



RESIDENTIAL DEVELOPMENT STANDARDS DIAGRAM SCALE: 1/8" = 1'-0" 5

EXISTING IMPERMEABLE AREA (4,310 S.F.)

NEW IMPERMEABLE AREA (200 S.F.)

LEGEND 9

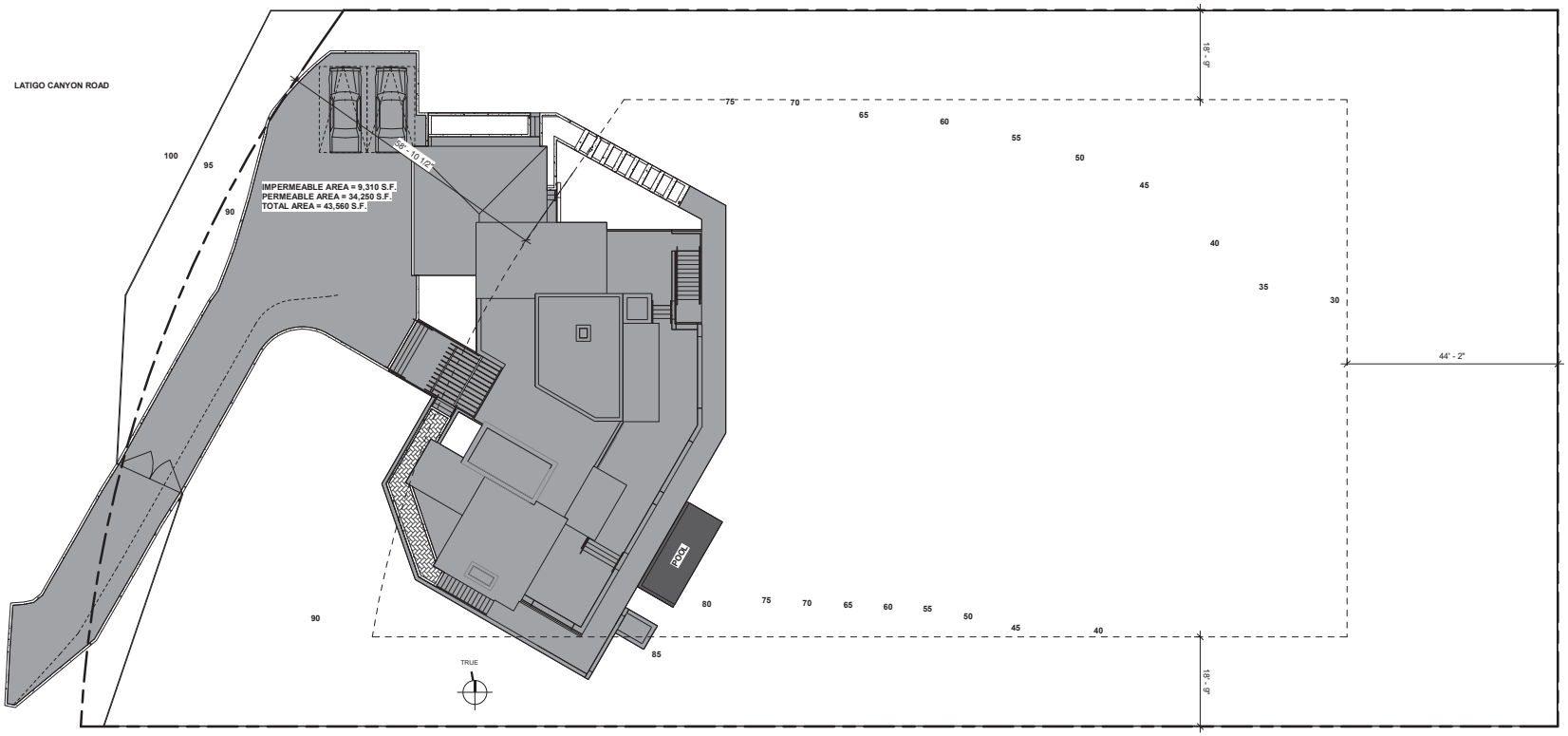
IMPERMEABLE COVERAGE

ALLOWABLE = 43,773 X 0.3	13,131.9 S.F.
EXISTING IMPERMEABLE COVERAGE	9,310 S.F.
NEW IMPERMEABLE COVERAGE	200 S.F.
TOTAL IMPERMEABLE COVERAGE	**9,510 S.F.**

RESIDENTIAL DEVELOPMENT STANDARDS:

FIRST FLOOR AREA	2,832.71 S.F.
2/3 OF FIRST FLOOR AREA	1,897.92 S.F.
AREAS GREATER THAN 18'	184.31 S.F.
SECOND FLOOR AREA	1,150.35 S.F.
LOFT FLOOR AREA	177.83 S.F.
TOTAL	**1,512.49 S.F. < 1,897.92 S.F.**

CALCULATION 4



NEW IMPERMEABLE COVERAGE PLAN SCALE: 1" =10'-0" 1

10/6/2021 2:22:03 PM

ZIESE architecture, inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
DIAGRAMS

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SOFTWARE, ARE THE PROPERTY OF ZIESE ARCHITECT AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF ZIESE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARTED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDISCREPANCIES BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS. ALL PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
(C) COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A0.11

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

RECEIVED
JAN 07 2020
PLANNING DEPT.

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** 5/21/2019
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDPWF 19-001
JOB ADDRESS: 4756 LATIGO CANYON RD
APPLICANT / CONTACT: Daniel Ziese
APPLICANT ADDRESS: 612 Moulton Ave
Los Angeles, CA 90031
APPLICANT PHONE #: (323)275-1340
APPLICANT FAX #:
APPLICANT EMAIL: daniel@ziesearchitecture.com
PROJECT DESCRIPTION: New Basement - in-kind +10%

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 Municipal Code (MMC). 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 MMC. 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

January 16, 2020
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 364.

Rev 141008

City of Malibu

Environmental Health ● Environmental Sustainability Department
23825 Stuart Ranch Road - Malibu, California - 90265-4861
Phone (310) 456-2489 - Fax (310) 456-7650 - www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Daniel Ziese daniel@ziesearchitecture.com
Project Address:	**4756 Latigo Canyon Road** Malibu, California 90265
Planning Case No.:	CDPWF 19-001
Project Description:	New Basement - in-kind +10%
Date of Review:	January 16, 2020
Reviewer:	Matt Janousek Signature:
Contact Information:	Phone: (310) 456-2489 ext. 307 Email: mjanousek@ci.malibu.ca.us

SUBMITTAL INFORMATION

Architectural Plans:	Ziese Architecture: Plans undated (received by Planning 5-21-2019); revised plans received 1-25-2020
Grading Plans:	
OWTS Plan:	EPD: OWTS plan dated 11-4-2019 (received 1-7-2020)
OWTS Report:	EPD: OWTS report dated 11-4-2019; Percolation test report dated 10-14-2019
Geology Report:	LandPhases: Geology report dated 9-20-2019
Miscellaneous:	Darrell Roy Enterprises: Limited inspection report dated 5-26-2016. Will Wickes: Existing OWTS plans dated 7-12-2019.
Previous Reviews:	5-28-2019

REVIEW FINDINGS

Planning Stage:	☒ **CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). 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 MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
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 advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code (MMC) and the City of Malibu Local Coastal Program (LCP)/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 OWTS 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 for Building Plan Check Approval:

1) **OWTS on Architectural Plans:** The final Architectural Site Plan (Sheet A1.1) must show the proposed onsite wastewater treatment system (OWTS), including the treatment tank, dispersal area(s), and all lines of connection.

2) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all 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 OWTS, existing improvements, and proposed/new improvements. The plot plan 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).

3) **Final OWTS Design Report, Plans, and System Specifications:** *If the OWTS design is modified in any way subsequent to the Planning-stage review*, a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

The final OWTS 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 drainage fixture units, 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 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.

e. All OWTS 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 OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

4) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the Malibu Municipal Code.

5) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design: "*Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.*"

6) **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.

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

8) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

9) **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 advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet signature" documents are acceptable.***

10) **Advanced Onsite Wastewater Treatment System (OWTS) 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified copy issued by the City of Malibu Recorder.***

11) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

13) **City of Malibu Public Works Approval:** City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

14) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

15) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

16) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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

ZIESE Architecture, Inc.
ARCHITECTURE, PLANNING AND INTERIOR DESIGN

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
NEW OWTS

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND SPECIFICATIONS, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF ZIESE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE ARCHITECT AND ZIESE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS. ALL DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A0.14

10/6/2021 2:22:04 PM

4756 LATIGO CANYON ROAD (FIRE REBUILD)
MALIBU, CA 90265 (CDP 20-100)

S.F.D.:	5 Bedroom/70 Fixture Units (N)
PUMP STATION:	Duplex Pump System (N)
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 with UV Disinfection Unit (N)
ACTIVE:	2 - 6' x 35' BI w/15' Cap (N) (projected; B-4,B-5)
FUTURE:	1 - 6' x 35' BI w/15' Cap (F) (projected; B-2)
PERC RATE:	9,120 gpd/13.8 gpsf (proj; B-2) 9,000 gpd/13.6 gpsf (proj; B-4) 9,000 gpd/13.6 gpsf (proj; B-5)
DESIGNER:	Kevin Poffenbarger, RCE 69089
REFERENCE:	EPD: OWTS report dated 11-4-2019 LandPhases: Geology report dated 9-20-2019

*SEE REVERSE SIDE FOR MORE OWTS INFORMATION.

NOTES:

1. This conformance review is for a fire rebuild of a 5 bedroom (70 fixture units) new single family dwelling. The new advanced onsite wastewater treatment system conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).

2. This review relates only to the minimum requirements of the MMC, 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 MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
SIGNATURE: _____ DATE: 10/16/20
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS

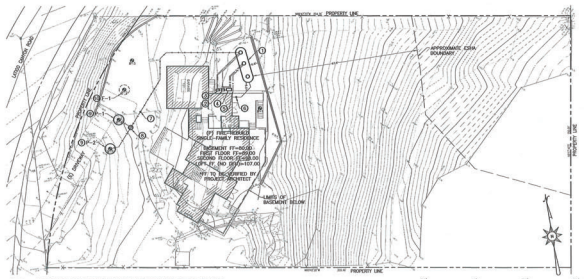
LEGEND:
- PROPERTY LINE
- (P) RESIDENCE
- (P) SS PIPES (GRAVITY)
- (P) SS PIPES (PRESSURE)
- (P) SS PIPES (DEVIATION)
- (P) SS PIPES (ELECTRICAL)
- (P) SS PIPES (AIR)
- PERCOLATION TEST BORING (B-X) APPROXIMATE PER LAND PHASES, INC.
- (P) PRESENT SEEPAGE PIT (P-X)
- (P) FUTURE SEEPAGE PIT (F-X)

ABBREVIATIONS:

BI	BELOW INLET
DFU	DRAINAGE FIXTURE UNIT
EG	EXISTING GRADE
FF	EXISTING FLOOR
FL	FLOWLINE
FG	FINISHED GRADE
INV	INVERT ELEVATION
OWS	ONSITE WASTEWATER SYSTEM
(P)	PROPOSED
SFR	SINGLE FAMILY RESIDENCE
SS	SANITARY SEWER

NOTES:
1. EXISTING ONSITE WASTEWATER SYSTEM DEMOLITION PLAN PER DETAIL 1, SHEET WD.00.
2. ONSITE WASTEWATER SYSTEM GENERAL NOTES PER DETAIL 2, SHEET WD.00.
3. ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC PER DETAIL 3 SHEET WD.00.
4. ONSITE WASTEWATER SYSTEM CALCULATIONS PER DETAIL 4 SHEET WD.00.
5. ONSITE WASTEWATER SYSTEM KEYNOTES PER DETAIL 5, SHEET WD.00.
6. ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS PER DETAIL 6, SHEET WD.00.

PRELIMINARY - NOT FOR CONSTRUCTION



1 ONSITE WASTEWATER SYSTEM SITE PLAN

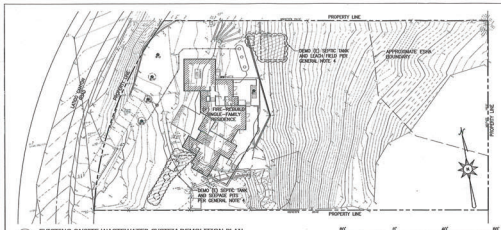
consultants

NO.	REVISIONS:	DATE:	BY:

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN
PROJECT: 4756 LATIGO CANYON ROAD

DATE	SCALE	DRAWN BY
11/4/19	AS_SHOWN	CL

PROJECT NO. B587
DRAWING NO. W0.01
SHEET 2 OF 2 SHEETS



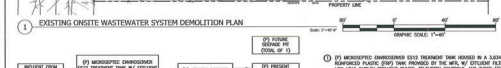
1 EXISTING ONSITE WASTEWATER SYSTEM DEMOLITION PLAN

LEGEND:
- PROPERTY LINE
- (P) RESIDENCE
- (P) SEEPAGE PIT (PROPOSED)
- (P) SEEPAGE PIT (FUTURE)
- PERCOLATION TEST BORINGS (B-X) APPROXIMATE PER LAND PHASES, INC.

PRELIMINARY - NOT FOR CONSTRUCTION

1. THESE PLANS ARE ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
2. TOPOGRAPHIC SURVEY BY BERNARD AND CARPENTER, INC., DATED JULY 2019. ARCHITECTURAL PLANS PREPARED BY ZIESE ARCHITECTURE, INC. RECEIVED ON OCTOBER 3, 2019. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLAN. CONTRACTOR TO VERIFY EXACT LOCATIONS OF ALL SEPTIC.
3. ALL BORINGS (B-X) ARE APPROXIMATE LOCATIONS PER LAND PHASES, INC. REPORT OF ENGINEERING GEOLOGIC STUDY, DATED SEPTEMBER 20, 2019.
4. ALL (E) OWS COMPONENTS SHALL BE ABANDONED OR DEMOLISHED AS NECESSARY BY THE CONTRACTOR PER THE MPC. SEE THE OWS DEMOLITION PLAN PER DETAIL 1 ON THIS SHEET. (E) OWS COMPONENTS ARE APPROXIMATE LOCATIONS PER THE SEISMIC DISPOSAL SYSTEM EVALUATION REPORT, DATED JULY 12, 2019, REVISED, OF ALL SEPTIC COMPONENTS SHALL FOLLOW ASTM D7037 AND BE EXECUTED IN ACCORDANCE WITH APPLICABLE OSHA AND CALIFORNIA STANDARDS. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING OWS COMPONENTS THE CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED BY THE LOCAL JURISDICTION. ALL ABANDONED TANKS, PIPING, OR EQUIPMENT MUST BE REMOVED OR STRUCTURALLY DESTROYED IN ACCORDANCE WITH ALL APPLICABLE PERMITTING AGENCY AND LOCAL JURISDICTIONAL, OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.
5. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.

2 ONSITE WASTEWATER SYSTEM GENERAL NOTES



3 ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC

TOTAL BEDROOMS: 5
TOTAL DRAINAGE FIXTURE UNITS: 70

SINGLE-FAMILY RESIDENCE: 5 BEDROOMS
1 BEDROOM @ 200 GPD/BED = 200 GPD
4 BEDROOMS @ 150 GPD/BED = 600 GPD

PEAK DESIGN DAILY FLOW(PDF): 800 GPD
AVERAGE DESIGN DAILY FLOW(ADF): 500 GPD
STRENGTH OF SEPTIC TANK EFFLUENT: 200mg/L OR LESS

MIN SEPTIC TANK CAPACITY (SMC TABLE 15.4(C)(1)): 1,500--GAL.
(BASED UPON BEDROOM COUNT ONLY)

MIN SEPTIC TANK CAPACITY (SMC TABLE 15.4(C)(1)): 2,750--GAL.
(BASED UPON DFU COUNT ONLY)

MIN SEEPAGE PIT CAPACITY (PRESENT AND FUTURE): 9,250--GAL.

EFFLUENT DISPOSAL:
PERC RATE PRESENT: B-4 = 13.8 GPD/SF FLOOR GPD/X PIT
B-5 = 13.6 GPD/SF FLOOR GPD/X PIT
TOTAL = 18,000 GPD/X PIT

PERC RATE FUTURE: B-2 = 13.8 GPD/SF (9,120 GPD/X PIT)

(DPD CONSULTANTS, INC., 10/14/19 PERCOLATION TEST REPORT)

PRESENT SEEPAGE PITS: 2 TOTAL (2'X 35' BI PITS W/ 15' CAP DEPTHS FROM EG)

FUTURE SEEPAGE PIT: 1 TOTAL (2'X 35' BI PIT W/ 15' CAP DEPTH FROM EG)

PEAK DESIGN DISPERSAL LOADING RATE: 1.36 GPD/SF
AVERAGE DESIGN DISPERSAL LOADING RATE: 0.76 GPD/SF

4 ONSITE WASTEWATER SYSTEM CALCULATIONS

1. (P) MICROSEPTIC ENVIROSERVER ES12 TREATMENT TANK HOUSED IN A 3,634-GALLON FIBERGLASS REINFORCED PLASTIC (FRP) TANK PROVIDED BY THE MFR, W/ EFFLUENT FILTER, UV DISINFECTION, LOW HEAD DUPLEX EFFLUENT PUMPS, TELEMETRY CONTROLS, AND THREE (3) 24"X 79" LIDS/RISERS TO GRADE PER MFR, SPECIFIED GAS AND WATER TIGHT AND VENTED TO THE ROOF PER MPC.
2. (P) MICROSEPTIC TELEMETRY CONTROL PANEL (CP-1), CONNECT CP-1 TO CP-2 FOR ALTERNATING DUPLEX PUMP RELAY, LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
3. (P) DEEPBLUE CONTROL RELAY PANEL (CP-2) MODEL SEQ-115-024-AWS. CONNECT CP-2 TO CP-1 FOR ALTERNATING DUPLEX PUMP RELAY, LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
4. (P) MICROSEPTIC HELIOW HP-120U1.4R COMPRESSOR (TYP. OF 2) IN ABOVE GROUND ENCLOSURE PER MFR.
5. (P) ENVIROSERVER ES12 AIR VENT W/ 2"Ø SCH 40 PVC AIR VENT LINE TO ROOF PER MPC.
6. (P) GRAVITY CLEANOUT TO GRADE.
7. (P) PRESSURE TO GRAVITY CLEANOUT TO GRADE.
8. (P) JENSEN PRECAST MODEL DA DISTRIBUTION BOX INSTALLED WITH ONE (1) 24"X 79" PVC RISER/LID, RISER AND MANHOLE TO GRADE OR APPROVED EQUAL. NUMBER OF OUTLETS PER PLAN.
9. (P) PRESENT 2 X 6'W X 35' BI SEEPAGE PITS W/ 15' CAP DEPTHS FROM EG @ BORINGS B-4 AND B-5. CONSTRUCT WITH 6"Ø ACCESS PORTS INSIDE A H-20 TRAFFIC RATED ENCLOSURE TO GRADE.
10. (P) FUTURE 1 X 6'W X 35' BI SEEPAGE PIT W/ 15' CAP DEPTH FROM EG @ BORING B-2.

5 ONSITE WASTEWATER SYSTEM KEYNOTES

	SEEPAGE PIT #	PERC TEST BORING #	EXISTING GRADE (FG)	CAP DEPTH FROM FG	PROPOSED GRADE (FG)	CAP DEPTH FROM FG	PROPOSED CAP ELEVATION (FT)	15-FT HORIZONTAL BOMMAL ELEV. (FT)
PRESENT SEEPAGE PITS	P-1	B-4	90.50	15.00	90.50	15.00	75.50	88.50
	P-2	B-5	93.50	15.00	92.50	15.00	77.50	89.00
FUTURE SEEPAGE PIT	F-1	B-2	88.75	15.00	88.75	15.00	73.75	88.00

6 ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS

consultants

NO.	REVISIONS:	DATE:	BY:

ADDRESS: 4756 LATIGO CANYON ROAD MALIBU, CA 90265

SHEET TITLE: ONSITE WASTEWATER SYSTEM
PROJECT: 4756 LATIGO CANYON ROAD

DATE	SCALE	DRAWN BY
11/4/19	AS_SHOWN	CL

PROJECT NO. B587
DRAWING NO. W0.00
SHEET 1 OF 2 SHEETS

10/6/2021 2:22:04 PM

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
NEW OWTS

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS ARE OWNED BY, PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT PRIOR WRITTEN CONSENT OF ZIESE ARCHITECTURE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THE DOCUMENTS AND THE EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A0.15

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

FORM 195
Rev. 04/03

Fire Prevention Engineering
5823 Rickenbacker Road
Los Angeles, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For Single Family Dwellings (R-3)

INSTRUCTIONS:

Complete parts I, II (A) when:
Verifying fire flow, fire hydrant location and fire hydrant size.

Complete parts I, II (A), & II (B) when:
For buildings equipped with fire sprinkler systems, and/or private on-site fire hydrants.

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 4756 Latigo Canyon Road
City or Area: Malibu
Nearest Cross Street: Latigo Bay View Drive
Distance of Nearest Cross Street:
Property Owner: Kim and Jim Tomlinson Telephone: ( )
Address: 4756 Latigo Canyon Road
City: Malibu Zip Code CA 90265
Occupancy (Use of Building): Residential Sprinklered: Yes ☐ No ☒
Type of Construction
Square Footage: 3811 Number of Stories: 3
Present Zoning: RR2

Applicant's Signature Date 4/4/2019

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

The distance from the fire hydrant to the property line is 160'
feet via vehicular access. The fire flow services will be rendered from a 8"
inch diameter water main. The hydrant is located on Latigo Canyon Road (Street)
120' (Feet) South (Direction) of Latigo Bay View Drive (Nearest Cross - Street)
Under normal operating conditions the fire flow available from this 6"x4"x2.5" (Size) hydrant is 1,250 GPM at 20 PSI residual for ~~0 hours~~ 1 Hour at 135 PSI Static

PART II (B) SPRINKLERED BUILDINGS ONLY

Detector Location (check one) ☐ Above Grade ☐ Below Grade ☐ Either
Backflow protection required (fire sprinklers/private hydrant): ☒ Yes ☐ No
Type of Protection Required: (check one)
☐ Double Check Detector Assembly ☐ Reduced Pressure Principal Detector Assembly
☒ Other ~~Reduced Pressure Principal (RP)~~ Domestic Meter Size 1"

PART II (C)

L. A. Co. Waterworks District # 29
Water Purveyor
Signature
4/4/2019
Date
David Rydman, Senior Civil Engineer
Title

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

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

*The water system is capable of delivering at least 1250 GPM at 20 PSI for two hours.
*The structure is less than 3,600 square feet.
*The distance from the structure to the fire hydrant does not exceed 450 feet via vehicular access.
*The proposed construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide, paved with concrete or asphalt and does not exceed 15% grade

APPROVED BY DATE OFFICE

This Information is Considered Valid for Twelve Months

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

4756 Latigo Canyon Road
(2)

INFORMATION ON FIRE FLOW AVAILABILITY FOR BUILDING PERMIT 23

1. WHERE MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT OR SLEEPING UNIT IN GROUP R-1, R-2, R-3, R-3.1 OR R-4, THE SMOKE ALARM SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. BUILDING CODE 907.2.11.3

2. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN THE DWELLING UNIT OR WITHIN A SLEEPING UNIT THE ALARM SHALL BE INTERCONNECTED IN A MANNER THAT ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1

3. THE NEW OWTS MUST BE APPROVED AND INSTALLED WITH FINAL INSPECTION BY THE BUILDING SAFETY DEPARTMENT PRIOR TO OCCUPANCY OF THE STRUCTURE.

4. THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF ONE (1) HOUR OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.

5. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. REASON: FIRE CODE 903.2.8 AND 903.2.11.7 LOCATION: EXISTING RESIDENCE AND BASEMENT LEVEL ADDITION TYPE OF FIRE SPRINKLER SYSTEM: FIRE CODE 903.3.1.3 - NFPA 13D

GENERAL NOTES 18

NEW WALL
SEALED CONCRETE
NEW DECK AREA
METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
MECHANICAL VENTILATION 50 CFM MIN.
MECHANICAL VENTILATION 100 CFM MIN.
SMOKE DETECTOR
COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
AREA DRAIN
1% MIN. SLOPE TO DRAIN
DW DISHWASHER
WALL TAG SEE WALL SCHEDULE AT A6.1
WALL-MOUNTED FIXTURE
RECESSED DOWN LIGHT
CEILING MOUNTED LIGHT FIXTURE

LEGEND 13

ASSESSOR'S PARCEL NO.: 4459-002-021

PARKING:

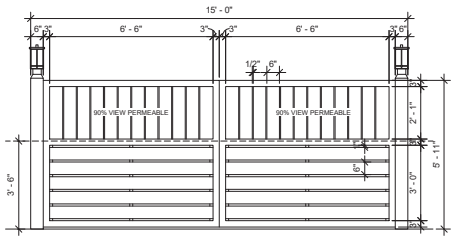
	ENCLOSED	UNENCLOSED
REQUIRED	2	2
PROVIDED	2	2

PROJECT DATA 10

REQUIRED SET BACK CALCULATION:
FRONT: 20% OF DEPTH
(254.3'+309.47')/2 X 0.20 = 56.4'
REAR: 15% OF DEPTH
(254.3'+309.47')/2 x 0.15 = 42.3'
SIDE: TOTAL BOTH SIDES IS 25% OF WIDTH
150' X 0.25 = 37.5' FOR BOTH

(PE) SETBACKS -
FRONT : 12'-6"
REAR : 193'-4"
SIDES : 15'-0" + 34'-7 1/2" = 49-7 1/2"

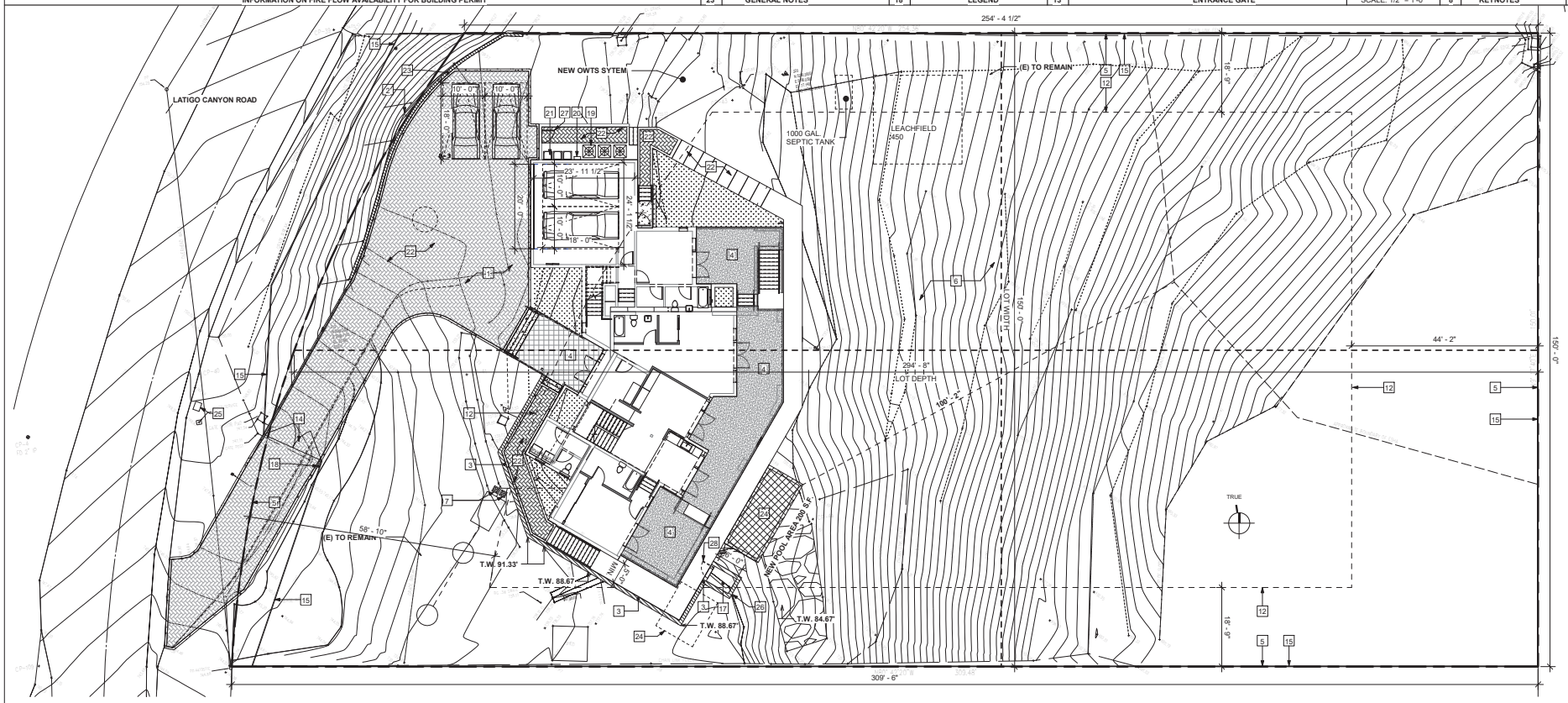
SETBACK CALCULATION 9



ENTRANCE GATE SCALE: 1/2" = 1'-0" 8

1	(E) GRADING TO REMAIN
2	(E) RETAINING WALL
3	EXISTING RETAINING WALL WITH A LENGTH OF 118'-2" AND VARIABLE (APPROVED UNDER P.V. PERMIT)
4	IMPERMEABLE DECK AREA
5	PROPERTY LINE
6	(E) LANDSCAPE TO REMAIN
7	(E) AC CONDENSER
8	(E) 1200 GAL SCEPTIC TANK
9	(E) SEEPAGE PIT
10	(E) 1000 GAL SCEPTIC TANK
11	(E) LEACHFIELD
12	REQUIRED SETBACK
14	(E) GATE - 15' WIDE
15	(E.) FENCE
16	(E) 48" TALL CMU SCREEN WALL W/ STUCCO FINISH
17	(N) POOL EQUIPMENT
18	(E) KNOX KEY SWITCH GATE SHALL BE EQUIPPED WITH LOCK BOX AS REQUIRED FOR FIRE DEP ACCESS AS PER CODE 53.6
19	(E) CONDENSER
20	(E) GAS TANKLESS WATER HEATER
21	(E) TRASH CAN
22	(E) ORCO "PAVING STONES" (INTERLOCKING PAVERS)
23	(E) PROPOSED RETAINING WALL WITH A LENGTH OF 77' AND VARIABLE SEE PLAN
24	(N) POOL
24	IMPERMEABLE DECK AREA
25	(E) WATER HEATER
26	(N) 4' CMU W/ STUCCO SCREEN WALL (AROUND POOL EQUIPMENT)
27	(N) 6' CMU W/STUCCO SCREENWALL (AROUND TRASH AND AC)
28	(N) SOLID WOOD GATE

KEYNOTES 3



SITE PLAN SCALE: 1" =10'-0" 1

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
SITE PLAN

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SPECIFICATIONS, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE CONTRACTOR AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THE OWNER AND CONTRACTOR HEREIN. THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CONSULTANTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

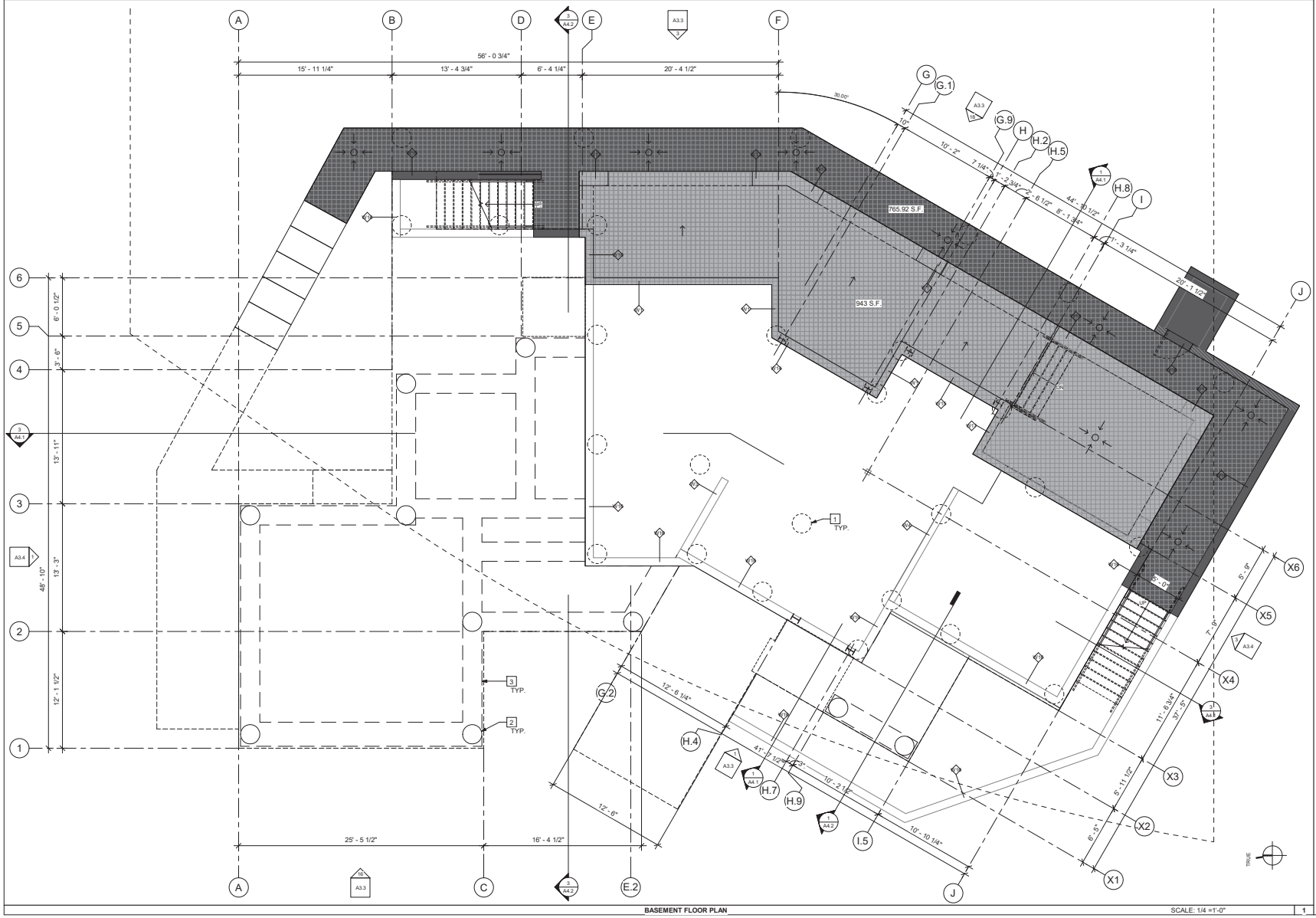
A1.1

10/6/2021 2:22:07 PM

GENERAL NOTES

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
5. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. IN EACH SLEEPING ROOM
   B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS.
   C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R314.3
6. SMOKE ALARM SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. RESIDENTIAL CODE R314.4
7. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
8. SINGLE-AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. OUTSIDE EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S).
   B. ON EVERY LEVEL OF A DWELLING INCLUDING BASEMENTS
   C. FOR R-1 ONLY:
      a. ON THE CEILING IF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
9. EACH BATHROOM THAT CONTAINS A BATHTUB, SHOWER OR SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
10. EACH KITCHEN SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 100 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]

5



BASEMENT FLOOR PLAN

SCALE: 1/4 =1'-0"

1

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD — SMOKE DETECTOR
- SD/CO — COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW — DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

KEYNOTES

1. (N) PILE BELOW - SEE STRUCT.
2. (N) PILE - SEE STRUCT.
3. (N) GRADE BEAM - SEE STRUCT.

NOTE:

BASEMENTS, HABITABLE ATTICS AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING. WHERE EMERGENCY ESCAPE AND RESCUE OPENINGS ARE PROVIDED THEY SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR. WHERE A DOOR OPENING HAVING A THRESHOLD BELOW THE ADJACENT GROUND ELEVATION SERVES AS AN EMERGENCY ESCAPE AND RESCUE OPENING AND IS PROVIDED WITH A BULKHEAD ENCLOSURE, THE BULKHEAD ENCLOSURE SHALL COMPLY WITH SECTION R310.3. EMERGENCY ESCAPE AND RESCUE OPENINGS WITH A FINISHED SILL HEIGHT BELOW THE ADJACENT GROUND ELEVATION SHALL BE PROVIDED WITH A WINDOW WELL IN ACCORDANCE WITH SECTION R310 2. EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL OPEN DIRECTLY INTO A PUBLIC WAY, OR TO A YARD OR COURT THAT OPENS TO A PUBLIC WAY. ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET. THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES. THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES. EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE MAINTAINED FREE OF ANY OBSTRUCTIONS OTHER THAN THOSE ALLOWED BY THIS SECTION AND SHALL BE OPERATIONAL FROM THE INSIDE OF THE ROOM WITHOUT THE USE OF KEYS, TOOLS OR SPECIAL KNOWLEDGE. RESIDENTIAL CODE R3101. BUILDING CODE 1029.1

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
BASEMENT
AS-BUILT PLAN

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

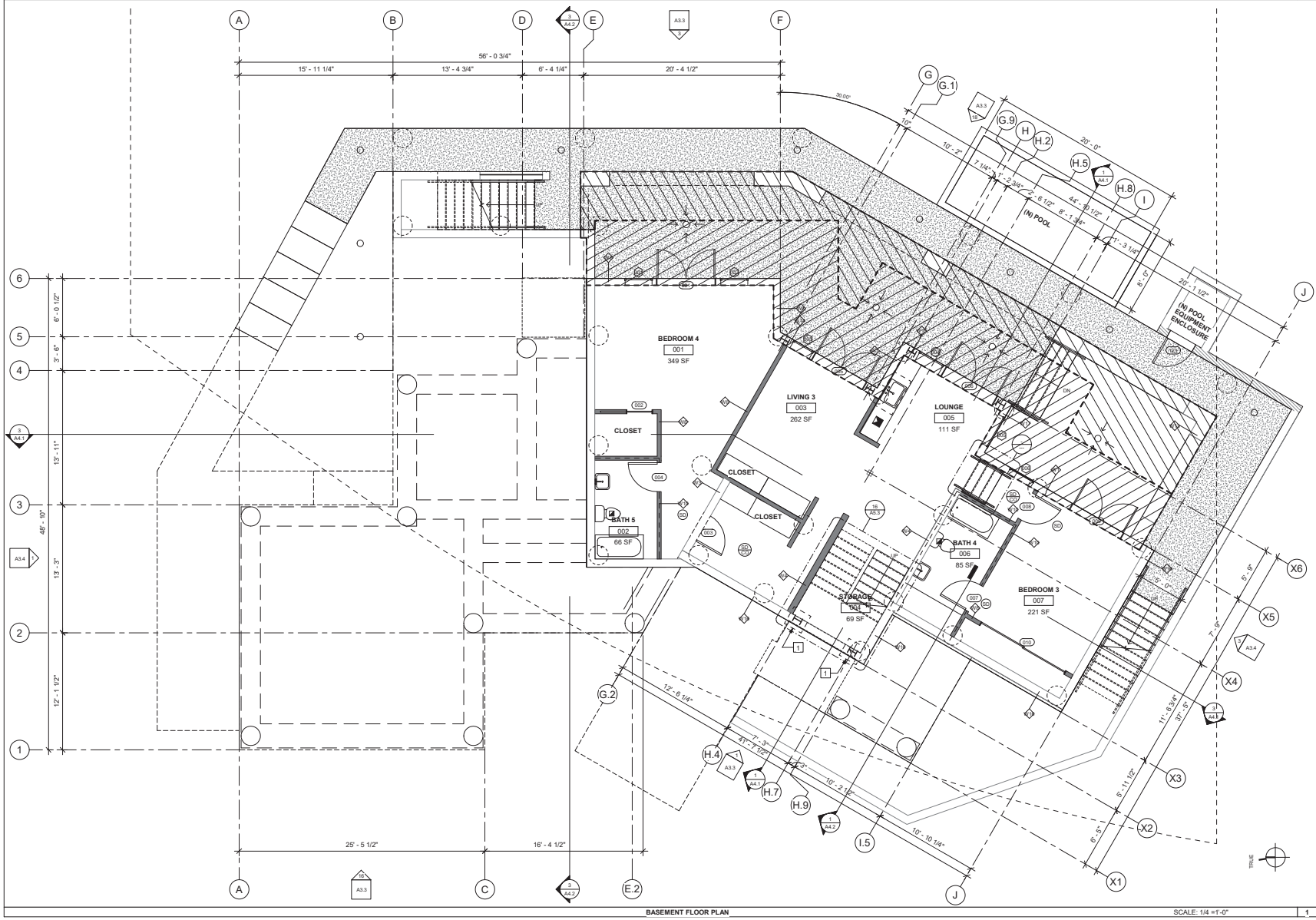
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SPECIFICATIONS, ARE THE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS MADE THEREOF. THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND CONSTRUCTION PURPOSES BY CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A2.1A

10/6/2021 2:22:08 PM

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
5. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. IN EACH SLEEPING ROOM
   B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS
   C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R314.3
6. SMOKE ALARM SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. RESIDENTIAL CODE R314.4
7. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
8. SINGLE-AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. OUTSIDE EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S).
   B. ON EVERY LEVEL OF A DWELLING INCLUDING BASEMENTS
   C. FOR R-1 ONLY:
      a. ON THE CEILING IF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
9. EACH BATHROOM THAT CONTAINS A BATHTUB, SHOWER OR SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
10. EACH KITCHEN SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 100 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]

GENERAL NOTES 5



BASEMENT FLOOR PLAN SCALE: 1/4 =1'-0" 1

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD — SMOKE DETECTOR
- SD/CO — COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW — DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

KEYNOTES

1 CONCRETE PEDESTAL BELOW SEE STRUCTL. 22 /SF3.0

NOTE:

BASEMENTS, HABITABLE ATTICS AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING. WHERE EMERGENCY ESCAPE AND RESCUE OPENINGS ARE PROVIDED THEY SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR WHERE A DOOR OPENING HAVING A THRESHOLD BELOW THE ADJACENT GROUND ELEVATION SERVES AS AN EMERGENCY ESCAPE AND RESCUE OPENING AND IS PROVIDED WITH A BULKHEAD ENCLOSURE, THE BULKHEAD ENCLOSURE SHALL COMPLY WITH SECTION R310.3. EMERGENCY ESCAPE AND RESCUE OPENINGS WITH A FINISHED SILL HEIGHT BELOW THE ADJACENT GROUND ELEVATION SHALL BE PROVIDED WITH A WINDOW WELL IN ACCORDANCE WITH SECTION R310.2. EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL OPEN DIRECTLY INTO A PUBLIC WAY, OR TO A YARD OR COURT THAT OPENS TO A PUBLIC WAY. ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET. THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES. THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES. EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE MAINTAINED FREE OF ANY OBSTRUCTIONS OTHER THAN THOSE ALLOWED BY THIS SECTION AND SHALL BE OPERATIONAL FROM THE INSIDE OF THE ROOM WITHOUT THE USE OF KEYS, TOOLS OR SPECIAL KNOWLEDGE. RESIDENTIAL CODE R3101. BUILDING CODE 1029.1

CDP

ZIESE architecture, inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
BASEMENT PLAN

ISSUE DATE
Issue Date

REVISIONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

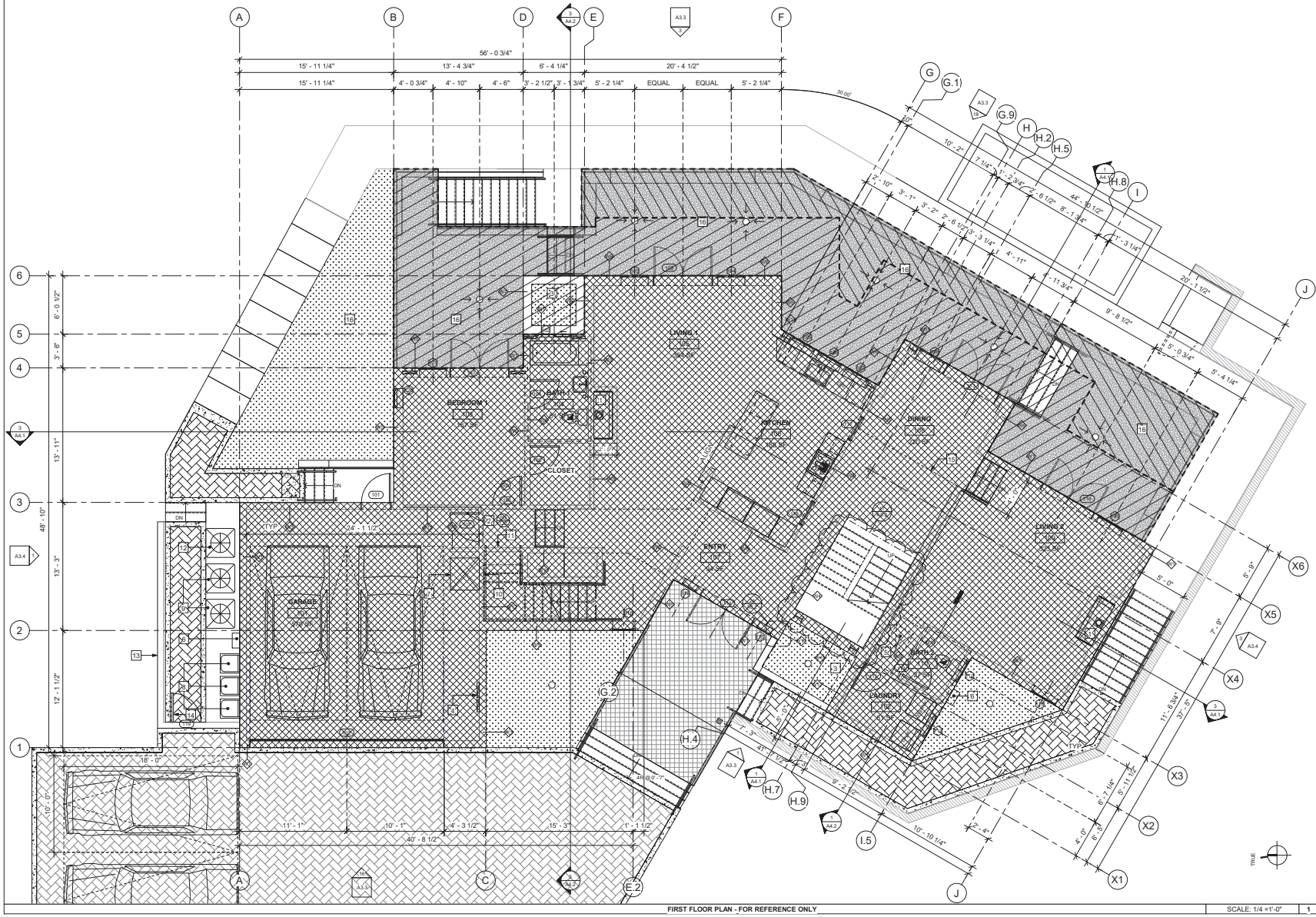
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SOFTWARE, ARE THE PROPERTY OF ZIESE ARCHITECTURE, INC. AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF ZIESE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. ZIESE ARCHITECTURE, INC. AND ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIRD PARTIES AND/OR MISREPRESENTATIONS. THESE DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT ZIESE ARCHITECTURE, INC., 2016

A2.1B

10/6/2021 2:22:10 PM

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
5. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. IN EACH SLEEPING ROOM
   B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS.
   C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R314.3
6. SMOKE ALARM SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. RESIDENTIAL CODE R314.4
7. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
8. SINGLE-AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. OUTSIDE EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S).
   B. ON EVERY LEVEL OF A DWELLING INCLUDING BASEMENTS
   C. FOR R-1 ONLY:
      a. ON THE CEILING IF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
9. EACH BATHROOM THAT CONTAINS A BATHTUB, SHOWER OR SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
10. EACH KITCHEN SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 100 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
11. ALL F.A.U. SHAL HAVE PVC CONCENTRIC VENTING

GENERAL NOTES 5



FIRST FLOOR PLAN - FOR REFERENCE ONLY SCALE: 1/4 =1'-0" 1

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD — SMOKE DETECTOR
- SD/CO — COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW — DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

KEY NOTES

1	
2	(E) DOOR - 20 MIN. Fire rated
3	
4	(E) ELECTRICAL PANEL
5	(E) ATTIC ACCESS PANALE 24" X 24"
6	(E) 4 TON FURNACE
6	(E) GAS TANKLESS WATER HEATER
7	(E) 4 TON FURNACE
8	(E) TRASH CAN
9	CONDENSER
10	(E) 36" x 16" RETURN AIR GRILL
11	(E) 36" X 16" LOUVERED ACCESS PANEL
12	(E) CONDENSER FOR BASEMENT
13	(E) CMU WALL
14	(E) GATE
15	(E) EGDE OF SOFFIT ABOVE
16	(E) DEX-O-TEX WATERPROOF DECKING

CDP

ZIESE architecture, inc.
ARCHITECTURE, SURF & LOCABOUTS, GUAM

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
FIRST FLOOR PLAN

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

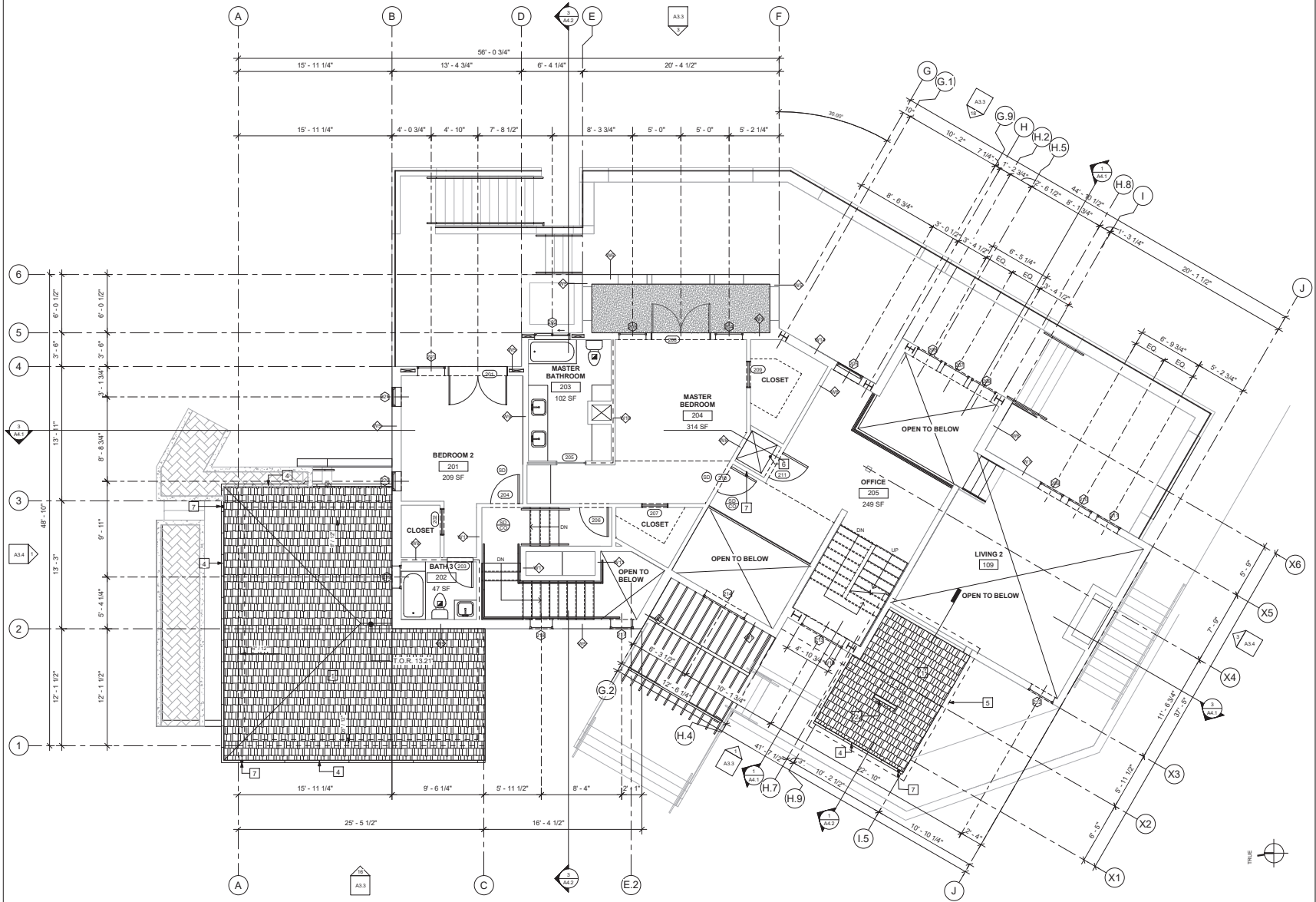
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND WRITTEN MATERIAL, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THE DOCUMENTS AND THE EXISTING CONDITIONS. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY THE CLIENT, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT ZIESE ARCHITECTURE, INC., 2016

A2.2

10/6/2021 2:22:14 PM

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
5. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. IN EACH SLEEPING ROOM
   B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS.
   C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R314.3
6. SMOKE ALARM SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. RESIDENTIAL CODE R314.4
7. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
8. SINGLE-AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. OUTSIDE EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S).
   B. ON EVERY LEVEL OF A DWELLING INCLUDING BASEMENTS
   C. FOR R-1 ONLY:
      a. ON THE CEILING IF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
9. EACH BATHROOM THAT CONTAINS A BATHTUB, SHOWER OR SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
10. EACH KITCHEN SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 100 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
11. ALL F.A.U. SHAL HAVE PVC CONCENTRIC VENTING

GENERAL NOTES 5



SECOND FLOOR PLAN - FOR REFERENCE ONLY — SCALE: 1/4 =1'-0" 1

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD — SMOKE DETECTOR
- SD/CO — COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW — DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

1	(E) CLASS A ASPHALT SHINGLES SEE SPEC #14, AT A0.4
2	(E) ROOF VENT - VULCAN "EYEBROW" FIRE &AMBER RESISTANT VDLR419 SEE A0.4 #3
4	GUTTER
5	ATTIC AREA = 104 S.F.
6	4 TON FURNACE
7	18" x 18" RETURN AIR GRILL
8	DOWNSPOUT

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
SECOND FLOOR PLAN

ISSUE DATE
Issue Date

REVISIONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

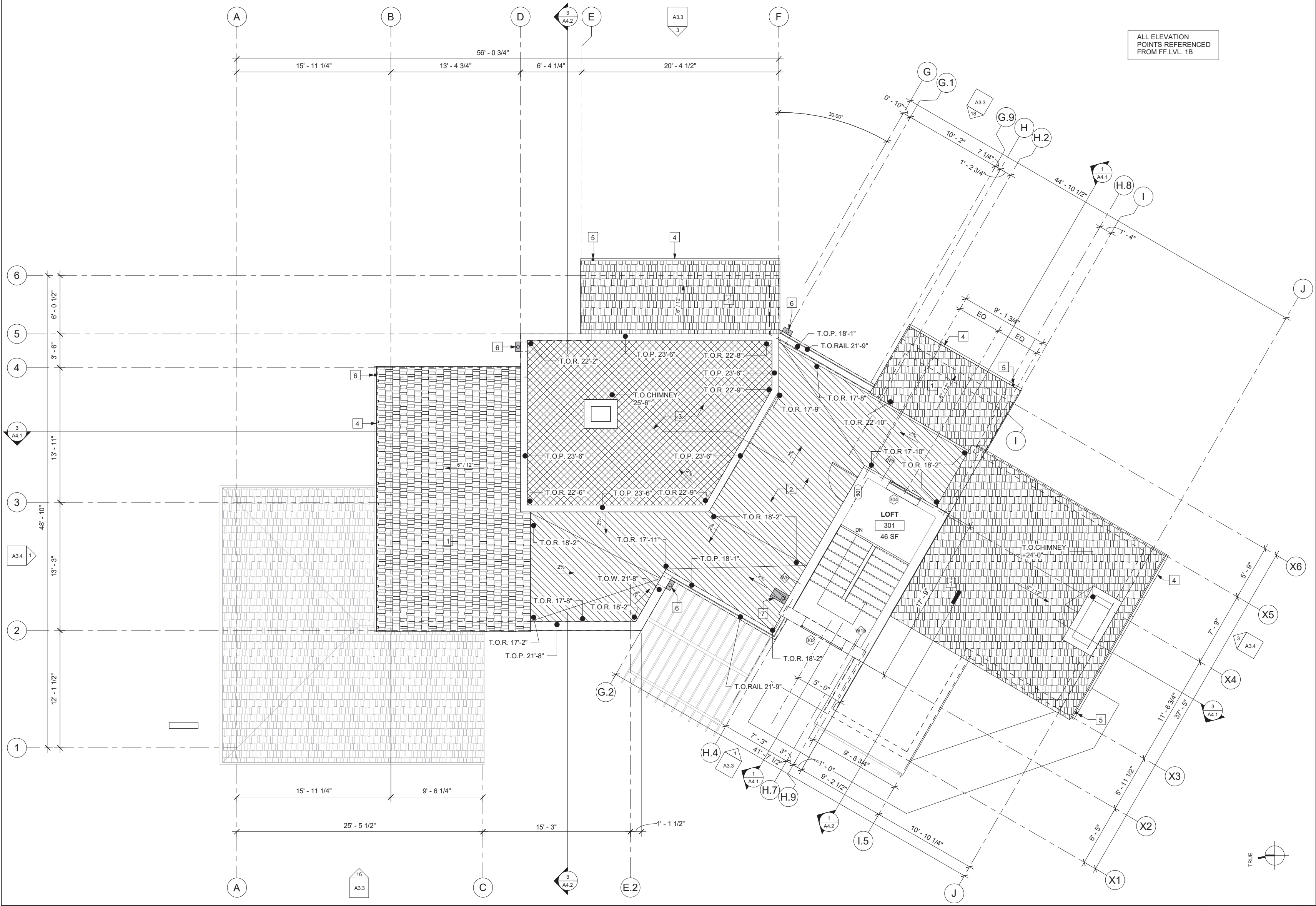
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND SPECIFICATIONS, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE EXPRESS WRITTEN CONSENT OF ZIESE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS WAS BEEN PREPARED TO DISCLOSE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE CONSULTANTS AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THE DISCLOSED AND ACTUAL CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A2.3

10/6/2021 2:22:15 PM

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
5. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. IN EACH SLEEPING ROOM
   B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS
   C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R314.3
6. SMOKE ALARM SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. RESIDENTIAL CODE R314.4
7. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
8. SINGLE-AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075, CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
   A. OUTSIDE EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S).
   B. ON EVERY LEVEL OF A DWELLING INCLUDING BASEMENTS
   C. FOR R-1 ONLY:
      a. ON THE CEILING IF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
9. EACH BATHROOM THAT CONTAINS A BATHTUB, SHOWER OR SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
10. EACH KITCHEN SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 100 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASH RAE STANDARD 62.2 TABLE 7.1. [§ 150(0) CENC]
11. ALL F.A.U. SHAL HAVE PVC CONCENTRIC VENTING

GENERAL NOTES 5



LOFT FLOOR PLAN - FORE REFERENCE ONLY SCALE: 1/4 =1'-0" 1

10/6/2021 2:22:16 PM

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD SMOKE DETECTOR
- SD/CO COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW DISHWASHER
- 1i WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

1	(E) CLASS A ASPHALT SHINGLES SEE SPEC #14. AT A0.4
2	(E) DECK SYSTEM PEDESTAL SLEEPERS SEE SPEC. #3 AT A0.5
3	(E) DURO-LAST 60-MIL MEMBRANE
4	(E) GUTTER
5	(E) DOWNSPOUT
6	(E) SCUPPER TO D.S. CONDUCTOR
7	(E) CONC. SPLASH BLOCK

ZIESE Architecture, Inc.
612 MOULTON AVE., SUITE #7, LOS ANGELES, CA 90031

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
LOFT FLOOR PLAN

ISSUE DATE
Issue Date

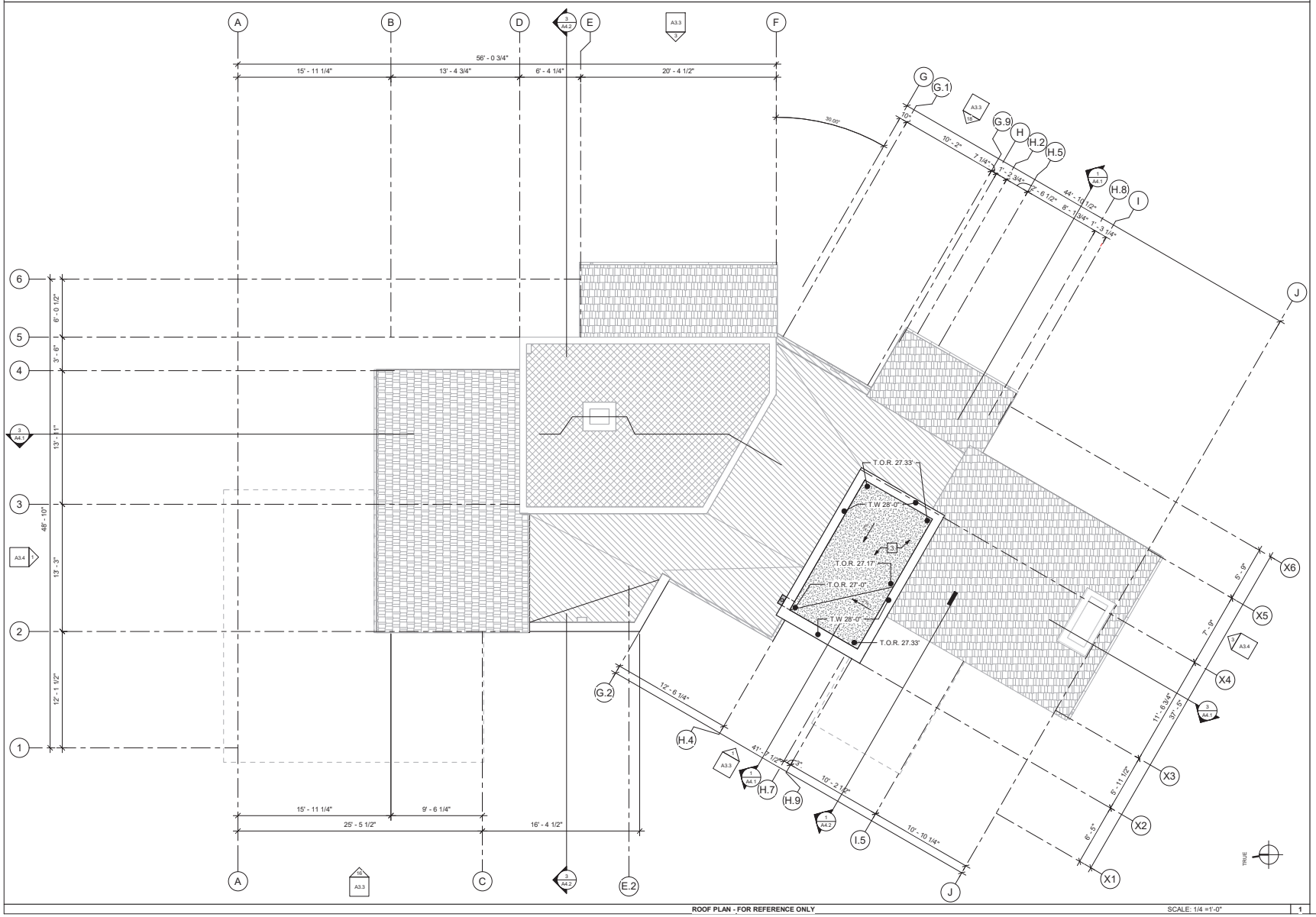
REVISONS
- 1 BUILDING RESUB'L 7/7/20
- 2 BUILDING RESUB'L 7/29/20
- 3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS THEREOF, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF DANIEL J. ZIESE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT OR ACCURATE EXISTING CONDITIONS. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND EVALUATION BY THE CLIENT, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A2.4

GENERAL NOTES

1. EACH CHIMNEY USED IN CONJUNCTION WITH ANY FIREPLACE, BARBEQUE, INCINERATOR, OR ANY HEATING APPLIANCE IN WHICH SOLID OR LIQUID FUEL IS USED , UPON A BUILDING , STRUCTURE, OR PREMISES LOCATED WITHIN ANY HAZARDOUS FIRE AREA, SHALL BE MAINTAINED WITH A SPARK ARRESTER CONSTRUCTED WITH HEAVY WIRE MESH OR OTHER NONCOMBUSTIBLE MATERIALS WITH OPENINGS NOT TO EXCEED ONE-HALF INCH.
2. WALLS AND SOFFITS WITHIN ENCLOSED USABLE SPACES UNDER ENCLOSED AND UNENCLOSED STAIRWAYS SHALL BE PROTECTED BY 1-HOUR FIRE-RESISTANCE-RATED CONSTRUCTION OR THE FIRE-RESISTANCE RATING OF THE STAIRWAY ENCLOSURE, WHICHEVER IS GREATER. BUILDING CODE 1009.6.3
3. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
4. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)



ROOF PLAN - FOR REFERENCE ONLY

SCALE: 1/4 =1'-0"

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SMOKE DETECTOR
- COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

KEY NOTES

1	(E) CLASS A ASPHALT SHINGLES SEE SPEC #14. AT A0.4
3	(E) DURO-LAST 60-MIL MEMBRANE
4	(E) SCUPPER TO D.S. CONDUCTOR

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
ROOF PLAN

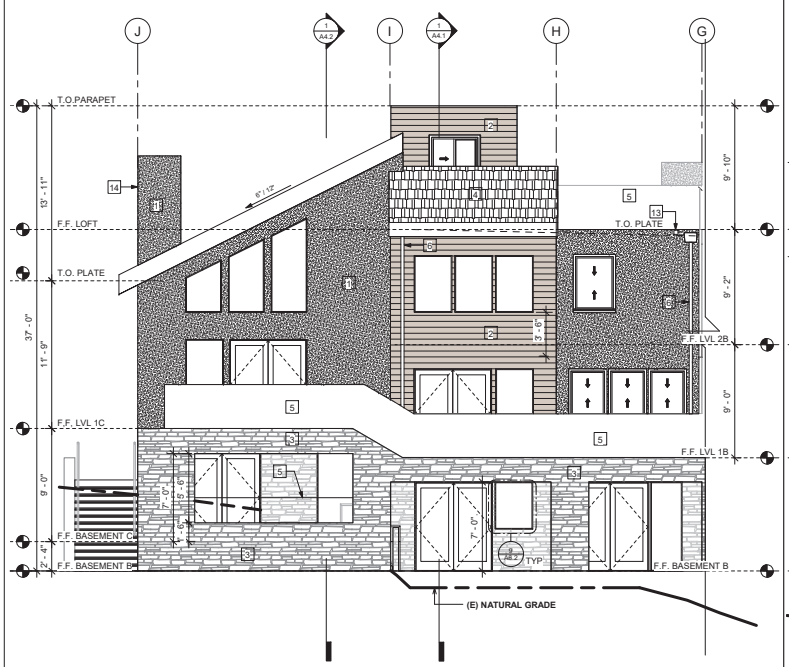
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

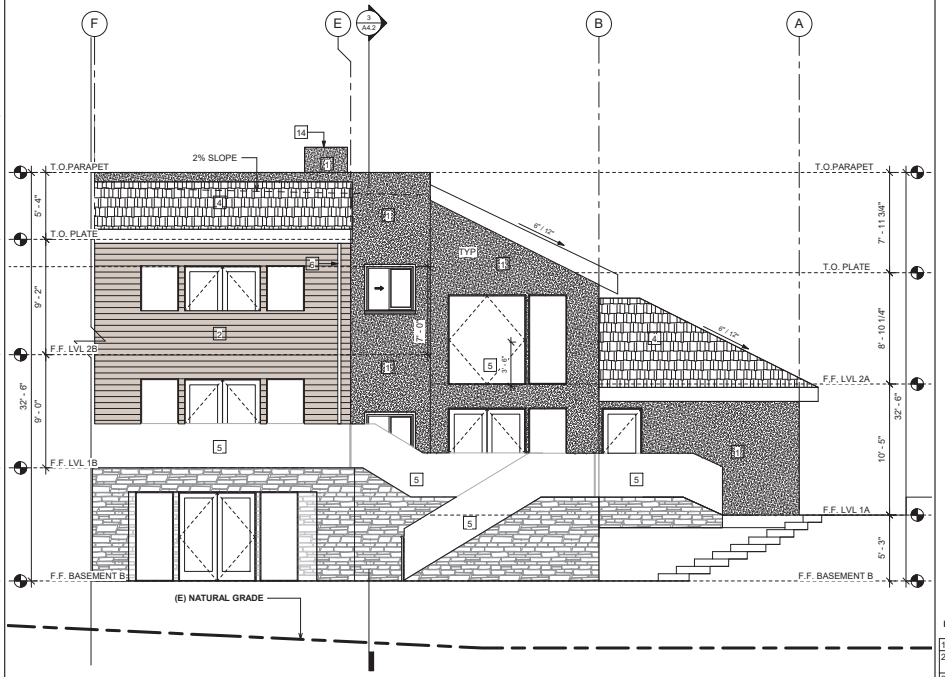
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, SPECIFICATIONS AND COMPUTER FILES, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. CONTRACTOR AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIS DOCUMENT AND ANY OTHER DOCUMENTS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND CONSTRUCTION BY CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A2.5

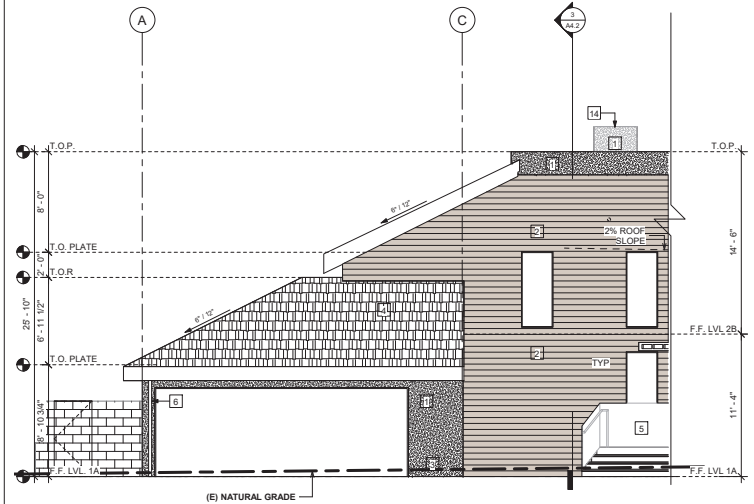
10/6/2021 2:22:17 PM



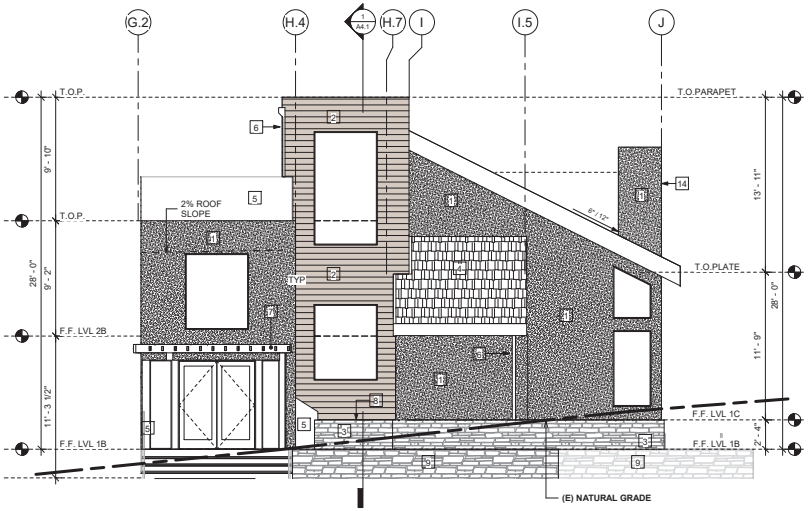
EAST ELEVATION B — SCALE: 1/4 =1'-0" — 18



EAST ELEVATION A — SCALE: 1/4 =1'-0" — 3



(E) WEST ELEVATION B - FOR REFERENCE ONLY — SCALE: 1/4 =1'-0" — 16



(E) WEST ELEVATION A - FOR REFERENCE ONLY — SCALE: 1/4 =1'-0" — 1

LEGEND

KEY NOTES

1	(E) SMOOTH GRAY STUCCO
2	(E) PARKLEX CLADDING SEE SPEC. AT A0.6
3	STONE VENEER
4	(E) ASPHALT SHINGLES SEE SPEC. AT A0.4
5	(E) GLASS RAILING
6	(E) DOWNSPOUT
7	(E) TRELLIS
8	(E) PLANTER
9	RETAINING WALL
12	(E) TRASH CAN
13	(E) OVERFLOW SCUPPER @ 2" ABOVE ROOFING SEE 8/A6.4
14	(E) CHIMNEY
19	(E) CONDENSER
20	(E) GAS TANKLESS WATER HEATER
21	(E) TRASH CAN

ZIESE Architecture, Inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
ELEVATIONS

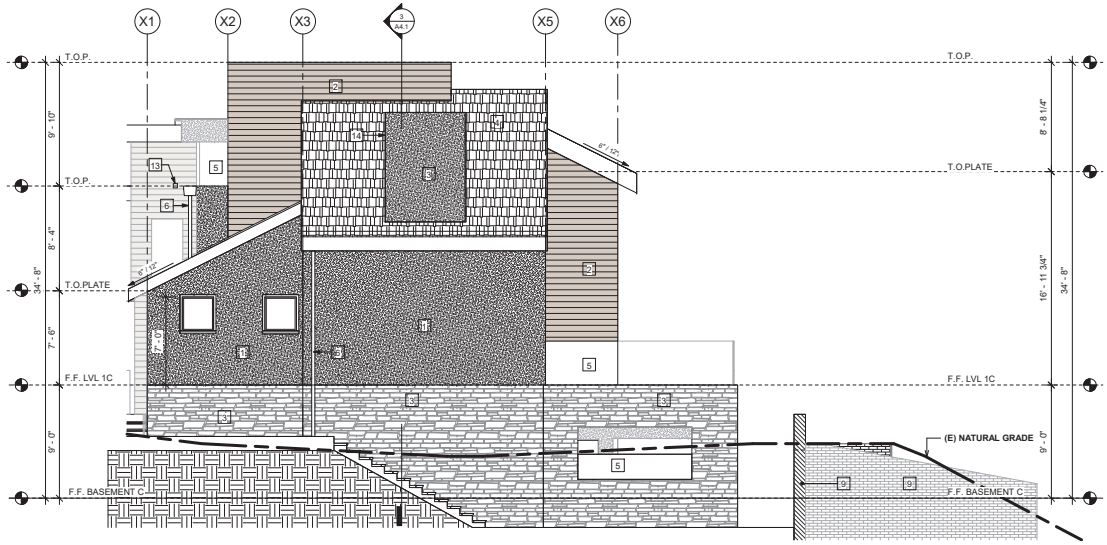
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

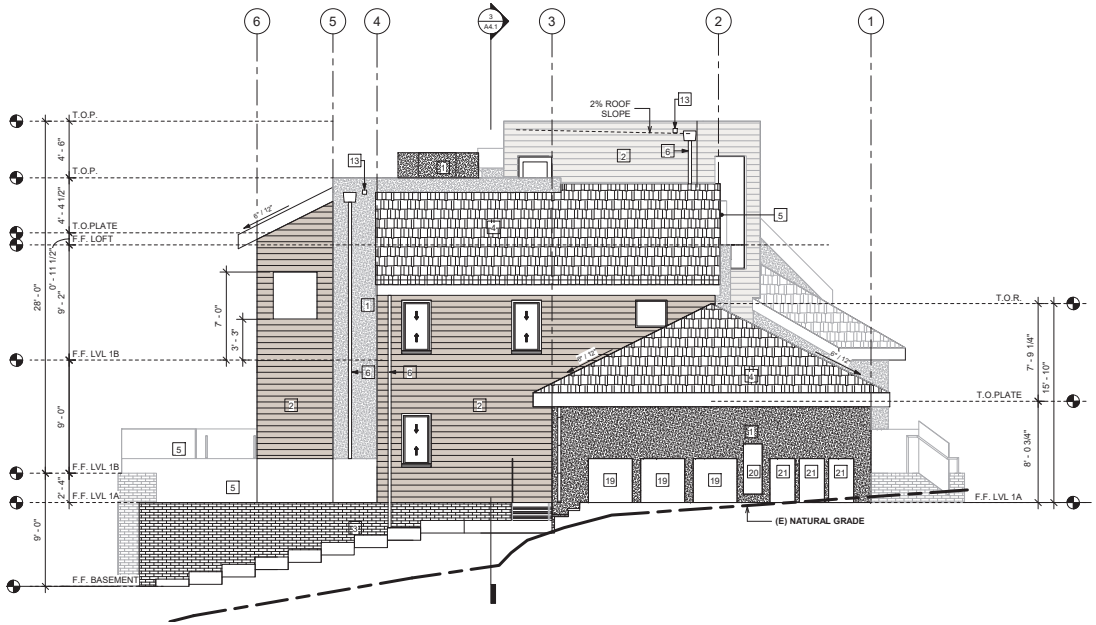
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND WRITTEN MATERIAL, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDISCRIPANCIES BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A3.3

10/6/2021 2:22:21 PM



SOUTH ELEVATION SCALE: 1/4 =1'-0" 3



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

LEGEND

KEY NOTES

1	(E) SMOOTH GRAY STUCCO
2	(E) PARKLEX CLADDING SEE SPEC. AT A0.6
3	STONE VENEER
4	(E) ASPHALT SHINGLES SEE SPEC. AT A0.4
5	(E) GLASS RAILING
6	(E) DOWNSPOUT
7	(E) TRELLIS
8	(E) PLANTER
9	RETAINING WALL
12	(E) TRASH CAN
13	(E) OVERFLOW SCUPPER @ 2" ABOVE ROOFING SEE 8/A6.4
14	(E) CHIMNEY
19	(E) CONDENSER
20	(E) GAS TANKLESS WATER HEATER
21	(E) TRASH CAN

ZIESE Architecture, Inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
ELEVATIONS

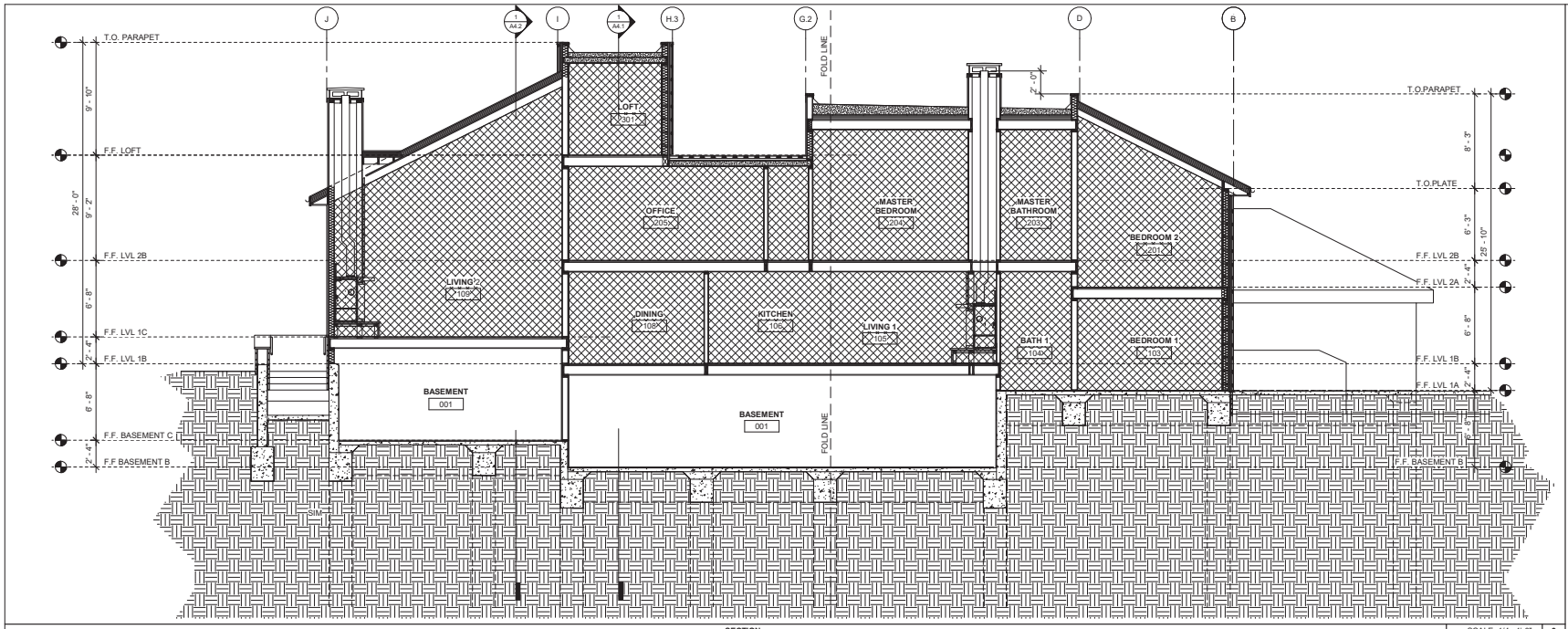
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

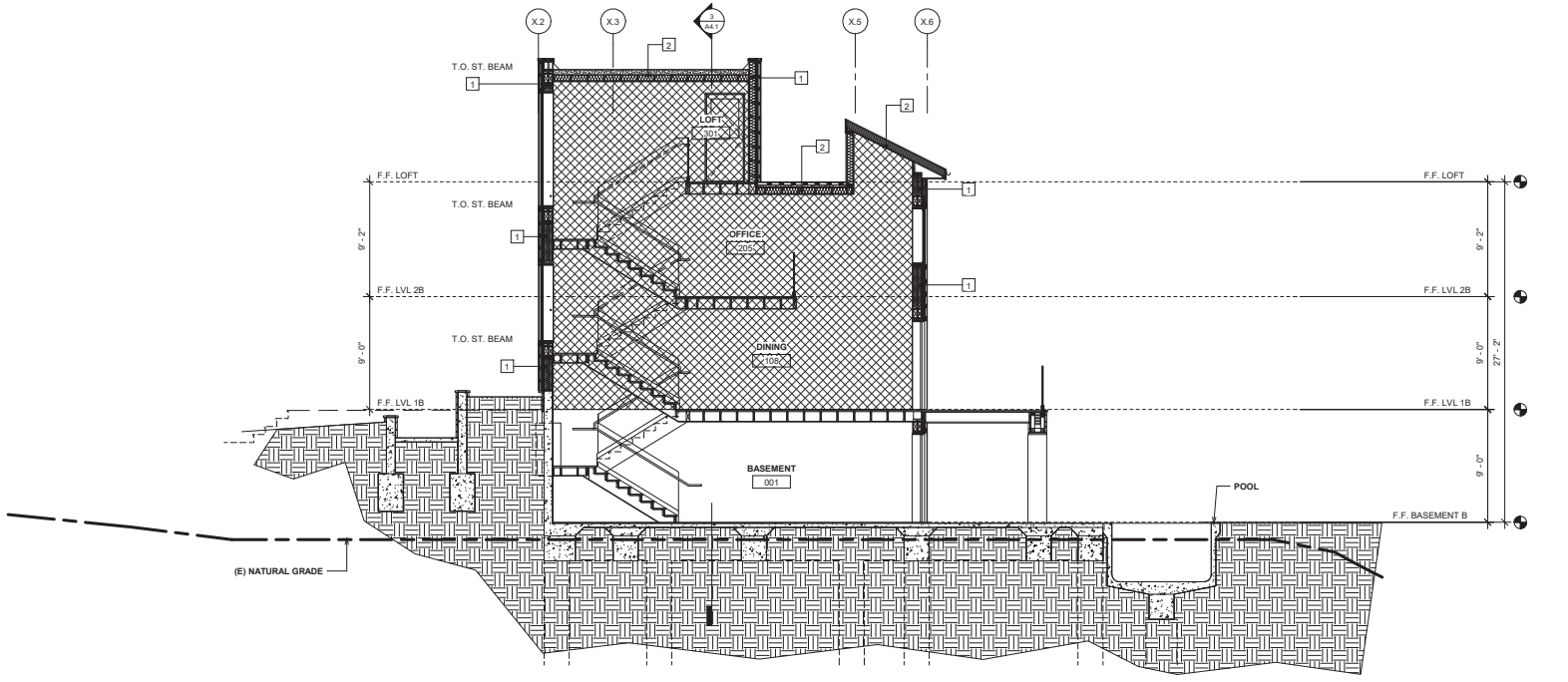
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS ARE OWNED BY, PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT PRIOR WRITTEN CONSENT OF ZIESE ARCHITECTURE, ARCHITECT. ADDITIONALLY, THESE DOCUMENTS WAS BEEN PREPARATED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A3.4

10/6/2021 2:22:24 PM



SECTION SCALE: 1/4 =1'-0" 3



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

GENERAL NOTES

1. R LEVEL = 99.33' PER CIVIL

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SD — SMOKE DETECTOR
- SD/CO — COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW — DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

1	INSULATION R-21
2	INSULATION R-38

ZIESE architecture, inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
SECTIONS

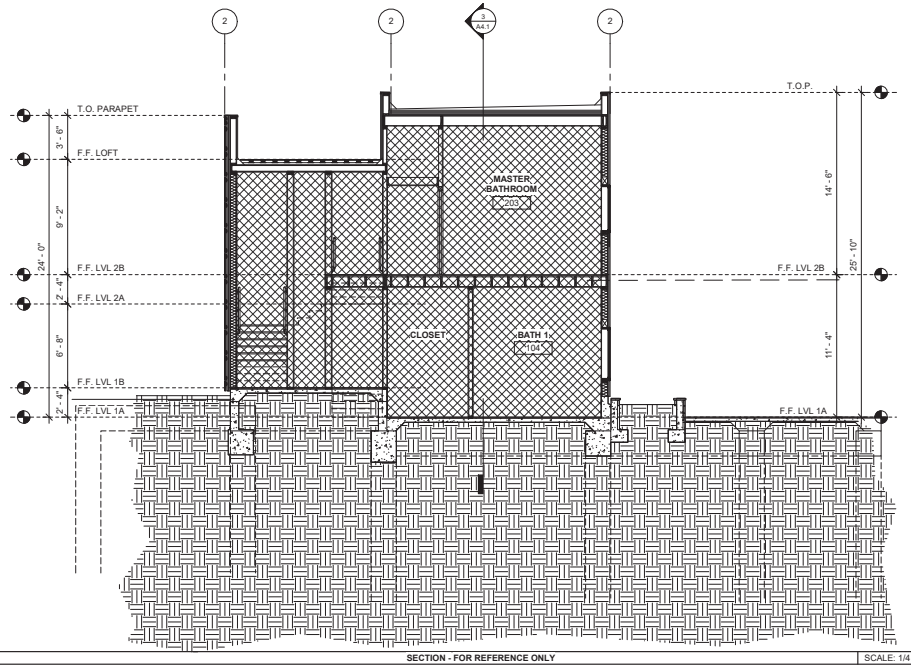
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

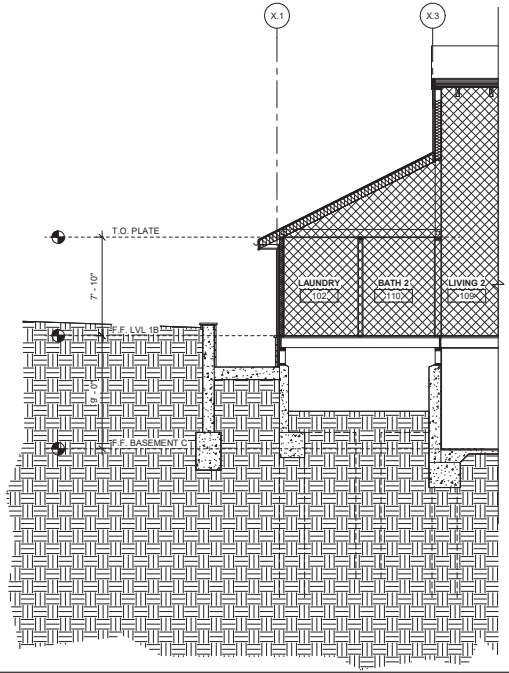
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS ARE OWNED BY, AND PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT OF ZIESE ARCHITECTURE, INC. ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. CONTRACTOR AND ZIESE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIS DOCUMENT AND ACTUAL CONDITIONS. THESE DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A4.1

10/6/2021 2:22:25 PM



SECTION - FOR REFERENCE ONLY | SCALE: 1/4 =1'-0" | 3



SECTION - FOR REFERENCE ONLY | SCALE: 1/4 =1'-0" | 1

LEGEND

- NEW WALL
- SEALED CONCRETE
- AREA NOT IN CONTRACT
- (E) COVERED DECK AREA
- (E) UNCOVERED DECK AREA
- AREA APPROVED UNDER SEPARATE SUBMITTAL (PV)
- AREA TO BE APPROVED UNDER THIS SUBMITTAL (CDP)
- METAL SCUPPER SEE DETAIL 20, 15 AT A6.4
- MECHANICAL VENTILATION 50 CFM MIN.
- MECHANICAL VENTILATION 100 CFM MIN.
- SMOKE DETECTOR
- COMBINATION SMOKE & CARBON MONOXIDE DETECTOR
- AREA DRAIN
- 1% MIN. SLOPE TO DRAIN
- DW DISHWASHER
- WALL TAG SEE WALL SCHEDULE AT A6.1
- WALL-MOUNTED FIXTURE
- RECESSED DOWN LIGHT
- CEILING MOUNTED LIGHT FIXTURE

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
SECTIONS

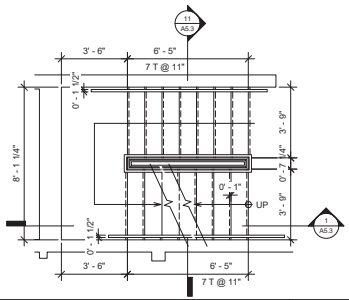
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

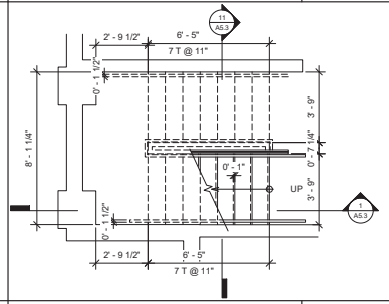
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND MODELS ARE OWNED BY, PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT OF ZIESE ARCHITECTURE, INC. ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDISCREPANCIES BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS OF THE STRUCTURE. THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CONSULTANTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A4.2

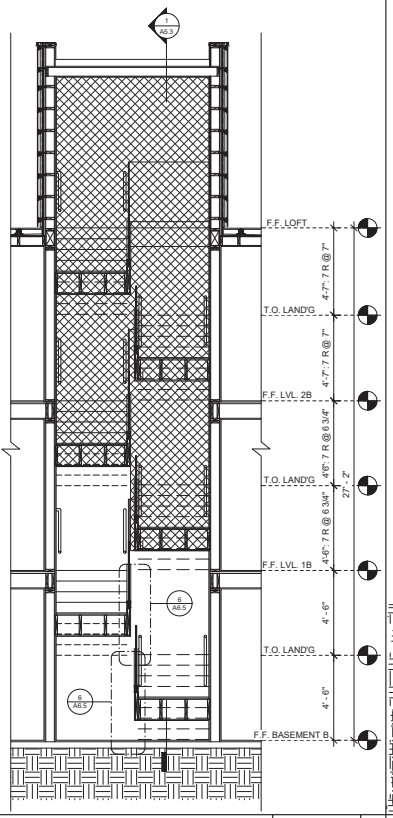
10/6/2021 2:22:26 PM



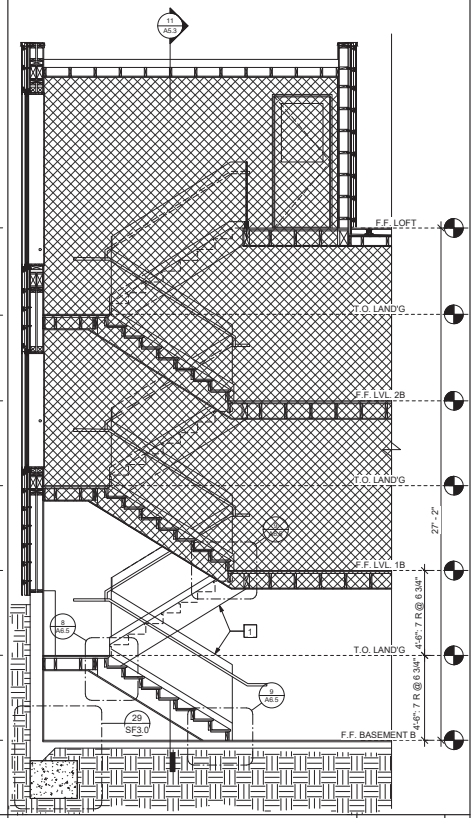
INT. STAIRCASE 1 - ENLARGED PLAN LEVEL 1 | SCALE: 3/8" =1'-0" | 17



INT. STAIRCASE 1 - ENLARGED PLAN BASEMENT LEVEL | SCALE: 3/8" =1'-0" | 16



INT. STAIRCASE 1 - SECTION 2 | SCALE: 3/8" =1'-0" | 11



INT. STAIRCASE 1 - SECTION 1 | SCALE: 3/8" =1'-0" | 1

GENERAL NOTES

KEYNOTES

1 FUTURE STAIRS (UNDER SEPARATE PERMIT)

2 1 1/2" RAIL @ 3'-6" A.F.F. @ LANDING

ZIESE architecture, inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
ENLARGED PLANS - INT. STAIRS

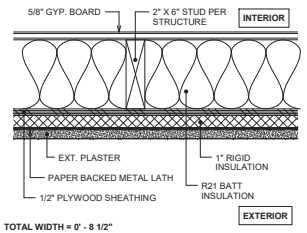
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS, AND SOFTWARE, ARE THE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF ZIESE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE CONSULTANTS AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN THIS DOCUMENT AND ACTUAL CONDITIONS. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND COORDINATION BY THE CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

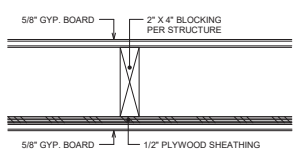
A5.3

10/6/2021 2:22:26 PM



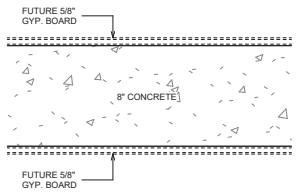
TOTAL WIDTH = 0' - 8 1/2"

W1 EXTERIOR WALL STUCCO SCALE: 3" =1'-0"



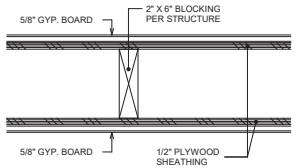
TOTAL WIDTH = 0' - 7 1/4"

W2 INTERIOR WALL 1 PLYWOOD SCALE: 3" =1'-0"



TOTAL WIDTH = 0' - 9 1/4"

W3 INTERIOR WALL CONC. SCALE: 3" =1'-0"

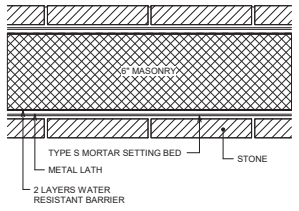


TOTAL WIDTH = 0' - 7 3/4"

W4 INTERIOR WALL 2 PLYWOOD SCALE: 3" =1'-0"

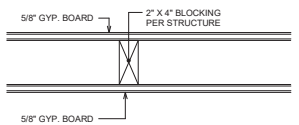
GENERAL NOTES

1. ALL EXTERIOR WALL ARE CLASS A
2. UV WATERPROOF BUILDING WRAP TO BE BENJAMIN OBDYKE "INVISI WRAP UV" SEE 1/A0.8



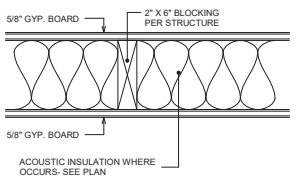
TOTAL WIDTH = 0' - 10 1/2"

W7 EXTERIOR WALL STONE VENEER SCALE: 3" =1'-0"



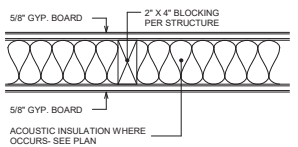
TOTAL WIDTH = 0' - 4 3/4"

W8 INTERIOR WALL SCALE: 3" =1'-0"



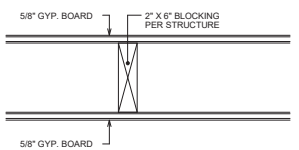
TOTAL WIDTH = 0' - 6 3/4"

W9 INTERIOR WALL (PLUMBING) SCALE: 3" =1'-0"



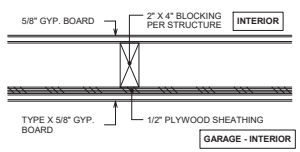
TOTAL WIDTH = 0' - 4 3/4"

W10 INTERIOR WALL (INSULATION) SCALE: 3" =1'-0"



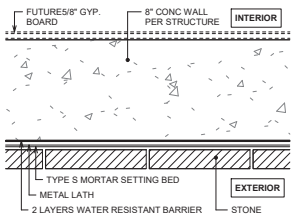
TOTAL WIDTH = 0' - 6 3/4"

W11 INTERIOR WALL (2" X 6") SCALE: 3" =1'-0"



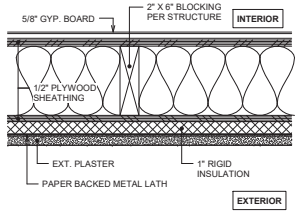
TOTAL WIDTH = 0' - 5 1/4" TESTING #

W12 HR FIRE RATED WALL SCALE: 3" =1'-0"



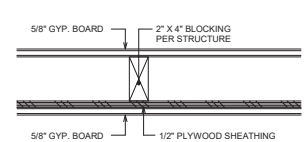
TOTAL WIDTH = 0' - 11"

W16 RETAINING WALL SCALE: 3" =1'-0"



TOTAL WIDTH = 0' - 9"

W17 EXTERIOR WALL STUCCO 2 PLYWOOD SCALE: 3" =1'-0"



TOTAL WIDTH = 0' - 5 1/4"

W18 INTERIOR WALL 1 PLYWOOD SCALE: 3" =1'-0"

W18 INTERIOR WALL 1 PLYWOOD SCALE: 3" =1'-0"

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
WALL TYPES

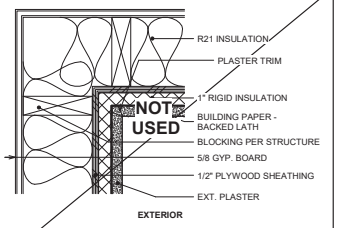
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

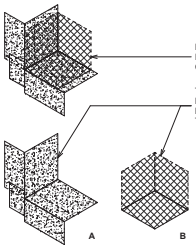
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SPECIFICATIONS, ARE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS OF THE EXISTING BUILDING. THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIS DOCUMENT AND THE EXISTING CONDITIONS. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND COORDINATION BY CONSULTANTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A6.1

10/6/2021 2:22:27 PM

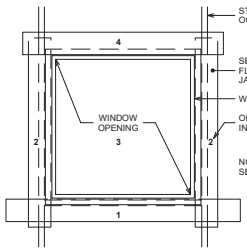


INSIDE CORNER SCALE: 3" =1'-0" 25

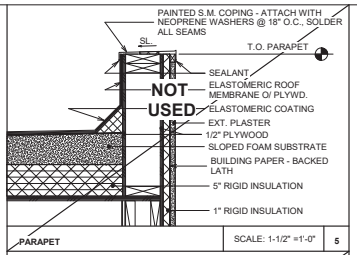


20

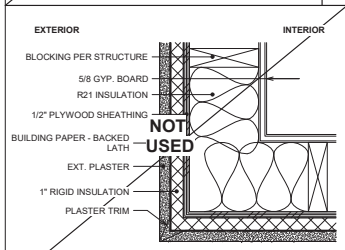
WINDOW FLASHING CORNER N.T.S. 15



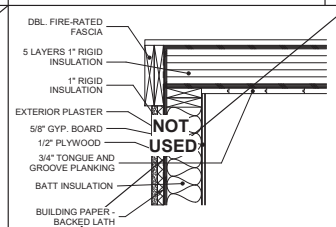
WINDOW FLASHING N.T.S. 10



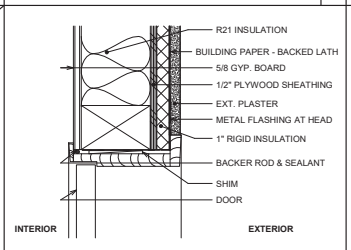
PARAPET SCALE: 1-1/2" =1'-0" 5



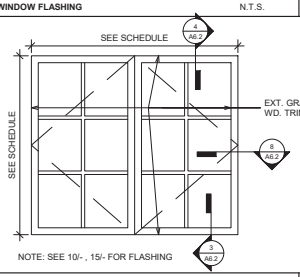
W6 - INTERIOR WALL SCALE: 3" =1'-0" 24



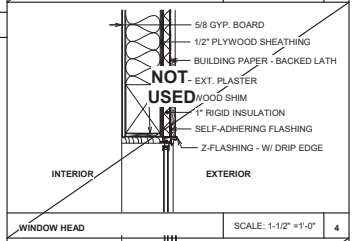
RAKE SCALE: 1-1/2" =1'-0" 19



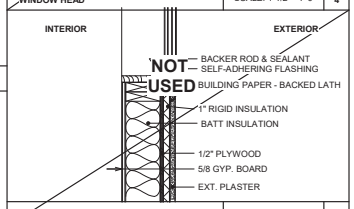
EXTERIOR DOOR HEAD SCALE: 3" =1'-0" 14



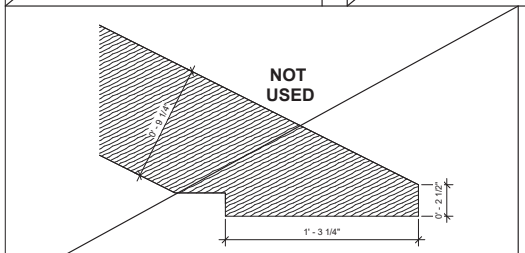
WINDOW TRIM @ EXTERIOR PLASTER N.T.S. 9



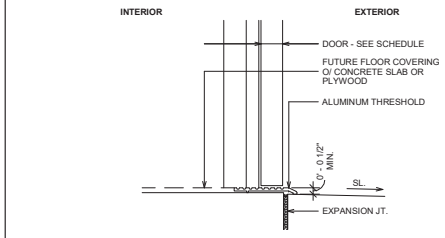
WINDOW HEAD SCALE: 1-1/2" =1'-0" 4



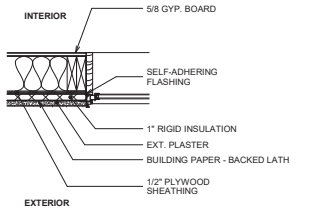
WINDOW SILL SCALE: 1-1/2" =1'-0" 3



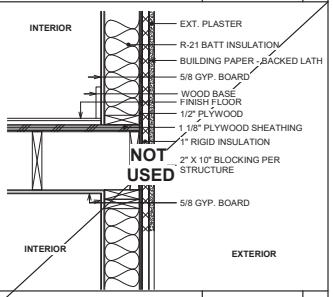
RAFTER SHAPE SCALE: 3" =1'-0" 23



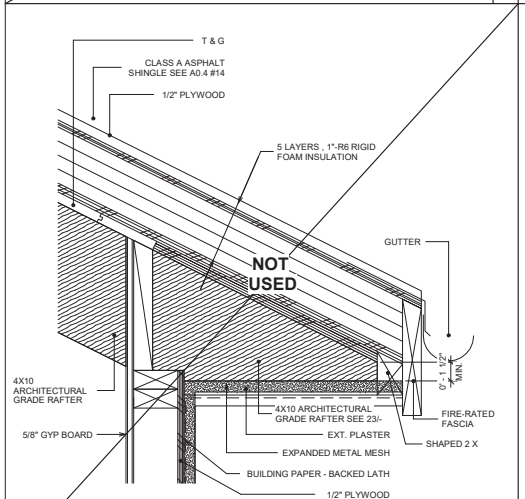
EXTERIOR DOOR THRESHOLD SCALE: 3" =1'-0" 13



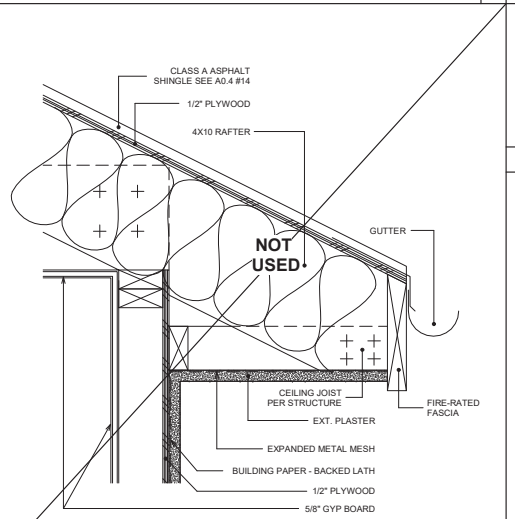
WINDOW JAMB SCALE: 3" =1'-0" 8



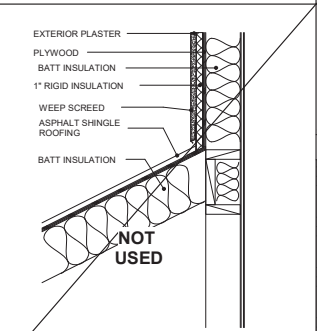
FLOOR-CEILING @ STUCCO WALL SCALE: 1-1/2" =1'-0" 2



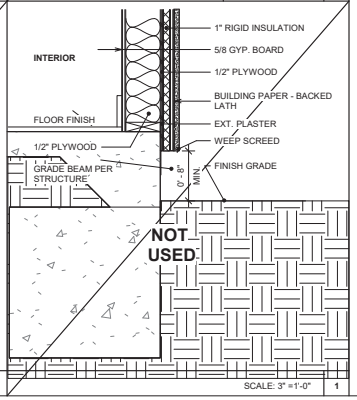
ROOF EAVE - EXPOSED INTERIOR RAFTERS SCALE: 3" =1'-0" 21



LAUNDRY ROOM - ROOF EAVE - ENCLOSED INTERIOR RAFTERS SCALE: 3" =1'-0" 11



WROOF AT STUCCO HEADWALL SCALE: 1-1/2" =1'-0" 6



SCALE: 3" =1'-0" 1

GENERAL NOTES

ZIESE Architecture, Inc.
ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
DETAILS

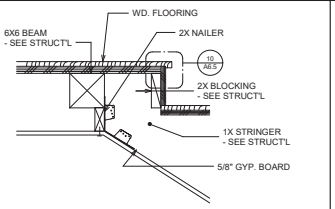
ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

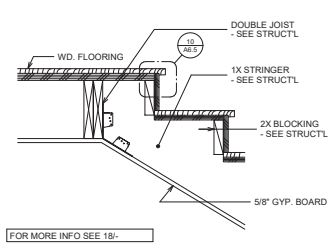
NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SOFTWARE, ARE THE PROPRIETARY PROPERTY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE ARCHITECT AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDERSTANDINGS BETWEEN THIS DOCUMENT AND ANY CONDITIONS THAT MAY DIFFER. THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CITY OFFICIALS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SHALL NOT SCALE THE DRAWINGS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A6.2

10/6/2021 2:22:28 PM

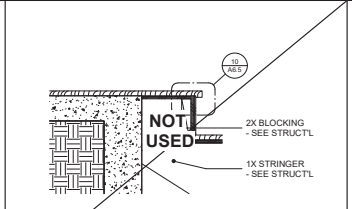


AD STAIR INT DETAIL 12 | SCALE: 1 1/2" =1'-0" | 24

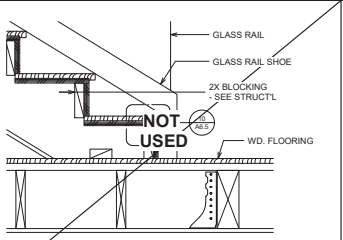


FOR MORE INFO SEE 18/-

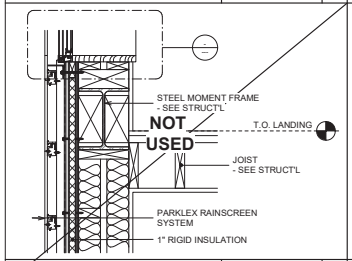
AD STAIR INT DETAIL 8 | SCALE: 1 1/2" =1'-0" | 19



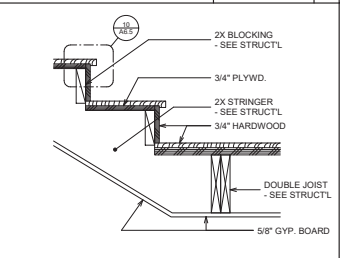
AD STAIR INT DETAIL 10 | SCALE: 1 1/2" =1'-0" | 14



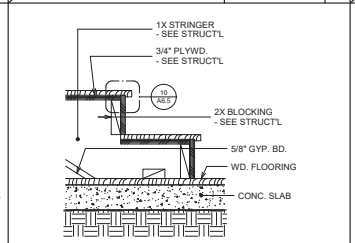
AD STAIR INT DETAIL 6 | SCALE: 1 1/2" =1'-0" | 9



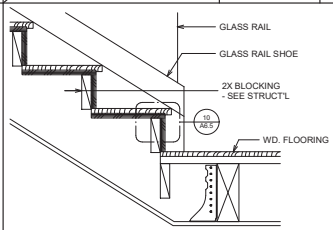
AD STAIR INT DETAIL 4 | SCALE: 1 1/2" =1'-0" | 23



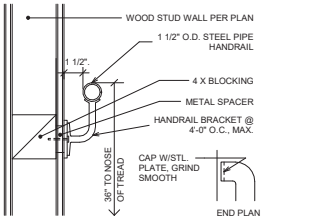
AD STAIR INT DETAIL 9 | SCALE: 1 1/2" =1'-0" | 18



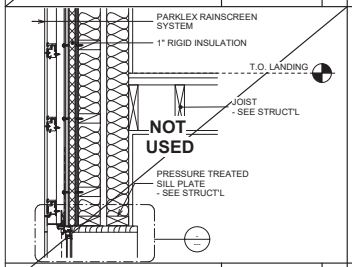
AD STAIR INT DETAIL 11 | SCALE: 1 1/2" =1'-0" | 13



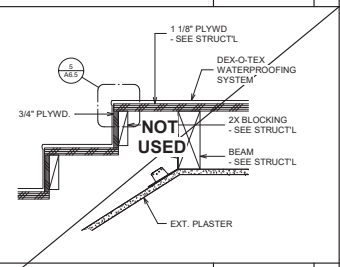
AD STAIR INT DETAIL 2 | SCALE: 1 1/2" =1'-0" | 8



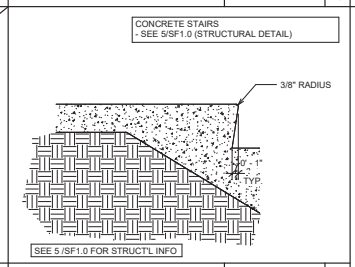
WALL HANDRAIL | SCALE: 1 1/2" =1'-0" | 3



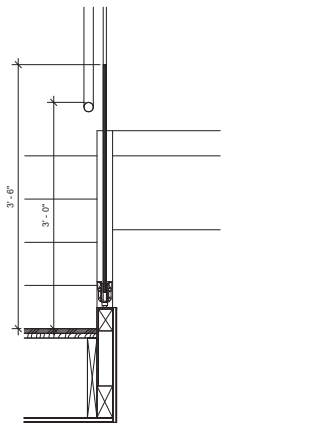
AD STAIR INT DETAIL 3 | SCALE: 1 1/2" =1'-0" | 22



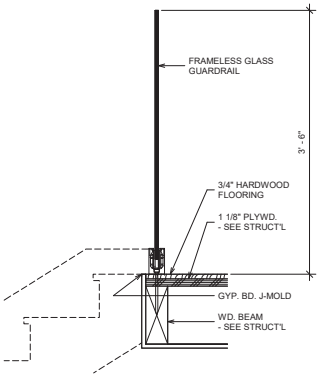
AD STAIR EXT DETAIL 4 | SCALE: 1 1/2" =1'-0" | 17



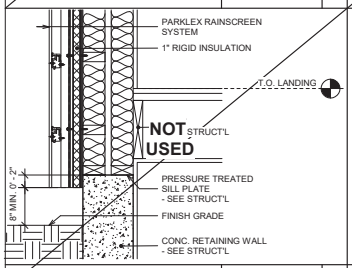
AD STAIR EXT DETAIL 1 | SCALE: 1 1/2" =1'-0" | 12



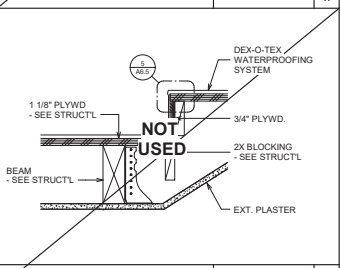
AD STAIR INT DETAIL 7 | SCALE: 1 1/2" =1'-0" | 6



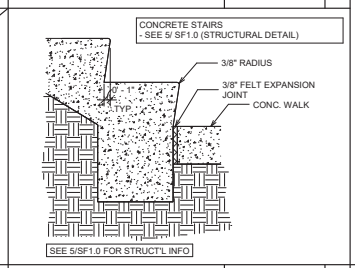
AD STAIR INT DETAIL 1 | SCALE: 1 1/2" =1'-0" | 1



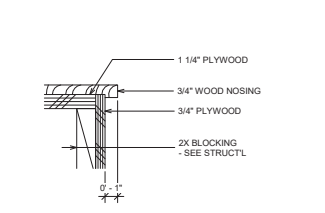
AD STAIR INT DETAIL 5 | SCALE: 1 1/2" =1'-0" | 21



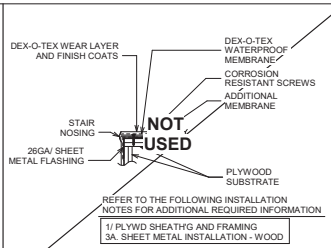
AD STAIR EXT DETAIL 3 | SCALE: 1 1/2" =1'-0" | 16



AD STAIR EXT DETAIL 2 | SCALE: 1 1/2" =1'-0" | 11



WOOD NOSING | SCALE: 3" =1'-0" | 10



WEATHERWEAR STAIRS - DEX-O-TEX NOSING | SCALE: 3" =1'-0" | 5

GENERAL NOTES

ZIESE
Architecture, Inc.

ARCHITECT STAMP

PROJECT NO.
ISSUE DATE
DRAWN BY
CHECKED BY

TOMLINSON RESIDENCE

4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET NAME
DETAILS

ISSUE DATE
Issue Date

REVISONS
1 BUILDING RESUB'L 7/7/20
2 BUILDING RESUB'L 7/29/20
3 CDP PLANNING SUBMITTAL 12/18/2020

NOTICE: THE DESIGNS SHOWN AND DESCRIBED HEREIN, INCLUDING ALL TECHNICAL DRAWINGS, GRAPHICS AND SPECIFICATIONS, ARE THE PROPRIETARY AND SHALL NOT BE COPIED, DUPLICATED, REUSED OR COMMERCIALLY EXPLOITED IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT. ADDITIONALLY, THESE DOCUMENTS HAVE BEEN PREPARTED TO DESCRIBE NEW WORK ONLY AND DO NOT REPRESENT AS-BUILT CONDITIONS. THE CONTRACTOR AND THE ARCHITECT DOES NOT WARRANT IN ANY WAY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR UNDISCREPANCIES BETWEEN THIS DOCUMENT AND THE ACTUAL CONDITIONS. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE AVAILABLE FOR LIMITED REVIEW AND APPROVAL BY CLIENTS, CONSULTANTS, CONTRACTORS, GOVERNING AGENCIES, VENDORS, AND OFFICE PERSONNEL ONLY IN ACCORDANCE WITH THIS NOTICE. ADDITIONALLY, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AT ANY TIME.
ALL RIGHTS RESERVED.
© COPYRIGHT, ZIESE ARCHITECTURE, INC., 2016

A6.5

10/6/2021 2:22:29 PM



Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	LESS THAN 4:1	4:1	23033.08	
2	4:1	3:1	7186.86	
3	3:1	2.5:1	4690.06	
4	2.5:1	1:1	8479.70	
5	1:1	GREATER THAN 1:1	3.20	

REGISTERED PROFESSIONAL ENGINEER SCOTT DELANE No. C 72391 CIVIL STATE OF CALIFORNIA

DATE	REVISION

SLOPE BAND EXHIBIT

PREPARED BY:

DELANE ENGINEERING
2812 SANTA MONICA BLVD., SUITE 206
SANTA MONICA, CALIFORNIA 90404
PHONE: 310.586.5711-WWW.DELANEENGINEERING.COM

SHEET 1

OF ____ SHEETS

SAVE DATE: 6/1/21 DPOON

PLOT DATE: 6/23/21 10:52 AM FILE NAME: H:\VROOT\PDATA\21\0274\CAD\EXHIBITS\SLOPE BAND\274-SLOPE BAND.DWG

TITLE SHEET
PROPOSED GRADING
MALIBU, CA 90265

Received
Sept. 16, 2021
Planning Dept.



VICINITY MAP
1" = 500'
THOMAS GUIDE PAGE AND GRID: 627-J6

STORMWATER POLLUTION CONTROL NOTES (ATTACHMENT "A")

CONSTRUCTION MEANS CONSTRUCTING, CLEARING, GRADING OR EXCAVATION THAT RESULT IN SOIL DISTURBANCE. CONSTRUCTION INCLUDES STRUCTURE TEARDOWN (DEMOLITION). IT DOES NOT INCLUDE ROUTINE MAINTENANCE TO MAINTAIN ORIGINAL LINE AND GRADE, HYDRAULIC CAPACITY, OR ORIGINAL PURPOSE OF FACILITY; EMERGENCY CONSTRUCTION ACTIVITIES REQUIRED TO IMMEDIATELY PROTECT PUBLIC HEALTH AND SAFETY; INTERIOR REMODELING WITH NO OUTSIDE EXPOSURE OF CONSTRUCTION MATERIAL OR CONSTRUCTION WASTE TO STORM WATER; MECHANICAL PERMIT WORK; OR SIGN PERMIT WORK.

(ORDER NO. 01-182, NPDES PERMIT NO. CAS004001 -PART 5: DEFINITIONS)

1. ERODED SEDIMENTS AND POLLUTANTS SHALL BE RETAINED ON SITE AND SHALL NOT BE TRANSPORTED FROM THE SITE VIA SHEET FLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE OR WIND.
2. STOCKPILES OF EARTH AND OTHER CONSTRUCTION-RELATED MATERIALS SHALL BE COVERED AND/OR PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY WIND OR WATER.
3. FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND SHALL NOT CONTAMINATE THE SOIL NOR THE SURFACE WATERS. ALL APPROVED TOXIC STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF PROPERLY AND SHALL NOT BE WASHED INTO THE DRAINAGE SYSTEM.
4. NON-STORM WATER RUNOFF FROM EQUIPMENT AND VEHICLE WASHING AND ANY OTHER ACTIVITY SHALL BE CONTAINED ON THE PROJECT SITE.
5. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTE ON-SITE UNTIL IT CAN BE APPROPRIATELY DISPOSED OF OR RECYCLED.
6. TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF STORM WATER AND DISPERSAL BY WIND.
7. SEDIMENTS AND OTHER MATERIALS SHALL NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE STREET/PUBLIC WAYS. ACCIDENTAL DEPOSITIONS MUST BE SWEPT UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR BY ANY OTHER MEANS.
8. RETENTION BASINS OF SUFFICIENT SIZE SHALL BE PROVIDED TO RETAIN STORM WATER RUNOFF ON-SITE AND SHALL BE PROPERLY LOCATED TO COLLECT ALL TRIBUTARY SITE RUNOFF.
9. WHERE RETENTION OF STORM WATER RUNOFF ON-SITE IS NOT FEASIBLE DUE TO SITE CONSTRAINTS, RUNOFF MAY BE CONVEYED TO THE STREET AND THE STORM DRAIN SYSTEM PROVIDED.

I HAVE READ AND UNDERSTAND THE REQUIREMENTS, LISTED ABOVE, NECESSARY TO CONTROL STORM WATER POLLUTION FROM SEDIMENTS, EROSION, AND CONSTRUCTION MATERIALS, AND I CERTIFY THAT I WILL COMPLY WITH THESE REQUIREMENTS

PRINT NAME _____
(OWNER OR AUTHORIZED AGENT OF THE OWNER)

SIGNATURE _____ DATE _____
(OWNER OR AUTHORIZED AGENT OF THE OWNER)

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

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE
PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: 01-10274
PROJECT ADDRESS: 4756 LATIGO CANYON RD

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form.** This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt R&R	Exempt Understructure	Exempt Safety	Non-Exempt	Remedial	Total
Cut		71	5	242		318
Fill		219	69	304		591
Total	342	289	94	304		1319
Import		147	84	114		345
Export						

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the safety of proposed structures or improvements.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: SCOTT UHLES
SIGNATURE: [signature]
DATE: 09-16-2021

Page 1 of 1
P:\Forms\COUNTER FORMS\Planning\PLN Grading Verification Certificate, 130701.doc

GENERAL GRADING NOTES

A. ALL GRADING SLOPES SHALL BE PLANTED AND SPRINKLERED. (7012.1)
B. STANDARD 12 INCH HIGH BERM IS REQUIRED AT TOP OF ALL GRADED SLOPES. (7013.3)
C. NO FILL TO BE PLACED, UNTIL THE CITY GRADING INSPECTOR HAS INSPECTED AND APPROVED THE BOTTOM EXCAVATION.
D. MAN-MADE FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 90% MAX, DRY DENSITY WITHIN 40 FEET BELOW FINISH GRADE AND 93% OF MAX, DRY DENSITY DEEPER THAN 40 FEET BELOW FINISH GRADE, UNLESS A LOWER RELATIVE COMPACTION (NOT LESS THAN 90% OF MAX, DRY DENSITY) IS JUSTIFIED BY THE SOILS ENGINEER.
E. TEMPORARY EROSION CONTROL TO BE INSTALLED BETWEEN OCTOBER 1 AND APRIL 15. OBTAIN GRADING INSPECTOR'S AND DEPARTMENT OF PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES. [>200 CY] (7007.1)
F. ALL FILL OR BACKFILL SHALL BE COMPACTED BY MECHANICAL MEANS TO A MINIMUM 90% RELATIVE COMPACTION AS DETERMINED BY ASTM METHOD D-1557. SUBDRAINS SHALL BE PROVIDED WHERE REQUIRED BY CODE.
G. SPECIFY ON THE PLANS: "THE SOILS ENGINEER IS TO APPROVE THE KEY OR BOTTOM AND LEAVE A CERTIFICATE ON THE SITE FOR THE GRADING INSPECTOR. THE GRADING INSPECTOR IS THE NOTIFIED BEFORE ANY GRADING BEGINS AND, FOR BOTTOM INSPECTION, BEFORE FILL IS PLACED. FILL MAY NOT BE PLACED WITHOUT APPROVAL OF THE GRADING INSPECTOR."
H. A SOILS ENGINEER SHALL APPROVE THE BOTTOM AND COMPACTION REPORT REQUIRED FOR CERTIFIED FILL.
I. RETAINING WALLS LOCATED CLOSER TO THE PROPERTY LINE THAN THE HEIGHT OF THE WALL SHALL BE BACKFILLED NOT LATER THAN 10 DAYS AFTER CONSTRUCTION OF THE WALL AND NECESSARY STRUCTURAL SUPPORTING MEMBERS UNLESS RECOMMENDED OTHERWISE BY THE RESPONSIBLE ENGINEER.
J. REGISTERED DEPUTY GRADING INSPECTOR IS REQUIRED ON GRADING AND FOUNDATION EARTHWORK WHERE (SITE EXCEEDS 60,000 SF), (CUT OR FILL SLOPES EXCEED 2: 1), (CUTS EXCEED 40 FT IN HEIGHT AND WITHIN 20 FT OF A PROPERTY LINE), (FOUNDATION EXCAVATION BELOW 1: 1 PLANE FROM PROPERTY LINES), (PROJECTS INVOLVE UNUSUAL HAZARDS), (SHORING WORK INCLUDING SLOT-CUTS)" (1704)
K. ALL EXPORT MATERIAL FROM SITE SHALL GO TO A PERMITTED SITE APPROVED BY THE CITY OF MALIBU

PROJECT TEAM

OWNER: MR. AND MRS. TOMLINSON
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

ARCHITECT: ZIESE ARCHITECTURE, INC
612 MOULTON AVENUE SUITE #7
LOS ANGELES, CA 90031
DANIEL ZIESE
(323) 275-1340

CIVIL ENGINEER: DELANE ENGINEERING
2812 SANTA MONICA BLVD, SUITE 206
SANTA MONICA, CA 90404
SCOTT UHLES, P.E. (C72391)
PHONE: (310) 326-0602

SURVEYOR: BENNER AND CARPENTER
506 E MAIN STREET
SANTA PAULA, CA 93060
LARRY FRAGER
(805) 525-3396

APPROVAL OF CONSULTANTS

THIS PLAN HAS BEEN REVIEWED AND CONFORMS TO RECOMMENDATIONS OF SOILS ENGINEERING/ GEOLOGIC REPORTS:

SOIL ENGINEERING & GEOLOGIC REPORTS: N/A

BY _____ E.G.
ENGINEERING GEOLOGIST
COMPANY _____

BY _____ P.E.
PROFESSIONAL ENGINEER
COMPANY _____

EARTHWORK QUANTITY

CUT (CYDS)	FILL (CYDS)	TOTAL GRADING (CYDS)	IMPORT/EXPORT
77 CY	24 CY	101 CY	53 CY EXPORT

1. GRADING VOLUMES ARE RAW NON-ADJUSTED QUANTITIES
2. FOR PLAN CHECK PURPOSES ONLY

BASIS OF BEARING

THE BEARING OF N 80°42'20" WHICH IS THE SOUTH PROPERTY LINE OF THIS PROJECT WAS USED AS THE BASIS OF BEARING FOR THIS MAP

BENCH MARK

BM Y 11683 (2008) ELEV. 667.798
DPW BM TAG NORTHEAST CORNER OF CONCRETE BASE AT FIRE HYDRANT 10' NORTH OF DRIVEWAY TO 5055 LATIGO CYN. ROAD.

PUBLIC WORKS DEPARTMENT 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 DEVELOPERS SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS 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: 467 CU.YD. FILL: 717 CU.YD.
    EXPORT: ____CU.YD. IMPORT: 250 CU.YD.
20. TOTAL DISTURBED AREA: 0.4 ACRES(INCLUDING GRADING, CLEARING, AND LANDSCAPING AREA)
    TOTAL EXISTING IMPERVIOUS SURFACE AREA: 2783 SQ. FT. (BURNED HOUSE SF NOT INCLUDED)
    TOTAL PROPOSED IMPERVIOUS SURFACE AREA: 6230 SQ. FT.
    FLOOD ZONE ON FIRM: BASE FLOOD ELEVATION: FT.
21. 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 PROJECTS GEOTECHNICAL/SOILS CONSULTANT.
22. THE APPLICANT SHALL LABEL ALL CITY/COUNTY STORM DRAIN INLETS WITHIN 250 FEET FROM EACH PROPERTY LINE PER THE CITY OF MALIBUS STANDARD LABEL TEMPLATE.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

THE EXISTENCE AND APPROXIMATE LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE DETERMINED BY A SEARCH OF THE AVAILABLE PUBLIC RECORDS. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO EXISTING UNDERGROUND UTILITIES OR STRUCTURE EXCEPT AS SHOWN ON. THE CONTRACTOR IS REQUIRED TO TAKE THE PRECAUTIONARY MEASURES TO PROTECT THE UTILITIES OR STRUCTURE SHOWN AND ANY OTHER UTILITIES OR STRUCTURES NOT OF RECORD OR NOT SHOWN ON THESE PLANS.

LEGEND

SYMBOLS

- STREET LIGHT
- FIRE HYDRANT
- WATER VALVE
- MANHOLE
- STREET SIGN
- AC UNIT
- THRUST BLOCK
- CAP
- CLEAN OUT
- BACK FLOW
- WATER METER
- STORM DRAIN JUNCTION STRUCTURE
- ROOF DRAIN
- SITE LIGHTING
- FIRE RISER
- REFLECTIVE MARKER
- DOOR
- WHEEL STOP
- TRANSFORMER
- VERIZON BOX
- DUMPSTER
- DEEPENED FOOTING EXTRA DEPTH INCHES
- A/C UNIT
- DOWNSPOUT
- SPLASH BLOCK

LINETYPES

- W — WATER MAIN
- S — SEWER MAIN
- SD — STORM DRAIN MAIN
- RW — RECYCLED WATER MAIN
- E — ELECTRICAL LINE
- PLANTER WALL H < 4'
- BUILDING WALL
- SLOPE
- LANDSCAPE TURF/ PLANTING BORDER
- 1% MIN FLOW LINE
- GB — GRADE BREAK
- RIGHT OF WAY
- PROPERTY/LOT LINE
- EASEMENT
- CENTERLINE
- RIGHT OF WAY

HATCH PATTERNS

- EX CONCRETE
- NEW CONCRETE
- STORMWATER BMP
- RIP-RAP
- STORMWATER BMP

ABBREVIATIONS:

AB	AGGREGATE BASE	GFF	GARAGE FINISH FLOOR	S	SLOPE
AC	ASPHALTIC CONCRETE OR	G.P.	GRADING PERMIT	SD	STORM DRAIN
A/C	AIR CONDITIONER	GV	GATE VALVE	SDMH	STORM DRAIN MANHOLE
AP	ANGLE POINT	HP	HIGH POINT	SEC	SECTION
APN	ACCESSOR PARCEL NUMBER	HR	HOUR	SMH	SEWER MANHOLE
APP'D	APPROVED	I	INTERSECTION	SQDF	STORMWATER QUALITY DESIGN FLOW
AV	AIR VAC	INT	INVERT	SQDV	STORMWATER QUALITY DESIGN VOLUME
AVE	AVENUE	INV	IRON PIPE	SS	SANITARY SEWER
BC	BEGINNING OF CURVE	IP	INDUSTRIAL PLANNED DEVELOPMENT	SSPWC	STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION
BCR	BEGINNING OF CURB RETURN	IPD	IRRIGATION LINE	ST	STREET
BLVD	BOULEVARD	IRR	LENGTH	STA	STATION
BMP	BEST MANAGEMENT PRACTICES	L	LATERAL	SW	SIDEWALK
BO	BLOW OFF	LAT	LAND DEVELOPMENT	STD	STANDARD
BW	BACK OF WALK	LDM	MANUAL	SLDS	STANDARD LAND DEVELOPMENT SPECIFICATIONS
CA	CALIFORNIA	LF	LINEAR FEET	SPPWC	STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION
CATV	CABLE TELEVISION	LLC	LIMITED LIABILITY COMPANY	SWE	SIDEWALK EASEMENT
CB	CATCH BASIN	LP	LOW POINT	T	TRANSFORMER
CBC	CALIFORNIA BUILDING CODE	LT	LEFT	TB	TRACT BOUNDARY
CEG	CERTIFIED ENGINEERING GEOLOGIST	M	METER	TC	TOP OF CURB
CF	CURB FACE	MAX	MAXIMUM	TEL	TELEPHONE
CFS	CUBIC FEET PER SECOND	MH	MANHOLE	TF	TOP OF FOOTING
CLF	CHAIN LINK FENCE	MIR	MISCELLANEOUS RECORDS	TG	TOP OF GRATE
CLR	CLEAR	MISC	MISCELLANEOUS	TPC	TRAFFIC INDEX
CL	CENTER LINE	MIN	MINIMUM	TOP OR TP	TOP OF PIPE
CMP	CORRUGATED METAL PIPE	N/A	NOT APPLICABLE	TOS	TOP OF SLOPE
CONC	CONCRETE	NDW	NON-DOMESTIC WATER	TMC	TOP OF MOW CURB
CY	CUBIC YARDS	NTS	NOT TO SCALE	TW	TOP OF WALL
DEG	DEGREE	NO	NUMBER	TYP	TYPICAL
DEPT	DEPARTMENT	NPDES	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM	VERT	VERTICAL
DG	DECOMPOSED GRANITE	OD	OVERFLOW DRAIN	VB	VALVE BOX
DIST	DISTRICT	OR	OFFICIAL RECORDS	VCP	VITRIFIED CLAY PIPE
DR	DRIVE	OVEREX	OVER EXCAVATION	W	WIDTH OF WEST
DWY	DRIVEWAY	PAR	PARCEL	WTR OR W	WATER
E	ELECTRICAL	PC	PLANNING COMMISION	WM	WATER METER
EC	END CURVE	PCC	PORTLAND CEMENT CONCRETE	WWM	WELDED WIRE MESH
ECR	END OF CURB RETURN	PIP	PROTECT IN PLACE		
ED	EDITION	PL OR ℄	PROPERTY LINE		
EL.	ELEVATION	PMB	PROCESSED MISC BASE		
ESMT	EASEMENT	PP	POWER POLE		
EP	EDGE OF PAVEMENT	PRC	POINT OF REVERSE CURVE		
E.P.	ENCROACHMENT PERMIT	PTDF	PRESSURE TREATED DOUGLAS FIR		
ETC	ET CETERA	PVMT	PAVEMENT		
EX	EXISTING	R	RADIUS		
EXP	EXPIRATION	RCE	REGISTERED CIVIL ENGINEER		
FDC	FIRE DEPARTMENT CONNECTION	RCP	REINFORCED CONCRETE PIPE		
FD SPK	FOUND SPIKE	RD	ROOF DOWNSPOUT		
FF	FINISH FLOOR EL	REG	REGISTRATION		
FG	FINISHED GRADE	REV	REVISION		
FH	FIRE HYDRANT	RT	RIGHT		
FL	FLOW LINE	R/W	RIGHT OF WAY		
FR	FIRE RISER	RW	RECYCLED WATER		
FS	FINISHED SURFACE				
G	GAS LINE				
GB	GRADE BREAK				

ADDITIONAL NOTES

1. PROVIDE A SIGN IN THE FILTRATION AND/OR PUMPING EQUIPMENT AREA FOR THE PROPERTY ADDRESSING POOL DISCHARGE PER CITY OF MALIBU GUIDELINES. THE SIGN SHOULD READ AS FOLLOWS: '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)'

SHEET INDEX

C.01.....TITLE SHEET
C.03.....HORIZONTAL CONTROL
C.04.....PRECISE GRADING
C.05.....PRECISE GRADING SECTIONS
C.06.....EROSION CONTROL & SWPPP PLAN
C.07.....EROSION DETAILS
C.08.....CUT/FILL MAP
C.09.....RETAINING WALL DETAILS
C.10.....RETAINING WALL DETAILS

REGISTERED PROFESSIONAL ENGINEER SCOTT UHLES No C 72391 CIVIL STATE OF CALIFORNIA

DELANE ENGINEERING
2812 SANTA MONICA BLVD. SUITE 206
SANTA MONICA, CA 90404
PHONE: 310.546.5711-WWW.DELANEENGINEERING.COM

TOMLINSON RESIDENCE
4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

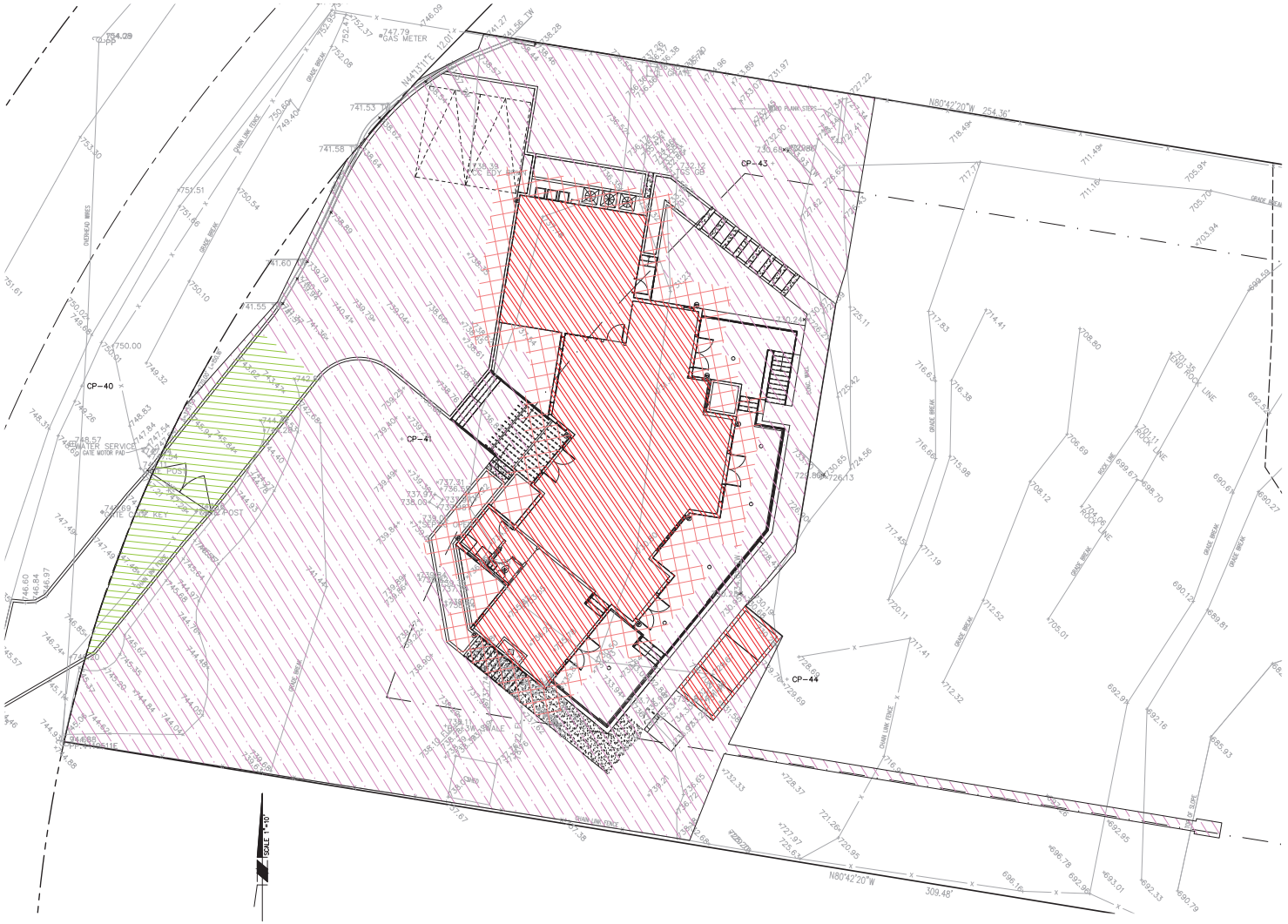
NO	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274
DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

COVER SHEET

C-01

PLOT DATE: 9/24/21 3:03 PM FILE NAME: D:\CLIENTS\TOMLINSON\RESIDENCE\WORKFILES\PLANS\C01TSTY.DWG\PLAN\C01TSTY.DWG PAGE SETUP: ANSI D (24.00 X 36.00 INCHES)



GRADING CLASSIFICATION LEGEND:

SAFETY
C: 5 CY
F: 89 CY

UNDERSTRUCTURE
C: 71 CY
F: 218 CY

R&R
342 CY

NON-EXEMPT
C: 240 CY
F: 354 CY

City of Malibu

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

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: 01-10274

PROJECT ADDRESS: 4756 LATIGO CANYON RD

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form.** This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut		71	5	240		316
Fill		218	89	354		661
Total	342	289	94	594		1319
Import		147	94	114		345
Export						

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the **15 foot minimum** access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the **construction of a** primary residential structure or access to the site.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. **This information will** be used to calculate the number of truck trips required for site preparation.

PREPARED BY: SCOTT UHLES
Print Name

Signature

DATE: 09-16-2021

REGISTERED PROFESSIONAL ENGINEER SCOTT DELANE UHLES No C 72391 6/30/22 CIVIL STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\Planning\PLN\Grading Verification Certificate_130701.doc

REGISTERED PROFESSIONAL ENGINEER SCOTT DELANE UHLES No C 72391 CIVIL STATE OF CALIFORNIA

DATE	REVISION

GRADING CLASSIFICATION EXHIBIT

PREPARED BY:

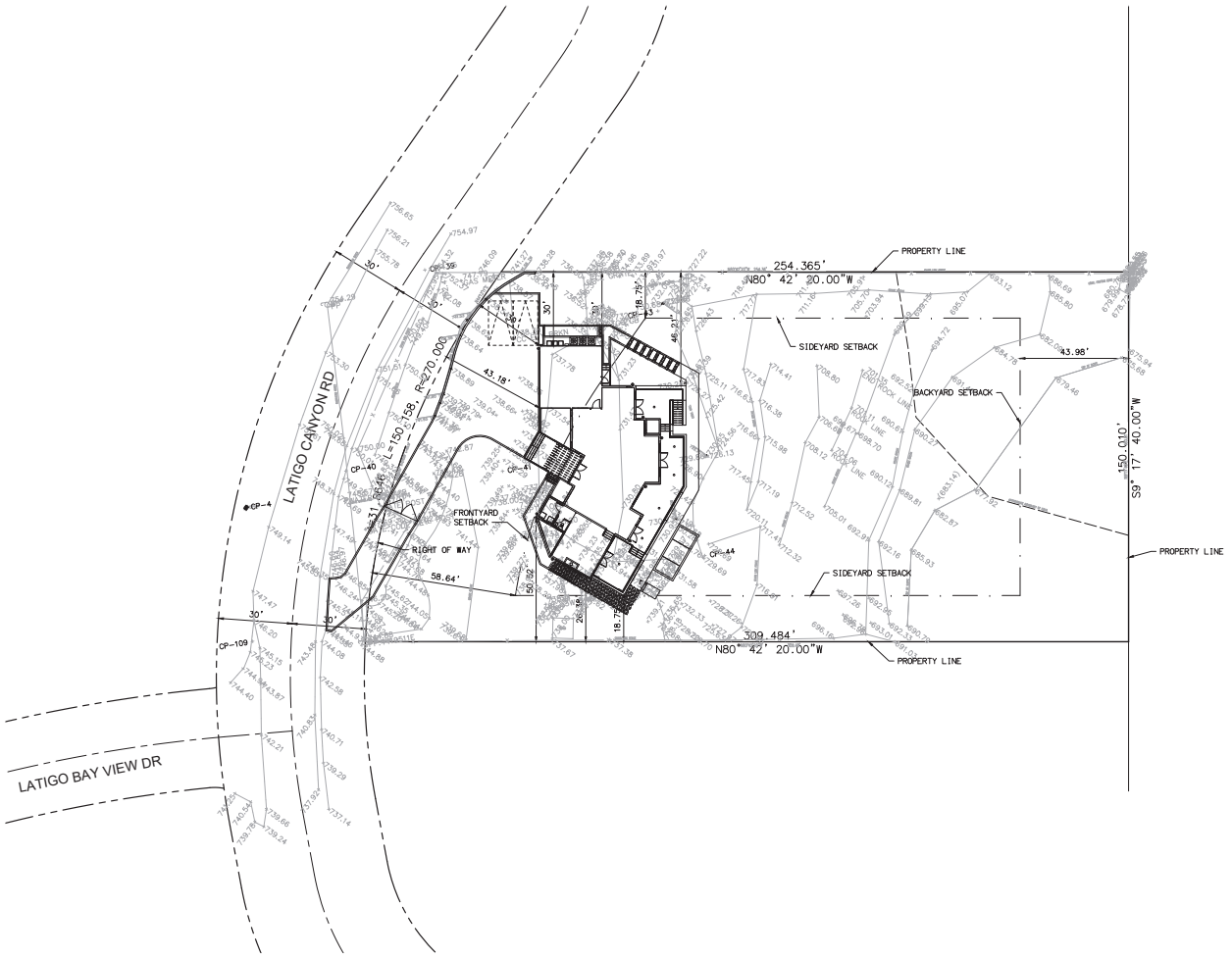
DELANE ENGINEERING
2812 SANTA MONICA BLVD., SUITE 206
SANTA MONICA, CALIFORNIA 90404
PHONE: 310.586.5711-WWW.DELANEENGINEERING.COM

SHEET 1

OF 1 SHEETS

PLOT DATE: 9/16/21 3:57 PM FILE NAME: D:\CLOUDSTATION\DELANE\WORDPRESS\DATA\01027A\CAD\EXHIBITS\GRADING CLASSIFICATION\274-GR-CLASS.DWG

SAVE DATE: 9/16/21 TNEWMAN



DELANE ENGINEERING
2812 SANTA MONICA BLVD, SUITE 206
SANTA MONICA, CA 90404
PHONE: 310.546.5711 • WWW.DELANEENGINEERING.COM

TOMLINSON RESIDENCE

4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1	-	-

NO	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274

DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

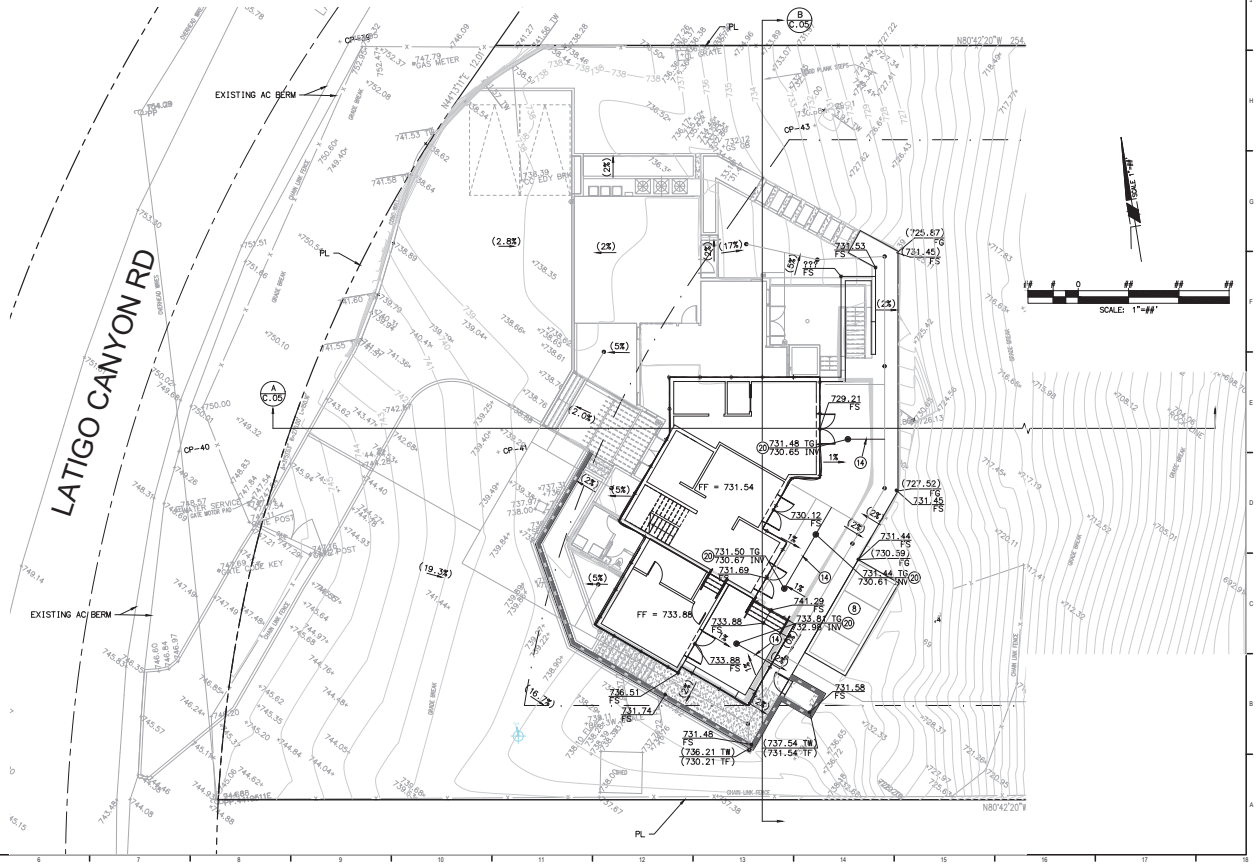
HORIZONTAL CONTROL

C-03

PLOT DATE: 9/10/21 6:08 PM FILE NAME: D:\CLIENTS\TOMLINSON\DELANE\MY PROJECTS\01-10274\CAD\PLAN\CONSTRUCTION SET - PHASE 2\274-03-HORIZ



2 NDS 4" ROUND GRATE, SKU#11



CONSTRUCTION NOTES

(8) POOL PER SEPERATE PERMIT
(14) INSTALL 6" SDR-35 STORM DRAIN PIPE S=0.0200 MIN AND FITTINGS PER MANUFACTURERS RECOMMENDATIONS
(20) INSTALL 4" ROUND GRATE, NDS MODEL SKU #11 SEE DETAIL 2 HEREON

DELANE ENGINEERING
2812 SANTA MONICA BLVD, SUITE 206
SANTA MONICA, CA 90404
PHONE: 310.546.5711 • WWW.DELANEENGINEERING.COM

TOMLINSON RESIDENCE

4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

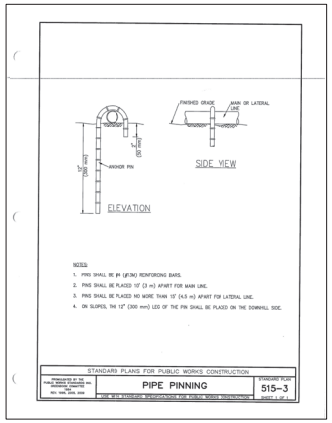
NO	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274
DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

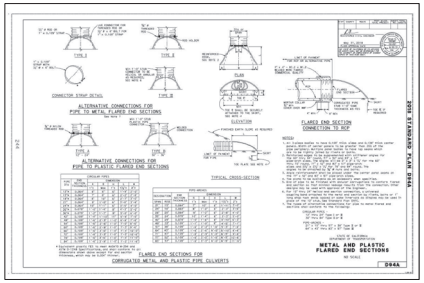
PRECISE GRADING PLAN

C-04

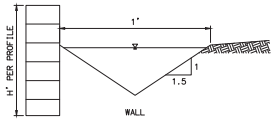
PLOT DATE: 5/10/21 6:08 PM FILE NAME: D:\CLIENTS\TOM\DELANE\WORKFILES\PLANS\01027410-24-PLDWG - PHASE 2\C04-24-PLDWG



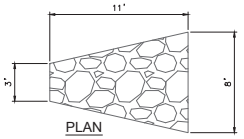
6 PIPE PINNING DETAIL



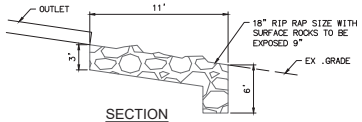
7 FLARED END OUTLET



8 V-DITCH DETAIL



PLAN

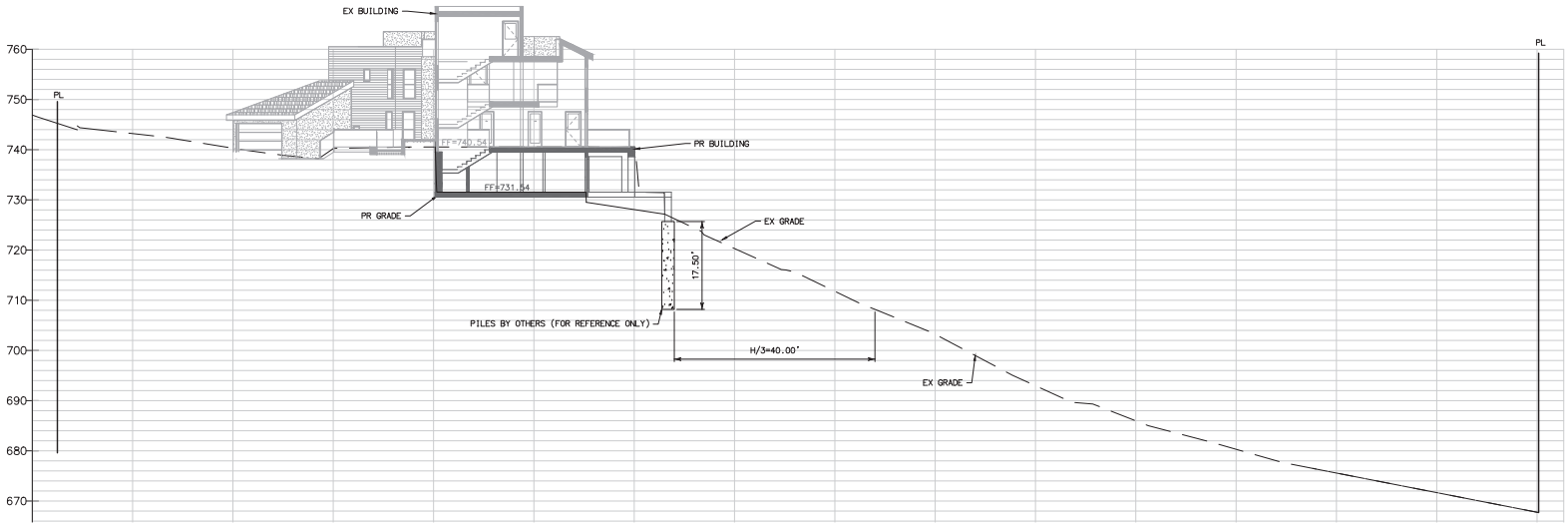


SECTION

10 RIP RAP DETAIL



SECTION A-A
SCALE: 1"=10'



SECTION B-B
SCALE: 1"=10'

DELANE ENGINEERING
2812 SANTA MONICA BLVD., SUITE 206
SANTA MONICA, CA 90404
PHONE: 310-546-5711 • WWW.DELANENGINEERING.COM

TOMLINSON RESIDENCE
4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

NO	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274
DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

GRADING SECTIONS

C-05

PLOT DATE:5/31/21 4:09 PM FILE NAME: D:\CLIENTS\TOM\DELANE\WORKFY\PAVIA\01\SHEETS\CAD\PLAN\SHEET DOCS - PHASE 2\274-04-SEC-1.DWG



DELANE ENGINEERING
2812 SANTA MONICA BLVD, SUITE 206
SANTA MONICA, CA 90404
PHONE: 310-546-5711-WWW.DELANEENGINEERING.COM

REGISTERED PROFESSIONAL ENGINEER — DELANE, SCOTT — No C 72391 — CIVIL — STATE OF CALIFORNIA

TOMLINSON RESIDENCE

4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

NO	DESCRIPTION	DATE

ISSUE

JOB NO. 01-10274

DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

CUT FILL MAP

C-08

PLOT DATE: 5/12/21 10:37 AM FILE NAME: D:\CLIENTS\TOM\DELANE\WORK\PLAN\CIVIL\CAD\PLAN SHEET DWGS - PHASE 2\274-08-CUT FILL.DWG

FOUNDATION NOTES:

1. ALL WORK SHALL COMPLY WITH PROJECT SOILS REPORTS BY: GEOTECHNOLOGIES, INC

   SOIL DESIGN CRITERIA – NON-PROPERTY LINE RETAINING WALLS
   ALLOWABLE BEARING PRESSURE = 3,000 PSF (5000 MAX)
   EQUIVALENT FLUID PRESSURE = 35 PCF
   COEFFICIENT OF FRICTION = 0.4
   PASSIVE PRESSURE = 400 PCF (LEVEL) (500 PSF MAX)

2. FOUNDATION EXCAVATIONS SHALL BE VISUALLY OBSERVED BY THE SOIL ENGINEER FOR COMPLIANCE WITH THE REQUIREMENTS OF THE SOILS REPORT PRIOR TO PLACEMENT OF REINFORCING STEEL OR CONCRETE. A CERTIFICATION FOR COMPACTION OF BACKFILL FROM THE GEOTECHNICAL ENGINEER SHALL BE PROVIDED TO THE BUILDING INSPECTOR PRIOR TO FINAL SIGN OFF AND ACCEPTANCE OF RETAINING WALL.

3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH THE GEOTECHNICAL REPORT AND BORING LOGS PERTAINING TO THE NATURE OF THE SOILS THAT MAY BE ENCOUNTERED DURING THE COURSE OF THE DRILLING OPERATION.

4. ALL FOOTING SHALL BE EMBEDDED INTO COMPETENT UNDISTURBED NATURAL SOIL OR CERTIFIED COMPACTED FILL. SOILS BENEATH FOOTINGS SHALL BE PREMOISTENED AND COMPACTED TO MINIMUM REQUIREMENTS PRIOR TO PLACING CONCRETE.

5. CARE SHALL BE TAKEN DURING EXCAVATION TO PREVENT DISTURBING THE FOUNDATION MATERIAL SURROUNDING THE PILE. EQUIPMENT, MATERIALS OR METHODS USED FOR EXCAVATING HOLES SHALL NOT CAUSE QUICK SOIL CONDITIONS OR CAUSE SCOURING OR CAVING OF THE HOLE. AFTER EXCAVATION HAS BEGUN, THE PILE SHALL BE CONSTRUCTED IN A CONTINUOUS AND EXPEDITIOUS MANNER IN ORDER TO PREVENT DETERIORATION OF THE SURROUNDING FOUNDATION MATERIAL FROM AIR SLAKING OR FROM THE PRESENCE OF WATER. AT THE END OF EACH WORKING DAY DRILLED HOLES NOT YET BACKFILLED WITH CONCRETE SHALL BE CLOSED SECURELY SUCH THAT THE CLOSURE CANNOT BE OPENED BY HAND.

6. BACKFILL SHALL NOT BE PLACED BEHIND THE WALL UNTIL THE GROUT HAS ATTAINED THE SPECIFIED 28 DAY COMPRESSIVE STRENGTH.

7. HEAVY DUTY COMPACTION EQUIPMENT SHALL BE KEPT 3 FEET MINIMUM FROM WALL AT ALL TIMES. AREA CLOSER THAN 3 FEET TO WALL SHALL BE COMPACTED BY LIGHTWEIGHT HAND–HELD EQUIPMENT.

8. FOR STEPPED FOOTINGS AND INTERSECTIONS, SEE TYPICAL DETAILS THIS SHEET.

9. FUTURE HOMEOWNERS SHOULD BE ADVISED NOT TO CONSTRUCT IMPROVEMENTS WHICH ARE SENSITIVE TO SETTLEMENT OR MOVEMENT WITHIN THE IMMEDIATE VICINITY OF ANY TOP OF SLOPE RETAINING WALLS. ADDITIONALLY, FUTURE IMPROVEMENTS SENSITIVE TO MOVEMENT SHOULD NOT BE DIRECTLY CONNECTED TO THE PROPOSED TOP OF SLOPE RETAINING WALLS (OR THE FENCE PORTION ABOVE IT).

REINFORCING STEEL:

1. DIMENSIONS LOCATING REINFORCING BARS ARE CLEAR AND DENOTE CONCRETE COVERAGE TO MAIN STEEL. UNLESS NOTED OTHERWISE, COVERAGE SHALL BE AS FOLLOWS:

CONCRETE PLACED AGAINST EARTH (NOT FORMED)	3"
FORMED CONCRETE AGAINST EARTH	3"
WALLS, ABOVE GRADE, EXPOSED TO WEATHER	2"

2. REINFORCING STEEL SHALL BE DEFORMED BARS, CONFORMING TO ASTM A615, LATEST REVISION AND SHALL BE GRADE 60.

3. REINFORCING IS TO BE SECURELY TIED IN PLACE PRIOR TO CASTING CONCRETE OR PLACING GROUT.

4. SUPPORT REINFORCING OFF FORMS WITH STEEL CHAIRS. SUPPORT REINFORCING OFF GRADE WITH DENSE CONCRETE BLOCKS. NO BRICK OR POROUS CONCRETE WILL BE PERMITTED TO SUPPORT REINFORCING.

5. VERTICAL REINFORCEMENT WITHIN WALL TO BE HELD IN PLACE AT TOP, BOTTOM AND INTERVALS NOT EXCEEDING 200 BAR DIAMETERS.

6. FOR STANDARD HOOKS, LAPS AND BENDS, SEE TYPICAL DETAIL THIS SHEET.

7. REINFORCING STEEL WITHIN PILES SHALL BE PLACED IN A DRILLED HOLE AND SHALL BE PLUMBED AND ALIGNED BEFORE PLACING CONCRETE. ALIGNMENT SHALL BE MAINTAINED AT ALL TIMES DURING CONCRETE PLACEMENT.

8. SPIRAL PILE REINFORCEMENT AT ENDS SHALL BE TERMINATED WITH A 135° HOOK AND A 6" TAIL HOOKED AROUND A LONGITUDINAL BAR. NO LAPPED SPLICES PERMITTED.

9. BAR HOOKS TO BE ORIENTED TO PROVIDE 3" MIN CLEARANCE TO EDGE OF FOOTING.

CONCRETE:

1. CONCRETE SHALL HAVE AN ULTIMATE COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. THE MAXIMUM WATER CEMENT RATIO SHALL BE 0.5.

2. PORTLAND CEMENT SHALL CONFORM TO ASTM C150, TYPE V.

3. AGGREGATE SHALL CONFORM TO ASTM C–33 FOR NORMAL WEIGHT CONCRETE AND ASTM C–330 FOR LIGHTWEIGHT CONCRETE.

4. READY MIX CONCRETE SHALL BE MIXED AND DELIVERED IN ACCORDANCE WITH ASTM C–94.

5. CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST ACI CODE (ACI 318) AND DETAILING MANUAL (ACI 315) UNLESS OTHERWISE DETAILED OR NOTED ON DRAWINGS.

6. SPECIAL INSPECTION REQUIRED FOR f'c OVER 2,500 PSI

MASONRY:

1. MORTAR SHALL BE TYPE M OR S AND SHALL BE FRESHLY PREPARED AND UNIFORMLY MIXED IN THE RATIO BY VOLUMES OF 1 PART CEMENT, 1/4 PART LIME PUTTY, 3 PARTS SAND AND SHALL CONFORM TO CBC 2010 STANDARDS.

2. GROUT SHALL BE FLUID CONSISTENCY AND MIXED IN THE RATIO BY VOLUMES OF 1 PART CEMENT TO 2 1/4 PARTS MINIMUM TO 3 PARTS SAND. GROUT SHALL ATTAIN AN ULTIMATE COMPRESSIVE STRENGTH OF 2,000 PSI AT 28 DAYS. BLOCKS SHALL BE GROUTED IN 4' MAXIMUM LIFTS.

3. CEMENT MASONRY UNITS (CMU) SHALL BE GRADE N MEDIUM WEIGHT UNITS CONFORMING TO ASTM C90, LATEST REVISION WITH A MINIMUM COMPRESSIVE STRENGTH OF 1,900 PSI FOR A MASONRY DESIGN STRENGTH (f'_m) OF 1,500 PSI.

4. BLOCKS SHALL BE SLUMPSTONE BLOCKS WITH TROWEL CUT JOINTS.

5. CONTRACTOR SHALL SUBMIT SAMPLE OF BLOCKS TO OWNER FOR APPROVAL PRIOR TO START OF CONSTRUCTION.

6. ALL BLOCKS SHALL BE LAID TO MAINTAIN VERTICAL CONTINUITY OF THE CELLS TO BE FILLED SUCH THAT THERE IS A CONTINUOUS UNOBSTRUCTED VERTICAL CELL MEASURING NOT LESS THAN 2" X 3". BLOCKS SHALL BE LAID IN RUNNING BOND.

7. PROVIDE CONTROL JOINTS AND EXPANSION JOINTS IN WALLS (NOT FOOTINGS) PER DETAILS ON SHEET 4.

8. LOOSE MORTAR FALLING INTO ANY CELL THAT CONTAINS VERTICAL REINFORCING STEEL SHALL BE REMOVED PRIOR TO GROUTING CELLS.

9. PROVIDE CORNER WALL REINFORCEMENT PER DETAIL ON SHEET 4.

10. LEVEL 1 SPECIAL INSPECTION SHALL BE PROVIDED ON ALL CMU CONSTRUCTION PER CBC 2010 SECTION 1704.5, TABLE 1704.5.1. IN ADDITION TO THE CBC REQUIREMENTS, THE MINIMUM TESTS AND SUBMITTALS CONFORMING TO ACI 530.1, TABLE 5 – LEVEL C QUALITY ASSURANCE SHALL BE PERFORMED TO VERIFY THE SPECIFIED COMPRESSIVE STRENGTH OF MASONRY.

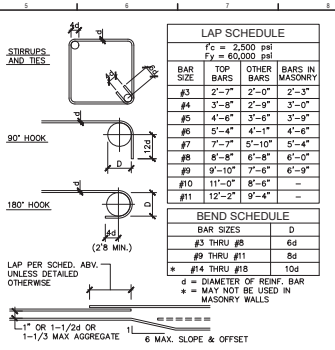
GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO APPLICABLE PROVISIONS OF THE CALIFORNIA BUILDING CODE – 2019 EDITION.

2. NO REVISION SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER.

3. SEE LANDSCAPE OR ARCHITECTURAL PLANS FOR WALL CAP, WALL FINISH AND FENCE CONSTRUCTION.

4. PROVIDE DRAINAGE SYSTEM PER DETAIL THIS SHEET.

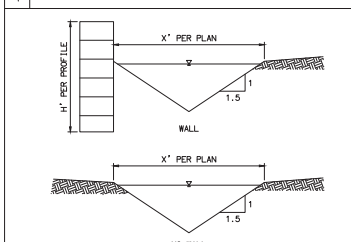


LAP SCHEDULE f'c = 2,500 psi Fy = 60,000 psi			
BAR SIZE	TOP BARS	OTHER BARS	BARS IN MASONRY
#3	2'–7"	2'–0"	2'–3"
#4	3'–8"	2'–9"	3'–0"
#5	4'–6"	3'–6"	3'–9"
#6	5'–4"	4'–1"	4'–6"
#7	7'–7"	5'–10"	5'–4"
#8	8'–8"	6'–8"	6'–0"
#9	9'–10"	7'–6"	6'–9"
#10	11'–0"	8'–6"	–
#11	12'–2"	9'–4"	–

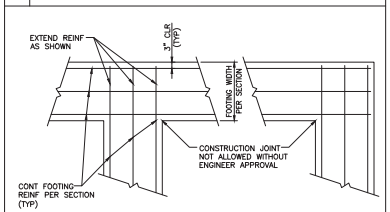
BEND SCHEDULE	
BAR SIZES	D
#3 THRU #8	6d
#9 THRU #11	8d
* #14 THRU #18	10d

d = DIAMETER OF REINF. BAR
* = MAY NOT BE USED IN MASONRY WALLS

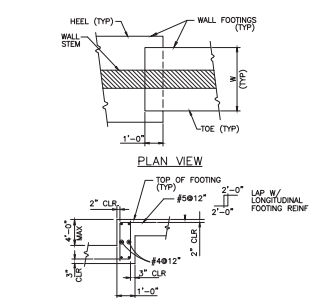
REINFORCEMENT DETAILS
NTS
1



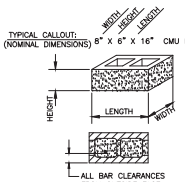
V–DITCH DETAIL
NTS
2



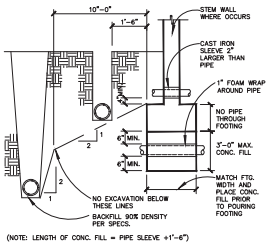
TYPICAL FOOTING INTERSECTION DETAIL
NTS
3



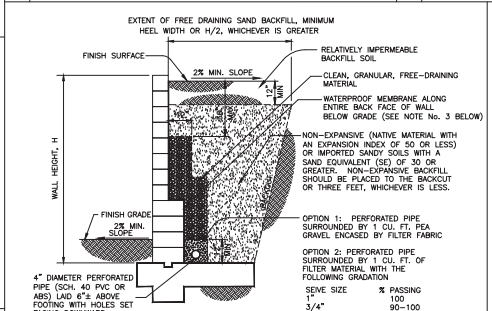
TYPICAL FOOTING STEP DETAIL
NTS
4



TYPICAL BLOCK UNIT DETAIL
NTS
5

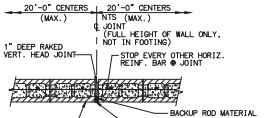


PIPE & TRENCH LOCATIONS
NTS
6

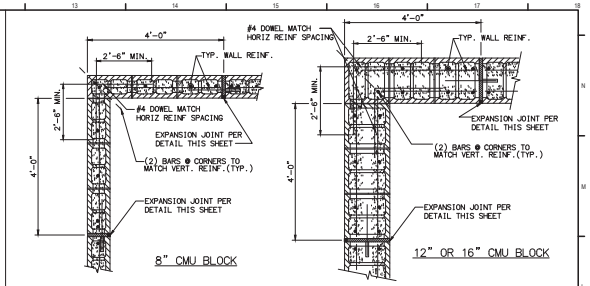


SEIVE SIZE	% PASSING
1"	100
3/4"	90–100
3/8"	40–100
#4	25–40
#8	18–33
#30	5–15
#50	0–7
#200	0–2

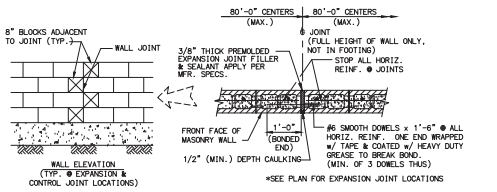
TYPICAL WALL DRAINAGE DETAIL
7



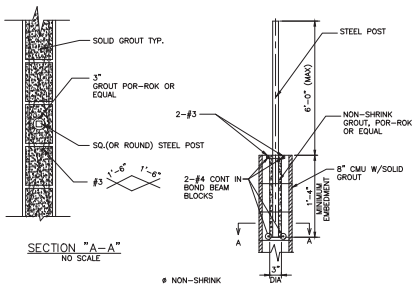
TYPICAL MASONRY WALL CONTROL JOINT
NTS
8



MASONRY WALL CORNER REINFORCING DETAIL
NTS
9



TYPICAL MASONRY WALL EXPANSION JOINT
NTS
10



SECTION "A–A"
NO SCALE

STEEL POST EMBEDDED IN MASONRY WALL
NTS
11

DELANE ENGINEERING
2812 SANTA MONICA BLVD. SUITE 206
SANTA MONICA, CA 90404
PHONE: 310.566.5711–WWW.DELANEENGINEERING.COM

TOMLINSON RESIDENCE
4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

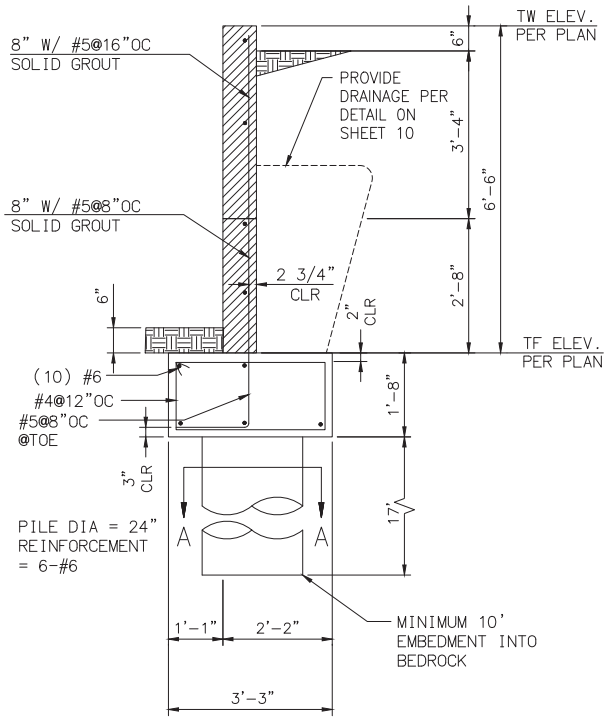
NO.	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274
DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

RETAINING WALL DETAILS

C-09

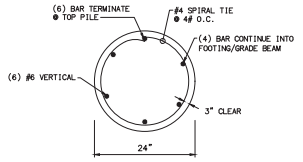
PLOT DATE: 5/7/21 4:09 PM FILE NAME: D:\CLIENTS\TOMLINSON\MELANIE\WORKFILES\STRUCTURAL\STRUCT SHEETS - PHASE 2\274-S09.DWG



CONSTRUCT PILES AT 8' O.C.
FOR REINFORCING

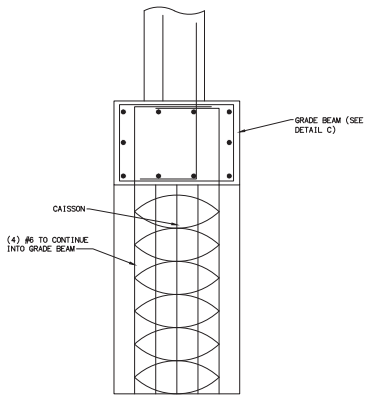
WALL SECTION
NTS

12



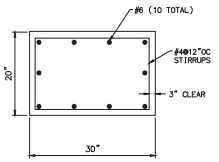
SECTION A–A: PILE DETAIL
NTS

A



GRADE BEAM/ PILE CONNECTION
NTS

B



GRADE BEAM DETAIL
NTS

C

DELANE ENGINEERING
2812 SANTA MONICA BLVD., SUITE 206
SANTA MONICA, CA 90404
PHONE: 310.546.5711 • WWW.DELANEENGINEERING.COM

TOMLINSON
RESIDENCE

4756 LATIGO CANYON RD
MALIBU CA 90265

#	SUBMITTAL	DATE
3		
2		
1		

NO	DESCRIPTION	DATE
	ISSUE	

JOB NO. 01-10274

DRAWN BY: TN
CHECKED BY: SU
PROJECT MANAGER: SCOTT UHLES

RETAINING WALL
DETAILS

C-10

PLOT DATE: 5/15/21 4:09 PM FILE NAME: D:\CLIENTS\TOM\DELANE\WORKFILES\STRUCTURAL\DRAWINGS - PHASE 2\274-10-RWDWG

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 Biologist

FROM: City of Malibu Planning Department **REVISED DATE** 07/21/2020

PROJECT NUMBER:	CDPWF 19-001
JOB ADDRESS:	4756 LATIGO CANYON RD
APPLICANT / CONTACT:	Daniel Ziese
APPLICANT ADDRESS:	612 Moulton Ave Los Angeles, CA 90031
APPLICANT PHONE #:	(323)275-1340
APPLICANT FAX #:	
APPLICANT EMAIL:	daniel@ziesearchitecture.com
PLANNER:	Justine Kendall
PROJECT DESCRIPTION:	New Basement, pool relocation, and new OWTS

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Dave Crawford

_____ **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: 8/4/20

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:
Dave Crawford, City Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277

City of Malibu

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

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Daniel Ziese daniel@ziesearchitecture.com		
Project Address:	**4756 LATIGO CANYON ROAD** Malibu, CA 90265		
Planning Case No.:	CDPWF 19-001		
Project Description:	New Basement, pool relocation, and new OWTS (LANDSCAPE)		
Date of Review:	August 4, 2020		
Reviewer:	Dave Crawford	Signature:	
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	dcrawford@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	
Site Survey:	
Landscape Plan:	7/21/20
Hydrozone Plan/Water Budget Calculations:	7/21/20
Irrigation Plan:	7/21/20
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**CANNNOT APPROVE AS SUBMITTED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
	☐	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

Recycled Paper

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 107,691 gallons per year (gpy). The Estimated Applied Water Use (EAWU) totals 70,394 gpy. Therefore, the project meets the Landscape Water Conservation Ordinance Requirements.

RECOMMENDATIONS

The project is recommended for **APPROVAL** with the following conditions:

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

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

C. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22. (form attached)

D. 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:

Nima Parsa
Address: 23533 West Civic Center Way, Malibu, CA 90265-4804
Email: Nparsa@DPW.LACOUNTY.GOV (preferred)
Phone: (310) 317-1389

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

E. 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.

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

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

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

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

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

K. Up-lighting is prohibited.

PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY AND UPON COMPLETION OF ALL PLANTING, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

-o0o-

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

cc: Planning Project file
Planning Department

Fuel Modification Notes

-Vegetation shall be maintained as approved. The following notes shall be adhered to:

Maintenance of Zone A: From edge of the structure to a distance of 30 feet

-Provide for 5ft fire department walk around with herbaceous plants

-Recommended to place walkways patios, sports courts etc. abutting structure

-Avoid planting woody plants within 10 feet of structure

-Use herbaceous plants, succulents, low growing grasses and grass like plants

-use inorganic mulches such as gravel within 10 feet of the structure. Do not use recycled rubber

-Small tree species (5'-25' in height) may be planted 10' from structure if used sparingly

-no climbing vines on structures

-Remove dead and down plant material, wood piles, patio furniture, etc.

Maintenance of Zone B : 70 feet

- Arrange plants and limit densities so not to create ladder fuels or dense thickets of vegetation

-Densities can be increase d slightly in this zone

Maintenance of Zone C: 100 feet

-Maintenance exceeding 100 feetbut not to exceed 200 from structures may be deemed necessary

by the fire official in accordance with section 325.2.2 of the Los Angeles County Fire Code (Clearance of Brush and Vegetation Growth, Extra Hazard")

Note: All Fuel Modification Zones are terminated at the subject parcel/tract boundary

Maintenance: Year round

-clear all leaves, litter and debris from rain gutters, roofs and accumulations against structures

-regularly remove all dead vegetation, flammable debris, flammable patio furniture from landscape

-store wood piles, compost bins, mulch bins, etc. 30' from structures

-cut and remove annual grasses down to 4 inches

-Irrigation of any form shall be applied to maintain high fuel moisture. Irrigation to native plants is

beneficia in small amounts 1-2 times per month during summer months

PARCEL NUMBER 4459-002-021

Fuel Modification Zone A - Setback Zone

Fuel Modification Zone B - Setback Zone

Fuel Modification Zone C - Setback Zone

REVISIONS

No.	Date	By
3	11/1/19	nk
4	12/12/19	nk
5	1/2/20	
6	1/27/20	

Weeds GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-1
Landscape Plan
Site
Fire Modification
Zones
Without Plants
Rv 6

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
3	11/1/19	nk
4	12/12/19	nk
5	1/2/20	
6	1/27/20	

Weeds
GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-1.1
Landscape Plan
Site
Fire Modification
Zones
With Plants
Rv6

REVISIONS

No.	Date	By
3	11/1/19	nk
4	1/28/20	

Weeds Garden & Interior Design

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-1.2
Landscape Plan
Fire Modification
Zone A at
Circumference
of House
Rv4

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE _____

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
3	1/11/19	
4	1/2/20	
5	1/28/20	

Weeds
GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: 3/16" = 1'-0"

LP-1.3
Landscape Plan
Enlgd
Site
West Side
Rv5

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
3	1/11/19	
4	1/2/20	
5	1/28/20	

Weeds
GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: 3/16" = 1'-0"

LP-1.4
Landscape Plan
Enlgd
Site
East Side
Rv5

PLANT_SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	FOLIAGE/FLOWER	EVERGREEN/DECIDUOUS
ACA GRE	ACA GRE	3	Acacia greggii / Catclaw Acacia Water Use: Low	24" box	10'–15'	Green/Cream	Semi-Deciduous
ACA SMA	ACA SMA	2	Acacia smallii / Sweet Acacia Water Use: Low	24" box	15'–25'	Green/Yellow	Deciduous
CHI PIN	CHI PIN	1	Chitalpa tashkentensis 'Pink Dawn' / Pink Dawn Chitalpa Water Use: Low	24" box	15'–20'	Green/Pale Pink	Deciduous
PIT PHI	PIT PHI	2	Pittosporum phillyraeoices / Weeping Pittosporum Water Use: Low–Medium	24" box	10'–15'	Green/Yellow	Evergreen

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
1	1/28/20	

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-2
Plant Schedule
Trees
1 of 3
Rv1

FRUIT TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	FOLIAGE/FLOWER	EVERGREEN/DECIDUOUS
CIT TAN	CIT TAN	1	Citrus reticulata Blanco 'Tango' / Tangc Mandarin Orange Water: Low–Medium	15 gal	10'	Green/White	Evergreen
CIT MEX	CIT MEX	1	Citrus x aurantiifolia 'Mexican' / Mexican or Key Lime Water Use: Low–Medium	15 gal	10'–15'	Green/White	Evergreen
CIT EUR	CIT EUR	1	Citrus x limon 'Eureka' / Eureka Lemon Water Use: Low–Medium	15 gal	10'–15'	Green/White	Evergreen
CIT MEY	CIT MEY	1	Citrus x limon 'Meyer' / Meyer Lemon Water Use: Low–Medium	15 gal	10'–15'	Green/White	Evergreen
CIT RIO	CIT RIO	1	Citrus x paradisi 'Rio Red' / Rio Red Grapefruit Water Use: Low–Medium	15 gal	10'–15'	Green/White	Evergreen
CIT VAL	CIT VAL	1	Citrus x sinensis 'Valencia' / Sweet Orange Water Use: Low–Medium	15 gal	10'–15'	Green/White	Evergreen

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
1	1/28/20	

Weeds GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-2.1
Plant Schedule
Citrus Trees
2 of 3
Rv1

DROUGHT TOLERANT PERENNIALS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	FOLIAGE/FLOWER
CAE	CAE GIL	4	Caesalpinia gilliesii / Yellow Bird of Paradise Water Use: Low	15 gal	4'–5'	Green/Yellow Orange
COR	COR AUR	8	Coreopsis auriculata 'Nana' / Dwarf Tickseed Water Use: Very Low–Low	4" pot	6"–10"	Green/Yellow
ERI	ERI PRC	36	Erigeron karvinskianus 'Profusion' / Santa Barbara Daisy Water Use: Low	4" pot	6"–12"	Green/White
IRI	IRI PCH	6	Iris PCH Canyon Snow / Pacific Coast Hybrid ris Water Use: Low	1 gal	12"–18"	Green/White
LIR	LIR SPI	8	Liriope spicata 'Silver Dragon' / Creeping Lily Turf Water Use: Low–Medium	1 gal	12"	Green–White/Lavender
PHL	PHL RUS	5	Phlomis russelliana / Turkish Sage Water Use: Low	5 gal	2'–3'	Grey–green/Yellow
SAL	SAL BAR	2	Salvia leucantha 'Santa Barbara' / Mexican Bush Sage Water Use: Low	1 gal	3'–4'	Green/Purple
WES	WES MUN	3	Westringia fruticosa 'Mundi' / Coast Rosemary Water Use: Low	5 gal	18"	Grey Green/White

SUCCULENTS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	HEIGHT	FOLIAGE/FLOWER
AGA	AGA VIL	3	Agave vilmoriniana / Octopus Agave Water Use: Very Low	5 gal	3'–4'	Green–Cream–Yellow Var
AGA	AGA BF	15	Agave x 'Blue Flame' / Blue Flame Agave, Clumping Water Use: Very Low	5 gal	1'–2'	Blue Green
BUL	BUL HAL	4	Bulbine frutescens 'Hallmark' / Stalked Bulbine Water Use: Very Low–Low	1 gal	1'–2'	Green/Orange
CRA	CRA BLU	9	Crassula arborescens 'Blue Waves' / Silver Dollar Plant Water Use: Very Low–Low	5 gal	3'	Green
DAS	DAS WHE	2	Dasylirion wheeleri / Grey Desert Spoon Water Use: Very Low–Low	15 gal	3'–5'	Grey–Green
HES	HES CG	9	Hesperaloe parviflora 'Coral Glow' / Coral Glow False Yucca Water Use: Very Low–low	1 gal	1'–2'	Green/Red
KAL	KAL THY	16	Kalanchoe thyrsiflora / Paddle Plant Water Use: Very Low–Low	1 gal	1'–2'	Green–Rose Rink
»	VAR	166	Varius Echeveria & Aeonium varietes / Small succulents, to be placed on site Water Use: Very Low–Low	4" pot	12"–18"	Green/Crange & Pink

GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	SPACING
	LIP NOD	1,072 sf	Kurapia – Lippia nodiflora / Kurapila Ground Cover	per square foot	18" o.c.

CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 8/4/20

PLANNING REVIEW NO. CDPWF 19-001

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

REVISIONS

No.	Date	By
1	1/28/20	

Weeds GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-2.2
Plant Schedule
Drought Tolerent
Perennials
Succulents
Groundcover
3 of 3
Rv1



Acacia greggii, Catclaw Acacia (ACA GRE)



Acacia smallii, Sweet Acacia (ACA SMA)



Chilopsis linearis 'Timeless Beauty'



Chitalpa tashkentensis 'Pink Dawn' (CHI PIN)



Feijoa sellowiana, Pineapple Guava (FEI GUA)



Lyonothamnus floribundus, Catalina Ironwood (LYO CAT)



Pittosporum phillyraeoides, Weeping Pittosporum (PIT PHI)



Quercus agrifolia

REVISIONS
No. Date By

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-3
Plant Images
Trees
1 of 4



Citrus reticulata Blanco 'Tango', Tango Tangerine (CIT TAN)



Citrus x aurantiifolia 'Mexican', Mexican or Key Lime (CIT MEX)



Citrus x limon 'Eureka', Eureka Lemon (CIT EUR)



Citrus x limon 'Meyer', Meyer Lemon (CIT MEY)



Citrus x paradisi 'Rio Red', RIO RED GRAPEFRUIT (CIT RIO)



Citrus x sinensis 'Moro', Moro Blood Orange (CIT MOR)



Citrus x sinensis 'Valencia', Valencia Orange (CIT VAL)



Citrus x sinensis 'Washington Navel', Navel Orange (CIT WAS)

REVISIONS
No. Date By

DESIGNER
Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT
Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-3.1
Plant Images
Citrus Trees
2 of 4



Bougainvillea x 'Rosenka', Rosenka Low Growing Bougainvillea (BOU ROS)



Caesalpinia gilliesii, Yellow Bird of Paradise Bush (CAE GIL)



Coreopsis auriculata 'Nana', Dwarf Tickseed (COR AUR)



Erigeron karvinskianus 'Profusion'



Iris PCH Canyon Snow



Lavandula x intermedia 'Provence'



Liriope spicata 'Silver Dragon'



Phlomis purpurea



Phlomis russelliana



Salvia leucantha 'Santa Barbara'



Westringia fruticosa 'Mundi'

REVISIONS

No.	Date	By

Weeds Garden & Interior Design

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-3.2
Plant Images
Drought Tolerant
Perennials
3 of 4



Agave vilmoriniana



Agave x 'Blue Flame'



Bulbine frutescens 'Hallmark'



Crassula arborescens 'Blue Waves'



Dasylirion wheeleri

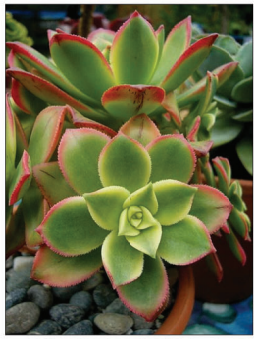


Hesperaloe parviflora 'Coral Glow'



Kalanchoe thyrsiflora

Echeveria & Aeonium varietes TBD, to be placed on site



Aeonium haworthii 'Variegatum



Echeveria Imbricata, 'Hens & Chicks'



Echeveria 'Purple Pearl'



Varius Echeveria & Aeonium varietes



Aeonium 'Jack Caitlin'



Kurapia - Lippia nodiflora

REVISIONS
No. Date By

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

2 July, 2019
Scale: NTS

LP-3.3
Plant Images
Succulents
Groundcover
4 of 4

REVISIONS

No.	Date	By
1	12/12/19	nk
2	1/28/20	

Weeds
GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

18 Sept., 2019
Scale: NTS

Irrigation
Hydrozone Plan
LI-1
Rv2

1

Hydrozone 1 - North Front of House
Low Water Perennials & Succulents
160 sq ft area (approximately 90% planted area)
Plant Factor - Low .03
Drip Irrigation Tubing with 1" Drip Irrigation Valve

2

Hydrozone 2 - South Front of House
Low Water Perennials & Succulents
404 sq ft area (approximately 50% planted area)
Plant Factor: Low .03
Drip Irrigation Tubing with 1" Drip Irrigation Valve

3

Hydrozone 3 - South Front of House, Outside of Path
Low Water Perennials, Succulents & Trees
821 sq ft area (approximately 25% planted area)
Plant Factor: Low - Medium .03-.05
Drip irrigation tubing and pressure compensating root zone bubblers with 1" drip valve.

4

Hydrozone 4 - NOT USED

5

Hydrozone 5 - South Side, alongside House
Low Water Perennials & Succulents
364 sq ft area (approximately 30% planted area)
Plant Factor - Low .03
Drip Irrigation Tubing with 1" Drip Irrigation Valve

6

Hydrozone 6 - East Side of House, Dog Run Area
Low - Medium Water Perennials, Succulents & Trees
804 sq ft area (approximately 25% planted area)
Plant Factor: Low - Medium .03-.05
Drip irrigation tubing and pressure compensating root zone bubblers with 1" drip valve.

7

Hydrozone 7 - North Side, alongside House
Low Water Perennials & Succulents
265 sq ft area (approximately 80% planted area)
Plant Factor - Low .03
Drip Irrigation Tubing with 1" Drip Irrigation Valve

8

Hydrozone 8 - North Side of House, Outside of Path
Low Water Perennials, Succulents & Trees
250 sq ft area (approximately 40% planted area)
Plant Factor: Low - Medium .03-.05
Drip irrigation tubing and pressure compensating root zone bubblers with 1" drip valve.

9a 9b

Hydrozone 9a & 9b - North Side of House, Groundcover
Low Water Perennial Groundcover, Kurapia
1,133 sq ft area (approximately 100% planted area)
Plant Factor: Low .03
Drip Irrigation Tubing with (2) x 1" Drip Irrigation Valve

10

Hydrozone 10 - North West Side of House, Parallel to Road
Existing Mature Trees
690 sq ft area (approximately 50% planted area)
Plant Factor: Low, .03
High Efficiency Rotors with 1" Valve

11

Hydrozone 11, South West Side of House, Parallel to Road
Existing Mature Trees
656 sq ft area (approximately 50% planted area)
Plant Factor: Low, .03
High Efficiency Rotors with 1" Valve

12

Hydrozone 12 - North West Side of Property, Alongside Driveway
Existing Mature Trees
669 sq ft area (approximately 50% planted area)
Plant Factor: Low, .03
Pressure compensating root zone bubblers with 1" drip valve.

13

Hydrozone 13 - South West Side of Property, alongside Driveway
Existing Mature Trees
498 sq ft area (approximately 50% planted area)
Plant Factor: Low, .03
Pressure compensating root zone bubblers with 1" drip valve.

NOTES

-All irrigation equipment per irrigation specification as noted.
-Hydrozone Plan and Hydrozone Plan Key are color coded.
These plans to be printed in color

REVISIONS

No.	Date	By
1	12/12/19	nk
2	1/28/20	

Weeds GARDEN & INTERIOR DESIGN

DESIGNER
Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT
Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

18 Sept., 2019
Scale: NTS

Irrigation
Hydrozone
Plan Key
LI-2
Rv2

IRRIGATION NOTES

1. ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE PROCEEDING WITH INSTALLATION. DO NOT WILLFULLY INSTALL THE SYSTEM AS DESIGNED, IF OBVIOUS THAT OBSTRUCTIONS OR GRADE DIFFERENCES EXIST THAT WERE NOT KNOWN DURING DESIGNING. BRING SUCH CONDITIONS TO THE ATTENTION OF THE OWNERS AUTHORIZED REPRESENTATIVE, OTHERWISE THE IRRIGATION CONTRACTOR MUST ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.

2. THIS DESIGN IS DIAGRAMMATIC. EQUIPMENT SHOWN IN PAVED AREAS IS FOR CLARIFICATION ONLY, AND IS TO BE INSTALLED IN PLANTING AREA WHEREVER POSSIBLE, OR PIPE SLEEVES TO BE PROVIDED BENEATH CONSTRUCTED AREAS.

3. UNLESS OTHERWISE NOTED, 120 VOLT ELECTRICAL POWER FOR CONTROLLER(S) TO BE PROVIDED BY OTHERS. THE IRRIGATION CONTRACTOR WILL MAKE FINAL ELECTRICAL CONNECTION TO AUTOMATIC CONTROLLER(S) FROM OUTLET PROVIDED BY OTHERS

4. ALL WIRES FROM CONTROLLER TO AUTOMATIC VALVES TO BE COPPER, DIRECT BURIAL, MIN.#14 GAUGE. INSTALL IN SAME TRENCH AS MAINLINE PIPING WHERE POSSIBLE. OTHERWISE, PROVIDE ADDITIONAL PIPE SLEEVES FOR IRRIGATION WIRING. COMMON WIRE TO BE WHITE IN COLOR. CONTROL WIRES TO BE A DIFFERENT COLOR FOR EACH CONTROLLER USED. BUNDLE AND TAPE WIRES TOGETHER MIN.

5. PRESSURE REGULATING DEVICES ARE REQUIRED IF WATER PRESSURE IS BELOW OR EXCEEDS THE RECOMMENDED PRESSURE OF THE SPECIFIED IRRIGATION DEVICES

6. RECIRCULATING WATER SYSTEMS SHALL BE USED FOR WATER FEATURES

7. MANUAL SHUT OFF-VALVES SHALL BE REQUIRED, AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY, TO MINIMIZE WATER LOSS IN CASE OF AN EMERGENCY OR ROUTINE REPAIR

8. FINAL LOCATIONS FOR BACKFLOW PREVENTER(S), AND CONTROLLER(S) TO BE DETERMINED BY OWNERS AUTHORIZED REPRESENTATIVE

9. INSTALL EQUIPMENT AS PER DETAILS

10. PROVIDE MIN. 18" COVERAGE OVER ALL PRESSURIZED LINES, AND A MIN. OF 12" COVERAGE OVER ALL NON-PRESSURE LNES. ALL PIPING UNDER PAVING TO BE MIN. SCHEDULE 40 P.V.C AND TO HAVE MIN.24" COVER OVER PIPING.

11. IRRIGATION CONTRACTOR TO FLUSH ALL LINES AND IF SPRAY HEADS ARE USED, ADJUST ALL SPRINKLERS FOR MAXIMUM PERFORMANCE, AND TO PREVENT EXCESSIVE OVERSPRAY ONTO WALKS, DRIVES, BUILDINGS AS MUCH AS POSSIELE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC TO FIT ACTUAL SITE CONDITIONS

12. AREAS LESS THAN 10 FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE OR DRIP IRRIGATION.

13. OVERHEAD IRRIGATION SHALL NOT BE PERMITTED WITHIN 24 INCHES OF ANY NON-PERMEABLE SURFACE. IF SPRAY HEADS ARE TO BE USED, IRRIGATION CONTRACTOR WILL INSTALL SWING CHECK VALVES OR SPRING LOADED CHECK VALVES AS REQUIRED TO ELIMINATE EXCESSIVE DRAINAGE FROM LOW SPRINKLERS. THIS WILL BE IN ADDITION TO ANY CHECK VALVES SHOWN ON PLAN.

14. CHECK VALVES OR ANTI-DRAIN VALVES ARE REQUIRED ON ALL SPRINKLER HEADS WHERE LOW DRAINAGE COULD OCCUR.

15. UPON COMPLETION, IRRIGATION CONTRACTOR TO SUPPLY TO OWNER, A COMPLETE SET OF REPRODUCIBLE 'AS-BUILT' DRAWINGS. DRAWINGS WILL SHOW LOCATION OF ALL VALVES, CROSSINGS, QUICK COUPLING VALVES, ETC. EACH CONTROLLER TO HAVE ITS OWN CONTROLLER CHART. CHART WILL CLEARLY SHOW EACH AREA SPRINKLED N A DIFFERENT COLOR, AND WILL BE LAMINATED BETWEEN 2 LAYERS OF 10 MIL. CLEAR PLASTIC.

16. A DIAGRAM OF THE IRRIGATION PLAN SHOWING HYDROZONES SHALL BE KEPT WITH THE IRRIGATION CONTROLLER FOR SUBSEQUENT MANAGEMENT PURPOSES.

17. AN IRRIGATION AUDIT SHALL BE COMPLETED AT THE TIME OF FINAL INSPECTION.

18. A CERTIFICATE OF COMPLETION SHALL BE FILLED OUT AND CERTIFIED BY EITHER THE DESIGNER OF THE LANDSCAPE PLANS, IRRIGATION PLANS, OR THE LICENSED LANDSCAPE CONTRACTOR FOR THE PROJECT.

19. THE IRRIGATION SYSTEM SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE BY OWNER. ANY DEFECTIVE MATERIALS OR POOR WORKMANSHIP SHALL BE REPLACED OR CORRECTED BY IRRIGATION CONTRACTOR AT NO COST TO OWNER.

IRRIGATION EQUIPMENT SPECIFICATIONS

MANUFACTURER/MODEL/DESCRIPTION

Root Watering System
Hunter RZWS-SLEEVE-18-CV Pressure Regulated
18" long RZWS (Root Zone Watering System)
with Filter Fabric Sleeve, either .25gpm
or .50gpm bubbler options, Check Valve, 1/2"
swing joint for connection to 1/2" pipe

Dripline
Toro RGF-212-01
Sub-Surface Pressure Compensating Landscape
Dripline with ROOTGUARD technology.
0.53GPH emitters at 12.0" O.C. Dripline
laterals spaced at 12.0" apart, with emitters
offset for triangular pattern.

Rotors
Hunter PSJ-06-V 50 PSI,
1.10 GPM, 19' Radius
Add risers where applicable

Valves

-Drip/Bubblers
Hunter ACZ-100-40 Drip control at 1"
PGV-ASV valve, with 1" HY075 filter system, and 40psi
pressure regulated.
Flow range: 0.5
GPM to 15 GPM. With 150 mesh stainless steel
screen.

-Rotors
Hunter PGV-ASV 1"
1" Plastic Electric Remote Control
Valve, with removable Anti-Siphon Cap and Flow
Control, for Residential Use. Inlet/Outlet: Female
NPT Threads.

Controller
Rachio Wifi WBIC
-Rachio 3rd Generation, 16 Zone Irrigation
Controler
-Rachio Wireless Flow Meter

Irrigation Lateral Line: PVC Schedule 40 1/2"-1"
Irrigation Mainline: PVC Schedule 40 1/2"-1"
Any PVC exposed above grade to be Schedule 80

REVISIONS
No. Date By

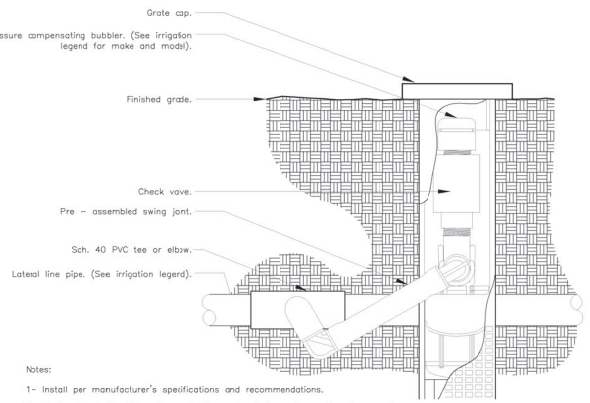
Weeds
GARDEN & INTERIOR DESIGN

DESIGNER
Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT
Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

18 Sept., 2019
Scale: NTS

Irrigation
Specifications
& Notes
LI-3



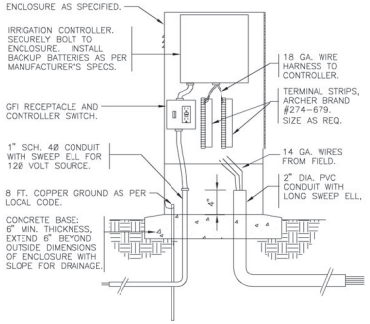
Notes:

1- Install per manufacturer's specifications and recommendations.

2- Contractor shall settle soil around the root watering system with water so air pockets are eliminated.

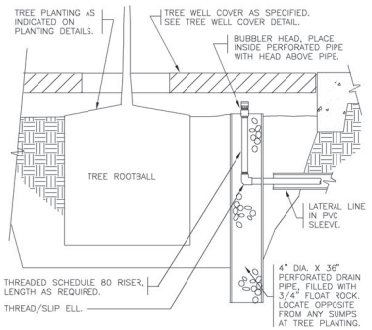
1 ROOT WATERING SYSTEM
6" = 1'-0"

URBAN TREE FOUNDATION © 2014 OPEN SOURCE TREE TO USE
DETAIL-FILE



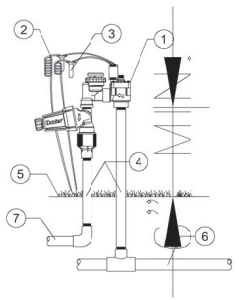
2 CONTROLLER IN ENCLOSURE
1" = 1'-0"

DETAIL-FILE



3 BUBBLER AT TREE WELL
1 1/2" = 1'-0"

FX-IR-FX-HEAD-15



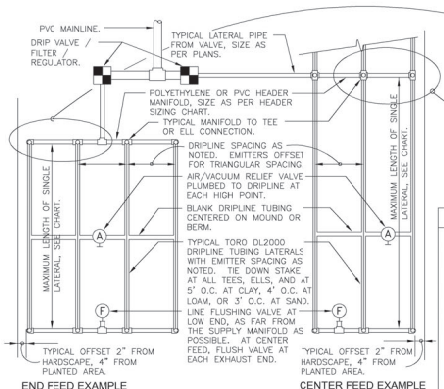
Hunter

1. DRIP ZONE KIT: MODEL ACZ-101-1 FILTER/REGULATOR, 25 OR 40 PSI
2. 18-24" COILED WIRE
3. WATERPROOF CONNECTORS (2)
4. SCH 80 NIPPLES
5. FINISH GRADE
6. MAIN LINE PIPE & FITTINGS
7. LATERAL PIPE & FITTINGS

NOTE
ANTI-SIPHON VALVES SHOULD BE INSTALLED 6-12" ABOVE THE HIGHEST SPRINKLER HEAD WITHN THE ZONE, OR, ACCORDING TO LOCAL CODE.

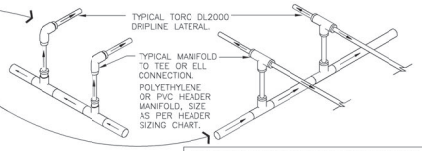
4 ACZ-101-1 DRIP ZONE KIT
1 1/2" = 1'-0"

DETAIL-FILE



END FEED EXAMPLE

CENTER FEED EXAMPLE



STEP 1: ADD LENGTH OF ALL DRIPLINE LATERAL TUBING CONNECTED TO THE HEADER.
STEP 2: DIVIDE THIS TOTAL LENGTH BY 100 TO INDICATE THE LENGHT IN UNITS OF 100.
STEP 3: LOCATE THE GPM THAT APPLIES FOR EACH UNT OF 100 FEET LENGTH ON THE CHART "FLOW RATE PER 100 LINEAR FEET". MULTIPLY THIS GPM NUMBER TIMES THE UNTS OF 100 FEET FOR THE TOTAL GPM AT THIS HEADER.
STEP 4: SIZE THE HEDER WITH THE FOLLOWING:

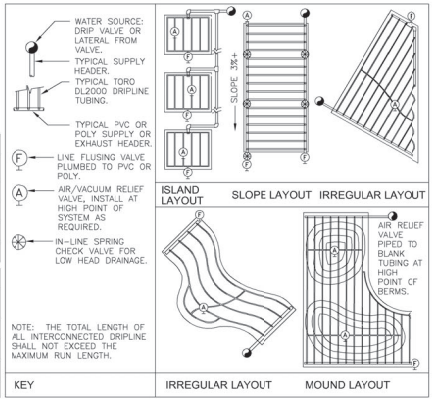
0 TO 6 GPM:	3/4" HEADER.
6 TO 10 GPM:	1" HEADER.
10 TO 20 GPM:	1-1/4" HEADER.
20 TO 30 GPM:	1-1/2" HEADER.

MAXIMUM RECOMMENDED LENGTH OF RUN

DRIPLINE TYPE	FLOW RATE	EMITTER SPACING	15 PSI	25 PSI	30 PSI	40 PSI
RPG212	0.53 GPH	12"	250'	360'	400'	460'
RPG218	0.53 GPH	18"	350'	515'	565'	650'
RPG412	1.0 GPH	12"	160'	240'	260'	300'
RPG418	1.0 GPH	18"	240'	340'	375'	430'

FLOW RATE PER 100 LINEAR FEET @ 20 PSI

DRIPLINE TYPE	FLOW RATE	EMITTER SPACING	ACTUAL FLOW / 100 FT. GPH	GPM
RPG212	0.53 GPH	12"	53.00	0.88
RPG218	0.53 GPH	18"	35.33	0.59
RPG412	1.0 GPH	12"	102.00	1.70
RPG418	1.0 GPH	18"	67.99	1.13

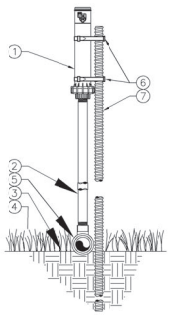


5 TORO DL2000 DRIPLINE
N.T.S.

FX-IR-TOR-DRIP-01

LEGEND

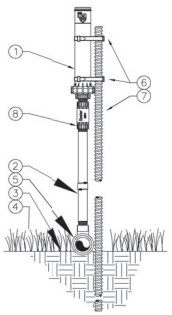
1. HUNTER ROTOR (PGJ-00), NOZZLE AND CAP PER PLAN
2. PVC SCH. 80 THREADED RISER
3. FINISHED GRADE
4. ADJACENT LANDSCAPE
5. LATERAL FITTING AND PIPE PER PLAN
6. STAINLESS STEEL PIPE CLAMP
7. 1/2" [13MM] ø REBAR



6 ROTOR RISER (PGJ-00) AT GRADE ON RIGID RISER
Hunter R.PGJ.01
NO SCALE

LEGEND

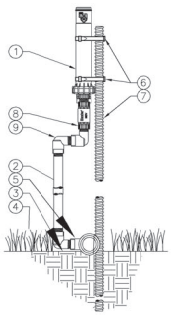
1. HUNTER ROTOR (PGJ-00), NOZZLE AND CAP PER PLAN
2. PVC SCH. 80 THREADED RISER
3. FINISHED GRADE
4. ADJACENT LANDSCAPE
5. LATERAL FITTING AND PIPE PER PLAN
6. STAINLESS STEEL PIPE CLAMP
7. 1/2" [13MM] ø REBAR
8. HUNTER CHECK VALVE (HCV)



7 ROTOR RISER (PGJ-00) AT GRADE ON RIGID RISER WITH CHECK VALVE
Hunter R.PGJ.02
NO SCALE

LEGEND

1. HUNTER ROTOR (PGJ-00), NOZZLE AND CAP PER PLAN
2. PVC SCH. 80 THREADED RISER
3. FNISHED GRADE
4. ADJACENT LANDSCAPE
5. LATERAL FITTING AND PIPE PER PLAN
6. STAINLESS STEEL PIPE CLAMP
7. 1/2" [13MM] ø REBAR
8. HUNTER CHECK VALVE (HCV)
9. MARLEX STREET ELLS



8 ROTOR RISER (PGJ-00) AT GRADE ON SWIVEL RISER WITH CHECK VALVE
Hunter R.PGJ.03
NO SCALE

REVISIONS

No.	Date	By

Weeds GARDEN & INTERIOR DESIGN

DESIGNER

Weeds Garden & Interior Design
3572 Veteran Avenue
Los Angeles, CA 90034
P 310.600.8750 | www.weedsbloom.com

PROJECT

Tomlinson Residence
4756 Latigo Canyon
Malibu, CA 90265

18 Sept., 2019
Scale: NTS

Irrigation Details
LI-4

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

RECEIVED
JAN 07 2020
PLANNING DEPT.

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator **DATE:** 5/21/2019

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDPWF 19-001
JOB ADDRESS:	4756 LATIGO CANYON RD
APPLICANT / CONTACT:	Daniel Ziese
APPLICANT ADDRESS:	612 Moulton Ave Los Angeles, CA 90031
APPLICANT PHONE #:	(323)275-1340
APPLICANT FAX #:	
APPLICANT EMAIL:	daniel@ziesearchitecture.com
PROJECT DESCRIPTION:	New Basement - in-kind +10%

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 Municipal Code (MMC). 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 MMC. 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

January 16, 2020
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 364.

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Daniel Ziese daniel@ziesearchitecture.com		
Project Address:	**4756 Latigo Canyon Road** Malibu, California 90265		
Planning Case No.:	CDPWF 19-001		
Project Description:	New Basement - in-kind +10%		
Date of Review:	January 16, 2020		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489 ext. 307	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Ziese Architecture: Plans undated (received by Planning 5-21-2019); revised plans received 1-25-2020
Grading Plans:	
OWTS Plan:	EPD: OWTS plan dated 11-4-2019 (received 1-7-2020)
OWTS Report:	EPD: OWTS report dated 11-4-2019; Percolation test report dated 10-14-2019
Geology Report:	LandPhases: Geology report dated 9-20-2019
Miscellaneous:	Darrell Roy Enterprises: Limited inspection report dated 5-26-2016. Will Wickes: Existing OWTS plans dated 7-12-2019.
Previous Reviews:	5-28-2019

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). 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 MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
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 advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code (MMC) and the City of Malibu Local Coastal Program (LCP)/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 OWTS 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 for Building Plan Check Approval:

1) **OWTS on Architectural Plans:** The final Architectural Site Plan (Sheet A1.1) must show the proposed onsite wastewater treatment system (OWTS), including the treatment tank, dispersal area(s), and all lines of connection.

2) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all 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 OWTS, existing improvements, and proposed/new improvements. The plot plan 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).

3) **Final OWTS Design Report, Plans, and System Specifications:** *If the OWTS design is modified in any way subsequent to the Planning-stage review*, a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

   The final OWTS 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 drainage fixture units, 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 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.

e. All OWTS 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 OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

4) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the Malibu Municipal Code.

5) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design: "*Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.*"

6) **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.

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

8) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

9) **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 advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

10) **Advanced Onsite Wastewater Treatment System (OWTS) 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder**.

11) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

13) **City of Malibu Public Works Approval:** City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

14) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

15) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

16) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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

4756 LATIGO CANYON ROAD (FIRE REBUILD)
MALIBU, CA 90265 (CDP 20-100)

S.F.D.:	5 Bedroom/70 Fixture Units (N)
PUMP STATION:	Duplex Pump System (N)
TREATMENT	3,634 Gallon MicroSepTec ES12
TANK:	with UV Disinfection Unit (N)
ACTIVE:	2 - 6' x 35' BI w/15' Cap (N) (projected; B-4,B-5)
FUTURE:	1 - 6' x 35' BI w/15' Cap (F) (projected; B-2)
PERC RATE:	9,120 gpd/13.8 gpsf (proj; B-2)
	9,000 gpd/13.6 gpsf (proj; B-4)
	9,000 gpd/13.6 gpsf (proj; B-5)
DESIGNER:	Kevin Poffenbarger, RCE 69089
REFERENCE:	EPD: OWTS report dated 11-4-2019
	LandPhases: Geology report dated 9-20-2019

*SEE REVERSE SIDE FOR MORE OWTS INFORMATION.

NOTES:

1. This conformance review is for a fire rebuild of a 5 bedroom (70 fixture units) new single family dwelling. The new advanced onsite wastewater treatment system conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).

2. This review relates only to the minimum requirements of the MMC, 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 MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: DATE: 11/6/2020

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS

LEGEND:

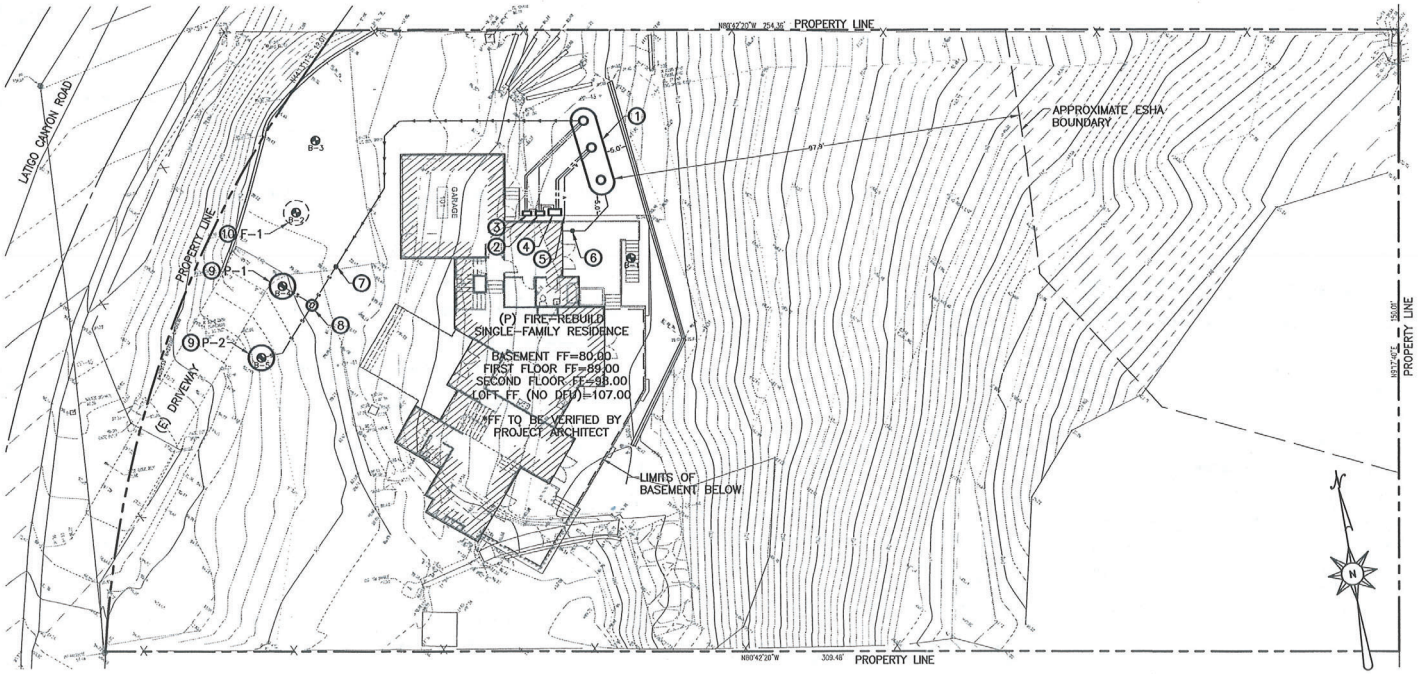
- PROPERTY LINE
- (P) RESIDENCE
- (P) SS PIPES (GRAVITY)
- (P) SS PIPES (PRESSURE)
- (P) SS PIPES (VENTILATION)
- (P) SS PIPES (ELECTRICAL)
- (P) SS PIPES (AIR)
- PERCOLATION TEST BORING (B-X) APPROXIMATE PER LAND PHASES, INC.
- (P) PRESENT SEEPAGE PIT (P-X)
- (P) FUTURE SEEPAGE PIT (F-X)

ABBREVIATIONS:

BI	BELOW INLET
DFU	DRAINAGE FIXTURE UNIT
(E)	EXISTING
EG	EXISTING GRADE
FF	FINISHED FLOOR
FL	FLOWLINE
FG	FINISHED GRADE
FS	FINISHED SURFACE
OWS	ONSITE WASTEWATER SYSTEM
(P)	PROPOSED
SFR	SINGLE FAMILY RESIDENCE
SS	SANITARY SEWER

NOTES:
1. EXISTING ONSITE WASTEWATER SYSTEM DEMOLITION PLAN PER DETAIL 1, SHEET W0.00.
2. ONSITE WASTEWATER SYSTEM GENERAL NOTES PER DETAIL 2, SHEET W0.00.
3. ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC PER DETAIL 3 SHEET W0.00.
4. ONSITE WASTEWATER SYSTEM CALCULATIONS PER DETAIL 4 SHEET W0.00.
5. ONSITE WASTEWATER SYSTEM KEYNOTES PER DETAIL 5, SHEET W0.00.
6. ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS PER DETAIL 6, SHEET W0.00.

PRELIMINARY - NOT FOR CONSTRUCTION



1 ONSITE WASTEWATER SYSTEM SITE PLAN

Scale: 1"=30'

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 06-30-20
No. 69089
CIVIL
STATE OF CALIFORNIA

▽ NO.	REVISIONS:	DATE:	BY:

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN

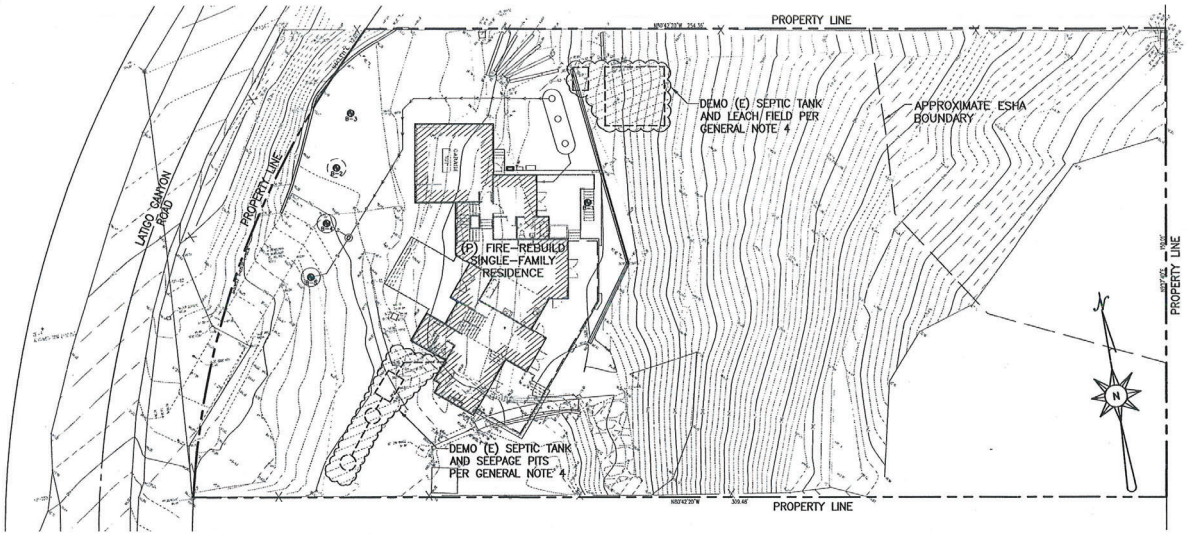
PROJECT: 4756 LATIGO CANYON ROAD

DATE	SCALE	DRAWN BY
11/4/19	AS_SHOWN	CL

PROJECT NO. B587

DRAWING NO. W0.01

SHEET 2 OF 2 SHEETS



1 EXISTING ONSITE WASTEWATER SYSTEM DEMOLITION PLAN

Scale: 1"=40'-0"

GRAPHIC SCALE: 1"=40'

LEGEND:

- PROPERTY LINE
- (P) RESIDENCE
- (P) SEEPAGE PIT (PRESENT)
- (P) SEEPAGE PIT (FUTURE)
- PERCOLATION TEST BORINGS (B-X) APPROXIMATE PER LAND PHASES, INC.

PRELIMINARY - NOT FOR CONSTRUCTION

2 ONSITE WASTEWATER SYSTEM GENERAL NOTES

Scale: N.T.S.

1. THESE PLANS ARE ACCURATE FOR ONSITE WASTEWATER SYSTEM (OWS) ONLY. ALL SEPTIC LINES SHOWN HEREIN ARE APPROXIMATE LOCATIONS.
2. TOPOGRAPHIC SURVEY BY BENNER AND CARPENTER, INC., DATED JULY 2019. ARCHITECTURAL PLANS PROVIDED BY ZIESE ARCHITECTURE, INC. RECEIVED ON OCTOBER 3, 2019. ELEVATIONS ARE APPROXIMATE PER THE REFERENCED PLAN. CONTRACTOR TO VERIFY EXACT LOCATIONS OF PROPERTY LINES.
3. ALL BORINGS (B-X) ARE APPROXIMATE LOCATIONS PER LAND PHASES, INC. REPORT OF ENGINEERING GEOLOGIC STUDY, DATED SEPTEMBER 20, 2019.
4. ALL (E) OWS COMPONENTS SHALL BE ABANDONED OR DEMOLISHED AS NECESSARY BY THE CONTRACTOR PER THE MPC. SEE THE OWS DEMOLITION PLAN PER DETAIL 1 ON THIS SHEET. (E) OWS COMPONENTS ARE APPROXIMATE LOCATIONS PER THE SEWAGE DISPOSAL SYSTEM APPROVAL BY LOS ANGELES COUNTY HEALTH DEPARTMENT, DATED JANUARY 6, 1977 AND OWTS FIRE DAMAGE ASSESSMENT BY TOPANGA SEPTIC, DATED JULY 12, 2019. REMOVAL OF ALL SEPTIC COMPONENTS SHALL FOLLOW ASTM D1557 AND BE EXECUTED IN ACCORDANCE WITH APPLICABLE OSHA AND CAL/OSHA STANDARDS. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING OWS COMPONENTS AN "OWS ABANDONMENT PERMIT" SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.
5. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.

3 ONSITE WASTEWATER SYSTEM PROCESS FLOW SCHEMATIC

Scale: N.T.S.

INFLUENT FROM (P) SINGLE-FAMILY RESIDENCE → (P) MICROSEPTEC ENVIROSERVER ES12 TREATMENT TANK W/ EFFLUENT FILTER, UV DISINFECTION, LOW HEAD DUPLEX EFFLUENT PUMPS AND TELEMETRY CONTROLS → (P) JENSEN PRECAST DISTRIBUTION BOX → (P) PRESENT SEEPAGE PITS (TOTAL OF 2); (P) FUTURE SEEPAGE PIT (TOTAL OF 1)

4 ONSITE WASTEWATER SYSTEM CALCULATIONS

Scale: N.T.S.

TOTAL BEDROOMS: 5
TOTAL DRAINAGE FIXTURE UNITS: 70

SINGLE-FAMILY RESIDENCE: 5 BEDROOMS
1 BEDROOM @ 300 GPD/BED = 300 GPD
4 BEDROOMS @ 150 GPD/BED = 600 GPD

PEAK DESIGN DAILY FLOWRATE: 900 GPD
AVERAGE DESIGN DAILY FLOWRATE: 500 GPD
STRENGTH OF SEPTIC TANK EFFLUENT: 200mg/L OR LESS

MIN SEPTIC TANK CAPACITY (MMC TABLE 15.42.070): 1,500-GAL
(BASED UPON BEDROOM COUNT ONLY)

MIN SEPTIC TANK CAPACITY (MMC TABLE 15.42.070): 2,750-GAL
(BASED UPON DFU COUNT ONLY)

MIN SEEPAGE PIT CAPACITY (PRESENT AND FUTURE): 8,250-GAL

EFFLUENT DISPERSAL:
PERC RATE PRESENT: B-4 = 13.6 GPD/SF (9,000 GPD/6'ø PIT)
B-5 = 13.6 GPD/SF (9,000 GPD/6'ø PIT)
TOTAL = 18,000 GPD/6'ø PIT

PERC RATE FUTURE: B-2 = 13.8 GPD/SF (9,120 GPD/6'ø PIT)
TOTAL = 9,120 GPD/6'ø PIT

(EPD CONSULTANTS, INC., 10/14/19 PERCOLATION TEST REPORT)

PRESENT SEEPAGE PITS: 2 TOTAL (6'ø X 35' BI PITS W/ 15' CAP DEPTHS FROM EG)

FUTURE SEEPAGE PIT: 1 TOTAL (6'ø X 35' BI PIT W/ 15' CAP DEPTH FROM EG)

PEAK DESIGN DISPERSAL LOADING RATE: 1.36 GPD/SF
AVERAGE DESIGN DISPERSAL LOADING RATE: 0.76 GPD/SF

5 ONSITE WASTEWATER SYSTEM KEYNOTES

Scale: N.T.S.

1. (P) MICROSEPTEC ENVIROSERVER ES12 TREATMENT TANK HOUSED IN A 3,634-GALLON FIBERGLASS REINFORCED PLASTIC (FRP) TANK PROVIDED BY THE MFR, W/ EFFLUENT FILTER, UV DISINFECTION, LOW HEAD DUPLEX EFFLUENT PUMPS, TELEMETRY CONTROLS, AND THREE (3) 24"ø FRP LIDS/RISERS TO GRADE PER MFR, SPECIFIED GAS AND WATER TIGHT AND VENTED TO THE ROOF PER MPC.
2. (P) MICROSEPTEC TELEMETRY CONTROL PANEL (CP-1). CONNECT CP-1 TO CP-2 FOR ALTERNATING DUPLEX PUMP RELAY. REQUIRES DEDICATED "UNBLOCKED" PHONE LINE AND POWER TO PANEL AND/OR DEDICATED IP ADDRESS, INTERNET CONNECTIONS TO BE VERIFIED BY THE MFR. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
3. (P) GEOFLOW CONTROL RELAY PANEL (CP-2) MODEL GE01-115-DUP-MAN. CONNECT CP-2 TO CP-1 FOR ALTERNATING DUPLEX PUMP RELAY. LICENSED ELECTRICIAN TO DETERMINE NUMBER AND SIZING OF WIRES.
4. (P) MICROSEPTEC HIBLOW HP-120LL AIR COMPRESSOR (TYP. OF 2) IN ABOVE GROUND ENCLOSURE PER MFR.
5. (P) ENVIROSERVER ES12 AIR VENT W/ 3"ø SCH 40 PVC AIR VENT LINE TO ROOF PER MPC.
6. (P) GRAVITY CLEANOUT TO GRADE.
7. (P) PRESSURE TO GRAVITY CLEANOUT TO GRADE.
8. (P) JENSEN PRECAST MODEL D5 DISTRIBUTION BOX INSTALLED WITH ONE (1) 24"ø PVC WATERTIGHT LID, RISER AND MANHOLE TO GRADE OR APPROVED EQUAL. NUMBER OF OUTLETS PER PLAN.
9. (P) PRESENT 2 X 6'ø X 35' BI SEEPAGE PITS W/ 15' CAP DEPTHS FROM EG @ BORINGS B-4 AND B-5. CONSTRUCT WITH 8"ø ACCESS PORTS INSIDE A H-20 TRAFFIC RATED ENCLOSURE TO GRADE.
10. (P) FUTURE 1 X 6'ø X 35' BI SEEPAGE PIT W/ 15' CAP DEPTH FROM EG @ BORING B-2.

	SEEPAGE PIT #	PERC.TEST BORING PIT #	EXISTING GRADE (FT)	CAP DEPTH FROM EG (FT)	PROPOSED GRADE (FG) (FT)	CAP DEPTH FROM FG (FT)	PROPOSED CAP ELEVATION (FT)	15-FT HORIZONTAL DOWNHILL ELEV. (FT)
PRESENT SEEPAGE PITS	P-1	B-4	90.50	15.00	90.50	15.00	75.50	88.50
	P-2	B-5	92.50	15.00	92.50	15.00	77.50	89.00
FUTURE SEEPAGE PIT	F-1	B-2	88.75	15.00	88.75	15.00	73.75	88.00

6 ONSITE WASTEWATER SYSTEM SEEPAGE PIT ELEVATIONS

Scale: N.T.S.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW

consultants
sustainable water systems & solutions
20722 MAIN STREET
CARSON, CA 90745
Phone (310) 241-6565
Fax (310) 241-6566

REGISTERED PROFESSIONAL ENGINEER
KEVIN L. POPENOE
Exp. 06-30-20
No. 69089
CIVIL
STATE OF CALIFORNIA

▽ NO.	REVISIONS:	DATE:	BY:

ADDRESS:
4756 LATIGO CANYON ROAD
MALIBU, CA 90265

SHEET TITLE: ONSITE WASTEWATER SYSTEM

PROJECT: 4756 LATIGO CANYON ROAD

DATE	SCALE	DRAWN BY
11/4/19	AS_SHOWN	CL

PROJECT NO. B587

DRAWING NO. W0.00

SHEET 1 OF 2 SHEETS

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date: August 18, 2020

Review Log #: **257 (PVWF), 22 (CDPWF,** APRWF withdrawn**)**

Site Address: 4756 Latigo Canyon Drive

Lot/Tract/PM #: Parcel Map 20586

Planning #: **PVWF 20-009, CDPWF 19-001 CCWF 20-0037 through 0039**

Applicant/Contact: Daniel Ziese, (323)275-1340 daniel@ziesearchitecture.com

BPC/GPC #:

Contact Phone #: (323)275-1340 **Fax #:**

Planner: **Justine Kendall**

Project Type: New basement w/in pre-fire footprint, relocation of pool, new OWTS (CDPWF 19-001); Fire Rebuild of SFR and attached garage +10% (PVWF 20-009).

Submittal Information

Consultant(s) / Report Date(s):
*(Current submittal(s) in **Bold**.)*

CalWest Geotechnical Engineers (Liston, RCE 31902): **7-17-20 (Plan Review) 11-20-19**
Land Phases, Inc. (Holt CEG 2282, CHG 818): **9-20-19**
EPD Consultants (OWTS): **11-24-19**
Architectural Plans by Daniel Ziese Architects dated July 10, 2020.
Grading Plans by Delane Engineering (no date part of 3rd submittal
Structural Plans prepared by Bryson Consulting Structural Engineers dated July 6, 2020.

Previous Reviews: None.

Review Findings

Planning Review

☒ The basement, pool and new OWTS are **APPROVED** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage approval.

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

Building Plan-Check Stage Review

☐ **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 and Percolation Test reports and Architectural, Structural and Civil plans were reviewed by the City from a geotechnical perspective. This review encompasses both the CDPWF and PVWF scope of work; a previous APRWF was withdrawn. The submitted geotechnical reports provide exploration in support of a new onsite wastewater treatment system (OWTS) and a separate Percolation Test report was submitted by EPD to support design of the new OWTS.

Based on the submitted information, the project consists of rebuilding a three-story single-family residence attached garage, and driveway (PVWF 20-009) destroyed by the Woolsey Fire (PVWF) located within he pre-fire footprint. In addition to the PVWF project, the applicant has added a basement below the pre-fire house footprint, relocated the pool towards the slope by approximately 20 feet, and added a new pile supported site retaining wall and new OWTS (CDPWF). The two existing OWTSs' will be abandoned. A new advanced OWTS consists of a septic tank, two new seepage pits (6 foot diameter, 35 foot BI, and 15 foot cap), and one future seepage pit (6 foot diameter, 35 foot BI, and 15 foot cap) located in the driveway (away from the slope).

A landslide is mapped north and east of the site, on the edge of the northern property boundary, however the Project Geotechnical Consultants conclude this is the remnant of an ancient landslide with no signs of recent movement based on mapping and aerial photographic review. The site is located in a state mapped earthquake-induced landslide hazard zone, however slope stability was evaluated to support construction of the new pool and OWTS, and met minimum factor of safety requirements for new construction for both static and seismic conditions.

New construction will be supported on pile foundations embedded through colluvium and fill into bedrock a minimum of 10 feet. Site walls not attached to the residence and the pool will utilize pile foundations embedded into bedrock. The house will utilize piles and structural slabs, and it appears the decks are structural slabs supported by pile and grade beam over fill. Grading quantities depicted on the grading plans show more than 1,000 cubic yards of non-exempt grading, and no removal and recompaction although it appears that some areas of the project will include R&R, including the driveway and site retaining walls proposed between the house and the road.

Building Plan-Check Stage Review Comments to be addressed by the Project Geotechnical Engineer

1. The Project Geotechnical Consultant states in their plan review letter dated July 17, 2020 that they have reviewed grading plans by Delane, undated, including Sheet C-4 depicting the drainage collection and dispersal system on the slope. The Project Geotechnical Consultant should review this detail in particular with the Project Civil Engineer and revise the detail and plan to include additional recommendations as notes and details on the plan to address construction and maintenance of the site drainage dispersal system such as keying the gravel layer into the subsurface, location and spacing of cleanouts, and vegetation clearance. This pipe system collects and discharges ALL the surface drainage for the site and must be maintained.

Building Plan-Check Stage Review Comments to be addressed on the Plans

2. An existing large non-erosive drainage pad is shown as being demolished on Civil Plan Sheet C-2, Demolition Plan. On Civil Plan Sheet C-4, the drainage collection system is depicted as collecting all site drainage from the driveway and parking area (and potentially the road during heavy storms), the exterior stairway and decks, and pool area decks. All of this drainage is directed into a 4-inch pipe that has a 90 degree elbow connection to 120 feet approximately of 4-inch perforated pipe as depicted on the detail on Sheet C-4, Detail 22. As described on the plans, the dispersal system as depicted by Detail 22 is …"For incidental rainfall from the exposed decks." As shown on the plans, ALL site drainage is directed to this pipe, not just incidental rainfall from the decks. This pipe appears to be undersized, and the configuration does not appear to consider the likely runoff volume and flow velocity. The Project Civil Engineer should

re-evaluate the adequacy of this drainage collection and dispersal system and provide appropriately sized and configured drainage collection and outlet for the site drainage.

3. Please reference the Project Geotechnical Consultants on the cover sheet of the building plans under project design professionals.
4. Show the location of all proposed fill, as indicated by the grading quantities, on the grading plan, this includes areas such as flat work in the driveway area or exterior stairs or mechanical equipment pads. Provide typical section(s) and details for temporary excavations for the basement on the grading plan in accordance with the project geotechnical consultant's recommendations. It appears cuts as high as 10 feet are proposed (from top of wall to bottom of foundation).
5. All basement retaining wall and site retaining wall back drain locations and outlet daylight locations shall be depicted on the foundation and grading plan.
6. Site grading plans depict a retaining wall on the south side of the residence supporting a change of grade for the exterior stairs descending to the pool and basement level. All site retaining walls must include drainage and freeboard on the uphill side of the wall, and be depicted on the grading plans. Show the location of the drainage swale collection and discharge.
7. An existing retaining wall/privacy wall is shown on the grading plan and does not appear to be scheduled for demolition. Clearly depict this existing wall on the grading plan. All existing site retaining walls to remain must be evaluated by a structural engineer and meet slope setback requirements for foundations, Please provide an evaluation to the Building and Safety Department and provide an as built section for this wall.
8. Please clearly show the Code-required minimum foundation setbacks and distances from descending slopes on the plans, where applicable.
9. Include the following note on all the Foundation Plans: *"All foundation excavations must be observed and approved by the Project Geotechnical Engineer prior to placement of reinforcing steel."*
10. **As-built Grading Report:** 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, a dry density and optimum moisture maximum curve(s), and a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms. 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. Construction of the drainage discharge system on the slope below the house shall be included in the as-built observations and as-built map. Submit a set of building plans that incorporate the project geotechnical engineer's foundation, grading and drainage recommendations for geotechnical review. Indicate the bearing material and depth for all foundation types.
11. **As-built Pile Report:** Include the following note on the foundation plans, as appropriate: "*The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for the City's files. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, and a map depicting the locations of the piles"*.
12. Submit a set of site retaining wall plans for review.
13. Submit a set of pool plans for review. Please include a detail for the swimming pool subdrain on the swimming pool plans, following recommendations by the Project Geotechnical Consultant, and show the location of the pool subdrain outlet on the site drainage plan for the pool.
14. ELECTRONIC PLANS: If final foundation and civil plans are digitally signed and stamped by the Project Geotechnical Consultant, as allowed under Board of Registration For Professional Engineers and Land Surveyors (2020 PE &PLS Board Rules (16 CCR §§400-476), the Plan Review Letter must contain the following:

- Project description – Address, scope, including structures being permitted (e.g. pool, guest house etc.).
- Plan set information - The date and preparer of the plan set reviewed; this must match the plan set that was submitted to the city for final approval.
- Report references -All applicable geotechnical or coastal engineering reports need to be referenced.
- Approval of specific plan sheets reviewed – List all plan sheets approved, e.g. civil (grading and drainage) as well as structural.
- Licensed Professional signature and stamp - The letter must be signed and stamped by all licensed professionals who signed the reports.

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

Geotechnical Engineering Review by:  8/17/20

Lauren J. Doyel, G.E. #2981, Exp. 6-30-21 Date
Geotechnical Engineering Reviewer (310-456-2489 x384)
Email: ldoyel@malibucity.org

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

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. One set of grading, retaining wall, swimming pool, and residence plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.**
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building Plans.
3. Include the following note on Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Project Geotechnical Consultant, as appropriate.*"
4. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
6. Show the onsite wastewater treatment system on the Site Plan.
7. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.
8. A comprehensive Site Drainage Plan, incorporating the Project Geotechnical Consultant's recommendations, shall be included in the Plans. Show all area drains, outlets, and non-erosive drainage devices on the Plans. Water shall not be allowed to flow uncontrolled over descending slopes.

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.

City of Malibu

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

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department **DATE:** 5/21/2019

FROM: City of Malibu Planning Department

PROJECT NUMBER:	CDPWF 19-001
JOB ADDRESS:	4756 LATIGO CANYON RD
APPLICANT / CONTACT:	Daniel Ziese
APPLICANT ADDRESS:	612 Moulton Ave Los Angeles, CA 90031
APPLICANT PHONE #:	(323)275-1340
APPLICANT FAX #:	
APPLICANT EMAIL:	daniel@ziesearchitecture.com
PROJECT DESCRIPTION:	New Basement

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

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

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

SIGNATURE

6/20/19
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Ryan Lim, Assistant Civil Engineer RL

Date: June 20, 2019

Re: Proposed Conditions of Approval for 4756 Latigo Canyon Rd. (**CDPWF 19-001)**

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

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 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.

Recycled Paper

- 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 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.
- The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
- If the property contains trees that are to be protected they shall be highlighted on the grading plan.
- If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
- Private storm drain systems shall be shown on the grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
- Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.

STORMWATER

4. 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:

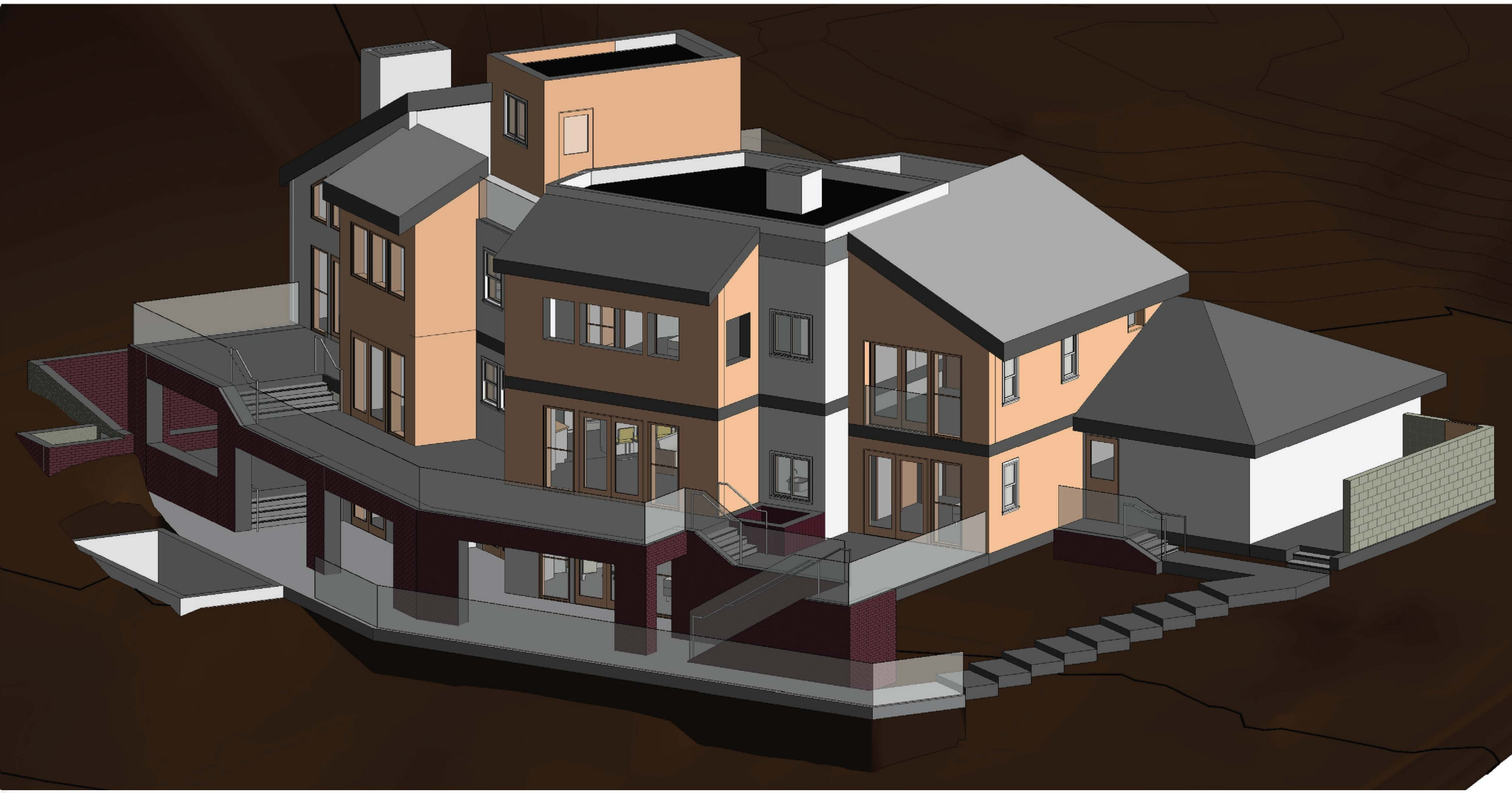
Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill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

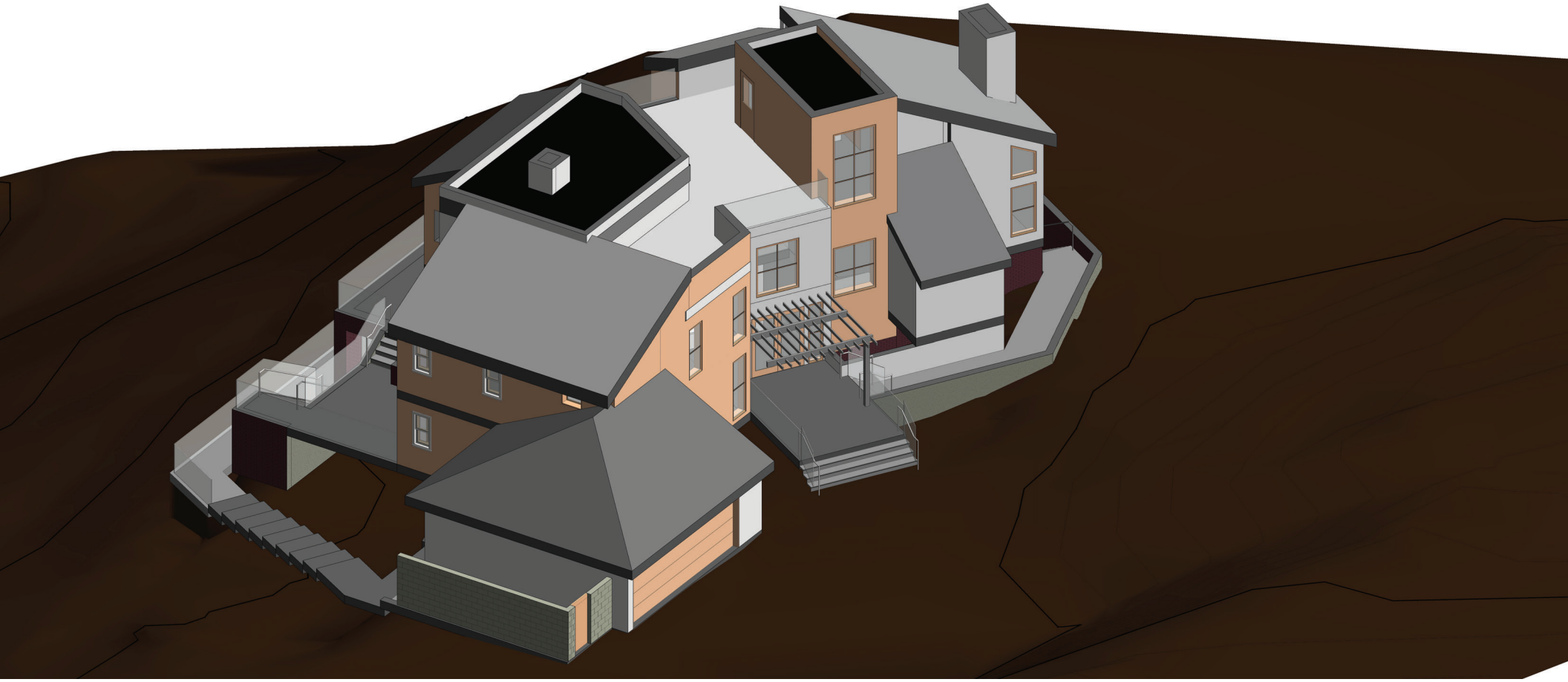
MISCELLANOUS

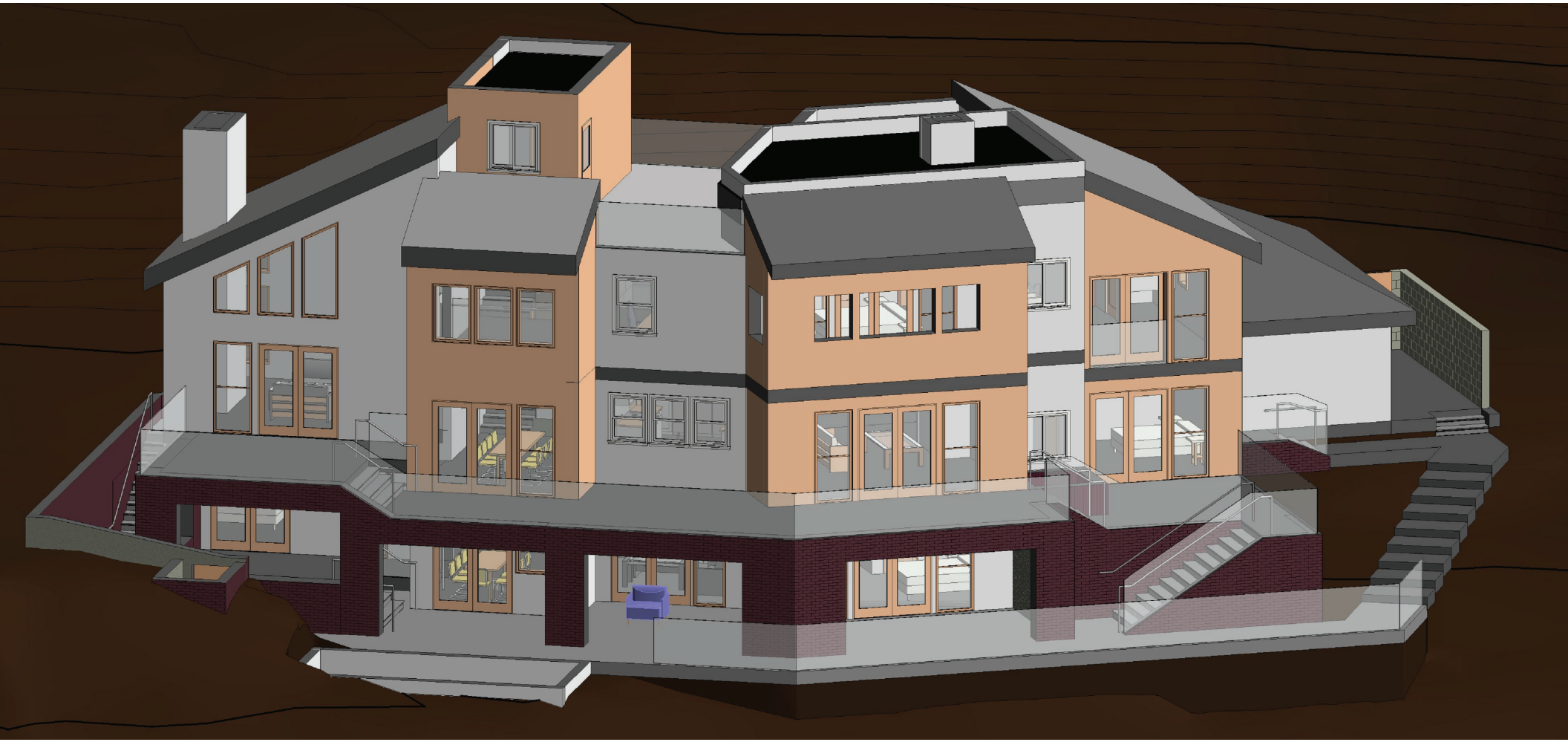
5. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

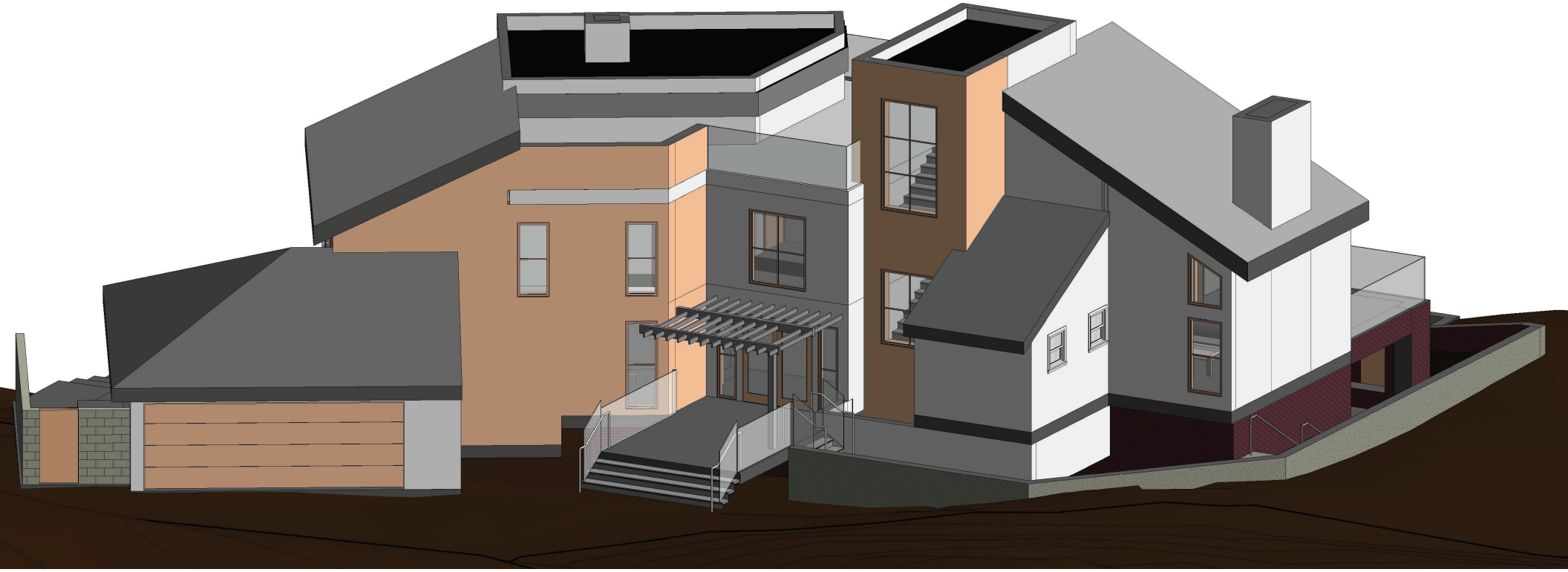
Recycled Paper

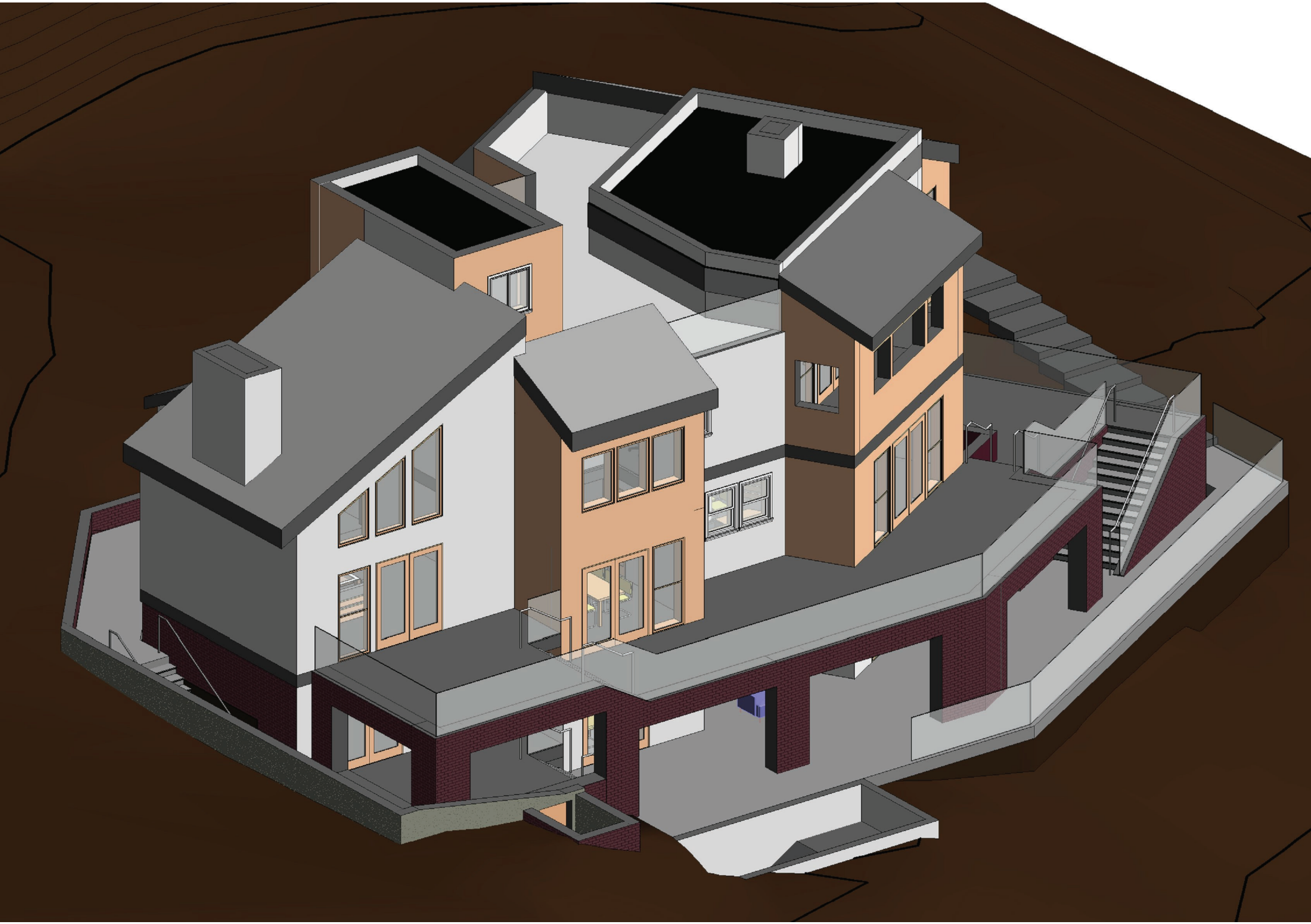


ATTACHMENT 4









Received
May 22 2019
Planning Dept.

James and Kim Tomlinson
[redacted]
Malibu, CA 90265

May 14, 2019

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Information in Support of Variance Request of James and Kim Tomlinson for 4756 Latigo Canyon Road

Dear Commissioners:

We are writing to provide the Commission additional information about the home we lost in the Woolsey Fire. Most importantly, we would like to emphasize that we are simply trying to rebuild the home we lost, with only minor variations from the original.

We are a family of four with two daughters who are sophomores at Malibu High School. When we purchased the home in 2016, we did so in large part because it was perfectly suited to our needs. We made heavy use of the finished lower level of the house, which consisted of a full bathroom, a wet bar (no cooking facilities), guest suite, home office and a walk-in storage closet. We used the kitchenette for storage and direct access to the lower level patio and pool.

When we purchased the home in 2016, the appraisal report indicated that "[t]his type of converted basement is not uncommon in these hillside homes" and that the finished lower level "does add utility value to the property." Having lived in the house for 2 ½ years, we can assure you that the finished lower level added considerable utility value to the home.

We purchased the home in 2016 from Scott and Kerri Wilder, who purchased the home in 2000. We have included with our application a letter from Mr. Wilder supporting our request for a variance. Mr. Wilder's letter attests to the fact that work to finish the lower level was completed before the City of Malibu revised its building code in 2003.

Once rebuilt, our house will be visible to three other families who also live on Latigo Canyon Road:

- John and Ellen Payne (next door at 4764 Latigo Canyon Road),
- David and Carol Young (two houses down at 4800 Latigo Canyon Road), and
- Laird Hamilton and Gabrielle Reece (three houses down at 4860 Latigo Canyon Road).

Each family has signed a letter in support of our request for a variance. The letter from John and Ellen Payne also attests to the fact that work to finish the lower level of the our house was completed before 2003.

We are asking for the variance so we can rebuild the kind of home we had before the fire, including a finished lower level. If the City does not allow us to do so, we will suffer significant financial hardship because: (1) the lower level space is vital to the way we intend to use the house; (2) the house would lose considerable market value and cause us significant financial hardship; and (3) the rear (canyon-facing) side of the house would have diminished exterior character.

More than six months have passed since the fire destroyed our home and we are anxious to move forward with rebuilding as quickly as possible. We would appreciate your prompt approval of our plans.

Please contact us if you have any questions or need additional information.

Sincerely,

James W. Tomlinson Kim Tomlinson

James and Kim Tomlinson

Received
May 22 2019
Planning Dept.

Scott Wilder
[redacted]

May 13, 2019

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Variance Request of James and Kim Tomlinson for 4756 Latigo Canyon Road

Dear Commissioners:

My ex-wife and I owned the property located at 4756 Latigo Canyon Road until we sold it to James and Kim Tomlinson in 2016. My ex-wife and I purchased the property in 2000.

I understand that James and Kim Tomlinson have submitted plans to rebuild their home to the City of Malibu Planning Commission. I also understand that because the house was built in 1979 and the City of Malibu revised its building code in 2003, the Tomlinson Family will need a variance from the Planning Commission in order to rebuild their destroyed home with a finished lower level.

I am writing in support of the Tomlinson Family's request for a variance. Further, I would like to inform the Planning Commission that work to finish the lower level was completed prior to 2003.

Please let me know if you have any questions or need clarification. I can be reached by e-mail at [redacted] or by phone at [redacted]

Very truly yours,

Scott Wilder

Laird Hamilton and Gabrielle Reece
[redacted]
Malibu, CA 90265

May 16, 2019

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Variance Request of James and Kim Tomlinson for 4756 Latigo Canyon Road

Dear Commissioners:

We reside at 4860 Latigo Canyon Road and are long-time residents of the City of Malibu. Our house is near the property owned by the Tomlinson Family at 4756 Latigo Canyon Road. Before the Tomlinson Family's house was destroyed by the Woolsey Fire, we had an unobstructed view of the rear (canyon-facing) side of the structure from our property.

We understand that James and Kim Tomlinson have submitted plans to rebuild their home to the City of Malibu Planning Commission. We also understand that because the Tomlinson Family's house was built in 1979 and the City of Malibu revised its building code in 2003, the Tomlinson Family needs a variance from the Planning Commission in order to rebuild their destroyed home with a finished lower level.

We are writing to inform the Planning Commission that we support the Tomlinson Family's request for a variance and do not object to the proposed minor variation from the City's current Building Code.

Please let us know if you have any questions or need clarification.

Very truly yours,

Laird Hamilton and Gabrielle Reece

John and Ellen Payne
[redacted]
Malibu, CA 90265

May 10, 2019

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Variance Request of James and Kim Tomlinson for 4756 Latigo Canyon Rd.

Dear Commissioners:

We reside at 4764 Latigo Canyon Road and are long-time residents of the City of Malibu. John is a licensed building contractor and is intimately familiar with the City of Malibu's Building Code. Our house is directly adjacent to the property owned by the Tomlinson Family at 4756 Latigo Canyon Road. Before the Tomlinson Family's house was destroyed by the Woolsey Fire, we had views of the south-facing and rear (canyon-facing) sides of the structure from our property.

We understand that James and Kim Tomlinson have submitted plans to rebuild their home to the City of Malibu Planning Commission. We also understand that because the Tomlinson Family's house was built in 1979 and the City of Malibu revised its building code in 2003, the Tomlinson Family needs a variance from the Planning Commission in order to rebuild their destroyed home with a finished lower level.

We are writing to inform the Planning Commission that we support the Tomlinson Family's request for a variance and do not object to the proposed minor variation from the City's current Building Code. The Tomlinson Family makes frequent use of the lower level of the property. Moreover, it is our recollection that the work to finish the lower level of the house was completed by house's previous owners prior to 2003.

Please let us know if you have any questions or need clarification. We can be reached by e-mail at [redacted] or by phone at [redacted]

Very truly yours,

John and Ellen Payne

John Payne Ellen Payne

David and Carol Young
[redacted]
Malibu, CA 90265

May 10, 2019

City of Malibu Planning Commission
23825 Stuart Ranch Road
Malibu, CA 90265

Re: Variance Request of James and Kim Tomlinson for 4756 Latigo Canyon Road

Dear Commissioners:

We reside at 4800 Latigo Canyon Road and are long-time residents of the City of Malibu. Our house is near the property owned by the Tomlinson Family at 4756 Latigo Canyon Road. Before the Tomlinson Family's house was destroyed by the Woolsey Fire, we had an unobstructed view of the rear (canyon-facing) side of the structure from our property.

We understand that James and Kim Tomlinson have submitted plans to rebuild their home to the City of Malibu Planning Commission. We also understand that because the Tomlinson Family's house was built in 1979 and the City of Malibu revised its building code in 2003, the Tomlinson Family needs a variance from the Planning Commission in order to rebuild their destroyed home with a finished lower level.

We are writing to inform the Planning Commission that we support the Tomlinson Family's request for a variance and do not object to the proposed minor variation from the City's current Building Code.

Please let us know if you have any questions or need clarification.

Very truly yours,

David Young and Carol Young

ZIESE ARCHITECTURE, INC.
612 Moulton Avenue, Suite 7 Los Angeles, California 90031 Tel 323 275-1340 Fax 323 275-1341

Date: May 21, 2019
Project: **Tomlinson Residence – 4756 Latigo Canyon Road**
Re: Letter of Supporting Evidence for Variance

Dear City of Malibu Commissioners,

I am an architect working on behalf of Jim and Kim Tomlinson to replace their home that was destroyed in the 2018 Woolsey fire. This letter is to provide information supporting the approval of a variance to replace a non-conforming day-lighting basement that was part of the home prior to the fire. The owners wish to rebuild their home with only minor changes from the original structure.

The finished lower level (basement) was built prior to the City of Malibu revised its municipal code in 2003 to disallow daylighting basements. Several nearby homes in the area have similar daylighting basements installed as shown our supporting exhibits. These basements were not uncommon for hillside homes in the area built prior to 2003 and the owners utilized their basement extensively as do their neighbors.

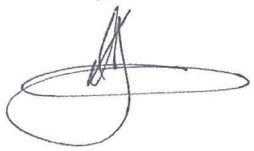
Since the daylighting basement was oriented toward the canyon and not other homes, nearby homes on adjacent lots will not have their views adversely affected by the replacement of the finished lower level. Each of our client's neighbors have written letters of support for the replacement of the home with the pre-existing basement level.

Jim and Kim Tomlinson purchased the home in 2016 with the finished basement which added value to the property and was reflected in the purchase price. The new owners utilized the basement level on a regular basis, and it became a vital part of the home. Not allowing an in-kind replacement for the home will cause significant financial hardship due to the diminished utility of the home as well as significant market-value loss.

I request that you accept our variance request to allow the owners to rebuild their home with minor adjustments so they can return to the lives they enjoyed before this devastating event.

Thank you for your consideration.

Sincerely,



Daniel Ziese, AIA, NCARB, LEED AP

11/29/21

Planning Dept.

Planning Commission

From: KIM TOMLINSON [redacted]
Sent: Monday, November 29, 2021 3:45 PM
To: Planning Commission
Cc: Rebecca Evans
Subject: Consideration of Woolsey Fire Rebuild Item 5b on Dec. 6

Follow Up Flag: Follow up
Flag Status: Completed

Dear members of the Malibu Planning Commission,

We are writing to you today regarding the rebuild of our home at 4756 Latigo Canyon Rd. It is currently item 5b on the agenda for the December 6 meeting. We have been actively trying to get back in our home since we submitted our plans in January 2019. We are coming in front of the commission to get a variance approved so that we can essentially rebuild the home we had before the Woolsey Fire. When I reviewed the agenda for the meeting I saw that further discussion of the Malibu Beach Inn property had been added to an already busy agenda. We are hoping that you will consider moving our agenda item 5b to the beginning of the meeting. We have been struggling with paying rent and a mortgage for over 3 years now and are desperate to get back in our home. It would also be emotionally devastating if we had to be moved to a meeting next year as we have been anxiously awaiting this coming meeting on December 6. We greatly appreciate your consideration of this request.

Sincerely,
Kim and Jim Tomlinson

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/29/21 Time 3:45 PM
Planning Commission meeting of 12/6/21
Agenda Item No. 5B
Total No. of Pages 1









ATTACHMENT 6


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019


06/05/2019

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, December 6, 2021, at 6:30 p.m**. for the project identified below which will be held via teleconference only in order to reduce the risk of spreading COVID-19 pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT-WOOLSEY FIRE NO. 19-001 AND VARIANCE NO. 19-016 - An application to allow the reconstruction of a previously existing, unpermitted non-conforming basement, and construction of a new swimming pool and onsite wastewater treatment system, including a variance for the proposed basement to daylight more than three vertical feet below a residence destroyed by the 2018 Woolsey Fire

LOCATION / APN / ZONING:	**4756 Latigo Canyon Rd** / 4459-002-021 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER(S):	Ziese Architecture / James and Kim Tomlinson
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15301(e), 15303(e), and 15303(d)
APPLICATION FILED:	May 21, 2019
CASE PLANNER:	Philip Coronel, Assistant Planner, pcoronel@malibucity.org (310) 456-2489, ext. 373

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review at City Hall or by contacting the Case Planner. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit www.malibucity.org/virtualmeeting.

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 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.

RICHARD MOLLICA, Planning Director — Date: November 11, 2021

Supplemental Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 5.B.

To: Chair Hill and Members of the Planning Commission

Prepared by: David Eng, Assistant Planner

Approved by: Richard Mollica, Planning Director

Date prepared: March 31, 2022 Meeting date: April 4, 2022

Subject: Coastal Development Permit No. 16-028 – An application for a new single-family residence and associated development

Location: 6333 Sea Star Drive, not within the appealable coastal zone
APN: 4469-047-003
Owner: Issac Real Estate Holdings, Series LLC, Series A

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-32 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit (CDP) No. 16-028 for the construction of a 5,984 square foot, one-story single-family residence with a rooftop deck, a 422 square foot detached two-car garage, swimming pool and spa, grading, landscaping and hardscape, and the installation of an onsite wastewater treatment system on an undeveloped parcel, located in the Rural Residential, Two-Acre zoning district at 6333 Sea Star Drive (Issac Real Estate Holdings, Series LLC, Series A).

DISCUSSION: After the staff report was distributed for this item, the property owner of a lot immediately east and upslope of the project site at 6325 Sea Star Drive contacted Planning staff with concerns about the proposed project. (Attachment 1 – Public Correspondence) The neighbor expressed concerns regarding potential view and privacy impacts from the proposed roof deck.

Pursuant to Malibu Municipal Code (MMC) Section 17.45.050, property owners have the right to preserve a primary view corridor documented by staff. At the neighbor's request, Planning Department staff conducted a Primary View Determination (PVD) on March 29, 2022 from 6325 Sea Star Drive, by viewing the story poles that demonstrate the location, mass, and height of the proposed project, including the roof deck, from the neighbor's

west-facing patio. (Attachment 2 – 6325 Sea Star Drive Primary View Determination Photos). Based on staff's visit and the photographs, the story poles demonstrate that the proposed structure, including the top of the railing, is not blocking bluewater views from 6325 Sea Star Drive. However, the owner of 6325 Sea Star Drive has additional concerns such as objects being placed on the roof top deck; those impacts are not depicted by the story poles.

The MMC and Local Coastal Program do not have regulations and policies prohibiting the development and use of roof decks on residentially zoned property. Additionally, they do not have regulations or policies regarding privacy concerns between property owners. Since the story poles demonstrate that the structure, including the top of railing, is not within bluewater views, no changes to the determinations and conclusions contained in Planning Commission Resolution No. 22-032 are proposed at this time. However, staff is sharing this information with the Commission as additional material for their consideration of this item.

ATTACHMENTS:

1. Public Correspondence
2. Primary View Determination Photos

Received
03/28/22
Planning Dept.

David Eng

Subject: RE: Lot 3 6333 sea star Dr

> -----Original Message-----
> From: Stacey Vince [redacted]
> Sent: Monday, March 28, 2022 1:02 PM
> To: khill@malibucity.org; jmazza@malibucity.org; Patricia Salazar <psalazar@malibucity.org>
> Cc: Robert Vince [redacted]
> Subject: Lot 3 6333 sea star Dr
>
> Good afternoon,
>
> I left you both a message. I added Patricia on here in case I have the wrong emails or this isn't the direction we should go. We received your names from Arthur Jacobsen and Garret Gerson as people we should contact. Time is of the essence as Our new neighbors have story poles up and the hearing is Next week.
>
> Is it possible to have a site inspection to see the view from our home and their proposed area? This was recommended to us but Not quite sure the best way to handle this. We are basically ok with their structure and plans but they are proposing a roof top living area that is 60% of their roof. This is problematic as looks directly into our living/bedroom and Pool area. Besides site line obstruction, creating a second story living area on an 18' single story residence, it presents a serious privacy issue.
>
> We have already met with Dave Eng as he was inspecting their story poles but not sure if there was any follow up. By no means are our intentions to be difficult or prevent them from building, just need to mindful and protect our privacy and site line.
>
> Let me know how best to proceed.
>
> Best,
> Stacey and Robert Vince
> [redacted]
>
> Sent from my iPhone

ATTACHMENT 1

Primary View Determination Photos

6325 Sea Star Drive

ATTACHMENT 2











Commission Agenda Report

Planning Commission Meeting
04-04-22
Item 5.B.

To: Chair Hill and Members of the Planning Commission

Prepared by: David Eng, Assistant Planner

Approved by: Richard Mollica, Planning Director

Date prepared: March 24, 2021 Meeting date: April 4, 2022

Subject: Coastal Development Permit No. 16-028 – An application for a new single-family residence and associated development

Location: 6333 Sea Star Drive, not within the appealable coastal zone
APN: 4469-047-003
Owner: Issac Real Estate Holdings, Series LLC, Series A

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-32 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 16-028 for the construction of a 5,984 square foot, one-story single-family residence with a rooftop deck, a 422 square foot detached two-car garage, swimming pool and spa, grading, landscaping and hardscape, and the installation of an onsite wastewater treatment system (OWTS) on an undeveloped parcel, located in the Rural Residential, Two-Acre (RR-2) zoning district at 6333 Sea Star Drive (Issac Real Estate Holdings, Series LLC, Series A).

DISCUSSION: This agenda report provides a project overview, a summary of the surrounding land uses and project setting, description of the proposed project, staff's analysis of the proposed project's consistency with Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC) provisions, and environmental review pursuant to CEQA. The analysis and findings contained herein demonstrate the proposed project is consistent with the LCP and MMC.

Pursuant to LCP Local Implementation Plan (LIP) Section 13.13.1, the Planning Director may process this permit application administratively, as an administrative coastal development permit, because the scope of work is for a single-family dwelling and the

permit is not appealable to the California Coastal Commission (CCC). However, the Planning Director, with the concurrence of the applicant, may accept the application for filing as a regular coastal development permit pursuant to LIP Section 13.13.2(B). The applicant has requested that the application be processed as a regular coastal development permit under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

Project Overview

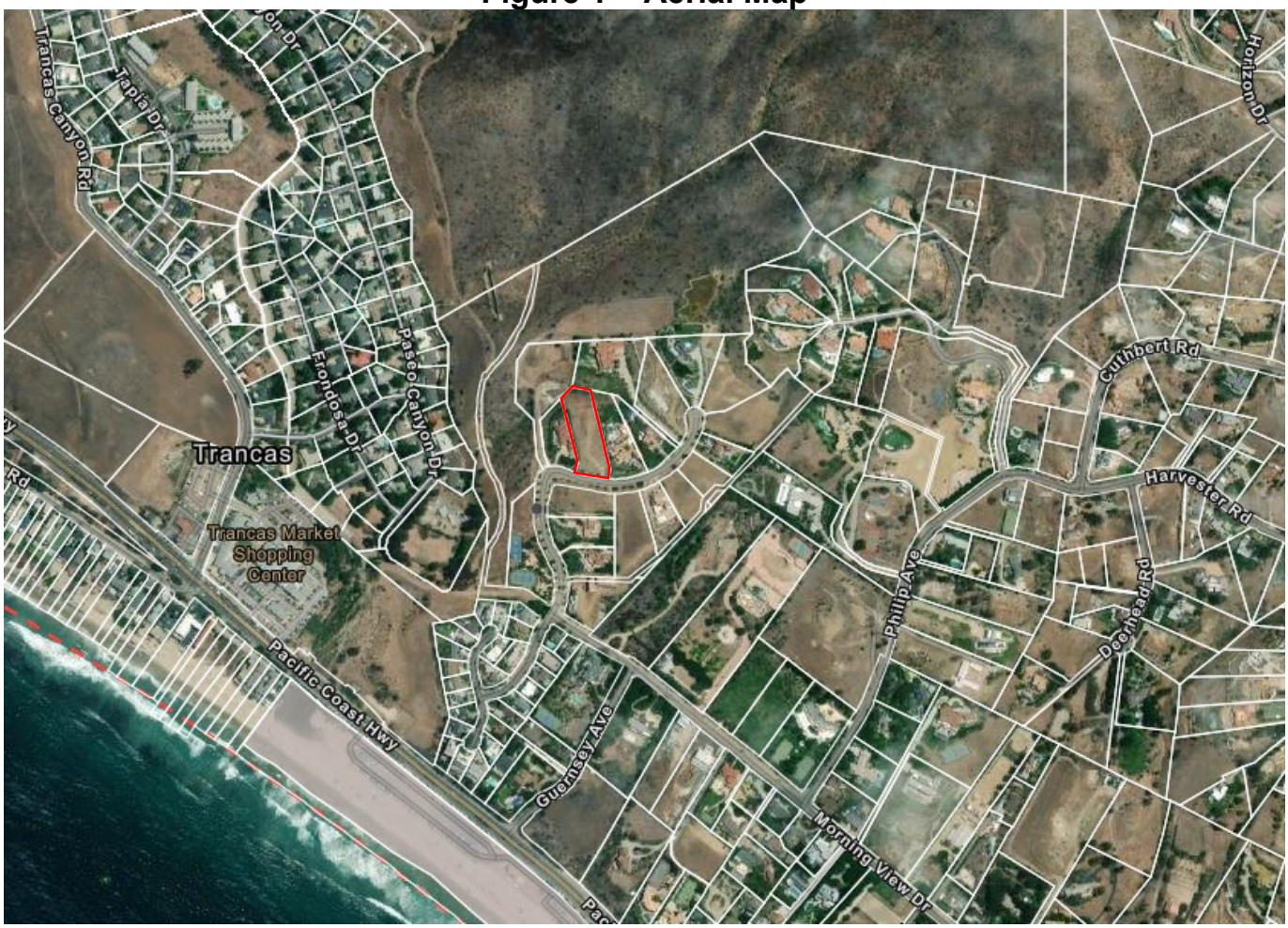
The subject property is located at 6333 Sea Star Drive and is an undeveloped parcel totaling approximately 1.08 acres in both net and gross lot area. The proposed project involves the construction of a new one-story, single-family residence with a detached two-car garage, swimming pool and spa, associated development (Attachment 2 - Project Plans).

The applicant has designed the proposed residence not to exceed 18 feet in height. On March 3, 2022, staff conducted a site visit of erected story poles (Attachment 3 – Story Pole and Site Photos) to assess any potential visual impacts of the project and determined that there would be no adverse effects on private or public views from scenic viewing areas.

Surrounding Land Uses and Project Setting

The subject property is in the Sea Star Estates, which is a residential gated community at the end of Morning View Drive. As depicted in Figure 1 and Table 1, the area comprises a mix of vacant parcels and others developed with one- and two-story single-family residences. Based on Los Angeles County Tax Assessor maps, the southern and northern segments of Sea Star Drive, extending from Morning View Drive, were designed as separate subdivisions. The southern segment of Sea Star Drive (Tract No. 26430, recorded in 1962) is public and characterized by smaller lots, while the northern segment of Sea Star Drive (Tract No. 45585, recorded in 1991), known as Sea Star Estates, is gated and characterized by larger lots. The proposed development is similar in size and scale to other dwellings in the Sea Star Estates community.

Figure 1 – Aerial Map



Source: City GIS

According to the LCP Park Lands Map, the project site does not contain mapped trails on it. However, the Zuma Ridge Trail, Sea Star Trail, Chumash Indian Trail, and Chumash Sea Star Connector Trail are located in close proximity to the subject property, and are located around the periphery of the Sea Star Estates neighborhood. 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 neighboring surrounding land uses and lot sizes.

Table 1 – Surrounding Land Uses

Direction	Address	Lot Size	Zoning	Land Use
North	6361 Sea Star Dr.	1.69 ac	RR-2	Vacant
	6295 Sea Star Dr.	1.63 ac	RR-2	Single-Family Residence
South	Sea Star Dr.	---	---	Private Right-of-Way
West	6357 Sea Star Dr.	0.72 ac	RR-2	Single-Family Residence
East	6325 Sea Star Dr.	1.05 ac	RR-2	Single-Family Residence

Source: City GIS

Table 2 provides a summary of the lot dimensions and lot area of the subject parcel.

Table 2 – Total Property Data	
Lot Depth	385.51 feet
Lot Width	123.57 feet
Gross Lot Area	47,131 square feet (1.08 acres)
Area Comprised of 1:1 Slopes	0 square feet
Net Lot Area*	**47,131 square feet (1.08 acres**)

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

Project Description

The proposed scope of work is as follows:

a. Construction of a 5,984 square foot, one-story, 18-foot tall, single-family residence with a rooftop deck, and a 422 square foot detached two-car garage;
b. Swimming pool, spa, and associated equipment;
c. Installation of an OWTS, including a 2,000-gallon septic tank;
d. Landscaping and hardscaping;
e. Driveway and fire department turnaround area;
f. Grading; and
g. Retaining walls not to exceed a cumulative total of 12 feet in height;

LCP Analysis

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

There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

The nine remaining LIP chapters contain required findings: 1) Coastal Development Permit; 2) ESHA; 3) Native Tree Protection; 4) Transfer of Development Credits; 5) Hazards; 6) Shoreline and Bluff Development; 7) Public Access; and 8) Land Division. For the reasons described in this report, including the project site, the scope of work and substantial evidence in the record, only findings in the following chapters are applicable to the proposed project: Coastal Development Permit (including the required findings for

the SPR), Hazards, and Scenic, Visual, and Hillside Resource Protection.[1] These chapters are discussed in the *LIP Findings* section of this report. Additionally, the proposed project is subject to the Landscape Water Conservation Ordinance (MMC Chapter 9.22) as the project is proposing a new landscape area greater than 2,500 square feet.

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, Los Angeles County Waterworks District No. 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 4 – 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 proposed 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 – Zoning Conformance

Development Requirement	Allowed/ Required	Proposed	Comments
SETBACKS (ft.)			
Front Yard	65	94	Complies
Rear Yard	57.82	121.3	Complies
Side Yard (Minimum 10%)	12.35	12.35	Complies
Total Side Yard (Cumulative 25%)	30	52.05	Complies
PARKING SPACES			
Enclosed (10 ft. x 18 ft.)	2	2	Complies
Unenclosed (10 ft. x 18 ft.)	2	2	Complies
Total Development Square Footage (TDSF) (sq.ft.)			
Single-Family Residence		5,984	
Detached Garage		422	
Areas beneath eaves 6 ft or greater		348	
Total	7,211	6,754	Complies
HEIGHT (ft.)			
Single-Family Residence	18	18	Complies

[1] The ESHA, Native Tree Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access, and Land Division findings are neither applicable nor required for the proposed project.

Table 3 – Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
(including roof deck and railing)			
Garage	18	13.2	Complies
IMPERMEABLE COVERAGE (sq.ft.)	25,000	14,126.3	Complies
NON-EXEMPT GRADING (cu.yd.)	1,000	710	Complies
CONSTRUCTION ON SLOPES	3 to 1 and flatter	3 to 1 and flatter	Complies
FENCES/WALLS/HEDGES			
Retaining Walls	6 ft. max. 12 ft. cumulative	6 ft. max.	Complies
Front Yard			
Impermeable	42 in.	NA	NA
Permeable	6 ft.	NA	NA
Rear and Side Yard	6 ft.	6 ft.	Complies

As shown in Table 3, the proposed project conforms to the development standards as set forth under LIP Chapter 3. The proposed project has been determined to be consistent with all applicable LCP codes, standards, goals, and policies.

Grading (LIP Chapter 8)

LIP Section 8.3 ensures that new development minimizes the visual 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. The total amount of grading is 3,255 cubic yards as provided for on the Total Grading Yardage Verification Certificate on the grading plan cover sheet and Table 4 below. The total amount of proposed non-exempt grading is 710 cubic yards, which is less than the maximum allowable. The remaining grading is 1,725 cubic yards of exempt understructure, 180 cubic yards of exempt safety grading, and 640 cubic yards of removal and recompaction. The proposed project complies with grading requirements set forth under LIP Section 8.3.

To protect the scenic quality of the area around the subdivision, the CCC required all future development on the sites within Sea Star Estates (Tract No. 45585) to conform to the natural topography and minimize grading to the amount necessary for driveway access under the original subdivision permit, CDP 5-90-327 (Attachment 5). In addition, CDP 5-90-327 stated that "no grading for tennis courts, pools, or other ancillary uses which require level pads shall be permitted." This condition has been interpreted to mean the creation of level pads for the specific use of those ancillary uses, rather than the extension of the building pad, as several pools and other ancillary uses extending off of the building pad have been approved by the CCC for properties within the Sea Star

Estates Subdivision since the issuance of CDP 5-90-327. The proposed project is consistent with this condition.

Table 4 – LCP Grading Conformance						
	Exempt**					
	R&R*	***Understructure***	***Safety*****	**Non-Exempt**	**Remedial**	**Total**
Cut	320	1,725	165	535	0	2,745
Fill	320	0	15	175	0	510
Total	640	1,725	180	710	0	3,255
Import	0	0	0	0	0	0
Export	0	1,725	150	360	0	2,235

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. Greenwood and Associates prepared a Phase 1 archaeological study, dated August 1, 1989, as part of the environmental review for the Sea Star Estates subdivision tentative map and found no indication of prehistoric or historic archaeological resources in the project area. It also noted that the site had been previously graded and determined that any proposed improvements should have no adverse impacts to known cultural resources.

Nevertheless, a condition of approval is included in the resolution which states that if 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 proposed project for conformance to LIP Chapter 17 requirements for water quality protection and requirements of the State Water Resources Control Board because the property is located in an area that drains into an Area of Special Biological Significance (ASBS). The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an ASBS as part of the California Ocean Plan. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including recordation of a water quality mitigation plan, and best management practices in compliance with ASBS standards. With the implementation of

these conditions, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The proposed project includes an OWTS to serve the proposed development. This new OWTS consists of a 2,000-gallon septic tank and SeptiTech M750 treatment system with ultraviolet disinfection unit. The new OWTS will be located at the front of the residence within the southern portion of the site. The system has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the MMC and the LCP. The proposed OWTS will meet all applicable requirements and operating permits will be required. An operation and maintenance contract and recorded covenant covering such must comply with City of Malibu Environmental Health requirements. Conditions of approval have been included in this resolution, which require continued operation, maintenance, and monitoring of onsite facilities.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

The proposed project is located in the RR-2 residential zoning district, an area designated for residential uses. The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD have reviewed the project for conformance with the LCP. 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.

Finding 2. If the project is located between the first public road and the sea, that the project is in conformity to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

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

Finding 3. The project is the least environmentally damaging alternative.

This analysis assesses whether alternatives to the proposed project would significantly lessen adverse impacts to coastal resources.

Alternate Project(s) – A reduced project alternative could be proposed on the project site. Should the footprint be reduced, the direct land disturbance would also be reduced. However, the proposed project complies with the maximum allowable TDSF, impermeable coverage and height limitations of the LCP. Additionally, as a single-story building, not exceeding 18 feet in height, and with varying architectural forms and fenestration, the proposed residence is similar in height and massing to other residential development within Sea Star Estates. Lastly, the proposed single-family residential structure could be relocated elsewhere on the subject parcel. However, the proposed project is currently sited to avoid required setbacks and is located on the flattest portions of the parcel, away from areas of steeper slopes. Relocating the proposed development elsewhere from its proposed location would require more grading, land disturbance, and construction on steep slopes. As designed, the proposed project complies with the requirements of both the MMC and LCP. In conclusion, it is not anticipated that an alternative project would offer any environmental advantages.

Proposed Project – The proposed project consists of the construction of a new single-family residence, which is a permitted use within the RR-2 zoning designation, in an existing residentially developed area. The proposed development is comprised of construction of a 5,984 square foot, one-story, single-family residence with a 422 square foot detached two-car garage, and associated development. The proposed project complies with the size, height and location requirements of the LCP. The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD have reviewed and conditionally approved the selected location and found that it meets the City's residential development policies of the LCP and MMC. The proposed project as conditioned will comply with all applicable requirements of State and local law. The proposed project has been determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

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

The subject 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. 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. Based on site specific analysis by the City Biologist, it has been determined that there is no ESHA on the property and that ERB was not required. As conditioned, the proposed project will result in less than significant impacts to sensitive resources, and no significant loss of vegetation or wildlife, or encroachments into an ESHA. Therefore, the findings of LIP Section 4.7.6 are not applicable.

C. 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.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The subject property is located in close proximity to the Zuma Ridge Trail, Chumash Indian Trail, Sea Star Trail, and Chumash Sea Star Connector Trail, which are located around the periphery of the Sea Star Estates neighborhood.

Finding 1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

Although the subject parcel is located in close proximity to several trails, the project site is not visible from the majority of these, which are located primarily at lower elevations or have views toward the site obstructed by existing development, vegetation and topography. The project site is visible from portions of the Zuma Ridge Trail that are located at higher elevations; however, these vantage points are located a considerable distance outside of the neighborhood. Therefore, the project, as proposed, will have no significant adverse scenic or visible impacts due to project design, location on the site, or other reasons.

Finding 2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modification, landscaping or other conditions.

The proposed dwelling is a one-story structure that will not exceed 18 feet tall. The Planning Department and City Biologist have reviewed and conditioned the proposed landscaping from obstructing the primary views from nearby private properties. The project, as proposed or conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping, or other conditions.

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

As previously discussed in Finding 3 of Section A, the project, as proposed or as conditioned, is the least environmentally damaging alternative.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

The proposed development complies with the required setbacks, maximum allowed height, and is located on the flattest portions of the parcel, avoiding steeper slopes. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

Finding 5. 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.

The proposed project is not anticipated to have adverse scenic and visual impacts. Therefore, this finding does not apply.

E. Transfer of Development Credit (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

F. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards 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 Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD have analyzed the proposed development for the hazards listed in LIP Chapter 9. The required findings are made as follows:

Finding 1. 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 Alpine Geotechnical, Inc. and EPD Consultants. These reports are on file at City Hall. The reports evaluate site-specific conditions and recommendations are provided to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, tsunami, and flood and fire hazards. It has been determined that the project is not located in a hazard zone, except that the project site is located within a very high fire hazard severity area. Based on review of the project plans and associated geotechnical reports by City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability 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.

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

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and appropriate building materials will be utilized during construction.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval have been included in the resolution to require compliance with all LACFD development standards. As such, the proposed project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

Finding 2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding 1, 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. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity.

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

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

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

The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD have analyzed the proposed development for the hazards listed in LIP Chapter 9. This review has determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Finding 3 of Section A and Finding 1 of Section G, there are no feasible alternatives to development and due to site constraints, any other project alternative would result in more grading, land disturbance and construction on steep slopes.

Finding 5. 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 Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

G. 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, the findings of LIP Chapter 10 are not applicable.

H. Public Access (LIP Chapter 12)

LIP Section 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
B. New development between the nearest public roadway and the sea.
C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the subject property and the proposed project do not meet any of these criteria in that no trails are identified on the LCP Park Lands Map on or adjacent to the property, and the property is not located between the first public road and the sea, or on a bluff or near a recreational area. The requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

I. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Director has analyzed the proposed project. The Planning Director 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 proposed project is categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e) - New Construction. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: No public correspondence has been received as of the date of this report.

PUBLIC NOTICE: On March 24, 2022, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

SUMMARY: The required findings can be made that the proposed project complies with the LCP and MMC. 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. 22-32. Planning Department staff and appropriate City and County departments have reviewed and conditionally approved the proposed project for conformance with the LCP.

ATTACHMENTS:

1. Planning Commission Resolution No. 22-32
2. Project Plans
3. Story Pole and Site Photos
4. Department Review Sheets
5. CDP 5-90-327
6. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-32

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. 16-028 FOR THE CONSTRUCTION OF A 5,984 SQUARE FOOT, ONE-STORY SINGLE-FAMILY RESIDENCE WITH A ROOFTOP DECK, A 422 SQUARE FOOT DETACHED TWO-CAR GARAGE, SWIMMING POOL AND SPA, GRADING, LANDSCAPING AND HARDSCAPE, AND THE INSTALLATION OF AN ONSITE WASTEWATER TREATMENT SYSTEM ON AN UNDEVELOPED PARCEL, LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 6333 SEA STAR DRIVE (ISAAC REAL ESTATE HOLDINGS, SERIES LLC, SERIES A)

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

SECTION 1. Recitals.

A. On May 24, 2016, an application for Coastal Development Permit (CDP) No. 22-028 was submitted to the Planning Department by applicant Vue Ventures, on behalf of Isaac Real Estate Holdings, Series LLC, Series A. The application was routed to the City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, and the City Public Works Department for review.

B. On August 3, 2016, Planning Department staff conducted a site visit to document site conditions, the property and surrounding area.

C. On March 3, 2020, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On March 3, 2022, Planning Department staff conducted a site visit to document story poles and assess potential view impacts.

E. On March 3, 2022, Planning Department staff deemed the application complete.

F. On March 24, 2022, 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.

G. On April 4, 2022, 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 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 15303(e) – New Construction or

Conversion of Small 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, including the agenda report for the project and the hearing on April 4, 2022, and pursuant to the Local Coastal Program (LCP) Local Implementation Plan (LIP) including 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. 16-028 to allow construction of a new 5,984 square foot, one-story single-family residence, a 422 square foot detached two-car garage, a swimming pool and spa, grading, landscaping and hardscape, and the installation of an OWTS, on a vacant parcel, located in the Rural Residential-Two Acre (RR-2) zoning district at 6333 Sea Star Drive.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. 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 proposed project is located in the RR-2 residential zoning district, an area designated for residential uses. The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD have reviewed the project for conformance with the LCP. 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.

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

3. This analysis assesses whether alternatives to the proposed project would significantly lessen adverse impacts to coastal resources.

Alternate Project(s) – A reduced project alternative could be proposed on the project site. Should the footprint be reduced, the direct land disturbance would also be reduced. However, the proposed project complies with the maximum allowable TDSF, impermeable coverage and height limitations of the LCP. Additionally, as a single-story building, not exceeding 18 feet in height, and with varying architectural forms and fenestration, the proposed residence is similar in height and massing to other residential development within Sea Star Estates. Lastly, the proposed single-family residential structure could be relocated elsewhere on the subject parcel. However, the proposed project is currently sited to avoid required setbacks and is located on the flattest portions of the parcel, away from areas of steeper slopes. Relocating the proposed development elsewhere from its proposed location would require more grading, land disturbance, and construction on steep slopes. As designed, the proposed project complies with the requirements of both the MMC and LCP. In conclusion, it is not anticipated that an alternative project would offer any environmental

advantages.

Proposed Project – The proposed project consists of the construction of a new single-family residence, which is a permitted use within the RR-2 zoning designation, in an existing residentially developed area. The proposed development is comprised of construction of a 5,984 square foot, one-story, single-family residence with a 422 square foot detached two-car garage, and associated development. The proposed project complies with the size, height and location requirements of the LCP. The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD have reviewed and conditionally approved the selected location and found that it meets the City's residential development policies of the LCP and MMC. The proposed project as conditioned will comply with all applicable requirements of State and local law. The proposed project has been determined not to result in adverse biological, scenic or visual resource impacts, and is the least environmentally damaging feasible alternative.

4. 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.

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

1. Although the subject parcel is located in close proximity to several trails, the project site is not visible from the majority of these, which are located primarily at lower elevations or have views toward the site obstructed by existing development, vegetation, and topography. The project site is visible from portions of the Zuma Ridge Trail that are located at higher elevations; however, these vantage points are located a considerable distance outside of the neighborhood. Therefore, the project, as proposed, will have no significant adverse scenic or visible impacts due to project design, location on the site, or other reasons.

2. The proposed dwelling is a one-story structure that will not exceed 18 feet tall. The Planning Department and City Biologist have reviewed and conditioned the proposed landscaping from obstructing the primary views from nearby private properties. The project, as proposed or conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping, or other conditions.

3. As previously discussed in Finding 3 of Section A, the project, as proposed or as conditioned, is the least environmentally damaging alternative.

4. The proposed development complies with the required setbacks, maximum allowed height, and is located on the flattest portions of the parcel, avoiding steeper slopes. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

5. The proposed project is not anticipated to have adverse scenic and visual impacts. Therefore, this finding does not apply.

F. Hazards (LIP Chapter 9)

1. The applicant submitted geotechnical and engineering reports and addenda

prepared by Alpine Geotechnical, Inc. and EPD Consultants. These reports are on file at City Hall. The reports evaluate site-specific conditions and recommendations are provided to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, tsunami, and flood and fire hazards. It has been determined that the project is not located in a hazard zone, except that the project site is located within a very high fire hazard severity area. Based on review of the project plans and associated geotechnical reports by City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability 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.

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

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and appropriate building materials will be utilized during construction.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval have been included in the resolution to require compliance with all LACFD development standards. As such, the proposed project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

2. As stated in Finding 1, 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. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity.

3. As previously stated in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative.

4. The Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD have analyzed the proposed development for the hazards listed in LIP Chapter 9. This

review has determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Finding 3 of Section A and Finding 1 of Section G, there are no feasible alternatives to development and due to site constraints, any other project alternative would result in more grading, land disturbance and construction on steep slopes.

5. As discussed in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 16-028, 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 project described herein. The scope of work approved includes:
    a. Construction of a 5,984 square foot, one-story, 18-foot tall, single-family residence with a roof deck, and a 422 square foot detached two-car garage;
    b. Swimming pool, spa, and associated equipment;
    c. Installation of an OWTS, including a 2,000-gallon septic tank;
    d. Landscaping and hardscaping;
    e. Driveway and fire department turnaround area;
    f. Grading; and
    g. Retaining walls not to exceed a cumulative total of 12 feet in height.

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 September 30, 2021. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions of approval set forth herein. The applicant

shall file this form with the Planning Department prior to the issuance of any development permits.

5. The applicant shall submit a digital set 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. The CDP shall 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. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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

8. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

9. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

10. 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 coastal development permit approved by the City is void.

11. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

Cultural Resources

12. 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.

13. 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.

Lighting

14. Exterior lighting must comply with the Dark Sky Ordinance and 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.

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

17. 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.

18. 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.

19. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

20. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Fencing and Walls

21. 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.

22. 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.

Construction/Framing

23. Prior to the commencement of work, the applicant shall submit a copy of their Construction Management Plan. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.

24. A construction staging plan shall be reviewed and approved by the Planning Director prior to plan check submittal.

25. 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.

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

27. 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.

28. 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.

29. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant / property owner is required to obtain a transportation permit from the California Department of Transportation.

Colors and Materials

30. 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

31. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

32. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with MMC Chapter 17.53. The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53.

33. No portion of the project development shall be placed within the protected zone of a protected native tree.

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

35. 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).

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

37. The landscape and fuel modification plan has been conditioned to protect natural resources in accordance with the Local Coastal Program. All areas shall be planted and maintained as described in the landscape and fuel modification plan. Failure to comply with the landscape conditions is a violation of the conditions of approval for this project.

38. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, with native plant species, to the satisfaction of the Planning Director.

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

40. Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

41. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

42. Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000-foot radius at any given time (given consideration of its future growth).

43. Plantings required for fuel modification, except for within irrigated Zone A nearest to approved residential structures, must be native, drought-tolerant species and shall blend with the existing natural vegetation and natural habitats on the site.

44. 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 five days prior to 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. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

45. Earthmoving shall be scheduled only during the dry season from April 1 through October 31. If it becomes necessary to conduct earthmoving activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted to the City Biologist for approval prior to the issuance of a grading permit and implemented prior to initiation of vegetation removal and/or earthmoving activities.

46. Grading and/or demolition shall be scheduled only during the dry season from April 1 – October 31. 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.

47. The use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

Fuel Modification

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

Public Works

49. The applicant shall obtain encroachment permits from the Public Works Department prior to the commencement of any work within the public right-of-way. 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.

50. 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 grading or 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 street, and any drainage easements.

Grading/Drainage/Hydrology

51. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill. If variance is included for grading, specify cubic yards of grading permitted.

52. The total grading yardage verification certificate shall be copied onto the coversheet of the Grading Plan. No alternative formats or substitutes will be accepted.

53. 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. Installation of BMPs that are designed to treat the potential pollutants in the stormwater 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.
    b. Prohibits the discharge of trash.
    c. 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).
    d. Elimination of non-storm water discharges.

54. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. 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 QQMP 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 BMPs that retain on-site 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 BMPs for the expected life of the structure;
f. Methods of onsite percolation, site re-vegetation and an analysis for off-site project impacts;
g. Measures to treat and infiltrate runoff from impervious areas;
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 measure installed during construction prior to the issuance of grading or building permits; and
i. The WQMP shall be submitted to the Public Works Department 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. The WQMP shall be approved prior 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 Los Angeles County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the certificate of occupancy.

55. 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.

56. 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
	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.

57. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil 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-site
    e. Non-stormwater control
    f. Material management (delivery and storage)
    g. Spill prevention and control
    h. Waste management
    i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit
    j. Landowner must sign the following statement on the ESCP:

"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that quality 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 properly and/or adequately implement the ESCP may result in revocation of grading and/or other permits or other sanctions provided by law."

58. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.

59. 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 pre-development 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 the grading or building permit for this project.

60. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.

    Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

61. The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.

62. 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.

63. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

Geology

64. 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.

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

Swimming Pool/Spa/Water Feature

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

67. 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(A).

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

69. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, algaecides, or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:
    a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
    b. There are sufficient BMPs in place to prevent soil erosion; and
    c. The discharge does not reach in to the MS4 or to the ASBS (including tributaries)

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

71. 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. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

72. Pursuant to MMC Section 9.20.040(B), all ponds, decorative fountains shall require a water recirculating/recycling system.

Onsite Wastewater Treatment System (OWTS)

73. 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 MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

74. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC 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 OWTS plot plan shall show essential features of the OWTS 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).

75. Final OWTS Design Report, Plans, and System Specifications: A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS 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 OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

76. 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 drainage fixture equivalents, 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 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. 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.

77. Proof of Ownership: Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

78. Operations and Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

79. Maintenance Contract: 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 onsite wastewater disposal system after construction shall be submitted. Please note only original "wet signature" documents are acceptable.

80. Advanced OWTS Covenant: Prior to final Environmental Health approval, 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 City of Malibu 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 advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.

81. 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 City Environmental Sustainability Department.

82. Project Geologist/Geotechnical Consultant Approval: Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

83. City of Malibu Public Works Approval: City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

84. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

85. The City Biologist's final approval shall be submitted to the City Environmental Health Administrator. The City Biologist shall review the OWTS design to determine any impact on Environmentally Sensitive Habitat Area if applicable.

86. City of Malibu Planning Approval: City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

87. Environmental Health Final Review Fee: A final fee in accordance with the adopted fee schedule at the time of the final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specification.

88. Operating Permit Application and Fee: In accordance with MMC, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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.

89. Prior to final Environmental Health approval, the construction plans for all structures and/or buildings with reduced setbacks must be approved by the City Building Safety Division. The architectural and/or structural plans submitted to 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 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).

90. Prior to final Environmental Health approval, the applicant shall provide engineer's certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Table 15.42.030(E)) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the Table 15.42.030(E) setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced. All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in Table 15.42.030(E)) also must be supported by a letter from the project architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California-licensed architect, then the required architect's certification may be supplied by an engineer who is responsible for the building design with respect to mitigation of potential moisture

intrusion from reduced setbacks to the wastewater system. In this case, the engineer must include in his/her letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback, then the architect or engineer must provide associated construction documents for review and approval during Building Safety Division plan check. The wastewater plans and the construction plans must be specifically referenced in all certification letters.

91. All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. The floor plans must show all drainage fixtures, including in the kitchen and laundry areas. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

92. Any above-ground equipment associated with the installation of the OWTS 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.

Water Quality/ Water Service

93. 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.

94. Prior to final inspection (or project sign off, as applicable) by the Planning Department, the applicant shall demonstrate that all requirements of Los Angeles County Waterworks District No. 29 have been met, including installation of a meter, if applicable.

Prior to Occupancy

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

96. Prior to the issuance of a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning Department conditions to protect natural resources are in compliance with the approved plans.

97. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled, and state the facilities where all materials were taken.

98. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu 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.

99. 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

100. This coastal development permit shall run with the land and bind all future owners of the property.

101. 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.

Deed Restrictions

102. 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 the Planning Department prior to final planning approval.

103. Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 15-20. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 4th day of April 2022.

_____
KRAIG HILL, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, 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. Appeals shall be emailed to psalazar@malibucity.org and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-32 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 4th day of April, 2022 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

GENERAL CONTRACT NOTES

1. Specifications attached are part of this contract.
2. Do not scale drawings. Written dimensions take precedence over scaled dimensions. All dimensions shall be field verified and coordinated with all of the work of all trades. The architect shall be notified immediately if any discrepancies are discovered.
3. Dimensions shown on plans are to face of exterior masonry, concrete, column or grid lines and finished face of walls unless otherwise noted detailed.
4. The contractor shall examine the condition of the project area and prior to commencement of work report all discerpancies to the architect. Verify all required openings and sleeves in beams, slabs, walls, etc., with all trades before start of work. Commencing with construction signifies acceptance of condition of project area.
5. Should the drawings disagree in themselves or with the specifications or should the specifications disagree with themselves, the better quality and/or greater quantity of work or material shall be estimated upon and unless otherwise ordered in writing shall be furnished and installed.
6. If any error or omissions appear in the contract documents, contractor shall notify architect in writing of such error or omission. If contractor fails to give such notice, he will be held responsible for results of such errors or omissions and for cost of rectifying same.
7. General contractor shall coordinate work performed by other contractors. Discrepancies, if any, should be brought to the attnetion of the architject for resolution before proceeding with work.
8. General contractor shall, in the work of all trades, perform any and all cutting, patching, repairing, restoring, and the like necessary to complete the work and to restore any damaged or affected surfaces resulting from the work of this contract to their original condition, and to the satisfaction of the architect and the owner.
9. The general contractor shall be responsible for the timely arrival of all specified finish materials, equipment, light fixtures and any other such materials to be utilized on this project. The general contractor shall notify the architect in writing within ten (10) days of date of contract of those specified items that may not be readily available and the alternate items that the contractor recommends as readily available of equal quality and description. If notification is not received by the architect, the contractor accepts responsibility for the proper ordering and follow-up of specified items and will pursue whatever means necessary at no additional cost to the owner, ensure availability of all specified items so as not to create hardship on the owner and not to delay progress of the work. No extension of time to the contract will be allowed for the contractor's inability to secure specified items. The general contractor is also responsible for unloading all owner supplied materials at the job site (uncrate, assemble, and place where indicated on plan or per owner's instructions).
10. Safety: All conduct, work equipment and materials shall be in full accordance with the latest safety rules and regulations of all authorities and agencies having jurisdiction over the work.
11. The contractor shall be responsible for and obtain all permits, licenses and pay required fees.
    A. Prior to the issuance of a building permit, the contractor shall have evidence of current workman's compensation insurance coverage on file with the department in compliance with the local labor code.
    B. All required permits must be obtained form the required governing agencies before buildings are occupied.
12. Temporary toilet facilities to be provided per requirements of local governing agency.
13. Each contractor shall leave the site in a neat, clean and orderly condition upon conclusion of his work.
All waste, rubbish and excess materials shall be removed from the site properly.
14. Post excavation notice ten (10) days before excavation if excavation is at the property line adjoining with neighbors.
15. Provide pedestrian protection as required by section 3303 of the Uniform Building Code. A separate permit shall be required for any fences or site walls, as required.
16. Check layout of foundation with architect and structural engineer prior to forming as required.
17. Separate permit applications and permits are required for:
    a. Grading/ excavation/ backfill/ removal and recompaction
    b. Shoring
    c. Retaining wall
    d. Construction canopy
    e. Sign
    f. Fire sprinkler system
    g. Demolition of any existing structure

NOTE: If the structure is connected to a sewer, the sewer must be capped prior to the issuance of the demolition permit. Further, buildings or structures shall be certified as being free from asbestos by a certified person or firm prior to the issuance of the demolition permit.
18. The final Certificate of Occupancy cannot be issued until a written release is obtained from the Southern California Air Quality Management District (CAB 3205).
19. State Assembly Bill 13 prohibits smoking in an enclosed place of employment:
    a. A sign stating "No Smoking" must be posted at each entrance.
    b. A sign stating "Smoking is prohibited except in designated areas" must be posted at each entrance when such areas are permissible per A.B. 13.
    c. Smoking is not permitted.
20. Water closets and urinals shall be 'ultra low-flow' and showerheads shall be 'low-flow' (BHMC 9-4.)
21. Toilet facilities are required during construction (BHMC 9-4).
22. Provide an approved type of garbage grinder readily accessible and properly connected to the sewer drain (BHPC 911).
23. Roof drains discharging water must be conducted under sidewalk (UBC 1506.5)
24. Drainage piping serving fixtures located below the main sewer level or below the next upstream manhole shall be protected from back flow with an approved backwater valve (UPC 710).
25. Unprotected openings are prohibited in envelope protection type ceilings. All duct openings require fire dampers and are limited in area to 100 sq. in. in any 100 sq. ft. of ceiling. Acess openings require one-hour fire rated assemblies with closing devices approved by the department (UBC 710.2).
26. Draft stops shall be installed in floor - ceiling assemblies within concealed spaces (UBC 708.3.1.1.3.).
27. Draft stops shall be installed in attics, mansards, overhangs, and other concealed roof spaces (UBC708.3.1.2.2.).
28. Sound level of operating equipment is limited to five (5) decibels above ambient at the property line (5) (BHMC Art. 4, Chapter 8).
29. All roof equipment must be screened from view (UBC 3601 (e)/ BH Amend. 9-1.202).
30. The final Certificate of Occupancy cannot be issued until a written release is obtained from the Souther California Quality Management District (CAB 3205).

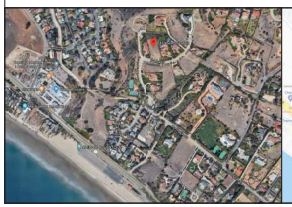
EROSION AND SEDIMENT CONTROL

27. Erosion control measures shall be maintained at all times.
28. Erosion control measures shall be installed as per the approved grading and erosion control plans.
29. All operational storm drain inlets shall be protected from sediment inflow.
30. Sediment control measures (traps, filters, barriers, etc.) shall be maintained at all times.
31. Temporary soil stock and other stockpiled granular materials shall be kept covered, contained, or bermed.
32. Sediment-laden runoff shall not flow under, around, or diversion structures.
33. Sediment, sediment-laden runoff of dewatering effluent shall not flow off the site.
34. Sediment, debris or mud shall not be deposited or tracked onto public roads or rights of way.
35. Seeded or landscaped areas shall be maintained to provide effective ground cover.

CHEMICAL AND WASTE CONTROLS

1. All chemicals (paints, fuels, concrete mix, fertilizers, etc.) shall be properly stored to prevent storm water contamination.
2. All waste products (building materials, wood, sheet metal, broken glass, concrete or paving, paints, etc.) shall be disposed of or recycled properly.
3. All contaminated waters generated during construction shall be properly contained, treated and or disposed of.
4. All storm drain inlets in the vicinity of the site shall be protected from inflow during saw-cutting, sealing, paving, and building washing operations.
5. All heavy equipment shall be parked in a designated area well away from storm drain inlets.
6. All equipment repaired or maintained on site shall have drip pans, absorbent pads, berms, or other methods used to prevent contamination of soil runoff.
7. A spill response plan shall be in place and all spills shall be cleaned up properly and promptly using dry cleaning methods.
8. Trash receptacles shall be provided for containing solid wastes generated on site and shall be covered during the rainy season.

AERIAL MAP



VICINITY MAP



PROJECT DIRECTORY

OWNER
Troy Isaac
6333 Sea Star Drive,
Malibu, CA 90265

STRUCTURAL ENGINEER
Structural Design Plus
310-456-3625
designplus@sbcglobal.net
Attn: Dean Almalla

CIVIL ENGINEERING
Ahsirt Engineering
360 Miller Way
Arroyo Grande, CA. 93420
Ph# 805-474-4008
Contact: Trisha Coffey

ARCHITECT
Coscia Day Architects
323-702-3336
johnathen@cosciaday.com
Contact: Johnathen Day

ELECTRICAL ENGINEER
13280 Callente Dr.
Dsrt. Hot Springs, CA. 92240
310-551-0010
frntzl@gmail.com
Attn: Eric Frentzel

SURVEYOR & CIVIL ENGINEER
Pat Clemons Surveying
1167 Lawrence Dr. Ste-B
Newbury Park, CA. 91320
805-498-5332

PROJECT EXPEDITOR
Vue Ventures, LLC
Ph# 310-409-9008
Contact: Susan Villain

MECHANICAL ENGINEER + T24
Energyloglcs Englneers
665 Fairmont Ave #11
Glendale, CA. 91203
Ph# 213-820-3683
elogicsce@gmail.com
Attn: Henry Estrada

GEOLOGY
Geo Concepts, Inc.
818-994-8895
mark@geoconceptsinc.com
Attn: Mark Barrett

BUILDING INFORMATION

Job Address:	6333 Sea Star Drive, Malibu, CA 90265
APN:	4469-047-003
Zone:	RR2
Occupancy Group:	R-3 / U1 (Single Family Dwelling)
Construction Type:	Type V-B
Sprinklered:	(Yes)
Lot:	3
Tract:	45585
Lot Size:	385.51' x 123.57'
Lot Area:	47,138.47 SF

This plan review has been made to verify conformance to missing requirements of codes and ordinances adopted by the City of Malibu.

Codes:

The 2020 County of Los Angeles Codes, 2019 California Building, Mechanical, Plumbing, and Electrical Codes (I.e., 2018 IBC, UMC, UPC, and 2017 NEC, as amended by the State of California), 2019 California Green Building Standards Code, 2019 California Existing Building Code, and 2019 California Energy Code.

SCOPE OF WORK

1 - (N) SINGLE STORY FAMILY DWELLING (18'-0" HT. MAX.)
TOTAL SFD = 5,984 SF
2 - DETACHED (2) CAR GARAGE - 422 SF
3 - (N) POOL (47'L x 13'W x 5' D.) W/ SPA (7'x7')

PROPOSED S.F. (TDSF)

BUILDING AREA:

FIRST FLOOR AREA	5,984 SF
GARAGE	422 SF
OVERHANG BEYOND 5'-11"	348 SF
TOTAL PROPOSED PROJECT AREA	**6,754 TDSF**

ALLOWABLE TDSF (CITY) = 7,209.78 SF
ALLOWABLE IMPERMEABLE = 14,128.34 SF

PROPERTY DATA

LOT DEPTH (FEET)	**385.51'**
LOT WIDTH (FEET)	**123.57'**
GROSS LOT AREA(SQUARE FEET)	**47.131 SF**
SQUARE FEET COMPRISED OF 1:1 SLOPES	0
SQUARE FEET COMPRISED OF EASMENTS	0
NET LOT AREA (SQUARE FEET)*	**47,131 SF**

ZONING CONFORMANCE

DEVELOPMENT REQUIREMENT	ALLOWED/REQUIRED	EXISTING	PROPOSED	TOTAL	COMMENTS
SETBACKS					
FRONT YARD	77.10'		90.9'	90.9'	COMPLIES
REAR YARD (HOUSE)	57.82'		114.6'	114.6'	COMPLIES
SIDE YARD (MINIMUM 10%)	12.35'		12.35'	12.35'	COMPLIES
SIDE YARD (15%)	17.65'		34.5'	34.6'	COMPLIES
TOTAL REQUIRED SIDE YARD	30.89'		46.85'	46.85'	COMPLIES
PARKING					
ENCLOSED	2.00		2.00	2.00	COMPLIES
UNENCLOSED	2.00		2.00	2.00	COMPLIES
TOTAL DEVELOPMENT SQUARE FOOTAGE (TDSF)	7,209.78 SF		6,754	6,754	COMPLIES
PRIMARY RESIDENCE (1ST FLOOR)			5,984	5,984	COMPLIES
GARAGE (DETACHED)			422	422	COMPLIES
OVERHANG > 6'-0"			348	348	COMPLIES
HEIGHT	18'-0"		18'-0"	18'-0"	COMPLIES
IMPERMEABLE COVERAGE			40,384.47	40,384.47	COMPLIES
NON-EXEMPT GRADING (Cu.yd)	1,000	0.00	710 C.Y.	710 C.Y.	COMPLIES
CONSTRUCTION ON SLOPES	3 to 1 and flatter	0	3 to 1 and flatter	0	COMPLIES

DRAWING INDEX

A0.0	COVER SHEET, LEGAL INFORMATION, DRAWING INDEX.
A0.1a	MALIBU NOTES
A0.1b	MALIBU NOTES
A0.1c	CONSTRUCTION NOTES
A0.1d	CONSTRUCTION NOTES
A0.1e	CITY DOCUMENTS
A0.2	EXISTING SITE PHOTOS
A0.3	3D RENDERINGS
A0.4	GREEN CODE
A0.5	GREEN CODE
A0.6	BEST MANAGEMENT PRACTICES
TS-1	TOPOGRAPHIC SURVEY
TS-2	SLOPE BAND ANALYSIS
TS-3	ROOF SLOPE BAND ANALYSIS
A1	SETBACK CALCULATIONS
A2	SITE ROOF PLAN
A3a	PROPOSED FLOOR PLAN
A3b	PROPOSED REFLECTED CEILING PLAN
A4	PROPOSED ROOF PLAN
A5	VOID
A6a	PROPOSED ELEVATIONS
A6b	PROPOSED ELEVATIONS
A7a	PROPOSED SECTIONS
A7b	PROPOSED SECTIONS
A7c	PROPOSED SECTIONS
A8a	PROPOSED INTERIOR ELEVATIONS
A8b	PROPOSED INTERIOR ELEVATIONS
A8c	PROPOSED INTERIOR ELEVATIONS
A8d	PROPOSED INTERIOR ELEVATIONS
A9	WINDOWS & DOORS SCHEDULE
A10a	DETAILS - CONSTRUCTION DETAILS
A10b	DETAILS - CONSTRUCTION DETAILS
A11a	DETAILS - EXTERIOR DOORS
A11b	DETAILS - INTERIOR DOORS
A12	DETAILS - WINDOWS
A13	DETAILS - SMOKE + C.M. DETECTOR
A14	DETAILS - TPO ROOFING
A15a	DETAILS - DECKING
A15b	DETAILS - DECKING LARR
A16	DETAILS - VELUX SKYLIGHTS
A17	DETAILS - GLASS RAILING
A18	DETAILS - HVAC
A19	DETAILS - TEKTRIM
A20	DETAILS - SHOWER DRAIN
A21	DETAILS - GAS FIREPLACE
A22	DETAILS - MECHO SHADE
A23	DETAILS - STEAM SHOWER
A24	DETAILS - TANKLESS WATER-HEATER
A25	DETAILS - MASTER TUB
A26	DETAILS - PLANIKA FIREPLACE
A27	DETAILS - FLUSH HEATER
E1	LIGHTING
E2	ELECTRICAL

STRUCTURAL PLANS

S1	STRUCTURAL GENERAL NOTES
S2	SHEAR WALL SCHEDULE & RELATED NOTES
S3	FOUNDATION PLAN
S4	ROOF FRAMING PLAN
S5	STRUCTURAL DETAILS
S6	STRUCTURAL DETAILS
S7	STRUCTURAL DETAILS
S8	MOMENT FRAME & DETAILS
EN-1	T-24 MAIN HOUSE
EN-2	T-24 MAIN HOUSE
EN-3	T-24 GUEST HOUSE
EN-4	T-24 POOL HOUSE

ELECTRICAL PLANS

E1	REFLECTED CEILING PLAN
E2	ARCHITECTURAL ELECTRICAL OUTLETS PLAN

MECHANICAL PLANS

M0.0	MECHANICAL LEGEND, SPECS + NOTES
M0.1	MECHANICAL NOTES, EQUIPMENT SCHEDULE
M0.2	MECHANICAL EQUIPMENT SCHEDULE
M2.0	MECHANICAL 1ST FLOOR PLAN
M2.1	MECHANICAL 2ND FLOOR PLAN
M2.2	MECHANICAL GUEST HOUSE + POOL CABANA
M3.0	MECHANICAL DETAILS

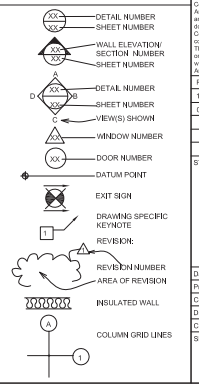
ABBREVIATIONS

ACOUS.	Accoustical	F.C.	Fixture Contractor	PERIM.	Perimeter
ADJ.	Adjustable	FIN.	Finished	PERP.	Perpendicular
A.F.F.	Above Finished Floor	FLUOR.	Fluorescent	P.C.	Plumbing Contractor
ARCH.	Architectural or Architect	FT.	Feet	PRELIM.	Preliminary
BET.	Between	FUR.	Furring	PT.	Paint
BLDG.	Building	GA.	Gauge	R OR RAD.	Radius
BLK.	Block	GALV.	Galvanized	REF.	Refer/ Reference
BLKG.	Blocking	G.C.	General Contractor	REQ'D.	Required
BM.	Beam	GYP. B.	Gypsum Board	REV.	Revision
BOT.	Bottom	HORIZ.	Horizontal	RM.	Room
C.L.	Center Line	HT.	Height	SCH.	Schedule
CLR.	Clear	HVAC	Heating, Ventilation & Air Conditioning	SECT.	Section
CLG.	Ceiling	IN.	Inch	SHT.	Sheet
CLKG.	Caulking	INST.	Install	SIM.	Similar
COL.	Column	INT.	Interior	SPECS.	Specifications
CONT.	Continuous	JT.	Joint	STD.	Standard or Stud
DET.	Detail	MAX.	Maximum	STRUC.	Structural
DIA.	Diameter	MECH.	Mechanical	SUSP.	Suspended
DIAG.	Diagonal	MERCH.	Merchandise	TEMP.	Tempered
DIM.	Dimension	MFR.	Manufacturer	THK.	Thick
DISP.	Display	MIR.	Mirror	TYP.	Typical
DWG.	Drawing	MULL.	Mullion	U.O.N.	Unless Otherwise Noted
E.C.	Electrical Contractor	N.I.C.	Not In Contract	VAR.	Varies/ Variable
EQ.	Equal	N.T.S.	Not To Scale	VERIF.	Verify/ Verification
EXIST.	Existing	O.C.	On Center	VERT.	Vertical
EXP.	Exposed or Expansion	OPP.	Opposite		
EXT.	Exterior				

CITY STAMPS

RECEIVED
MAR 17 2022
PLANNING DEPT

KEY TO SYMBOLS



Coscia Day
architecture + design
1965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU. CA. 90265

Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job. Coscia Day Architecture shall be notified in writing by the contractor if there are any variations or discrepancies between the construction documents and the field conditions. Shop drawings must be submitted and approved by Coscia Day Architecture before proceeding with fabrication. Copyright 2018 Coscia Day Architecture. The design and ideas and plans represented by these documents are the property of Coscia Day Architecture. Use or copy in permitted by contract only. The use or imitations of these ideas or plans is prohibited without the written permissions of Coscia Day Architecture.

REVISIONS:
11/23/20
07/18/21

STAMP



Date: 11/23/20
Project Name:
Coordinator: J.D.
Drawn By: IR
Checked By:
Sheet Number:
A0.0

ATTACHMENT 2

PROPERTY ADDRESS:

6333 SEA STAR DRIVE
MALIBU, CA 90265

ASSESSOR'S PARCEL NO.'S:

4469-047-003 (LOS ANGELES COUNTY)

LEGAL DESCRIPTION:

LOT 3 OF TRACT NO. 45585 IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN TRACT MAP 45585, M.B. 1171, PGS. 84-88 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BASIS OF BEARINGS:

THE BEARING OF N 79°38'257" W ALONG THE CENTERLINE OF SEASTAR DRIVE AS SHOWN ON TRACT 45585 IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS RECORDED IN BOOK 1171 PAGE(S) 84-88 OF MAPS IN THE OFFICE OF THE RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK :

BM Y 11394 MALIBU (2008 ADJ.)
ELEVATION = 22.513'

USGS DISK ON TOP OF SE COR BRIDGE 13M (43') S/O C/L PACIFIC COAST HWY & 161 M (0.1M) E/O TRANCAS CYN RD MRD (R 49 1928 RESET 1995)

NOTES:

1) UTILITIES SHOWN HEREON ARE BASED ON SURFACE EVIDENCE ONLY. NO STUDIES OF RECORD UNDERGROUND UTITILIES WERE PERFORMED AS PART OF THIS WORK.
2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS, IF ANY, ARE NOT SHOWN ON THIS MAP.

R = TRACT NO. 45585 BOOK 1171 PAGE(S) 84-88

LEGEND:

PROPERTY LINE: ———————

STREET CENTERLINE: —·—·—·—

EASEMENT: — — — — —

MONUMENT: ⚠

BASIS OF BEARINGS: (B.O.B.)

STREET LIGHT (ST.LT.):

ASPHALT (A/C):

BUILDING:

WIRE FENCE: ——II——

METAL RAIL FENCE: —MRF—

WOOD FENCE: —W—

VINYL RAIL FENCE: —VRF—

CHAIN LINK FENCE: —X—

WROUGHT IRON FENCE: —WIF—

BRICK:

DECK:

FLAGSTONE:

TILE:

CONCRETE (CONC.):

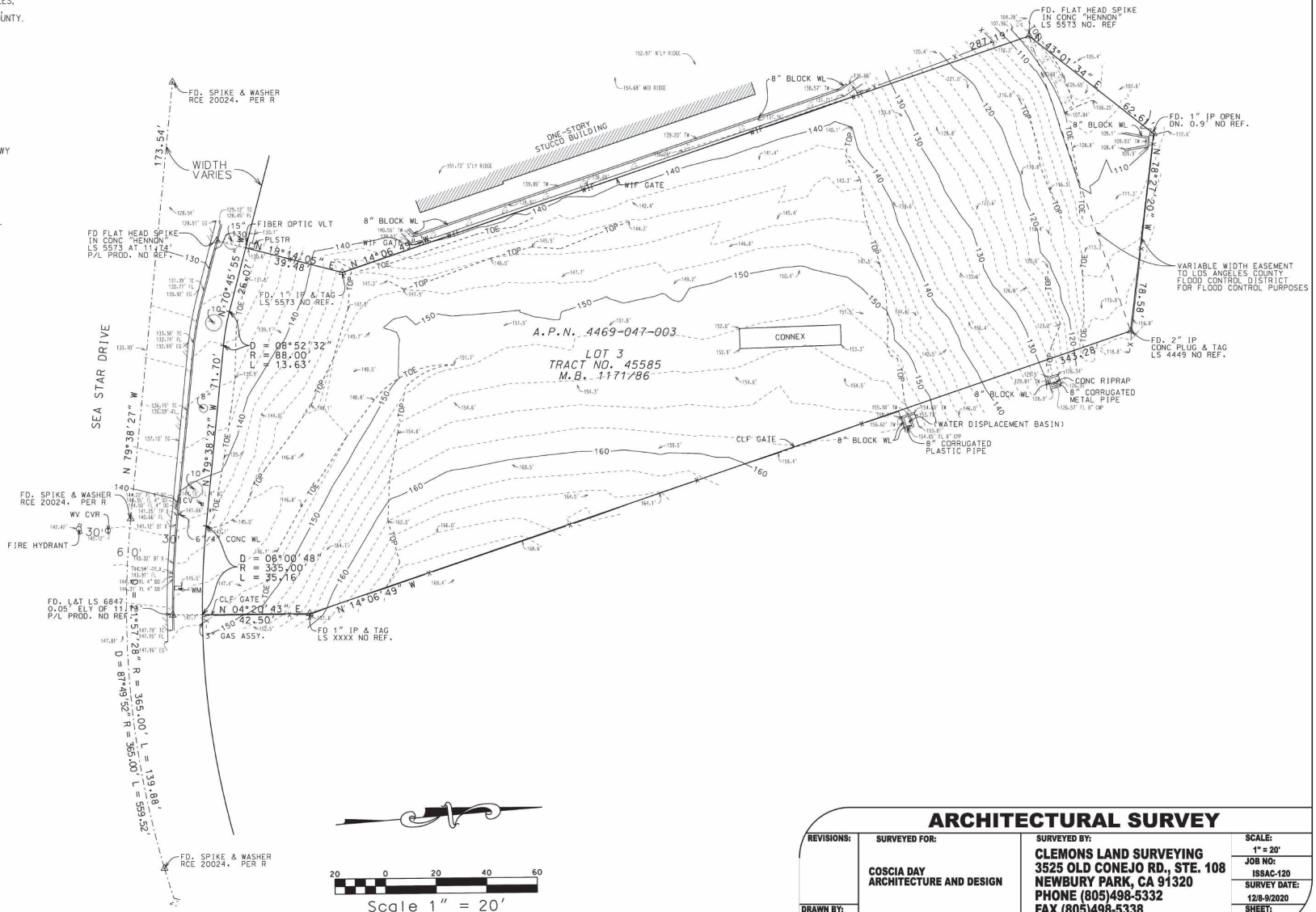
MANHOLE (M.H.):

DRAIN INLET:

TREES: PINE PALM EUC MISC

ABBREVIATIONS:

TOP STEP = TS
BOTTOM STEP = BS
FINISH SURFACE = FS
CALCULATED FROM = CF
TOP CURB = TC
FLOW LINE = FL
EDGE GUTTER = EG
DRAIN INLET = DI
DRAIN OUTLET = DO
PUBLIC SERVICE EASEMENT = PSE
RAILROAD TIE STEPS = RRT STPS



ARCHITECTURAL SURVEY

REVISIONS:	SURVEYED FOR:	SURVEYED BY:	SCALE:
	COSCIA DAY ARCHITECTURE AND DESIGN	CLEMONS LAND SURVEYING 3525 OLD CONEJO RD., STE. 108 NEWBURY PARK, CA 91320 PHONE (805)498-5332 FAX (805)498-5338	1" = 20' JOB NO: ISSAC-120 SURVEY DATE: 12/8-9/2020
DRAWN BY: JD/TW			SHEET: TS-1

PROPERTY ADDRESS:

6333 SEA STAR DRIVE
MALIBU, CA 90265

ASSESSOR'S PARCEL NO.'S:

4469-047-003 (LOS ANGELES COUNTY)

LEGAL DESCRIPTION:

LOT 3 OF TRACT NO. 45585 IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN TRACT MAP 45585, M.B. 1171, PGS. 84-88 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BASIS OF BEARINGS:

THE BEARING OF N 79°38'257" W ALONG THE CENTERLINE OF SEASTAR DRIVE AS SHOWN ON TRACT 45585 IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS RECORDED IN BOOK 1171 PAGE(S) 84-88 OF MAPS IN THE OFFICE OF THE RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK :

BM Y 11394 MALIBU (2008 ADJ.)
ELEVATION = 22.513'

USGS DISK ON TOP OF SE COR BRIDGE 13M (4.3') S/O C/L PACIFIC COAST HWY & 161 M (0.1M) E/O TRANCAS CYN RD MRD (R 49 1928 RESET 1995)

NOTES:

1) UTILITIES SHOWN HEREON ARE BASED ON SURFACE EVIDENCE ONLY. NO STUDIES OF RECORD UNDERGROUND UTITILIES WERE PERFORMED AS PART OF THIS WORK.
2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS, IF ANY, ARE NOT SHOWN ON THIS MAP.

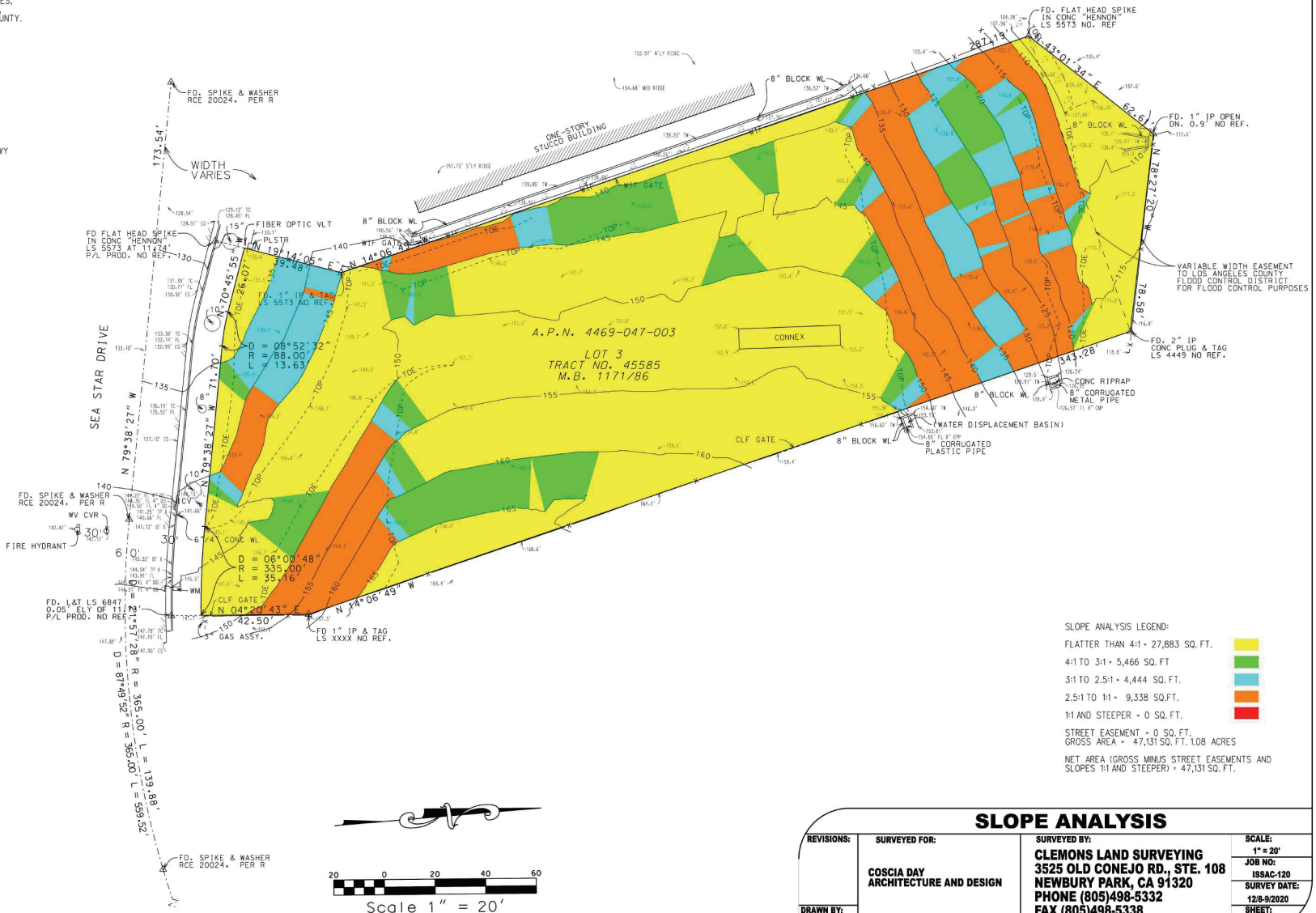
R = TRACT NO. 45585 BOOK 1171 PAGE(S) 84-88

LEGEND:

PROPERTY LINE:
STREET CENTERLINE:
EASEMENT:
MONUMENT:
BASIS OF BEARINGS: (B.O.B.)
STREET LIGHT (ST.LT.):
ASPHALT (A/C):
BUILDING:
WIRE FENCE: W
METAL RAIL FENCE: MRF
WOOD FENCE: W
VINYL RAIL FENCE: VRF
CHAIN LINK FENCE: X
WROUGHT IRON FENCE: WIF
BRICK:
DECK:
FLAGSTONE:
TILE:
CONCRETE (CONC.):
MANHOLE (M.H.):
DRAIN INLET:
TREES: PINE PALM EUC MISC

ABBREVIATIONS:

TOP STEP = TS
BOTTOM STEP = BS
FINISH SURFACE = FS
CALCULATED FROM = CF
TOP CURB = TC
FLOW LINE = FL
EDGE GUTTER = EG
DRAIN INLET = DI
DRAIN OUTLET = DO
PUBLIC SERVICE EASEMENT = PSE
RAILROAD TIE STEPS = RRT STPS



Scale 1" = 20'

SLOPE ANALYSIS LEGEND:

FLATTER THAN 4:1 = 27,883 SQ. FT.
4:1 TO 3:1 = 5,466 SQ. FT
3:1 TO 2.5:1 = 4,444 SQ. FT.
2.5:1 TO 1:1 = 9,338 SQ.FT.
1:1 AND STEEPER = 0 SQ. FT.

STREET EASEMENT = 0 SQ. FT.
GROSS AREA = 47,131 SQ. FT. 1.08 ACRES

NET AREA (GROSS MINUS STREET EASEMENTS AND SLOPES 1:1 AND STEEPER) = 47,131 SQ. FT.

SLOPE ANALYSIS

REVISIONS:

SURVEYED FOR:
COSCIA DAY
ARCHITECTURE AND DESIGN

SURVEYED BY:
CLEMONS LAND SURVEYING
3525 OLD CONEJO RD., STE. 108
NEWBURY PARK, CA 91320
PHONE (805)498-5332
FAX (805)498-5338

DRAWN BY: JD/TW

SCALE: 1" = 20'
JOB NO: ISSAC-120
SURVEY DATE: 12/8-9/2020
SHEET: TS-2

PROPERTY ADDRESS:

6333 SEA STAR DRIVE
MALIBU, CA 90265

ASSESSOR'S PARCEL NO.'S:

4469-047-003 (LOS ANGELES COUNTY)

LEGAL DESCRIPTION:

LOT 3 OF TRACT NO. 45585 IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN TRACT MAP 45585, M.B. 1171, PGS. 84-88 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BASIS OF BEARINGS:

THE BEARING OF N 79°38'27" W ALONG THE CENTERLINE OF SEASTAR DRIVE AS SHOWN ON TRACT 45585 IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS RECORDED IN BOOK 1171 PAGE(S) 84-88 OF MAPS IN THE OFFICE OF THE RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK :

BM Y 11394 MALIBU (2008 ADJ.)
ELEVATION = 22.513'

USGS DISK ON TOP OF SE COR BRIDGE 13M (43') S/O C/L PACIFIC COAST HWY & 161 M (0.1M) E/O TRANCAS CYN RD MRD (R 49 1928 RESET 1995)

NOTES:

1) UTILITIES SHOWN HEREON ARE BASED ON SURFACE EVIDENCE ONLY. NO STUDIES OF RECORD UNDERGROUND UTITILIES WERE PERFORMED AS PART OF THIS WORK.
2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS, IF ANY, ARE NOT SHOWN ON THIS MAP.

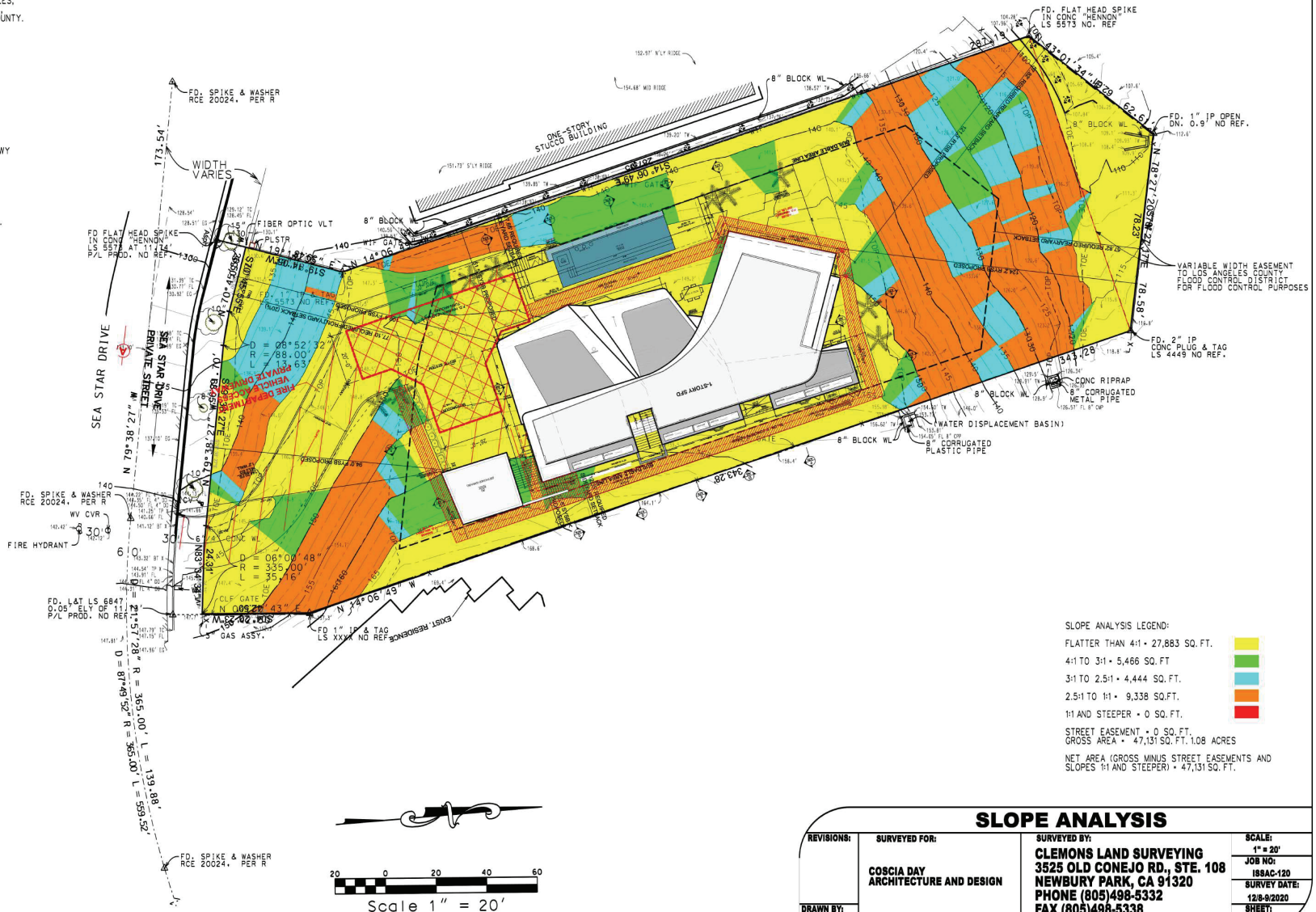
R = TRACT NO. 45585 BOOK 1171 PAGE(S) 84-88

LEGEND:

PROPERTY LINE:
STREET CENTERLINE:
EASEMENT:
MONUMENT:
BASIS OF BEARINGS: (B.O.B.)
STREET LIGHT (ST.LT.):
ASPHALT (A/C):
BUILDING:
WIRE FENCE: —— II ——
METAL RAIL FENCE: —— MRF ——
WOOD FENCE: —— W ——
VINYL RAIL FENCE: —— VRF ——
CHAIN LINK FENCE: —— X ——
WROUGHT IRON FENCE: —— WIF ——
BRICK:
DECK:
FLAGSTONE:
TILE:
CONCRETE (CONC.):
MANHOLE (M.H.):
DRAIN INLET:
TREES: PINE PALM EUC MISC

ABBREVIATIONS:

TOP STEP = TS
BOTTOM STEP = BS
FINISH SURFACE = FS
CALCULATED FROM = CF
TOP CURB = TC
FLOW LINE = FL
EDGE GUTTER = EG
DRAIN INLET = DI
DRAIN OUTLET = DO
PUBLIC SERVICE EASEMENT = PSE
RAILROAD TIE STEPS = RRT STPS



SLOPE ANALYSIS LEGEND:

FLATTER THAN 4:1 = 27,883 SQ. FT.
4:1 TO 3:1 = 5,466 SQ. FT
3:1 TO 2.5:1 = 4,444 SQ. FT.
2.5:1 TO 1:1 = 9,338 SQ.FT.
1:1 AND STEEPER = 0 SQ. FT.

STREET EASEMENT = 0 SQ. FT.
GROSS AREA = 47,131 SQ. FT. 1.08 ACRES

NET AREA (GROSS MINUS STREET EASEMENTS AND SLOPES 1:1 AND STEEPER) = 47,131 SQ. FT.

SLOPE ANALYSIS

REVISIONS:

DRAWN BY: JD/TW

SURVEYED FOR:
COSCIA DAY
ARCHITECTURE AND DESIGN

SURVEYED BY:
CLEMONS LAND SURVEYING
3525 OLD CONEJO RD., STE. 108
NEWBURY PARK, CA 91320
PHONE (805)498-5332
FAX (805)498-5338

SCALE: 1" = 20'
JOB NO: I88AC-120
SURVEY DATE: 12/8-9/2020
SHEET: 1 OF 1

City of Malibu

Environmental and Building Safety Division
Environmental Health
23815 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 317-1950 · www.ci.malibu.ca.us

6333 SEASTAR DRIVE

ONSITE WASTEWATER TREATMENT SYSTEM FIXTURE UNIT WORKSHEET

This worksheet shall be used to determine the existing fixture unit count and the proposed fixture unit count for all planned alterations to existing structures. Floor plans may be required to confirm both existing and proposed conditions. When a new OWTS system only is proposed, complete only the proposed column of the worksheet. The completed worksheet shall be certified by an Architect, Civil Engineer, Environmental Health Specialist, or an "A", "C-42", "C-36" Contractors License.

Date: 9.12.20
Applicant:
Address:
Number of Bedrooms (Existing): 0
Number of Bedrooms (Future): 5

Planning Division Reference Number:
Worksheet Certification by:
Coscia Day Architecture
Print name Signature
Applicable California State License or Registration Type
State License or Registration Number Expiration Date

Type of Plumbing Fixture	Existing Fixtures		Proposed Fixtures	=	Total Fixtures	x	Unit Value	=	Existing Fixture Units	Total Future Fixture Units
	"A"		"B"		"(A + B)"		"C"		"A x C"	"(A + B) x C"
Bathtub or Combination Bath/Shower	1	+	1	=		x	2	=	2	2
Bidet	1	+	0	=		x	2	=	2	0
Bar Sink	2	+	2	=		x	1	=	2	2
Clothes Washer	2	+	1	=		x	3	=	6	3
Dishwasher	2	+	1	=		x	2	=	4	2
Laundry Sink	1	+	1	=		x	2	=	2	2
Lavatory (Wash Basin)	8	+	9	=		x	1	=	8	9
Kitchen Sink	1	+	1	=		x	2	=	2	2
Shower (Single Head)	6	+	6	=		x	2	=	12	12
Water Closet (Flush Toilet)	7	+	8	=		x	6	=	42	48
Other (MPC Table 7-3)		+		=		x		=		
Other (MPC Table 7-3)		+		=		x		=		

TOTAL EXISTING FIXTURE UNITS: 82
TOTAL FUTURE FIXTURE UNITS: 82

Notes

1. In completing this form, a room is considered a bedroom if it provides privacy, has an associated closet, and is in close proximity to a bathroom with bathtub and/or shower fixtures.
2. If an existing fixture is to be deleted from the project, indicate the fixture with a minus sign (–) next to the proposed fixture quantity in column "B".
3. For plumbing fixtures not shown in this table please refer to Malibu Plumbing Code (MPC) Table 7-3.

T:\mal\Inspector\Environmental Health\Handouts\Misc Handouts\FIXTURE UNIT WORKSHEET 8 8 06.doc

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804

LOS ANGELES COUNTY WATERWORKS DISTRICTS REVIEW
REFERRAL SHEET

FROM: City of Malibu Planning Department DATE: 5/24/2016

PROJECT NUMBER: CDP 16-028
JOB ADDRESS: 6333 SEA STAR DR
APPLICANT / CONTACT: Susan Villain, Vue Ventures, Inc.
APPLICANT EMAIL: susan@vueventuresinc.com
APPLICANT PHONE #: (310) 409-9008
PLANNER: Lilly Rudolph
PROJECT DESCRIPTION: NSFR

TO: Malibu Planning Department and/or Applicant
FROM: LACWD No. 29, Malibu

Compliance with the conditions checked below is required prior to Waterworks District approval

The project DOES NOT require any system improvements for domestic and/or fire flow conditions	X
The project DOES NOT require capital improvement fees and/or participation fees	
The project DOES require a Will Serve Letter *(Final Waterworks Districts approval)*	X
The project DOES require capital improvement fees and/or participation fees	X
The project DOES require the owner to execute an agreement and participate financially in the design and construction of a future water system to increase local storage and conveyance capacity in the event of an interruption of the primary water supply	
The project DOES require private contract water system improvements for domestic and/or fire flow conditions	

The required fire flow for this project set by the Fire Department is 1,250 gallons per minute at 20 pounds per square inch for a 1 hour duration

Scope of water system improvements required:

Note: Los Angeles County Waterworks District No. 29, Malibu approval expires upon the earliest of the following: 1) Two years from the date of this form; 2) Expiration date of the City Planning permit(s), or 3) Date County adopts changes to the county of Los

William F. John — SIGNATURE
6/29/2021 — DATE

Additional requirements/conditions may be imposed upon review of complete architectural plans. Los Angeles County Waterworks District No. 29, Malibu may be contacted by phone at (310) 317-1389 or at the Waterworks Public Counter

FORM 195
Rev. 11/06/2019

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION
Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For One and Two Family Dwellings, Townhomes, and Accessory Dwelling Units

INSTRUCTIONS:

Complete parts I, II (A), and II (B)

Verifying fire flow, fire hydrant location and fire hydrant size.

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 6333 SEASTAR
City or Area: MALIBU APN 4469-047-003
Nearest Cross Street: MORNINGVIEW DR
Distance of Nearest Cross Street:
Property Owner: TROY ISSAC Telephone: 310 409-9008 SUSAN VILLAIN
Address: 4592 BELFORT AVE
City: DALLAS TX Zip Code 75205
Occupancy (Use of Building): SFR Sprinklered: Yes ☑ No ☐
Type of Construction V.B
Square Footage: 6848 Number of Stories: 2

Applicant's Signature — Date 5/10/21

Coscia Day
architecture + design
745 Indiana Ave.
Venice Beach, CA
90291
310 399 1613
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

REVISIONS:

SIGN & SEAL

Date: 09/18/17
Project Name:
Coordintor: J.D.
Drawn By:
Checked By:
Sheet Number:
A0.1e

City of Malibu

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

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE
PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER:
PROJECT ADDRESS: 6333 SEA STAR

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form**. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	EXEMPT			NON EXEMPT	REMEDIAL GRADING	TOTAL
	R&R	UNDERSTRUCTURE	SAFETY			
CUT	320	1725	165	535	0	2745
FILL	320	0	15	175	0	510
TOTAL	640	1725	180	710	0	3255
IMPORT	0	0	0	0	0	0
EXPORT	0	1725	150	360	0	2235

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: TRISHA A. COFFEY
PRINT NAME
SIGN NAME

DATE: 2021-07-30

REGISTERED PROFESSIONAL ENGINEER TRISHA A. COFFEY EXP 06/2023 CIVIL STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\Planning\PLN Grading Verification Certificate_130701.doc

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FUEL MODIFICATION UNIT
605 NORTH ANGELENO AVENUE
AZUSA, CA 91702
(626) 969-5205
www.fire.lacounty.gov/forestry-division/forestry-fuel-modification/
"Proud Protectors of Life, Property, and the Environment"

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

BOARD OF SUPERVISORS
HILDA L. SOLIS
FIRST DISTRICT
HOLLY J. MITCHELL
SECOND DISTRICT
SHEILA KUEHL
THIRD DISTRICT
JANICE HAHN
FOURTH DISTRICT
KATHRYN BARGER
FIFTH DISTRICT

February 22, 2021

Julie Friedrichsen
1585 Old Topanga Canyon Rd
Topanga, CA 90265

Dear Julie Friedrichsen:

FUEL MODIFICATION PLAN – 6333 SEASTAR DRIVE, MALIBU
PARCEL # 4469047003 FM PROJECT #3439 – FFFM # 202100034

The Final Fuel Modification Plan has been reviewed and approved. Inspections are to be performed by Forestry Division personnel.

Questions regarding this response should be directed to the Fuel Modification Unit. Office hours are Monday through Thursday, from 8:00 a.m. to 4:00 p.m. for plan submittal and general questions. Plan checkers are available 8:00 a.m. to 10:00 a.m. and by appointment. The Fuel Modification Unit may be reached at (626) 969-5205.

Very truly yours,

KEVIN T. JOHNSON, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

LP:lp

Enclosures

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

AGOURA HILLS	CARSON	EL MONTE	INGLEWOOD	LAWNDALE	PICO RIVERA	SIGNAL HILL
ARTESIA	CERRITOS	GARDENA	IRWINDALE	LOMITA	POMONA	SOUTH EL MONTE
AZUSA	CLAREMONT	GLENDORA	LA CANADA-FLINTRIDGE	LYNWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	COMMERCE	HAWAIIAN GARDENS	LA HABRA	MALIBU	RANCHO PALOS VERDES	TEMPLE CITY
BELL	COVINA	HAWTHORNE	LA MIRADA	MAYWOOD	ROLLING HILLS ESTATES	VERNON
BELL GARDENS	CUDAHY	HERMOSA BEACH	LA PUENTE	NORWALK	ROSEMEAD	WALNUT
BELLFLOWER	DIAMOND BAR	HIDDEN HILLS	LAKEWOOD	PALMDALE	SAN DIMAS	WEST HOLLYWOOD
BRADBURY	DUARTE	HUNTINGTON PARK	LANCASTER	PALOS VERDES ESTATES	SANTA CLARITA	WESTLAKE VILLAGE
CALABASAS		INDUSTRY		PARAMOUNT		WHITTIER

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

The distance from the fire hydrant to the property line is 0' (Fronting) feet via vehicular access. The fire flow services will be rendered from a 8" inch diameter water main. The hydrant is located on Sea Star Dr (Direction/side) (Street)

860' (Feet) North (Direction) of Morning View Dr (Nearest Cross - Street)

Static PSI 90 Residual PSI 69 Orifice size 4", 2.5" Pitot N/A
Fire Flow at 20 PSI 1,250 GPM for one hour duration ☐ Flow Test Date / Time ☒ Hydraulic model
Domestic Meter Size No meter

PART II (B)

LA County Waterworks District, No. 29 — Water Purveyor
William F. John — Signature
(310) 317-1389 — Phone Number
8/10/2021 — Date
William Johnson, Senior Civil Engineer — Title

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

The building permit may be issued for new or additions to detached one and two family dwellings, townhomes, and accessory dwelling units when the above information is completed and shows that the following minimum requirements are met and the property is not located in a Fire Hazard Severity Zone.

- The water system is capable of delivering at least 1000 GPM at 20 PSI for one-hour if non-sprinklered.
- The water system is capable of delivering at least 500 GPM at 20 PSI for one-half hour if sprinklered.
- The total area of the entire structure is less than 3,600 square feet.
- No portion of the lot frontage to the public fire hydrant shall exceed 450 feet via vehicular access.
- All portions of the proposed construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY — DATE — OFFICE

This Information is Considered Valid for Twenty Four Months

When the project does not meet all of the above requirements for approval by the **Building Department**, the project must be sent to the **Fire Prevention Division** for approval before a Building Permit can be issued by the **Building Department**.

6333 Sea Star Drive.



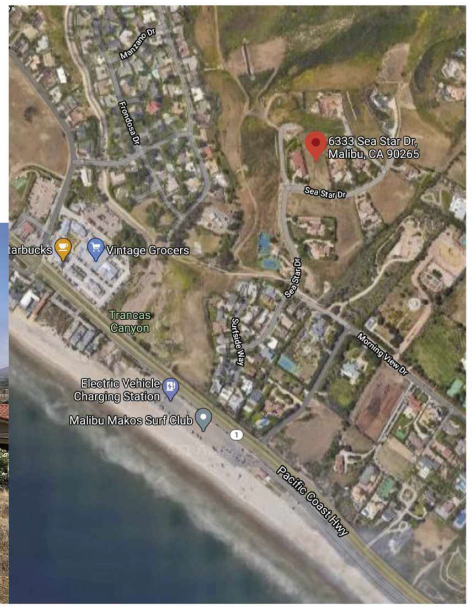
SITE IMAGE 5



SITE IMAGE 3



SITE IMAGE 1



AERIAL SITE IMAGE 1



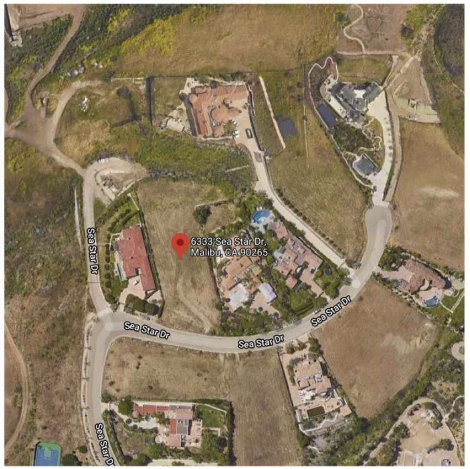
SITE IMAGE 6



SITE IMAGE 4



SITE IMAGE 2



AERIAL SITE IMAGE 2

Coscia Day
architecture + design
2727 Main Street
Unit B
Santa Monica, CA
90405
310 399 1613
cosciaday.com

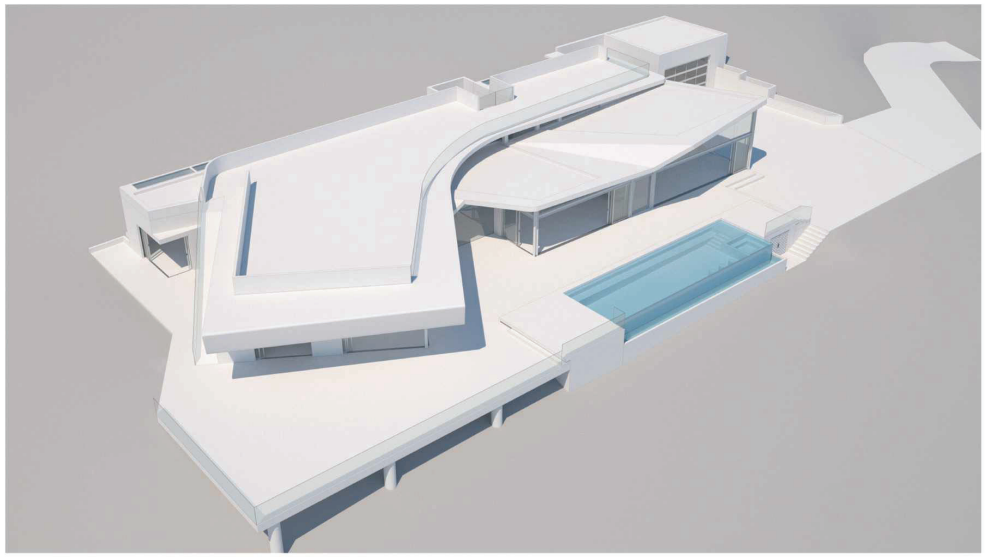
SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU. CA. 90265

REVISIONS:

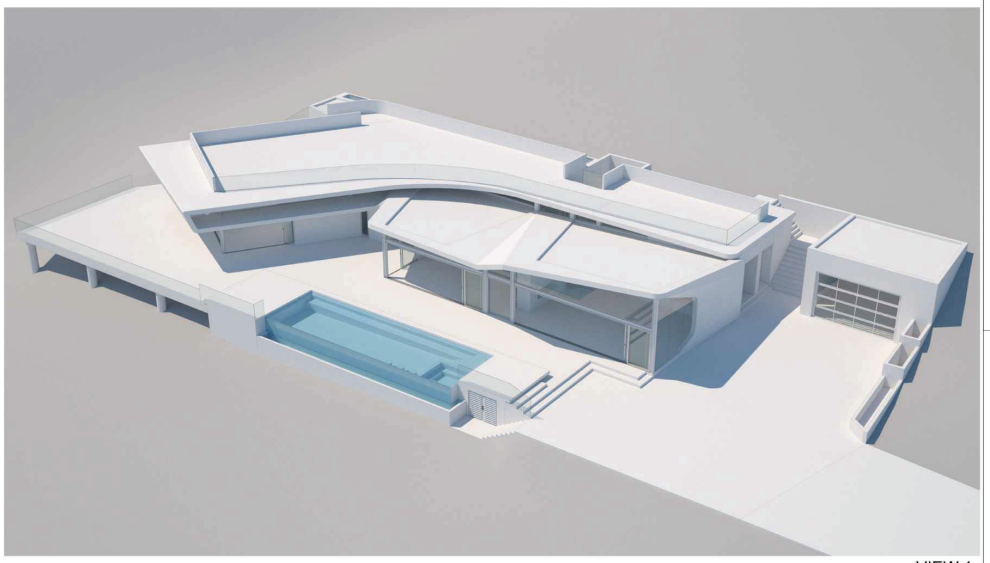
SIGN & SEAL

Date: 10/30/19
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

A0.2



VIEW 3



VIEW 1



VIEW 4



VIEW 2

Coscia Day
architecture + design
2727 Main Street
Unit E
Santa Monica, CA
90405
310 399 1613
cosciaday.com

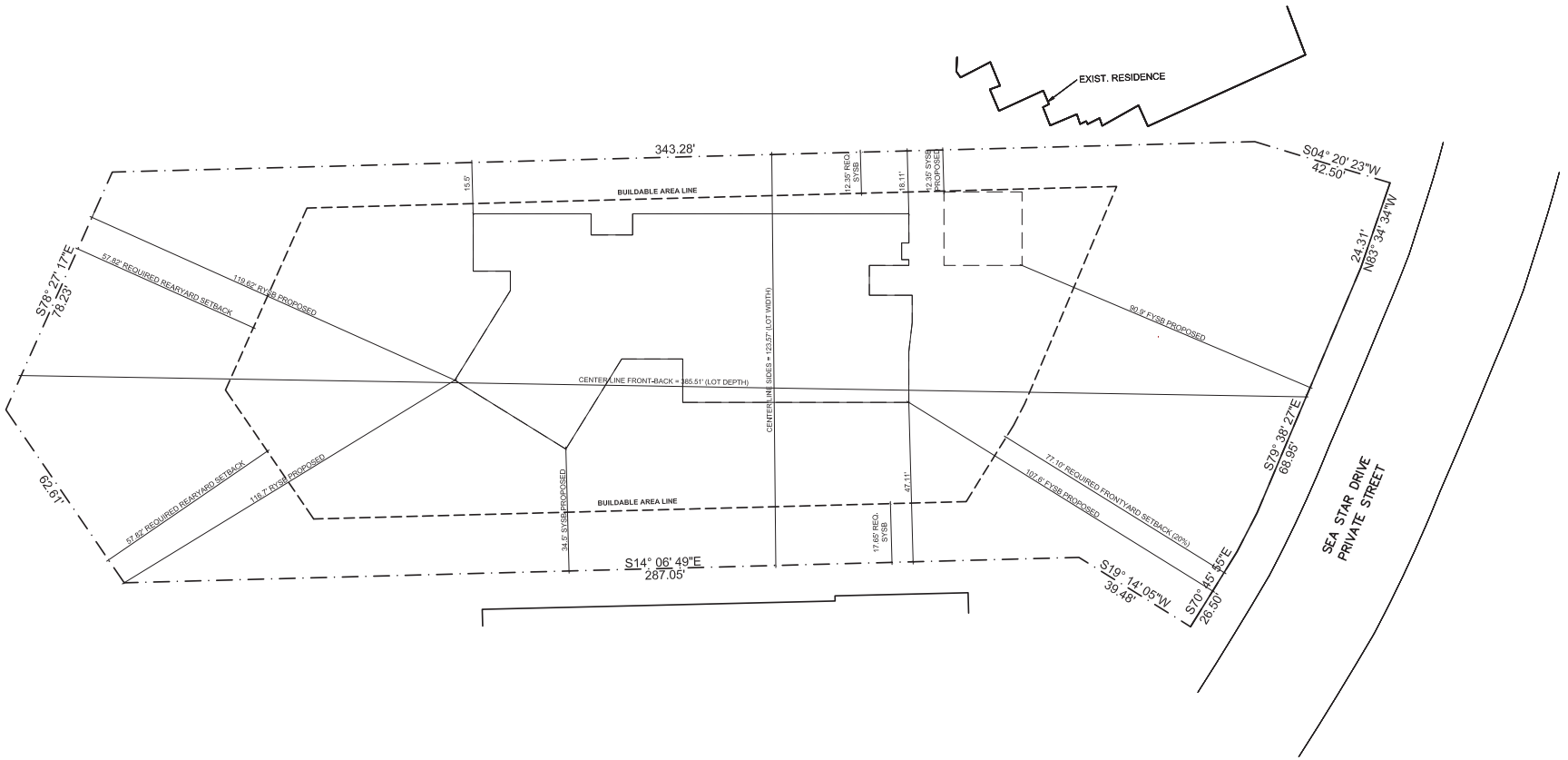
SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU. CA. 90265

REVISIONS:

SIGN & SEAL

Date: 10/09/19
Project Name:
Coordintor: J.D.
Drawn By:
Checked By:
Sheet Number:

A0.3



SETBACK CALCULATION

LOT DEPTH:	385.51'	(CONNECT MIDPOINTS FRONT & REAR PL
LOT WIDTH:	123.57	(MIDPOINT LOT DEPTH)
SETBACKS:		
FRONT YARD:	20% OF LOT DEPTH =	77.10'
REAR YARD:	15% OF LOT DEPTH, MIN 15' =	57.82'
SIDE YARDS:	25% OF LOT WIDTH CUMULATIVE =	30.89'
SIDE YARD 1 (10%):	12.35'	
SIDE YARD 2 (15%)	17.65'	

SITE SETBACK CALCULATION PLAN

SCALE 1/16" = 1'-0"

Coscia Day
architecture + design
5965 Raminz Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

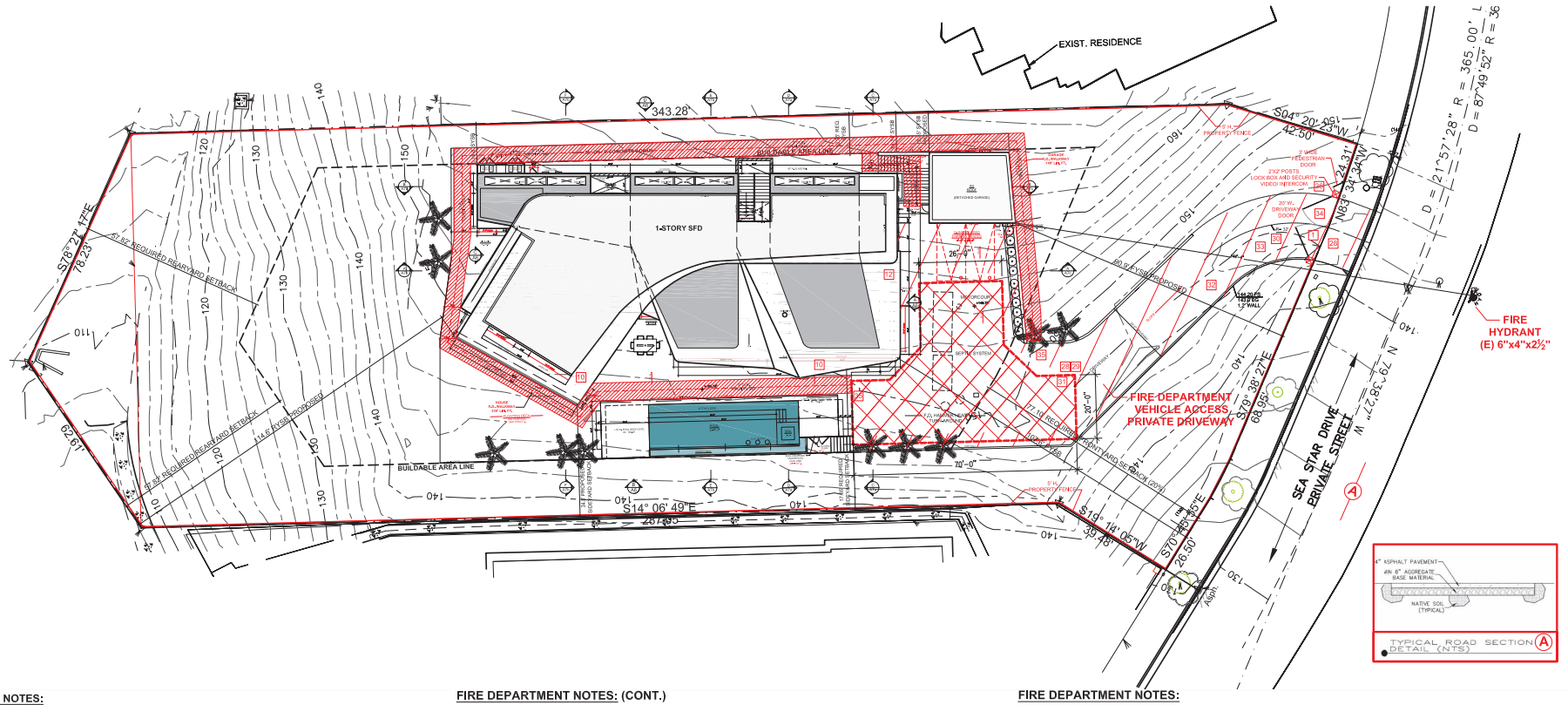
SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU. CA. 90265

REVISIONS:

SIGN & SEAL

LICENSED ARCHITECT JOHN COSCIA C-23407 REN. 1-01-23 STATE OF CALIFORNIA

Date: 08/04/20
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:
A1



FIRE DEPARTMENT NOTES:

28. FIRE DEPARTMENT VEHICULAR ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4
29. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOAD OFFRE APPARATUS WEIGHING _25_TONS AND SHALL BE SURFACED SO AS TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES. FIRE APPARATUS ACCESS ROADS HAVING A GRADE OF 10 PERCENT OR GREATER SHALL HAVE A PAVED OR CONCRETE SURFACE. FIRE CODE 503.2.3
30. FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE PROVIDED WITH A 32 FOOT CENTERLINE TURNING RADIUS, FIRE CODE 503.2.4
31. DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 10 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED FIRE DEPARTMENT TURNAROUND. FIRE CODE 503.2.5 THE ORIENTATION OF THE TURNAROUND SHALL BE PROPERLY PLACED IN THE DIRECTION OF TRAVEL OF THE ACCESS ROADWAY.
32. THE GRADIENT OF FIRE DEPARTMENT VEHICLE ACCESS ROADS SHALL NOT EXCEED 15 PERCENT UNLESS APPROVED BY THE FIRE CODE OFFICIAL. FIRE CODE 503.2.7 NO GRADE SHALL EXCEEED 14.907, SLOPE 10.6% SLOPE, PER PLAN
33. ABRUPT CHANGES IN GRADE SHALL NOT EXCEED THE MAXIMUM ANGLES OR APPROACH AND DEPARTURE FOR FIRE APPARATUS. THE FIRST 10 FEET OF ANY ANGLE OR APPROACH OR DEPARTURE OR BREAK-OVER SHALL NOT EXCEED A 10 PERCENT CHANGE OR 5.7 DEGREES. FIRE CODE 503.2.8 AND INDICATE ANGLE OR APPROACH AND DEPARTURE AT ALL ABRUPT CHANGES IN GRADE.
34. WHEN SECURITY GATES ARE INSTALLED THEY 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 F220. 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.
35. A MINIMUM 5 FOOT WIDE APPROVED FIREFIGHTER ACCESS WALKWAY LEADING FROM THE FIRE DEPARTMENT ACCESS ROAD TO ALL REQUIRED OPENINGS IN THE BUILDING'S EXTERIOR WALLS SHALL BE PROVIDED FOR FIREFIGHTING AND RESCUE PURPOSE. FIRE CODE 504.1 (WALKING ACCESS MUST BE UNOBSTRUCTED AND CLEAR TO THE SKY) (INDICATE THE SLOPE ALONG THE WALKING ACCESS ROUTE. IF AT ANY POINT THE SLOPE EXCEEDS 10%, SLOPE IT MUST BE PAVED SURFACE). THE WALKWAY AROUND THE BUILDING SHALL BE PAVED AND NO SLOPE SHALL EXCEED 10%.
36. 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.
37. THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS _1250_ GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.
THE REQUIRED FIRE FLOW IS BASED ON THE FOLLOWING CALCULATION:

TYPE OF CONSTRUCTION PER THE BUILDING CODE	T YPE_VB
VHFHSZ	YES X_NO
SIZE OF LOT (ACRES)	1.19_ ACRES
FIRE FLOW BASED ON THE FIRE-FLOW CALCULATION AREA	2250_GPM
REDUCTION FOR FIRE SPRINKLERS (MAXIMUM 50%)	1000_GPM
TOTAL FIRE FLOW REQUIRED	1250 GPM

38. SPACING OF FIRE HYDRANTS SHALL NOT EXCEED THE DISTANCE SPECIFIED IN FIRE CODE C105.2 & C106.
SHOW ALL EXISTING PUBIC AND PRIVATE ON-SITE FIRE HYDRANTS ON THE SITE PLAN. INCLUDE THE LOCATION OF ALL PUBLIC FIRE HYDRANTS WITHIN 30 FEET OF THE LOT FRONTAGE ON BOTH SIDES OF THE STREET. ADDITIONAL FIRE HYDRANT REQUIREMENTS MAY BE NECESSARY AFTER THIS INFORMATION IS PROVIDED
39. ALL REQUIRED PUBLIC FIRE HYDRANTS HALL BE INSTALLED, TESTED AND ACCEPTED PRIOR TO BEGINNING CONSTRUCTION. FIRE CODE 501.4
40. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION REASON: (VHFHSZ) REQUIREMENT_
TYPE OF FIRE SPRINKLER SYSTEM: 903.3.1.1.903.3.1.2.903.3.1.3
41. CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325
42. PROVIDE APPROVED SIGNS OR OTHER APPROVED NOTICES OR MARKINGS THAT INCLUDE THE WORDS" **NO PARKING FIRE LANE**'. SIGNS SHALL HAVE A MINIMUM DIMENSIONS OF 12INCHES WIDE BY 18INCHS 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 FOR FIREFIGHTING AND RESCUE PURPOSES. FIRE CODE 503.3

FIRE DEPARTMENT NOTES: (CONT.)

14. ENCLOSED ROOF EAVES AND ROOF EAVE SOFFITS SHALL MEET ONE OF THE FOLLOWING: **("c")**
   a. NONCOMBUSTIBLE MATERIAL OR
   b. IGNITION-RESISTANT MATERIAL OR
   c. **ONE LAYER OF 5/8INCH TYPE X GYPSUM SHEATHING APPLIED BEHIND AND EXTERIOR COVERING.**
   d. 1-HOUR WALL ASSEMBLY APPLIED TO THE UNDERSIDE OF THE ROOF DECK
   e. CONFORM TO PERFORMANCE STANDARD SFM 12-7A-3 (RESIDENTIAL CODE R327.7.5 AND BUILDING CODE 707A.5) **(SEE DETAIL 5D SHT. A21A)**
15. THE FIRE-RESISTANCE RATING OF EXTERIOR WALLS AND OPENINGS WITH A FIRE SEPARATION DISTANCE SHALL COMPLY WITH BUILDING CODE TABLE 602, TABLE 715.4, AND TABLE 715.5, BUILDING CODE 602.1, 705.8.2 **1HR WALLS, ROOF AND FLOORING (SEE DETAIL 5, 6 & 12 SHT., A21a)**
16. EXTERIOR WINDOWS, WINDOW WALLS, GLAZED DOORS, & GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL MEET ONE OF THE FOLLOWING: **("a")**
   a. **MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE** OR
   b. GLASS BLOCK UNITS OR
   c. HAVE A FIRE-RESISTANCE RATING OF NOT LESS THAN 20 MINUTES, WHEN TESTED ACCORDING TO NFPA 257 OR
   d. MEET THE PERFORMANCE STANDARDS OF SFM 12-7A-2 (RESIDENTIAL CODE R327.8.2.1 AND BUILDING CODE 708A.2.1)
17. EXTERIOR DOOR ASSEMBLIES SHALL MEET ONE OF THE FOLLOWING: **("a")**
   a. **THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL** OR
   b. SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1-3/8-INCH THICK WITH RAISED PANELS THICKNESS NOT LESS THAN 1-1/4-INCH THICK OR
   c. MINIMUM 20 MINUTE FIRE RESISTANCE RATING WHEN TESTED ACCORDING TO NFPA 252 OR
   d. CONFORM TO PERFORMANCE STANDARD SFM 12-7A-1 (RESIDENTIAL CODE R327.8.3 AND BUILDING CODE 708A.3)
18. DECKING, SURFACES, STAIR TREADS, RISERS, AND LANDINGS OF DECKS, PORCHES, AND BALCONIES WHERE ANY PORTION OF SUCH SURFACE IS WITHIN 10 FEET OF THE PRIMARY STRUCTURE SHALL COMPLY WITH ONE OF THE FOLLOWING: **("a")**
   a. **IGNITION RESISTANT MATERIAL AND MEET SFM 12-7A-4AND SFM 12-7A-5** OR
   b. APPROVED NONCOMBUSTIBLE CONSTRUCTION OR .
   c. ANY MATERIAL THAT COMPLIES WITH THE PERFORMANCE REQUIREMENTS OF 12-7A-4A WHEN ATTACHED EXTERIOR WALL COVERING IS ALSO EITHER NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL OR
   d. EXTERIOR FIRE RETARDANT TREATED WOOD CONSTRUCTION (RESIDENTIAL CODE R327.9.1 AND BUILDING CODE 9A.3)
   (a) REFERENCE A18a AND A18b
19. CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325
20. A FUEL MODIFICATION PLAN, APPROVED BY THE FORESTRY DIVISION, IS REQUIRED PRIOR TO FIRE DEPARTMENT BUILDING PLAN APPROVAL. IMPLEMENTATION OF THE APPROVED FINAL FUEL MODIFICATION PLAN AND FINAL INSPECTION WILL BE REQUIRED TO APPROVAL OF FINAL OCCUPANCY. FUEL MODIFICATION PLAN MAY NEED TO SUBMITTED TO AND/OR OBTAINED FROM THE FUEL MODIFICATION UNIT. LOCATION: LACOFD FIRE STATION 32, 605 N. ANGELENO AVENUE, AZUSA 91702-2904, PHONE (626) 969-5205, FAX (626) 969-4848 (FIRE CODE 4908).
21. PROVIDE A MINIMUM UNOBSTRUCTED WIDTH OF 20 FEET EXCLUSIVE OF SHOULDERS, EXCEPT FOR APPROVED SECURITY GATES IN ACCORDANCE WITH SECTION 503.6, AND AN UNOBSTRUCTED VERTICAL OBSTRUCTED VERTICAL CLEARANCE "CLEAR TO SKY" FIRE DEPARTMENT VEHICULAR ACCESS TO WITHIN 150 FEET OF ALL PORTIONS OF THE EXCA OF THE EXTERIOR WALLS OF THE FIRST STORY OF THE BUILDING, AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING. FIRE CODE 503.1.1 & 503.2.1
22. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOAD OF TIRE APPARTUS WEIGHING 50,000 LBS. AND SHALL BE SURFACED SO AS TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES. FIRE APPARATUS ACCESS ROADS HAVING A GRADE OF 10 PERCENT OR GREATER SHALL HAVE A PAVED OR CONCRETE SURFACE. FIRE CODE 503.2.3
23. FIRE DEPARTMENT VEHICULAR ACCESS ROADS SHALL BE PROVIDED WITH A 32 FOOT CENTERLINE TURNING RADIUS. FIRE CODE 503.2.4
24. THE GRADIENT OF FIRE DEPARTMENT VEHICLE ACCESS ROADS SHALL NOT EXCEED 20 PERCENT UNLESS APPROVED BY THE FIRE CODE OFFICIAL. FIRE CODE 503.2.7
25. ABRUPT CHANGES IN GRADE SHALL NOT EXCEED THE MAXIMUM ANGLES OF APPROACH AND DEPARTURE FOR FIRE APPARATUS. THE FIRST 10 FEET OF ANY ANGLE OF APPROACH OR DEPARTURE OR BREAK-OVER SHALL NOT EXCEED A 10 PERCENT CHANGE OR 5.7 DEGREES. FIRE CODE 503.2.8
26. FIRE DEPARTMENT VEHICULAR ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4
27. DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED FIRE DEPARTMENT TURNAROUND. FIRE CODE 503.2.5

FIRE DEPARTMENT NOTES:

1. WHEN ELECTRONIC SECURITY GATES ARE PROPOSED, 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 F220. 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.
2. THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF ONE (1) HOUR OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.
3. SPACING OF FIRE HYDRANTS SHALL NOT EXCEED THE DISTANCES SPECIFIED IN FIRE CODE C105.2 & C106.
4. ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL, AND SHALL BE INSTALLED IN ACCORDANCE WITH THE COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 8.
5. PROVIDE A CONFIRMATION LETTER WRITTEN BY THE WATER PURVEYOR (LA COUNTY WATERWORKS DISTRICT #29) THAT INDICATES THAT THE UPGRADE WORK SERVING YOUR PROPERTY HAS BEGUN. THE APPROXIMATE DATE THAT THIS WORK WILL BE COMPLETED WILL ALSO NEED TO BE INCLUDED IN THIS CONFIRMATION LETTER.
6. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION
REASON: FIRE CODE 903.2.8 AND 903.2.11.7
LOCATION: RESIDENCE AND DETACHED GARAGE
TYPE OF FIRE SPRINKLER SYSTEM: FIRE CODE 903.3.1.3 - NFPA 13D
7. SMOKE ALARMS SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS: 1. IN EACH SLEEPING ROOM. 2. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS. 3. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS BUT NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R314.3
8. SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. RESIDENTIAL CODE R314.4
9. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN THE DWELLING UNIT OR WITHIN A SLEEPING UNIT THE ALARM SHALL BE INTERCONNECTED IN A MANNER THAT ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
10. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN BUILDING CODE 1505.1.1 (RESIDENTIAL CODE R327.5.2 & R902)
11. ROOF VALLEY FLASHINGS SHALL BE NOT LESS THAN 0.019-INCH (NO. 26 GALVANIZED SHEET GAGE) CORROSION RESISTANT METAL INSTALLED OVER A MINIMUM 36-INCH WIDE UNDERLAYMENT CONSISTING OF ONE LAYER OF NO. 72 ASTM CAP SHEET MEETING RUNNING THE FULL LENGTH OF THE VALLEY. (RESIDENTIAL CODE R327.5.3 AND BUILDING CODE 705A.3)
12. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
13. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)
(SEE VENT DETAIL ON SHT. A13e)

LEGEND:

HAMMER-HEAD TURN-AROUND
5' F.D. ACCESS (OPEN TO SKY)
F.D. VEHICLE ACCESS 'PRIVATE' DRIVEWAY

(FIRE ACCESS PLAN) PROPOSED SITE ROOF PLAN

SCALE 1/16" = 1'-0"

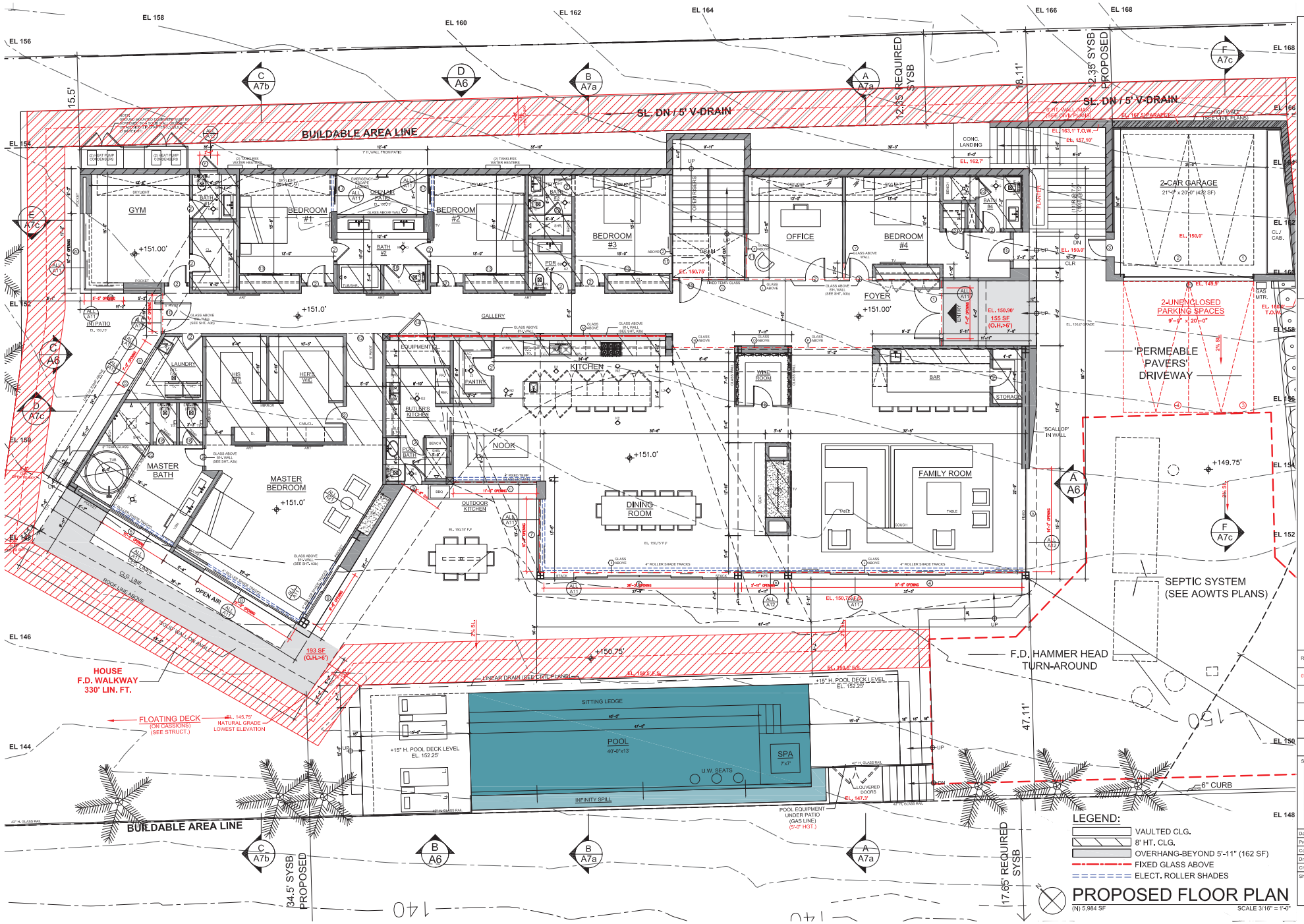
Coscia Day
architecture + design
5965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

REVISIONS:
07/18/21

SIGN & SEAL

Date: 04/28/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:
A2



Coscia Day
architecture + design

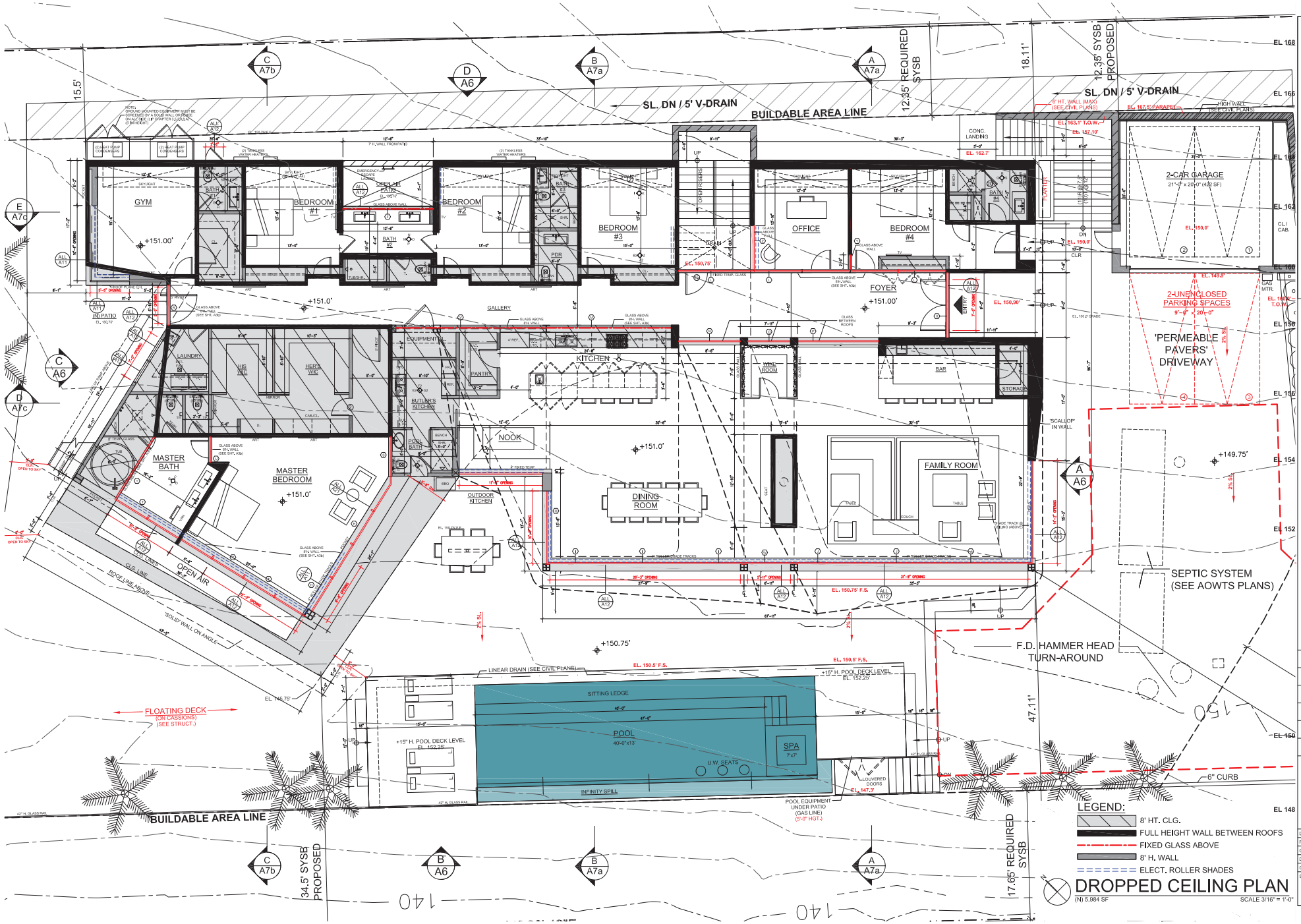
1965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

REVISIONS:
07/18/21

SIGN & SEAL

Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:
A3a



LEGEND:

- 8' HT. CLG.
- FULL HEIGHT WALL BETWEEN ROOFS
- FIXED GLASS ABOVE
- 8' H. WALL
- ELECT. ROLLER SHADES

DROPPED CEILING PLAN

(N) 5,984 SF

SCALE 3/16" = 1'-0"

Coscia Day
architecture + design
5965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE

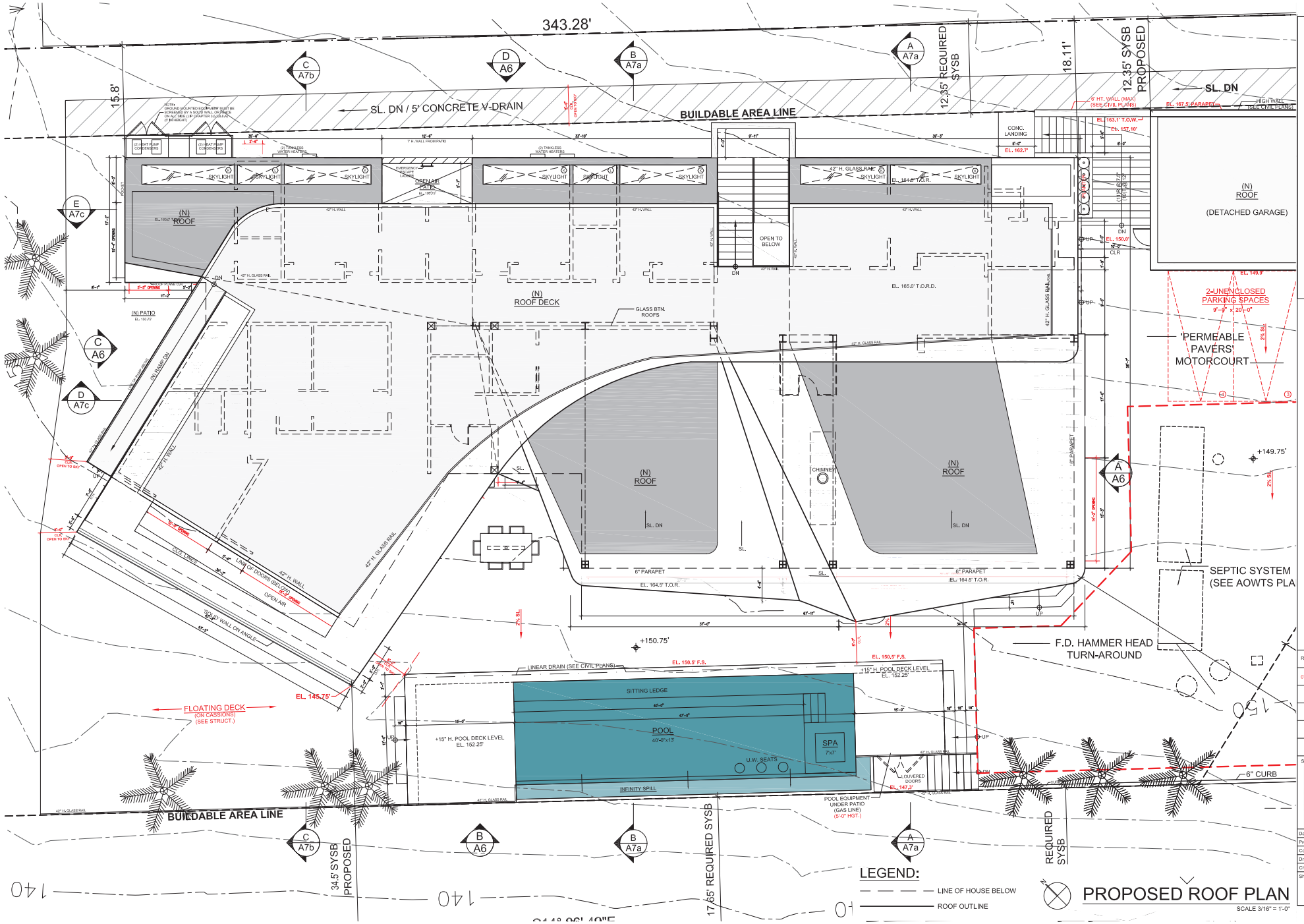
6333 SEA STAR DRIVE
MALIBU, CA. 90265

REVISIONS:
07/18/21

SIGN & SEAL

Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

A3b



LEGEND:

LINE OF HOUSE BELOW

ROOF OUTLINE

PROPOSED ROOF PLAN

SCALE 3/16" = 1'-0"

Coscia Day
architecture + design

1965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE

6333 SEA STAR DRIVE
MALIBU, CA. 90265

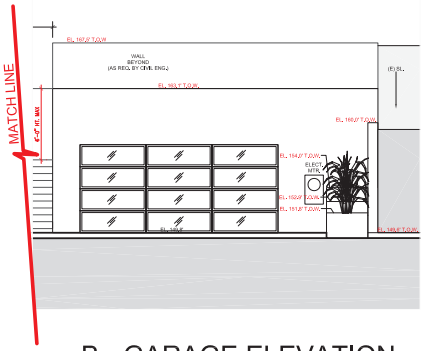
REVISIONS:
07/16/21

SIGN & SEAL

REGISTERED ARCHITECT JOSEPH COSCIA C-23407 STATE OF CALIFORNIA

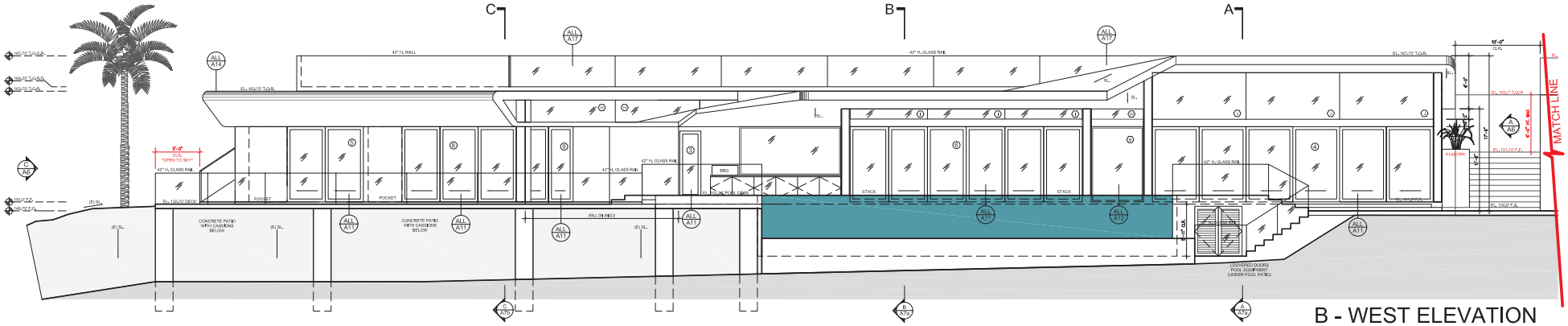
Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

A4



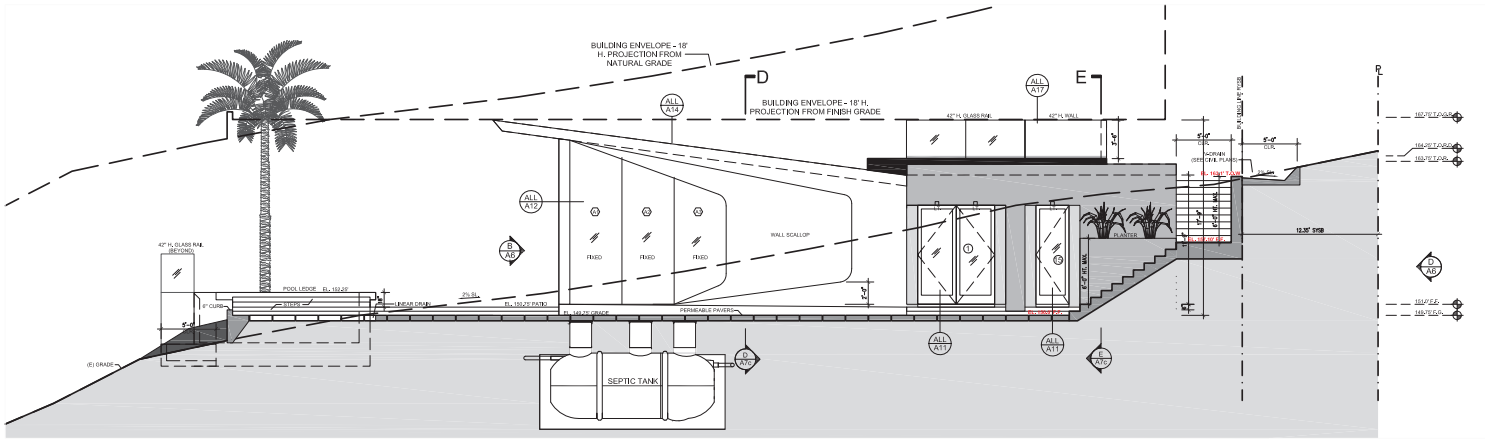
B - GARAGE ELEVATION

SCALE 3/16" = 1'-0"



B - WEST ELEVATION

SCALE 3/16" = 1'-0"



A - SOUTH ELEVATION

SCALE 3/16" = 1'-0"

PROPOSED ELEVATIONS

SCALE 3/16" = 1'-0"

Coscia Day
architecture + design

5965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

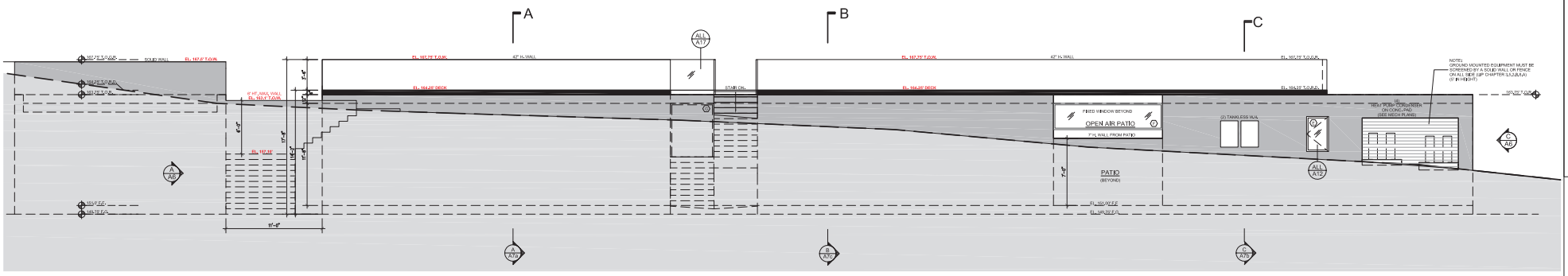
REVISIONS:
07/18/21
08/30/21

SIGN & SEAL

LICENSED ARCHITECT ANTONIO J. COSCIA C-23407 REN. 1-01-23 STATE OF CALIFORNIA

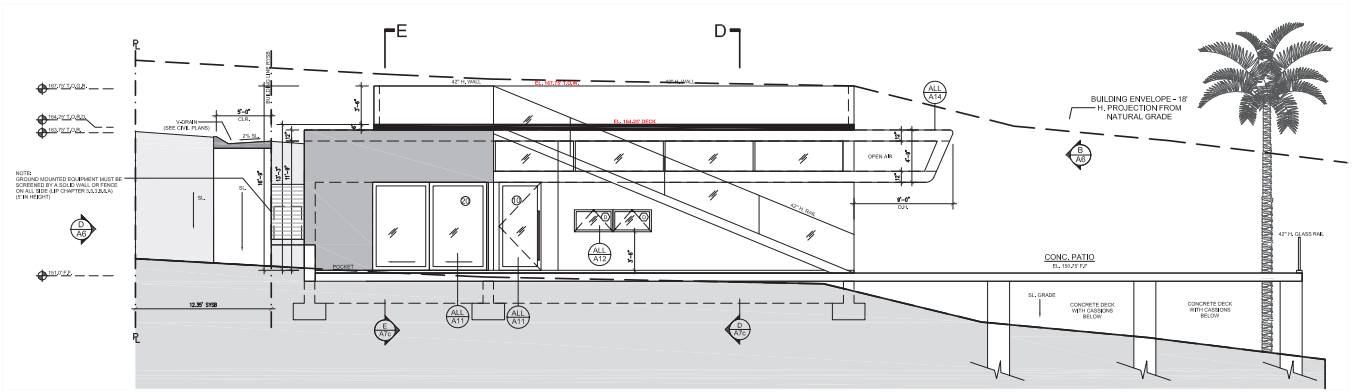
Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

A6a



D - EAST ELEVATION

SCALE 3/16" = 1'-0"



C - NORTH ELEVATION

SCALE 3/16" = 1'-0"

PROPOSED ELEVATIONS

SCALE 3/16" = 1'-0"

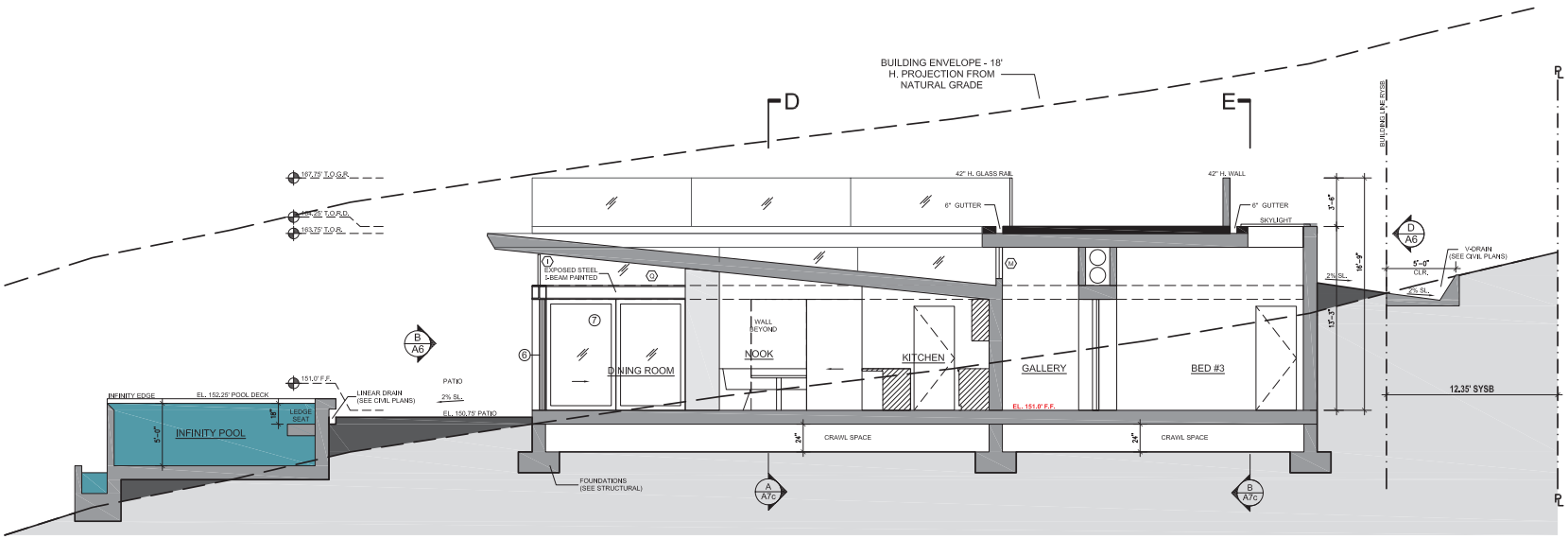
Coscia Day
architecture + design
5965 Raminz Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU. CA. 90265

REVISIONS:
07/18/21

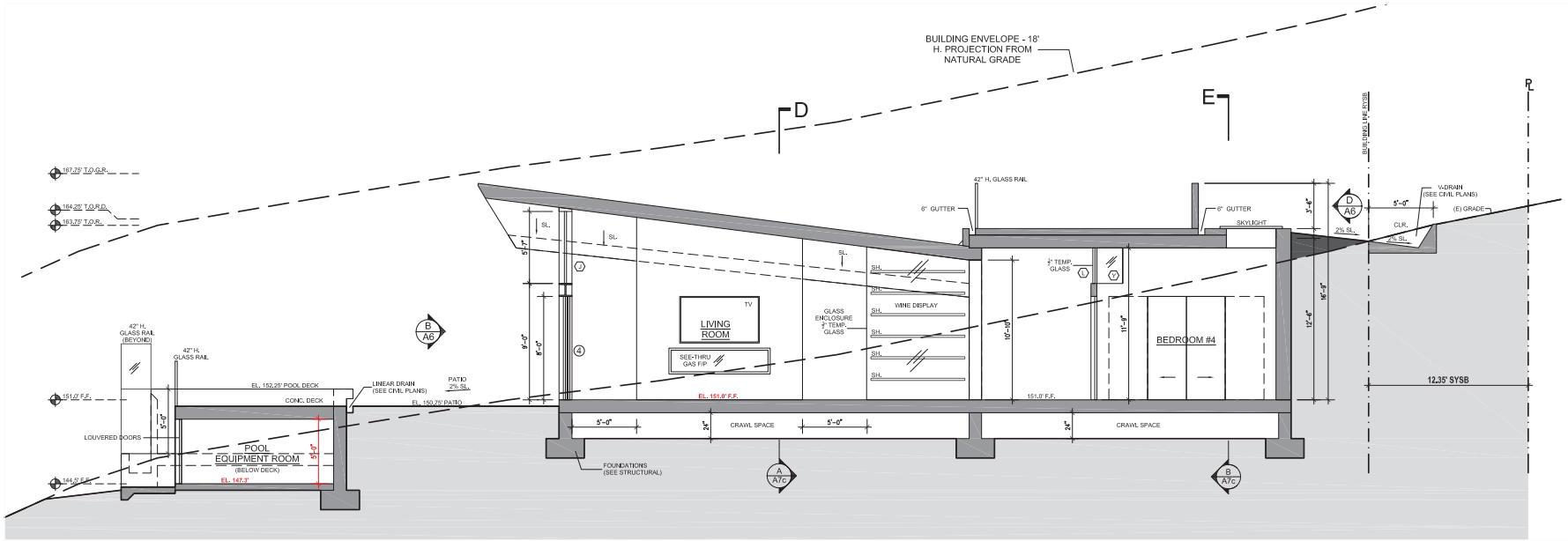
SIGN & SEAL

Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:
A6b



SECTION B-B

SCALE 1/4" = 1'-0"



SECTION A-A

SCALE 1/4" = 1'-0"

PROPOSED SECTIONS

SCALE 1/4" = 1'-0"

Coscia Day
architecture + design
5965 Ramirez Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

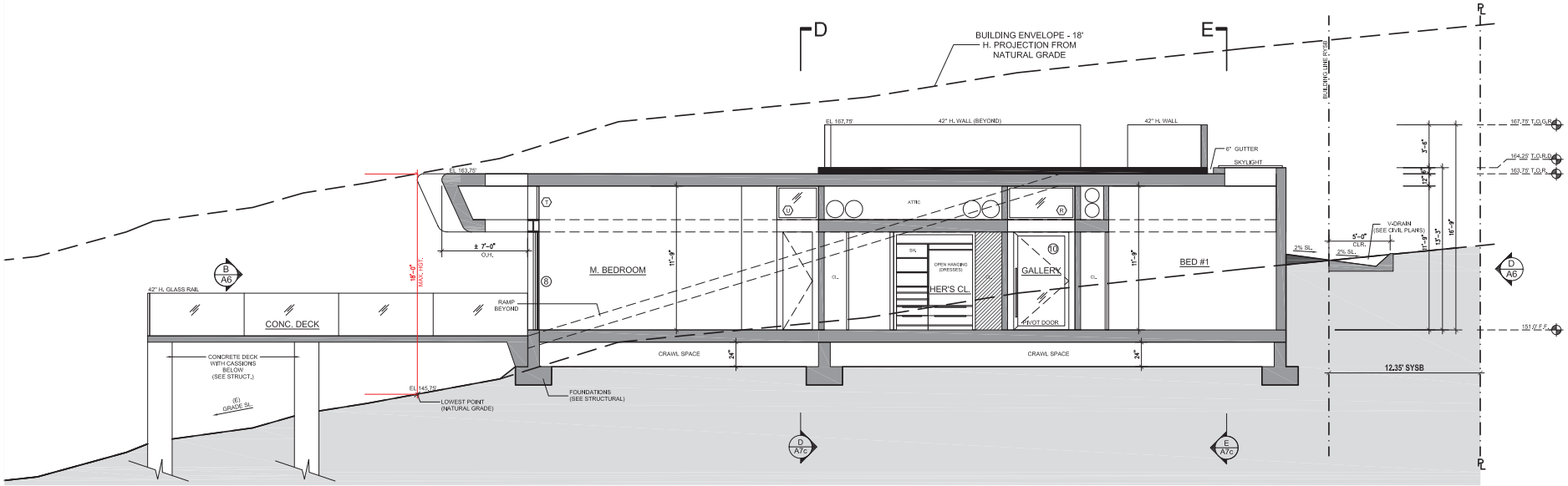
REVISIONS:

SIGN & SEAL

LICENSED ARCHITECT
JOHN COSCIA
C-23407
REN. 1-31-23
STATE OF CALIFORNIA

Date: 05/06/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

A7a



SECTION C-C

SCALE 1/4" = 1'-0"

PROPOSED SECTIONS

SCALE 1/4" = 1'-0"

Coscia Day
architecture + design
5965 Raminz Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE
6333 SEA STAR DRIVE
MALIBU, CA. 90265

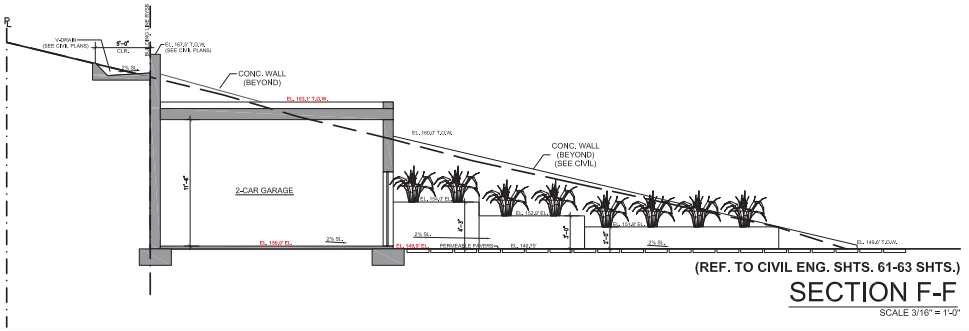
REVISIONS:

SIGN & SEAL

LICENSED ARCHITECT JAMES COSCIA C-23407 REN. 1-01-23 STATE OF CALIFORNIA

Date: 05/05/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

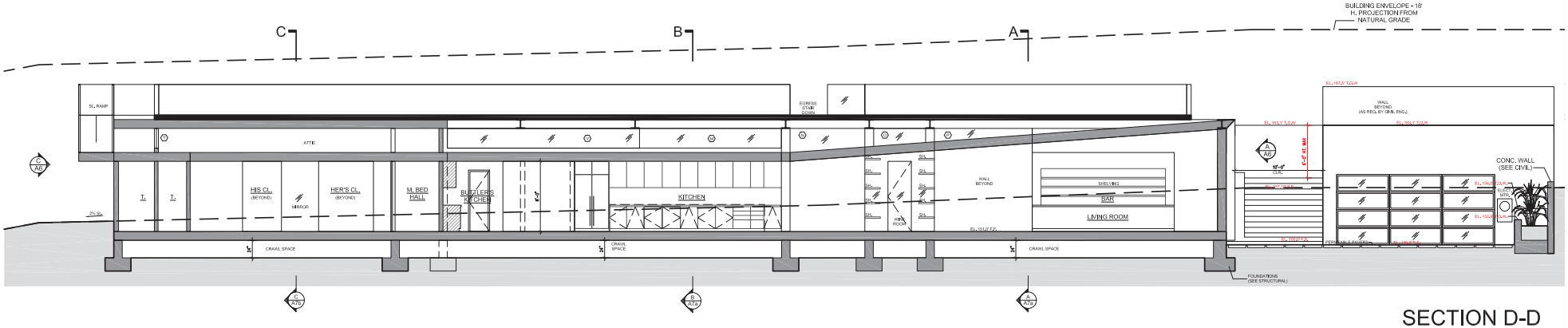
A7b



(REF. TO CIVIL ENG. SHTS. 61-63 SHTS.)

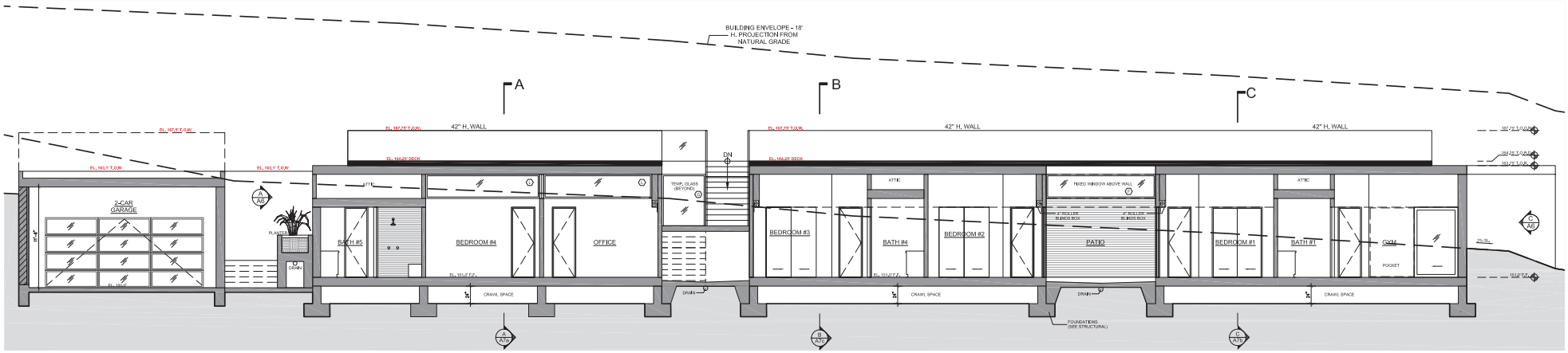
SECTION F-F

SCALE 3/16" = 1'-0"



SECTION D-D

SCALE 3/16" = 1'-0"



SECTION E-E

SCALE 3/16" = 1'-0"

PROPOSED SECTIONS

SCALE 1/4" = 1'-0"

Coscia Day
architecture + design
5965 Raminz Canyon Road
Studio A
Malibu, CA 90405
323 702 3336
cosciaday.com

SEA STAR RESIDENCE

6333 SEA STAR DRIVE
MALIBU, CA. 90265

REVISIONS:
07/18/21

SIGN & SEAL

Date: 05/05/21
Project Name:
Coordinator: J.D.
Drawn By:
Checked By:
Sheet Number:

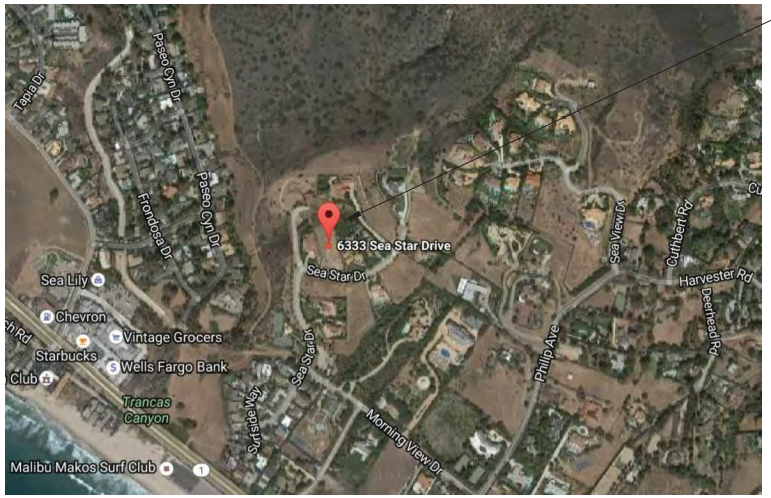
A7c

SEASTAR ESTATES

MALIBU, CA 90265

FUEL MODIFICATION PLANS
APN/PARCEL #: 4469-047-003

Received
3/17/2021
Planning Dept.



LANDSCAPING SHEETS

SHEET TITLE	SHEET #	SCALE
COVER SHEET	FM-1	NA
SITE PHOTOS AND EXISTING MATERIALS	FM-2	1" = 20'
LANDSCAPE PLAN AND FUEL MODIFICATION NOTES	FM-3	1/16" = 1'-0"

JULIE FRIEDRICHSEN DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

COVER SHEET

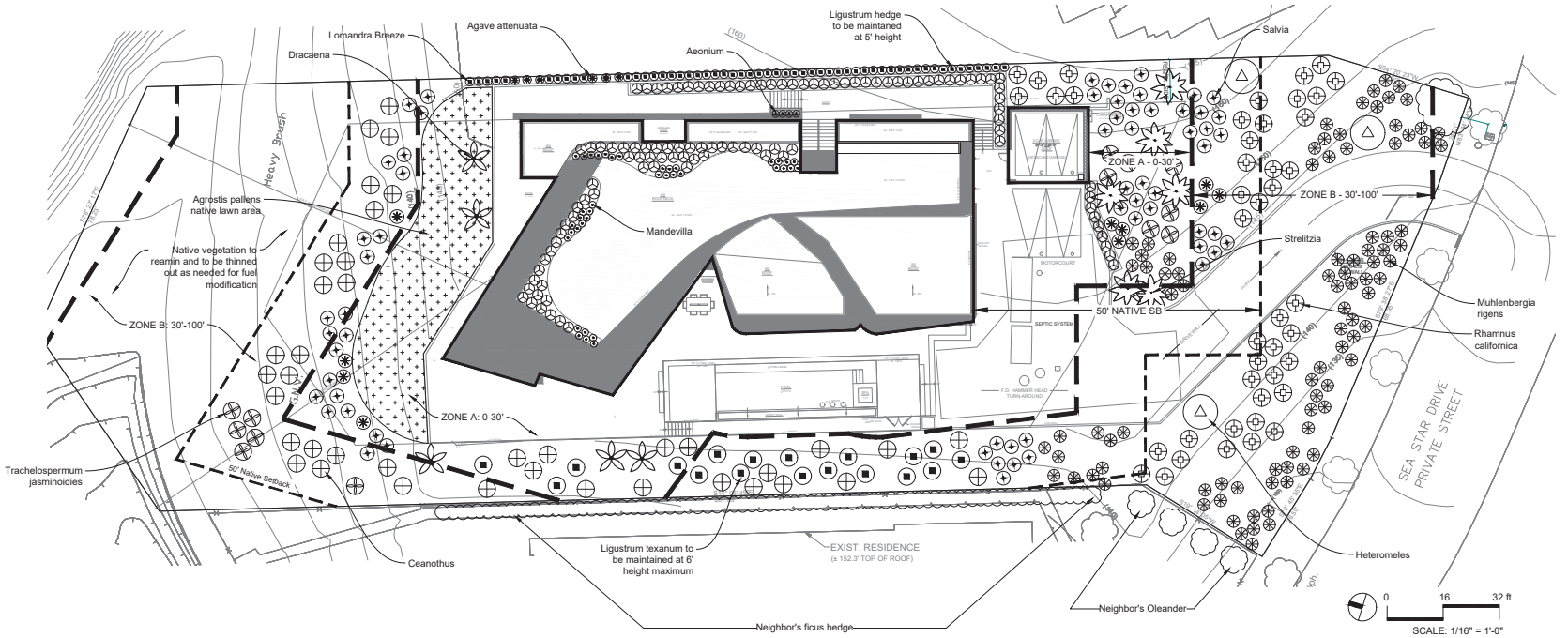
REVISIONS

DATE	NAME

All drawings and designs are the property of Julie Friedrichsen Design LLC and may not be reproduced or used in any manner without the written permission of Julie Friedrichsen Design LLC.

Origin Date 11.27.16
Plot Date 11.15.20
Drawn By: AS
Checked By: JF

Sheet
FM-1



Notes:

1. All trees to be kept trimmed off of driveway.
2. All plant material to be maintained per fuel modification requirements.
3. Contractor is responsible for final measurements and quantities.
4. Provide 5' pathway around all structures for fire access.

Irrigation Note:

1. Zone A and B to have automatic irrigation with 100% coverage.

Fuel Modification Notes

Vegetation shall be maintained as approved. The following notes shall be adhered to:

Maintenance of Zone A: From edge of the structure to a distance of 30 feet.

- Provide for 5 ft fire department walk around with herbaceous plants.
  -recommended to place walkways, patios, sports courts, etc. abutting structure
- Avoid planting woody plants within 10 ft of structure.
  -Use herbaceous plants, succulents, low growing grasses and grass like plants.
- Use inorganic mulches such as gravel within 10 ft of the structure. Do not use recycled rubber.
- Small tree species (15'-25' in height) may be planted 10' from structure if used sparingly.
- No climbing vines on structure.
- Remove dead and down plant material, wood piles, patio furniture, etc.

Maintenance of Zone B: 70 feet

- Arrange plants and limit densities so not to create ladder fuels or dense thickets of vegetation
  -Densities can be increased slightly in this zone.

Maintenance of Zone C: 100 feet

- Maintenance exceeding 100 feet but not to exceed 200 feet from structure may be deemed necessary by the fire official in accordance with section 352.2.2 of the Los Angeles County Fire Code (Clearance of Brush and Vegetation Growth, Extra Hazard*)

Note: All Fuel Modification Zones are terminated at the subject parcel/tract boundary

Maintenance: Year round

- Clear all leaves, litter and debris from rain gutters and roof.
- Regularly remove all dead vegetation, flammable debris, flammable patio furniture from landscape.
- Store wood piles, compost bins, mulch bins, etc. 30' from structures.
- Cut and remove annual grasses down to 4 inches.
- Irrigation of any form shall be applied to maintain high fuel moisture. Irrigation to native plants is beneficial in small amounts 1-2 times per month during summer months.

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. ALL PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS REGION.
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.

FUEL MODIFICATION SETBACK (SB) — — —
DISTANCE FROM STRUCTURE:
ZONE A = 0-30'
ZONE B = 30-100'
ZONE C = 100-200'

CITY OF MALIBU
50' SANTA MONICA
MOUNTAINS NATIVE
SETBACK (SB) — — —

TREE LEGEND							
Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Dracaena draco / Dragon Tree	5	36" box	A,B	M,L	20'	20'
	Heteromeles arbutifolia / Toyon	3	15 gal	A,B-15	L,VL	15-30'	15-30'
SHRUB LEGEND							
Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Aeonium 'Carol' / Green Aeonium	4	5 gal	A,B	L	VARIES	VARIES
	Agave attenuata / Fox Tail Agave	16	5 gal	A,B	L,VL	VARIES	VARIES
	Lomandra 'Breeze' / Dwarf Mat Rush	159	5 gal	A,B	L	VARIES	VARIES
	Ligustrum texanum / Wax Privet	72	15 gal	A,B-10	M	10-12'	10'
	Muhlenbergia rigens / Deer Grass	92	1 gal	A,B-10	L,VL	4'	4'
	Salvia leucantha / Mexican Sage	64	5 gal	A,B	L,VL	3-4'	4-6'
	Ceanothus Yankee Point / Ceanothus	40	5 gal	B-30	L,VL	VARIES	VARIES
	Mandevilla 'Sun Parasol Red' / Mandevilla	38	5 gal	A,B	M,H	2-3'	4-6'
	Rhamnus californica / Coffeeberry	44	5 gal	B	M,L	3-15'	4-15'
	Trachelospermum jasminoidies / Star Jasmine	13	5 gal	A,B	M,L	2'	4-5'
	Strelitzia nicolai / Giant Bird of Paradise	6	24" box	A,B	M	30'	20'
GROUNDCOVER LEGEND							
Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Agrostis pallens (Native)	CCQ	sod	A,B	L,VL	1-2"	spreading

CCQ = contractor to compute quantites

JULIE FRIEDRICHSEN
DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

LANDSCAPE PLAN AND FUEL MODIFICATION NOTES

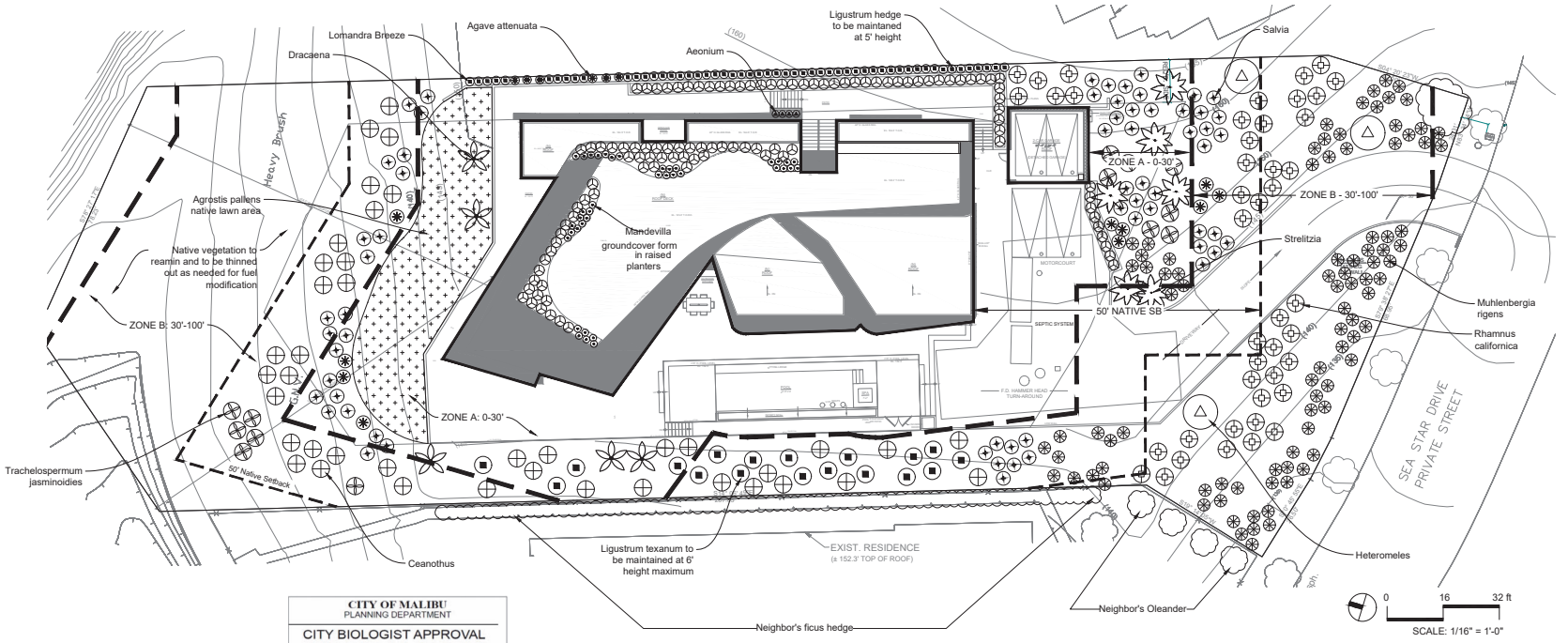
REVISIONS

DATE	NAME

© Copyright Julie Friedrichsen Design Inc. All rights reserved.

Origin Date 11.27.16
Plot Date 01.22.21
Drawn By: AS
Checked By: JF

Sheet
FM-3



CITY OF MALIBU
PLANNING DEPARTMENT

CITY BIOLOGIST APPROVAL

DATE 5/25/21

PLANNING REVIEW NO. CDP 16-028

SIGNATURE

PRINT NAME Crawford

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 by the Environmental and Community Development Department.

Notes:

1. All trees to be kept trimmed off of driveway.
2. All plant material to be maintained per fuel modification requirements.
3. Contractor is responsible for final measurements and quantities.
4. Provide 5' pathway around all structures for fire access.

Irrigation Note:

1. Zone A and B to have automatic irrigation with 100% coverage.

Fuel Modification Notes

Vegetation shall be maintained as approved. The following notes shall be adhered to:

Maintenance of Zone A: From edge of the structure to a distance of 30 feet.

- Provide for 5 ft fire department walk around with herbaceous plants.
  -recommended to place walkways, patios, sports courts, etc. abutting structure
- Avoid planting woody plants within 10 ft of structure.
  -Use herbaceous plants, succulents, low growing grasses and grass like plants.
- Use inorganic mulches such as gravel within 10 ft of the structure. Do not use recycled rubber.
- Small tree species (15'-25' in height) may be planted 10' from structure if used sparingly.
- No climbing vines on structure.
- Remove dead and down plant material, wood piles, patio furniture, etc.

Maintenance of Zone B: 70 feet

- Arrange plants and limit densities so not to create ladder fuels or dense thickets of vegetation
  -Densities can be increased slightly in this zone.

Maintenance of Zone C: 100 feet

- Maintenance exceeding 100 feet but not to exceed 200 feet from structure may be deemed necessary by the fire official in accordance with section 352.2.2 of the Los Angeles County Fire Code (Clearance of Brush and Vegetation Growth, Extra Hazard")

Note: All Fuel Modification Zones are terminated at the subject parcel/tract boundary

Maintenance: Year round

- Clear all leaves, litter and debris from rain gutters and roof.
- Regularly remove all dead vegetation, flammable debris, flammable patio furniture from landscape.
- Store wood piles, compost bins, mulch bins, etc. 30' from structures.
- Cut and remove annual grasses down to 4 inches.
- Irrigation of any form shall be applied to maintain high fuel moisture. Irrigation to native plants is beneficial in small amounts 1-2 times per month during summer months.

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. ALL PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS REGION.
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.

FUEL MODIFICATION SETBACK (SB)
DISTANCE FROM STRUCTURE:
ZONE A = 0-30'
ZONE B = 30-100'
ZONE C = 100-200'

CITY OF MALIBU
50' SANTA MONICA MOUNTAINS NATIVE SETBACK (SB)

TREE LEGEND

Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Dracaena draco / Dragon Tree	5	36" box	A,B	M,L	20'	20'
	Heteromeles arbutifolia / Toyon	3	15 gal	A,B-15	L,VL	15-30'	15-30'

SHRUB LEGEND

Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Aeonium 'Carol' / Green Aeonium	4	5 gal	A,B	L	VARIES	VARIES
	Agave attenuata / Fox Tail Agave	16	5 gal	A,B	L,VL	VARIES	VARIES
	Lomandra 'Breeze' / Dwarf Mat Rush	159	5 gal	A,B	L	VARIES	VARIES
	Ligustrum texanum / Wax Privet	72	15 gal	A,B-10	M	10-12'	10'
	Muhlenbergia rigens / Deer Grass	92	1 gal	A,B-10	L,VL	4'	4'
	Salvia leucantha / Mexican Sage	64	5 gal	A,B	L,VL	3-4'	4-6'
	Ceanothus Yankee Point / Ceanothus	40	5 gal	B-30	L,VL	VARIES	VARIES
	Mandevilla 'Sun Parasol Red' / Mandevilla Groundcover form	38	5 gal	A,B	M,H	2-3'	4-6'
	Rhamnus californica / Coffeeberry	44	5 gal	B	M,L	3-15'	4-15'
	Trachelospermum jasminoidies / Star Jasmine	13	5 gal	A,B	M,L	2'	4-5'
	Strelitzia nicolai / Giant Bird of Paradise	6	24" box	A,B	M	30'	20'

GROUNDCOVER LEGEND

Symbol	Botanical/Common Name	Qty	Size	Zone	PF	Height	Spread
	Agrostis pallens (Native)	CCQ	sod	A,B	L,VL	1-2"	spreading

CCQ = contractor to compute quantites

JULIE FRIEDRICHSEN
DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

LANDSCAPE PLAN AND FUEL MODIFICATION NOTES

REVISIONS

DATE	NAME

© Copyright Julie Friedrichsen Design Inc. Reproduction

Origin Date 11.27.16
Plot Date 01.22.21
Drawn By: AS
Checked By: JF

Sheet
FM-3

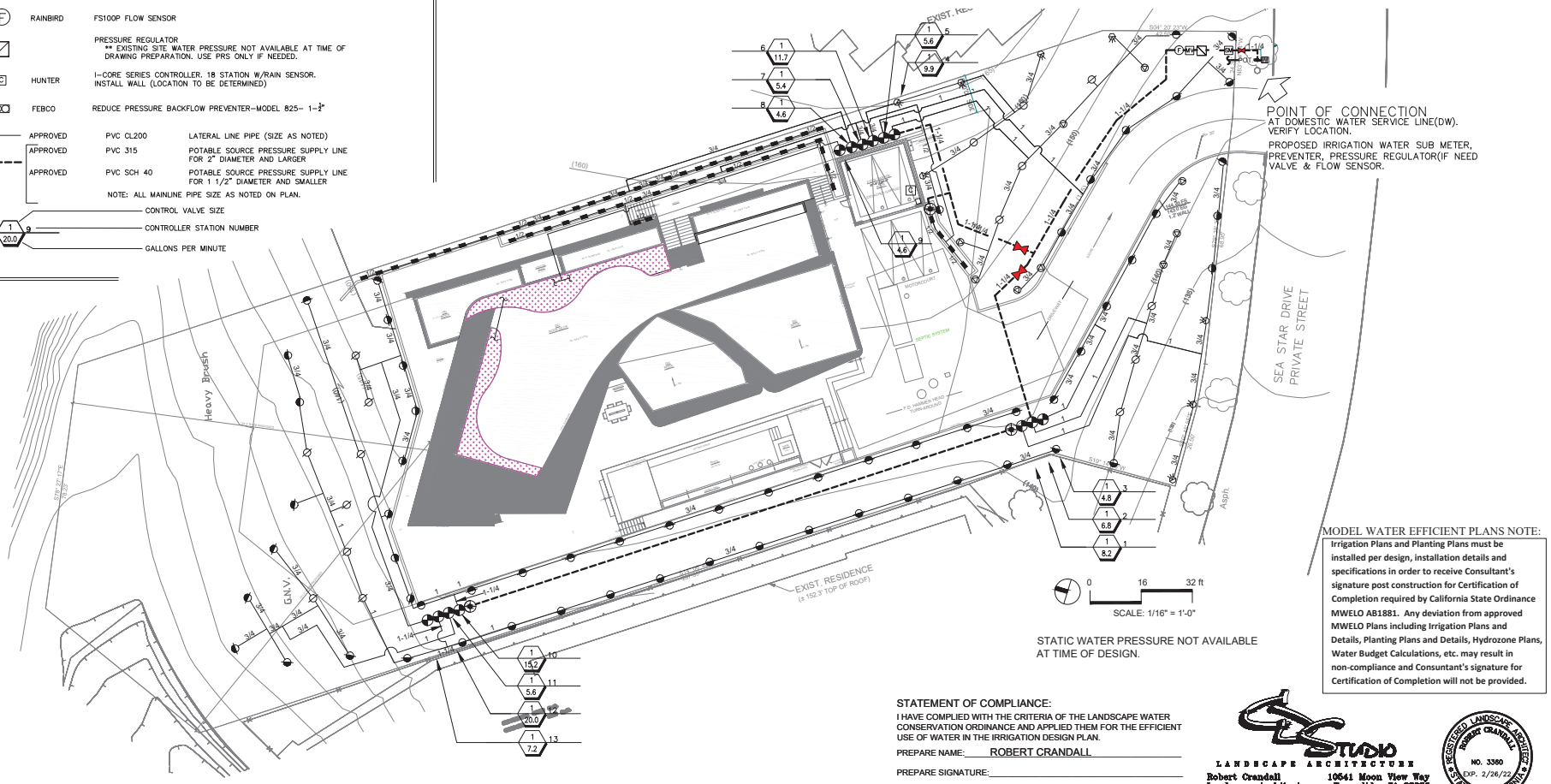
IRRIGATION LEGEND:

SYMBOL:	MFR:	MODEL NUMBER:	DESCRIPTION:	RAD.:	P.S.I.:	G.P.M.:
▬	RAINBIRD	1804 4" SQ-QTR, -HLF	4" POP-UP SQUARE SPRAY HEAD	2.5'-5'	30	.2
◎	HUNTER PROS-06-PRS40-CV-MP800SR-90/180 HUNTER PROS-06-PRS40-CV-MP800SR-360		6" POP-UP PROSPRAY HEAD	8-15'	40	VARIES
◓	HUNTER PROS-06-PRS40-CV-MP2000-90		6"/12" POP-UP PROSPRAY HEAD	13-21'	40	VARIES
⌀	HUNTER PROS-06-PRS40-CV-MP2000-360					
◔	HUNTER PROS-XX-PRS40-CV-MP3000-VAR		6"/12" POP-UP PROSPRAY HEAD	22-30'	40	VARIES
⊖	HUNTER PROS-XX-PRS40-CV-MP3000-360					
⋰⋱	NETAFIM	TLCV-4-12-X TECHLINE CONTRACTOR SHALL USE TLCV-4-12-X WITH LINES SPACED AT 12" FOR ALL INDICATED PLANTING SHRUB/GROUNDCOVER PLANTING AREAS.				
◓	RAINBIRD	PEB SERIES	ELECTRIC CONTROL VALVE			
⊕	CHAMPION	B-401	HOSE BIB			
⋈	NIBCO	T-590-Y	ISOLATION BALL VALVE (LINE SIZE)			
SM	PROPOSED	SEPARATE DESIGNATED WATER METER FOR LANDSCAPE PURPOSES. CONTRACTOR TO VERIFY SIZE AND LOCATION WITH WATER PURVEYOR.				
MV	SUPERIOR	3100100PRS** ELECTRIC MASTER VALVE **USE PRS ONLY IF NEEDED.				
(F)	RAINBIRD	FS100P FLOW SENSOR				
◿		PRESSURE REGULATOR ** EXISTING SITE WATER PRESSURE NOT AVAILABLE AT TIME OF DRAWING PREPARATION. USE PRS ONLY IF NEEDED.				
C	HUNTER	I-CORE SERIES CONTROLLER, 18 STATION W/RAIN SENSOR. INSTALL WALL (LOCATION TO BE DETERMINED)				
⧈	FEBCO	REDUCE PRESSURE BACKFLOW PREVENTER-MODEL 825- 1-½"				
———	APPROVED	PVC CL200	LATERAL LINE PIPE (SIZE AS NOTED)			
- - -	APPROVED	PVC 315	POTABLE SOURCE PRESSURE SUPPLY LINE FOR 2" DIAMETER AND LARGER			
- - -	APPROVED	PVC SCH 40	POTABLE SOURCE PRESSURE SUPPLY LINE FOR 1 1/2" DIAMETER AND SMALLER			
		NOTE: ALL MAINLINE PIPE SIZE AS NOTED ON PLAN.				

1 = CONTROL VALVE SIZE
9 = CONTROLLER STATION NUMBER
20.0 = GALLONS PER MINUTE

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. ALL PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS REGION.
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.



STATIC WATER PRESSURE NOT AVAILABLE AT TIME OF DESIGN.

MODEL WATER EFFICIENT PLANS NOTE:

Irrigation Plans and Planting Plans must be installed per design, installation details and specifications in order to receive Consultant's signature post construction for Certification of Completion required by California State Ordinance MWELO AB1881. Any deviation from approved MWELO Plans including Irrigation Plans and Details, Planting Plans and Details, Hydrozone Plans, Water Budget Calculations, etc. may result in non-compliance and Consultant's signature for Certification of Completion will not be provided.

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 IRRIGATION DESIGN PLAN.

PREPARE NAME: ROBERT CRANDALL

PREPARE SIGNATURE: _____

PROFESSIONAL LICENSE: CA. LICENSE # 3360/ Exp 2/26/22

STUDIO LANDSCAPE ARCHITECTURE
Robert Crandall
Landscape Architect
CA Lic. No. 3360
10541 Moon View Way
Escondido, CA 92026
(805) 832-3568

REGISTERED LANDSCAPE ARCHITECT ROBERT CRANDALL NO. 3360 EXP. 2/26/22 STATE OF CALIFORNIA

JULIE FRIEDRICHSEN DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

IRRIGATION PLAN AND LEGEND

REVISIONS

DATE	NAME

Origin Date: 11.27.16
Plot Date: 01.22.21
Drawn By: RC
Checked By: JF

Sheet: LI - 1

WATER BUDGET CALCULATIONS

TO CALCULATE MAWA - Maximum Applied Water Allowance	
Eto	44.2
LA	18,969
SLA	0
MAWA (Gallons)	285,905
MAWA (Inches per sq.ft.)	24.2
MAWA (Inches per DAY)	0.07

DEFINITIONS	
Eto	Reference provided in Appendix A - CIMIS
LA	Landscaped area
SLA	Special landscaped area WITHIN the landscaped area
P.F.	Plant water use factor- WUCLOS
H.A.	Hydro zone area = Irrigated area
I.E.	Irrigation efficiency. Must exceed 0.71.

Maximum Applied Water Allowance Equation:
MAWA = (ETo) (0.62) [(0.55 x LA) + (0.3 x SLA)]

MAWA = 285,905

TO CALCULATE ETWU - Estimated Total Water Use	
tiu	44.2
y67	5236.1
HA (same as LA)	18,969
IE (see chart)	0.814016553
SLA	0
ETWU (Gallons)	176,274
ETWU (Inches per sq.ft.)	14.9
ETWU (Inches per DAY)	0.04

To Determine Plant Factor with Multiple Hydro Zones				
H.Z.	Type	P.F.	H.A.	Weighted P.F.
1	Shrubs	0.1	8,420	842
2	Shrubs	0.4	9,157	3662.8
3	Shrubs	0.4	330	132
4	Shrubs	0.3	421	126.3
5	Shrubs	0.3	240	72
7	Pool/Spa	1	401	401
Totals			18,969	5236.1

Estimate Total Water Use Equation:
ETWU = (ETo x 0.62) {(PF x HA)/IE) +SLA]

ETWU = 176,274

To Determine Average System "IE" exceeds .71					
H.Z.	Type	Sprinkler	HA	"IE"	Weighted Area
1	0.1	MP Rotator	8,420	0.81	5820.2
2	0.4	MP Rotator	9,157	0.81	7417.17
3	0.4	Micro	330	0.81	267.3
4	0.3	Micro	421	0.81	341.01
5	0.3	Drip	240	0.81	194.4
6	1	Pool	401	1	401
			18,969	Totals	15,441.08
					0.814016553

Average System IE (IE is a derivative of DU defined as IE = DU x IME. Where IME= Irrigation Management Efficiency

Does ETWU Qualify? Yes — 176,274(ETWU) < 285,905(MAWA)

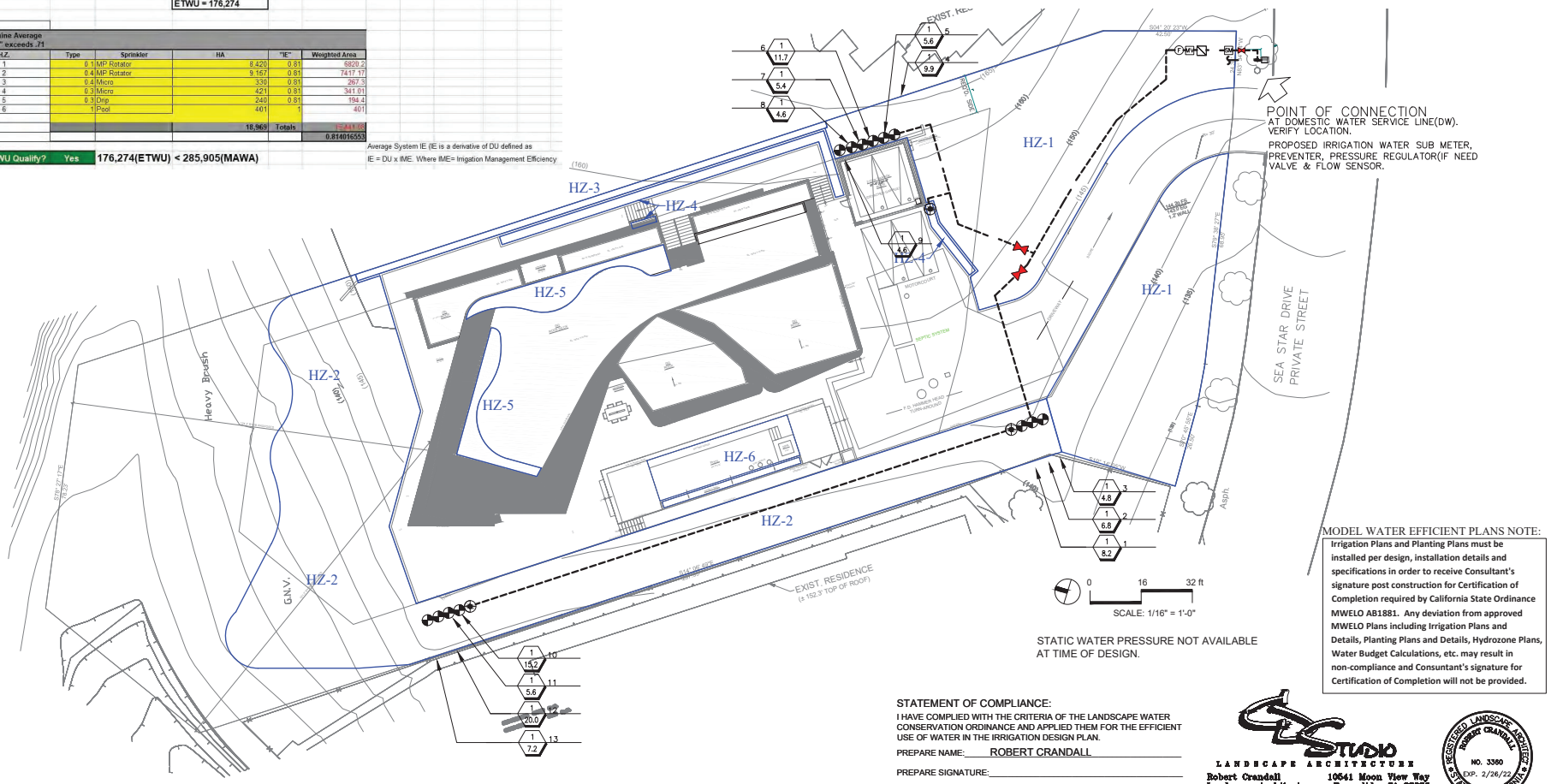
HYDROZONE CHART

HYDROZONE	SQ. FT.	PLANT FACTOR	IRRIG. VALVE #
HYDROZONE 1 =	8,420 SF	.1	1,2,3,4,5,6
HYDROZONE 2 =	9,157 SF	.4	10,11,12,13
HYDROZONE 3 =	330 SF	.4	8
HYDROZONE 4 =	421 SF	.3	7
HYDROZONE 5 =	240 SF	.3	9
HYDROZONE 6 =	401 SF	1.0 (POOL/SPA)	
	18,969 SF		

5/25/21

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. ALL PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS REGION.
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.



STATIC WATER PRESSURE NOT AVAILABLE AT TIME OF DESIGN.

MODEL WATER EFFICIENT PLANS NOTE:

Irrigation Plans and Planting Plans must be installed per design, installation details and specifications in order to receive Consultant's signature post construction for Certification of Completion required by California State Ordinance MWELO AB1881. Any deviation from approved MWELO Plans including Irrigation Plans and Details, Planting Plans and Details, Hydrozone Plans, Water Budget Calculations, etc. may result in non-compliance and Consultant's signature for Certification of Completion will not be provided.

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 IRRIGATION DESIGN PLAN.

PREPARE NAME: ROBERT CRANDALL

PREPARE SIGNATURE: _____

PROFESSIONAL LICENSE: CA. LICENSE # 3360/ Exp 2/26/22

STUDIO LANDSCAPE ARCHITECTURE
Robert Crandall
Landscape Architect
CA Lic. No. 3360
10541 Moon View Way
Escondido, CA 92029
(805) 832-9568

REGISTERED LANDSCAPE ARCHITECT ROBERT CRANDALL NO. 3360 EXP. 2/26/22 STATE OF CALIFORNIA

JULIE FRIEDRICHSEN DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

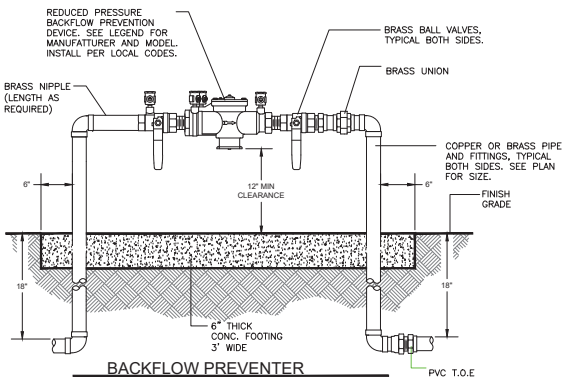
HYDROZONE PLAN AND WATER BUDGET CALCS.

REVISIONS

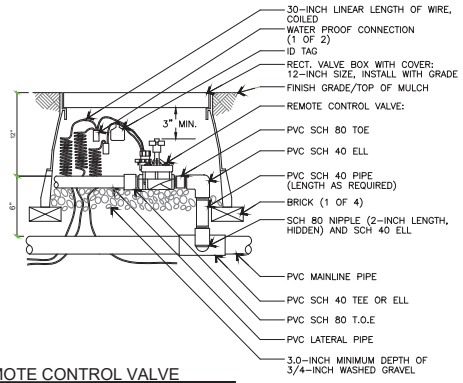
DATE	NAME

Origin Date: 11.27.16
Plot Date: 01.22.21
Drawn By: RC
Checked By: JF

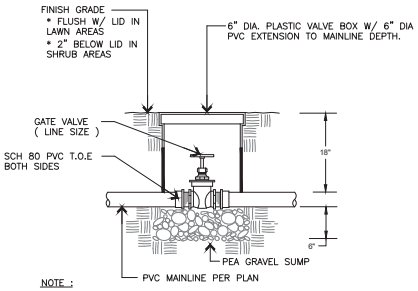
Sheet
LI - 2



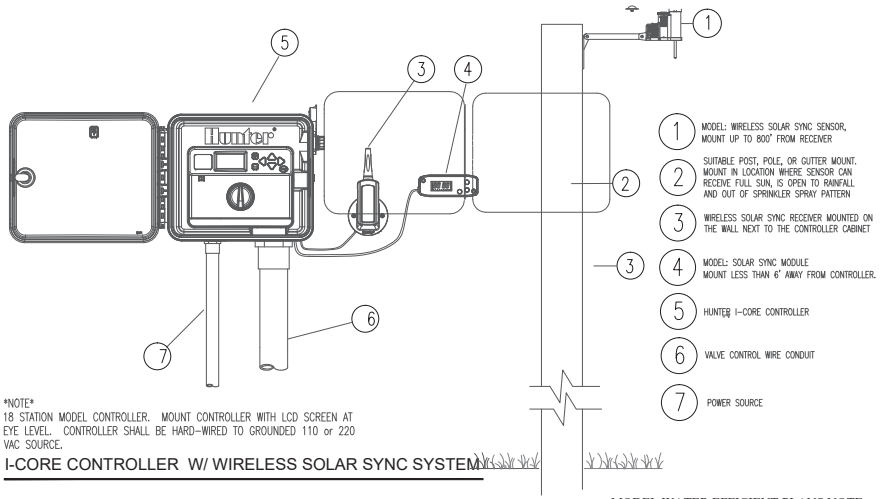
BACKFLOW PREVENTER



REMOTE CONTROL VALVE

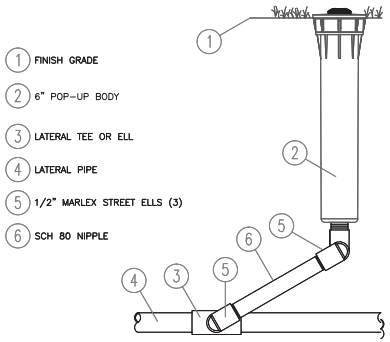


GATE VALVE



NOTE
18 STATION MODEL CONTROLLER. MOUNT CONTROLLER WITH LCD SCREEN AT EYE LEVEL. CONTROLLER SHALL BE HARD-WIRED TO GROUNDED 110 or 220 VAC SOURCE.

I-CORE CONTROLLER W/ WIRELESS SOLAR SYNC SYSTEM



POP-UP SPRAY HEAD

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. REQUIRED PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.

GENERAL IRRIGATION NOTES

1. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL GRADE DIFFERENCES, LOCATION OF WALLS, RETAINING WALLS, STRUCTURES AND UTILITIES. THE IRRIGATION CONTRACTOR SHALL REPAIR OR REPLACE ALL ITEMS DAMAGED BY HIS WORK AT NO EXPENSE TO THE OWNER. HE SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE SLEEVES AND LATERAL LINES THROUGH WALLS, UNDER ROADWAYS, DRIVES, AND PAVING, ETC.

2. THIS DESIGN IS DIAGRAMMATIC. ALL PIPING, VALVES, ETC., SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARIFICATION ONLY AND SHALL BE INSTALLED IN PLANTING AREAS WHEREVER POSSIBLE. THE CONTRACTOR SHALL LOCATE ALL VALVES ALIGNED WITH THE SIDEWALK OR CURB, IN SHRUB AREAS, OUT OF VIEW WHERE POSSIBLE, UNLESS OTHERWISE DIRECTED BY THE OWNER'S REPRESENTATIVE. SCREEN ALL IRRIGATION EQUIPMENT USING APPROPRIATE SIZED SHRUBS.

3. THE SPRINKLER SYSTEM DESIGN IS BASED ON THE MINIMUM OPERATING PRESSURE (70 PSI) AND THE MAX. FLOW DEMAND SHOWN ON THE IRRIGATION DRAWINGS. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO EACH CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION OT THE OWNER'S AUTHORIZED REPRESENTATIVE. IN THE EVENT PRESSURE DIFFERENCES ARE NOT REPORTED PRIOR TO THE START OF CONSTRUCTION, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISION NECESSARY.
INSTALLATION OF A BOOSTER PUMP WILL BE REQUIRED IF DEEMED NECESSARY.

4. DO NOT WILLFULLY INSTALL THE SPRINKLER SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS, GRADE DIFFERENCES OR DIFFERENCES IN THE AREA DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. SUCH OBSTRUCTIONS OR DIFFERENCES SHOULD IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.

5. ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE UNLESS OTHERWISE SPECIFIED.

6. THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS AND VALVES FOR OPTIMUM COVERAGE AND TO PREVENT OVER SPRAY ONTO WALKS, STREETS, WALLS, ETC. THIS SHALL INCLUDE USE OF RAIN-BIRD PRESSURE COMPENSATING SCREENS "PCS", SELECTING THE BEST DEGREE OF ARC TO FIT THE EXISTING SITE CONDITIONS AND TO THROTTLE THE FLOW CONTROL AT EACH REMOTE CONTROL VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH SYSTEM. NO IRRIGATION HEAD IS TO BE PLACED WITHIN 24" OF ANY WALKWAY, DRIVEWAY OR OTHER HARDSCAPE SURFACE.

7. 120 VAC POWER SOURCE FOR THE CONTROLLER SHALL BE PROVIDED UNDER THE ELECTRICAL SECTION OF THE SPECIFICATIONS. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO COORDINATE ELECTRICAL SERVICE WITH THE GENERAL CONTRACTOR AND SHALL MAKE THE FINAL CONNECTION FORM THE ELECTRICAL SOURCE TO THE CONTROLLER.

8. ALL MAIN LINE PIPING AND CONTROL WIRES UNDER PAVING SHALL BE INSTALLED IN SEPARATE SLEEVES. MAIN LINE SLEEVE SIZE SHALL BE A MINIMUM OF TWICE (2X) THE DIAMETER OF THE PIPE TO BE SLEEVED. CONTROL WIRE SLEEVES SHALL BE OF SUFFICIENT SIZE FOR THE REQUIRED NUMBER OF WIRES UNDER PAVING. IN ADDITION TO THE CONTROL WIRE SLEEVES SHOWN ON THE DRAWINGS, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF CONTROL WIRE SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS.

9. ALL LATERAL LINE PIPING UNDER PAVING WITHOUT A SLEEVE SHALL BE PVC SCHEDULE 40 PIPE AND SHALL BE INSTALLED PRIOR TO PAVING.

10. PIPE SIZES SHALL CONFORM TO THOSE SHOWN ON THE DRAWINGS NO SUBSTITUTIONS OF SMALLER PIPE SHALL BE PERMITTED BUT SUBSTITUTIONS OF LARGER SIZES MAY BE APPROVED. ALL DAMAGED AND REJECTED PIPE SHALL BE REMOVED FROM THE SITE AT THE TIME OF SAID REJECTION.

11. FINAL LOCATION OF THE AUTOMATIC CONTROLLER LOCATION SHALL BE APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

12. ALL POP-UP TYPE SPRINKLER HEADS INSTALLED IN SHRUB AND GROUND COVER AREAS SHALL BE INSTALLED SO THAT THE TOP OF THE SPRINKLER HEAD IS 1-INCH ABOVE FINISH GRADE.

13. ALL POP-UP TYPE SPRINKLER HEADS INSTALLED IN LAWN AREAS SHALL BE INSTALLED SO THAT THE TOP OF THE SPRINKLER HEADS ARE FLUSH WITH ADJACENT SIDEWALK OR CURB.

14. AFTER RECEIVING NOTIFICATION BY THE OWNER'S AUTHORIZED REPRESENTATIVE, THE IRRIGATION CONTRACTOR, WITHIN TEN (10) DAYS SHALL ADJUST ALL LAWN HEADS SO THAT THE TOP OF THE SPRINKLER HEAD IS 1/4-INCH ABOVE FINISH GRADE.

15. ALL EQUIPMENT INSTALLED IN VALVE BOXES SHALL BE INSTALLED PER DETAIL DRAWINGS

16. THE CONTRACTOR SHALL RUN THREE (3) SPARE WIRES AND ONE (1) COMMON WIRE FROM THE CONTROLLER TO EACH END OF THE MAIN LINE. HE SHALL EXTEND THE GROUPING OF WIRE 10', MAKING A COIL TO FIT INSIDE A RECTANGULAR PULL BOX. LABEL THE LID OF THE PULL BOX 'SW'.

17. ALL SPRINKLER EQUIPMENT NOT OTHERWISE DETAILED OR SPECIFIED SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.

18. ADV. (ANTI DRAIN VALVE) UNITS AS SHOWN IN THE DETAIL DRAWINGS ARE FOR TYPICAL INSTALLATION ONLY, AND MAY NOT BE REQUIRED ON ALL HEADS. PRIOR TO INSTALLATION THE CONTRACTOR SHALL VERIFY WITH THE ON SITE GRADES IF THERE IS AN ELEVATION DIFFERENCE OF 24" OF MORE BETWEEN THE HIGHEST HEAD AND LOWEST HEAD ON A SYSTEM, THE ADV. SHALL BE INSTALLED PER DETAIL DRAWING.

19. THE CONTRACTOR SHALL ALLOW FOR A ASSORTMENT OF VARIABLE ADJUSTABLE NOZZLES (VAN) TO BE INSTALLED IN AREAS WHERE STANDARD PATTERN NOZZLES ARE NOT APPLICABLE.

IRRIGATION SLEEVING NOTE

ALL MAIN LINE PIPING AND CONTROL WIRES UNDER PAVING SHALL BE INSTALLED IN SEPARATE SLEEVES.

ALL SLEEVES FOR PRESSURE SUPPLY LINE AND LATERAL LINE PIPE SHALL BE A MINIMUM TWICE THE NOMINAL SIZE OF THE PIPE WITHIN.

SLEEVE MATERIAL:

PVC SCH 40 FOR 1" THROUGH 2 1/2" PRESSURE SUPPLY LINE PIPE.

MODEL WATER EFFICIENT PLANS NOTE:

Irrigation Plans and Planting Plans must be installed per design, installation details and specifications in order to receive Consultant's signature post construction for Certification of Completion required by California State Ordinance MWELO AB1881. Any deviation from approved MWELO Plans including Irrigation Plans and Details, Planting Plans and Details, Hydrozone Plans, Water Budget Calculations, etc. may result in non-compliance and Consultant's signature for Certification of Completion will not be provided.

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 IRRIGATION DESIGN PLAN.

PREPARE NAME: ROBERT CRANDALL

PREPARE SIGNATURE:

PROFESSIONAL LICENSE: CA. LICENSE # 3360/ Exp 2/26/22

STUDIO LANDSCAPE ARCHITECTURE
Robert Crandall
Landscape Architect
CA Lic. No. 3360
10541 Moon View Way
Escondido, CA 92026
(805) 832-3568

REGISTERED LANDSCAPE ARCHITECT ROBERT CRANDALL NO. 3360 EXP. 2/26/22 STATE OF CALIFORNIA

JULIE FRIEDRICHSEN DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

IRRIGATION DETAILS AND NOTES

REVISIONS

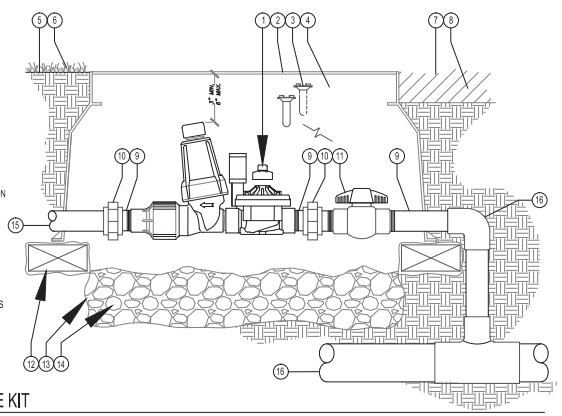
DATE	NAME

For Construction Purposes Only Not For Construction

Origin Date	11.27.16
Plot Date	01.22.21
Drawn By:	RC
Checked By:	JF
Sheet	LI - 3

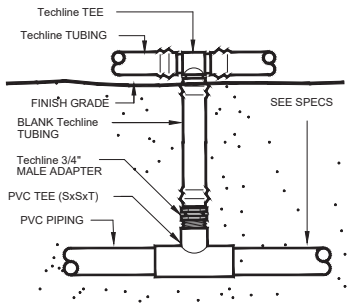
LEGEND:

1. HUNTER REMOTE CONTROL VALVE (ICZ) PER PLAN
2. IRRIGATION VALVE BOX PER PLAN
   HEAT STAMP LID WITH 'RCV' IN 2" LETTERS
3. WATERPROOF CONNECTORS (2)
4. 18"-24" COILED WIRE TO CONTROLLER
5. FINISHED GRADE IN TURF
6. ADJACENT TURF
7. ADJACENT MULCH
8. FINISHED GRADE IN PLANTER BED
9. SCH. 80 T.O.E. NIPPLE - MATCH SIZE TO VALVE AND UNION
   -LENGTH AS NEEDED
10. PVC SLIP UNION
11. BALL VALVE - LINE SIZED
12. BRICK SUPPORTS (4)
13. FILTER FABRIC - WRAP TWICE AROUND BRICK SUPPORTS
14. 3/4" WASHED GRAVEL - 4" MIN. DEPTH
15. IRRIGATION LATERAL
16. MAINLINE LATERAL AND FITTINGS



DRIP CONTROL ZONE KIT
REMOTE CONTROL VALVE (ICZ-LF) WITH ISOLATION VALVE

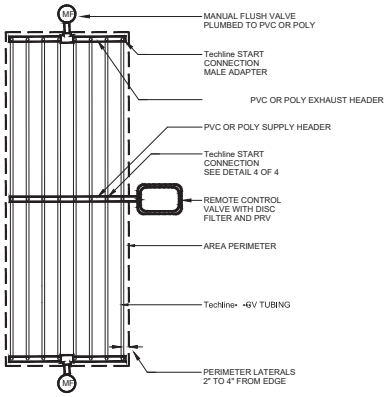
NOT TO SCALE



Techline START CONNECTION

CITY OF MALIBU NOTES:

1. INVASIVE PLANT SPECIES, AS DETERMINED BY THE CITY OF MALIBU ARE PROHIBITED.
2. RECENT PLANT MATERIAL 50' FROM PRIMARY RESIDENCE IS TO BE NATIVE TO THE SANTA MONICA MOUNTAINS
3. NATIVE SPECIES OF THE SANTA MONICA MOUNTAINS, CHARACTERISTIC OF THE LOCAL HABITAT, SHALL BE USED ON GRADED SLOPE PLANTINGS AS REQUIRED FOR SLOPE STABILIZATION, EROSION CONTROL, AND WATERSHED PROGRAM. PLANTS TO BE SELECTED SHALL HAVE A VARIETY OF ROOTING DEPTHS. A SPACING OF 15' BETWEEN LARGE WOODY SHRUBS IS RECOMMENDED BY THE FIRE DEPARTMENT.
4. VEGETATION SHALL BE SITUATED ON THE PROPERTY SO AS NOT TO SIGNIFICANTLY OBSTRUCT THE PRIMARY VIEW FROM THE PRIVATE PROPERTY AT ANY GIVEN TIME (GIVEN CONSIDERATION OF ITS FUTURE GROWTH).
5. SLOPE PLANTING MEASURES SUCH AS CONTOUR PLANTING AND TERRACING OR OTHER TECHNIQUES SHALL BE INCORPORATED ON SLOPES TO INTERRUPT THE FLOW AND RATE OF SURFACE RUNOFF IN ORDER TO PREVENT SURFACE SOIL EROSION.
6. SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH JUTE NETTING OR SIMILAR MATERIAL THAT EFFECTIVELY REDUCES EROSION.
7. ALL IRRIGATION TO MEET MAWA AND CITY OF MALIBU STANDARDS. ANY APPROVED IRRIGATION BEYOND 100' FROM STRUCTURE IS TO BE ABOVE GROUND AND TEMPORARY (TO BE REMOVED AFTER 2-3 YEAR ESTABLISHMENT OF NATIVE PLANTS).
8. BUILDING MATERIALS TREATED WITH TOXIC COMPOUNDS SUCH AS COPPER ARSCENATE ARE PROHIBITED.



Techline® CV CENTER FEED LAYOUT

CONTROLLER CHART

I-CORE

Malibu, CA · Prepared by robert crandall on January 29, 2020

Print

Seasonal Adjustment for January: 37% (What's this?)

		PROGRAM A	PROGRAM B	PROGRAM C	PROGRAM D
Days to Water		S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
Program Start Times	1			5:00 am	10:15 am
	2			6:45 am	10:45 am
	3			8:30 am	
	4				

STATION	LOCATION	STATION RUN TIME	STATION RUN TIME	STATION RUN TIME	STATION RUN TIME
2	VALVE 2			26:00	
3	VALVE 3			5:00	
4	VALVE 4			4:00	
6	VALVE 6			18:00	
7	VALVE 7			7:00	
8	VALVE 8			31:00	
9	VALVE 9			5:00	
11	VALVE 11			4:00	
1	VALVE 1				9:00
5	VALVE 5				8:00
10	VALVE 10				8:00

MODEL WATER EFFICIENT PLANS NOTE:

Irrigation Plans and Planting Plans must be installed per design, installation details and specifications in order to receive Consultant's signature post construction for Certification of Completion required by California State Ordinance MWELO AB1881. Any deviation from approved MWELO Plans including Irrigation Plans and Details, Planting Plans and Details, Hydrozone Plans, Water Budget Calculations, etc. may result in non-compliance and Consultant's signature for Certification of Completion will not be provided.

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 IRRIGATION DESIGN PLAN.

PREPARE NAME: ROBERT CRANDALL

PREPARE SIGNATURE: _____

PROFESSIONAL LICENSE: CA. LICENSE # 3360/ Exp 2/26/22

STUDIO LANDSCAPE ARCHITECTURE
Robert Crandall
Landscape Architect
CA Lic. No. 3360
10541 Moon View Way
Escondido, CA 92026
(805) 832-3568

REGISTERED LANDSCAPE ARCHITECT ROBERT CRANDALL NO. 3360 EXP. 2/26/22 STATE OF CALIFORNIA

JULIE FRIEDRICHSEN DESIGN LLC.
Landscape Design
Box 1405 Topanga, CA 90290
tel 818 825 8580
jzdesign@verizon.net
www.juliefriedrichsen.com

SEASTAR ESTATES
6333 SEA STAR DRIVE
MALIBU, CA 90265

IRRIGATION DETAILS, NOTES AND CONTROLLER CHART

REVISIONS

DATE	NAME

Origin Date	11.27.16
Plot Date	01.22.21
Drawn By:	RC
Checked By:	JF

Sheet

LI - 4

6333 Sea Star Drive – CDP 16-028 - Site and Story Pole Photos



Adjacent Sea Star Estates Development



Driveway and curb cut street frontage at 6333 Sea Star Drive

ATTACHMENT 3



View north toward neighbor at 6295 Sea Star Drive



View east toward upslope neighbor at 6325 Sea Star Drive



View southeast alongside upslope neighbor at 6325 Sea Star Drive



View west toward downslope neighbor at 6368 Sea Star Drive

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 Biologist

FROM: City of Malibu Planning Department **REVISED DATE** 03/17/2021

PROJECT NUMBER:	CDP 16-028
JOB ADDRESS:	6333 SEA STAR DR
APPLICANT / CONTACT:	Susan Villain, Vue Ventures, Inc.
APPLICANT ADDRESS:	10790 Wilshire Blvd Los Angeles, CA 90024
APPLICANT PHONE #:	(310) 409-9008
APPLICANT FAX #:	
APPLICANT EMAIL:	susan@vueventuresinc.com
PLANNER:	Lilly Rudolph
PROJECT DESCRIPTION:	NSFR

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Dave Crawford

_____ **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

5/25/21
Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:
Dave Crawford, City Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277

City of Malibu

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

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Susan Villain, Vue Ventures, Inc. susan@vueventuresinc.com	
Project Address:	**6333 SEA STAR DR** Malibu, CA 90265	
Planning Case No.:	CDP 16-028	
Project Description:	NSFR	
Date of Review:	May 25, 2021	
Reviewer:	Dave Crawford	Signature:
Contact Information:	Phone: (310) 456-2489 ext 277	Email: dcrawford@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	3/17/21
Site Survey:	3/17/21
Landscape Plan:	3/17/21
Hydrozone Plan:	3/17/21
Irrigation Plan:	3/17/21
Fuel Modification Plan:	3/17/21
Grading Plan:	
OWTS Plan:	
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	6/7/2016 (Incomplete)

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**CANNNOT APPROVE AS SUBMITTED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
	☐	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

Recycled Paper

DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 285,905 gallons per year (gpy). The Estimated Applied Water Use (EAWU) totals 176,274 gpy. Therefore, the project meets the Landscape Water Conservation Ordinance Requirements.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

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

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

   C. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22. (form attached)

   D. 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:

      Nima Parsa
      Address: 23533 West Civic Center Way, Malibu, CA 90265-4804
      Email: Nparsa@DPW.LACOUNTY.GOV (preferred)
      Phone: (310) 317-1389

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

   E. 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 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.

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

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

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

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

J. Grading shall be scheduled only during the dry season from April 1 - October 31. 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.

K. 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. Up-lighting is prohibited.

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.

-o0o-

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

cc: Planning Project file
Planning Department

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 02/09/2021

PROJECT NUMBER:	CDP 16-028
JOB ADDRESS:	6333 SEA STAR DR
APPLICANT / CONTACT:	Susan Villain, Vue Ventures, Inc.
APPLICANT ADDRESS:	10790 Wilshire Blvd Los Angeles, CA 90024
APPLICANT PHONE #:	(310) 409-9008
APPLICANT FAX #:	
APPLICANT EMAIL:	susan@vueventuresinc.com
PROJECT DESCRIPTION:	NSFR

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

✓ **Conformance Review Complete** for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC). 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 MMC. 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 Talbert — 2/22/2021

Signature **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 364.

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Susan Villain susan@vueventuresinc.com		
Project Address:	**6333 Sea Star Drive** Malibu, CA 90265		
Planning Case No.:	CDP 16-028		
Project Description:	NSFR		
Date of Review:	February 22, 2021		
Reviewer:	Melinda Talent	Signature:	Melinda Talent
Contact Information:	Phone: (310) 456-2489 x 364	Email:	mtalent@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	SIA: Plans dated 3-26-2014. Cosica Day Architecture and Design plans dated 7-7-20.
Grading Plans:	
OWTS Plan:	EPD: OWTS plot plan dated 2-10-2012; Updated OWTS plot plan dated 12-15-2017
OWTS Report:	EPD: Preliminary OWTS design report dated 2-10-2012; Infiltration test report dated 2-10-2012; Addendum Infiltration test report dated 8-18-2017; Addendum I OWTS report dated 12-15-2017 (received 12-19-2017)
Geology Report:	Alpine Geotechnical: Preliminary geology and soils report dated 1-30-2007; Update II report dated 2-2-2013; Update and Addendum Letter V dated 10-31-2016; Update and Addendum Letter VI dated 12-4-2017 (received 12-19-2017)
Miscellaneous:	
Previous Reviews:	6-3-2016, CRC 1-4-18

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). 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 MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
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 advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code and the City of Malibu Local Coastal Program (LCP)/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 OWTS 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 for Building Plan Check Approval:

1) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all 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 OWTS, 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 OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS.
All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

   The final OWTS 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 drainage fixture units, 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 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.

e. All OWTS 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 OWTS 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) **Traffic-Rated Slab Plan(s):** All project traffic rated slab 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.

5) **Notice of Decision:** The final onsite wastewater treatment system plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department.

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

7) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

8) **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 advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

9) **Advanced Onsite Wastewater Treatment System (OWTS) 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 City of Malibu 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 advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder**.

10) **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 City of Malibu 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 City of Malibu Recorder.**

11) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.

13) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall obtained.

14) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

15) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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

6333 SEA STAR DRIVE (CDP 16-028)
MALIBU, CA 90265

S.F.D.:	5 Bedrooms/82 Fixture Units (N)
PRIMARY TANK:	2,000 Gallon Jensen Precast (N)
TREATMENT:	SeptiTech M750UV-Jensen-H2-GEO4 w/UV Disinfection Unit (N)
ACTIVE:	Zone 1: 2,861-ft² Geoflow (N)
	Zone 2: 1,212-ft² Geoflow (N)
	Zone 3: 4,716-ft² Geoflow (N)
FUTURE:	N/A
PERC RATE:	Zones 1,2: Peak 0.07 gpsf; Avg. 0.04 gpsf
	Zone 3: Peak 0.14 gpsf; Avg. 0.08 gpsf
DESIGNER:	Kevin Poffenbarger, PE (69089)
REFERENCE:	EPD: Preliminary OWTS design reports dated 2-10-2012, 12-15-2017
	Alpine Geotechnical: Preliminary Geology and Soils report dated 1-30-2007; Update and Addendum Letter VI dated 12-4-2017

NOTES:

1. This conformance review is for a 5 bedroom (82 fixture units) new single family dwelling. The alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).

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

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

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
JAN 04 2018
SIGNATURE: Matt Lamunt
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.

LEGEND:

- PROPERTY LINE
- PROPOSED GEOFLOW DISPERSAL AREA (TOTAL 8,789 SQ.FT.)
- LIMITS OF EXCAVATION
- B-X-X ⊗ GEOLOGIC TEST PIT PER REFERENCE 2
- ITP-X ▭ INFILTRATION TEST PIT PER REFERENCE 5
- PROPOSED TREE IN PLANTER BOX
- RETAINING WALL
- CURB
- PIPES – GRAVITY (SS)
- PIPES – VENTILATION (SS)
- PIPES – AIR INTAKE (SS)
- PRESSURE FEED/RETURN LINE
- ELECTRICAL LINE

TOTAL BEDROOMS: 5
TOTAL DFU: 82

PEAK DESIGN DAILY FLOWRATE: 900 GPD
AVERAGE DESIGN DAILY FLOWRATE: 500 GPD
WASTE STRENGTH OF SEPTIC TANK EFFLUENT: 200mg/L OR LESS.

MIN. SEPTIC TANK CAPACITY (MPC TABLE H 2.1): 3,250 GAL

EFFLUENT DISPERSAL:
EFFLUENT DISPERSAL = 8,789 SF GEOFLOW DRIP, IN THREE (3) ZONES, EVAPOTRANSPIRATION (ET) SUBSURFACE WASTEWATER INFILTRATION SYSTEM (SWIS)

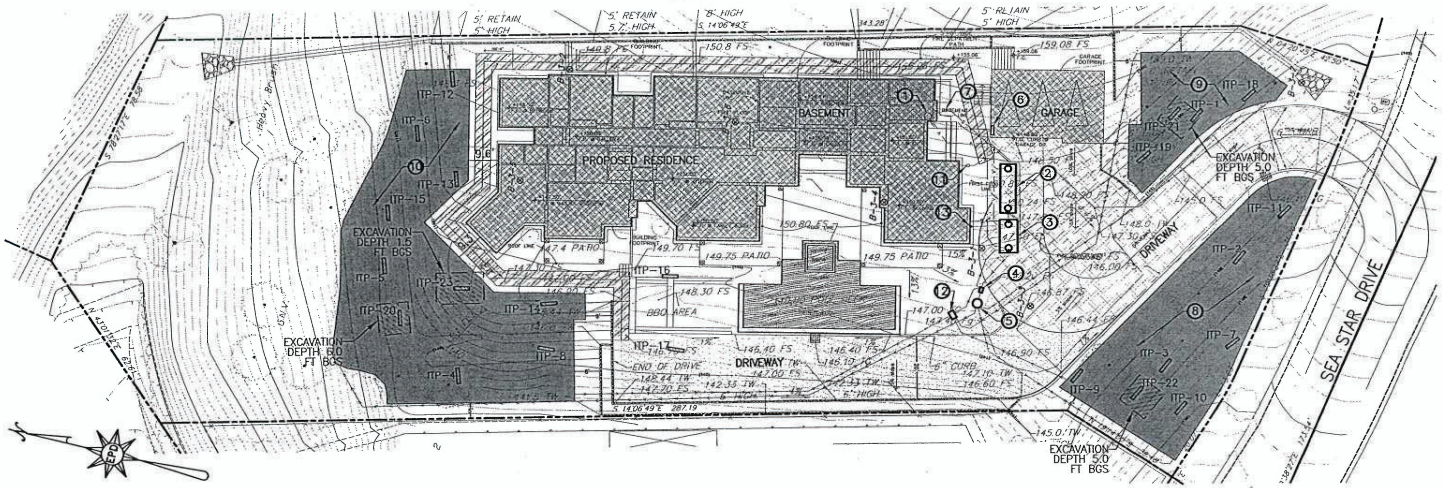
INFILTRATION ZONE 1: 2,861 SF
INFILTRATION ZONE 2: 1,212 SF
INFILTRATION ZONE 3: 4,716 SF

PEAK DESIGN DISPERSAL LOADING RATE ZONES 1 & 2:
0.07 GPD/SF (285 GPD)
AVERAGE DESIGN DISPERSAL LOADING RATE ZONES 1 & 2:
0.04 GPD/SF

PEAK DESIGN DISPERSAL LOADING RATE ZONE 3:
0.14 GPD/SF (660 GPD)
AVERAGE DESIGN DISPERSAL LOADING RATE ZONE 3:
0.08 GPD/SF

1 ONSITE WASTEWATER SYSTEM CALCULATIONS

Scale: N.T.S.



2 ONSITE WASTEWATER SYSTEM SITE PLAN

Scale: 1" = 40'

40' 20' 0' 40'
GRAPHIC SCALE

1. 30"ø PUMP BASIN W/–DEP1 EFFLUENT FILTERED PUMP VAULT & DUPLEX EFFLUENT PUMPS. VENT TO ROOF PER MPC.
2. JENSEN 2,000–GAL TWO CHAMBERED H20 TRAFFIC RATED PRIMARY TANK W/H20 TRAFFIC RATED LIDS/RISERS, SPECIFIED GAS & WATER TIGHT. VENT TO ROOF PER MPC.
3. SEPTITECH M750UV–JENSEN–H2–GEO4 1,500 GAL TWO CHAMBERED JENSEN PRECAST H20 TRAFFIC RATED PROCESSOR TANK W/H2 HIGH HEAD DUPLEX EFFLUENT PUMPS, UV DISINFECTION, H20 TRAFFIC RATED LIDS/RISERS, SPECIFIED GAS & WATER TIGHT. VENT TO ROOF PER MPC.
4. GEOFLOW HEADWORKS.
5. HYDROTEK DISTRIBUTION VALVE IN 30"ø VALVE BOX (3–ZONES). INSTALL AT HIGH POINT OF THE SYSTEM.
6. SEPTITECH TELEMETRY CONTROL PANEL. REQUIRES DEDICATED "UNBLOCKED" PHONE LINE & POWER TO PANEL.
7. PRESSURE TO GRAVITY CLEAN–OUT.
8. GEOFLOW ZONE 1, AREA 2,861–SF. PEAK DESIGN DISPERSAL LOADING RATE: 0.07 GPD/SF
9. GEOFLOW ZONE 2, AREA 1,212–SF. PEAK DESIGN DISPERSAL LOADING RATE: 0.07 GPD/SF
10. GEOFLOW ZONE 3, AREA 4,716–SF. PEAK DESIGN DISPERSAL LOADING RATE: 0.14 GPD/SF
11. GRAVITY CLEANOUT TO GRADE.
12. GEOFLOW FLUSH VALVE BOX W/CHECK VALVES.
13. AIR INTAKE VENT .

3 ONSITE WASTEWATER SYSTEM KEYNOTES

Scale: N.T.S.

REFERENCES:
1. SIA ARCHITECTURAL DESIGN: ARCHITECTURAL PLANS, DATED JULY 30, 2014.
2. ALPINE GEOTECHNICAL, INC.: UPDATE AND ADDENDUM LETTER II, DATED FEB. 2, 2012.
3. HOLMES ENTERPRISES, INC.: GRADING PLAN DATED APRIL 15, 2015.
4. GREGG TOLAND: PRELIMINARY LANDSCAPE PLAN, DATED JUNE 1, 2010.
5. EPD CONSULTANTS, INC.: (a) INFILTRATION TEST REPORT, DATED FEBRUARY 10, 2012, (b) ADDENDUM I INFILTRATION TEST REPORT, DATED AUGUST 18, 2017.

ONSITE WASTEWATER SYSTEM GENERAL NOTES:
1. THESE PLANS ACCURATE FOR ONSITE WASTEWATER TREATMENT SYSTEM ONLY.
2. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.

PRELIMINARY - NOT FOR CONSTRUCTION

EPD consultants
Sustainable water systems & solutions
411 N. HARBOR BLVD., STE. 304
SAN PEDRO, CA 90731
Phone (310) 241-6565
Fax (310) 241-6566

REGISTERED PROFESSIONAL ENGINEER
KEVIN L. POFFENBARGER
Exp 06-30-18
No. 69089
CIVIL
STATE OF CALIFORNIA

NO.	REVISIONS:	DATE:	BY:
1	ENVIRONMENTAL HEALTH RESPONSE	12/15/17	WHA

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN
PROJECT: 6333 SEA STAR LOT 3 MALIBU, CA 90265

DATE	SCALE	DRAWN BY
2/10/12	AS_SHOWN	SI

PROJECT NO. N125
DRAWING NO. W0.01
SHEET 1 OF 1 SHEETS

City of Malibu

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

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	July 9, 2021	**Review Log #:**	**3886**
Site Address:	6333 Sea Star Drive		
Lot/Tract/PM #:	Lot 3, Tract 45585	**Planning #:**	**CDP 16-028**
Applicant/Contact:	Susan Villain, susan@vueventuresinc.com	**BPC/GPC #:**	
Contact Phone #:	310-409-9008 **Fax #:**	**Planner:**	**Lilly Rudolph**
Project Type:	**Revisions:** New single-family residential development, swimming pool and spa, detached garage, grading, retaining walls, new Onsite Wastewater Treatment System (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	Alpine Geotechnical, Inc. (Sivas; CEG 2565; Simon, RCE 82610): **6-8-2021** Alpine Geotechnical, Inc. (Leary; CEG 1519; Villafana, RCE 37354): 2-3-18, 10-31-16, 6-14-16, 2-2-12, 6-27-08, 1-30-07 Alpine Geotechnical, Inc. (Leary, CEG 16519): 12-4-17, 1-5-05 EPD Consultants (Poffenbarger, RCE 69089): 12-15-17, 8-18-17 **Architectural plans prepared by Coscia Day Architecture + Design dated May 6, 2021.** **Grading plans prepared by Ahsirt Engineering, Inc. dated May 2021, three sheets.** Total Grading Yardage Verification Certificate prepared by Dan Holmes dated January 9, 2020. Total Grading Yardage Verification Certificate prepared by Dan Holmes dated January 12, 2020. Building plans prepared by SIA Architectural Design dated May 8, 2018. Grading plan prepared by Holmes Enterprises dated April 26, 2018. OWTS plans prepared by EPD Consultants dated December 15, 2017.
Previous Reviews:	3-1-2021, 7-24-18, Environmental Health Review Sheets dated 2-22-21 and 1-4-18, 5-5-17, 6-14-16, Environmental Health Review Sheet dated 6-3-16

Review Findings

Coastal Development Permit Review

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

☐ The revised 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 update geotechnical report, architectural plans, and grading plans were reviewed by the City from a geotechnical perspective. The revised proposed development includes the construction of a new 5,984 square foot one-story custom single-family residence and detached 422 square foot 2-car garage, an infinity-edge swimming pool and spa, retaining walls, hard scape, landscaping, and grading (R & R to be determined; 1,725 yards of cut under structure; 165 yards of cut and 15 yards of fill for safety; 535 yards of cut and 175 yards of fill non-exempt; and 2,235 yards of export). A new OWTS will be installed on the property that consists of a treatment tank system and three Geoflow dispersal zones totaling 8,789 square feet. The peak design daily flow rate is 900 gpd and the average design flow rate is 500 gpdsf. The peak design dispersal loading rate in zones 1 and 2 is 0.07 gpdsf and the average design dispersal loading rate is 0.04 gpdsf and the peak design dispersal loading rate in zone 3 is 0.14 gpdsf and the average design dispersal loading rate is 0.08 gpdsf.

Review Comments:

1. None.

Building Plan-Check Stage Review Comments:

1. Please submit a fee of $1,016.00 to City geotechnical staff for building plan check review.
2. Please show the R & R grading yardages on the Total Grading Yardage Verification Certificate on the grading plans.
3. The following a note needs to be included into the project grading and building plans. *'Prior to the placement of concrete slabs, the slab subgrade soils shall be pre-moistened to at least 120% of the optimum moisture content to the depth specified by the geotechnical engineer. The pre-moistened soils should be tested and verified to be by the geotechnical engineer within one day prior to the placement of the moisture barrier and sand.'*
4. Please provide reduced setback letters from the OWTS, geotechnical and structural consultants for any reduced setbacks between the OWTS components and foundations, as applicable.
5. The backfill of test pits and borings apparently were not placed as certified compacted fill. Therefore, the Project Geotechnical Consultant needs to provide appropriate recommendations for removal and re-compaction of such material that will support structures or compacted fills. Include the recommendations on the Grading Plans.
6. 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.
7. Please clearly show the Code-required minimum foundation setbacks from descending slopes on the plans, where applicable.
8. Include a detail for the swimming pool subdrain and outlet on the swimming pool plans.

9. HARD COPY PLANS: Three sets of grading, retaining wall, shoring, swimming pool and spa, detached garage, and residence plans **(APPROVED BY BUILDING AND SAFETY)** incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Civil/Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet.
10. ELECTRONIC PLANS: If final foundation and civil plans are digitally signed and stamped by the Project Geotechnical Consultant, as allowed under Board of Registration For Professional Engineers and Land Surveyors (2020 PE &PLS Board Rules (16 CCR §§400-476), the Plan Review Letter must contain the following:

    - Project description – Address, scope, including structures being permitted (e.g. pool, retaining walls etc.).
    - Plan set information - The date and preparer of the plan set reviewed; this must match the plan set that was submitted to the city for final approval.
    - Report references -All applicable geotechnical or coastal engineering reports need to be referenced.
    - Approval of specific plan sheets reviewed – List all plan sheets approved, e.g. civil (grading and drainage) as well as structural.
    - Licensed Professional signature and stamp - The letter must be signed and stamped by all licensed professionals who signed the reports**.**

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

Engineering Geology Review by: _____ *7/9/2021*

Christopher Dean, C.E.G. #1751, Exp. 9-30-22
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

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

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

1. One set of grading, retaining wall, swimming pool and spa, garage, and residence plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.**
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Building Plans.
3. Include the following note on Grading and Foundation Plans: "*Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Project Geotechnical Consultant, as appropriate.*"
4. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
5. The Foundation Plans for the proposed project shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
6. Show the onsite wastewater treatment system on the Site Plan.
7. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.
8. A comprehensive Site Drainage Plan, incorporating the Project Geotechnical Consultant's recommendations, shall be included in the Plans. Show all area drains, outlets, and non-erosive drainage devices on the Plans. Water shall not be allowed to flow uncontrolled over descending slopes.

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.

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

FROM: City of Malibu Planning Department **REVISED DATE** 03/21/2022

PROJECT NUMBER:	CDP 16-028
JOB ADDRESS:	6333 SEA STAR DR
APPLICANT / CONTACT:	Susan Villain, Vue Ventures, Inc.
APPLICANT ADDRESS:	3829 Calle Joaquin Calabasas, CA 91302
APPLICANT PHONE #:	(310) 409-9008
APPLICANT FAX #:	
APPLICANT EMAIL:	susan@vueventuresinc.com
PROJECT DESCRIPTION:	New single-family residence on vacant parcel

---

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.

Nicole Senoki
SIGNATURE

3/21/2022
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Nicole Benyamin, Assistant Civil Engineer

Date: March 21, 2022

Re: Proposed Conditions of Approval for 6333 Sea Star Drive CDP 16-028 (Revised Plans)

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. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development LIP Section 17.3.1 that:
    - Is located within or adjacent to ESHA, or
    - Includes grading on slopes greater than 4:1

- Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4:1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources

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 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 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.
    - 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.

STORMWATER

7. 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.

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

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.

9. 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 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.

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 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.

MISCELLANOUS

11. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

12. 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.

13. Prior to the approval of any grading and drainage permit, the applicant shall submit a PDF of the final plans. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804

LOS ANGELES COUNTY WATERWORKS DISTRICTS REVIEW
REFERRAL SHEET

FROM: City of Malibu Planning Department **DATE: 5/24/2016**

PROJECT NUMBER:	CDP 16-028
JOB ADDRESS:	6333 SEA STAR DR
APPLICANT / CONTACT:	Susan Villain, Vue Ventures, Inc.
APPLICANT EMAIL:	susan@vueventuresinc.com
APPLICANT PHONE #:	(310) 409-9008
PLANNER:	Lilly Rudolph
PROJECT DESCRIPTION:	NSFR

TO: Malibu Planning Department and/or Applicant

FROM: LACWD No. 29, Malibu

Compliance with the conditions checked below is required prior to Waterworks District approval

The project **DOES NOT** require any system improvements for domestic and/or fire flow conditions	X
The project **DOES NOT** require capital improvement fees and/or participation fees	
The project **DOES** require a Will Serve Letter ***(Final Waterworks Districts approval)***	X
The project **DOES** require capital improvement fees and/or participation fees	X
The project **DOES** require the owner to execute an agreement and participate financially in the design and construction of a future water system to increase local storage and conveyance capacity in the event of an interruption of the primary water supply	
The project **DOES** require private contract water system improvements for domestic and/or fire flow conditions	

The required fire flow for this project set by the Fire Department is 1,250 gallons per minute at 20 pounds per square inch for a 1 hour duration

Scope of water system improvements required:

Note: Los Angeles County Waterworks District No. 29, Malibu approval expires upon the earliest of the following: 1) Two years from the date of this form; 2) Expiration date of the City Planning permit(s), or 3) Date County adopts changes to the county of Los

William F. John — 6/29/2021

SIGNATURE **DATE**

Additional requirements/conditions may be imposed upon review of complete architectural plans.
Los Angeles County Waterworks District No. 29, Malibu may be contacted by phone at (310) 317-1389 or at the Waterworks Public Counter.

FORM 195
Rev. 11/06/2019

COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For One and Two Family Dwellings, Townhomes, and Accessory Dwelling Units

INSTRUCTIONS:

Complete parts I, II (A), and II (B)

Verifying fire flow, fire hydrant location and fire hydrant size.

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 6333 SEASTAR

City or Area: MALIBU APN 4469-047-003

Nearest Cross Street: MORNINGVIEW DR

Distance of Nearest Cross Street:

Property Owner: TROY ISSAC Telephone: (310) 409-9008 SUSAN VILLAR

Address: 4592 BELFORT AVE

City: DALLAS TX Zip Code 75205

Occupancy (Use of Building): SFR Sprinklered: Yes ☑ No ☐

Type of Construction V-B

Square Footage: 6848 Number of Stories: 2

Applicant's Signature

5/10/21
Date

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

The distance from the fire hydrant to the property line is 0' (Fronting) feet via vehicular access. The fire flow services will be rendered from a 8" inch diameter water main. The hydrant is located on Sea Star Dr (Direction/side) (Street)

860' (Feet) North (Direction) of Morning View Dr (Nearest Cross - Street)

Static PSI 90 Residual PSI 69 Orifice size 4", 2.5" Pitot N/A

Fire Flow at 20 PSI 1,250 GPM for one hour duration ☐ Flow Test Date / Time _____
☒ Hydraulic model

Domestic Meter Size No meter

PART II (B)

LA County Waterworks District, No. 29
Water Purveyor

William F. Johnson
Signature

(310) 317-1389 8/10/2021
Phone Number Date

William Johnson, Senior Civil Engineer
Title

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

The building permit may be issued for new or additions to detached one and two family dwellings, townhomes, and accessory dwelling units when the above information is completed and shows that the following minimum requirements are met and the property is not located in a Fire Hazard Severity Zone.

- The water system is capable of delivering at least 1000 GPM at 20 PSI for one-hour if non-sprinklered.
- The water system is capable of delivering at least 500 GPM at 20 PSI for one-half hour if sprinklered.
- The total area of the entire structure is less than 3,600 square feet.
- No portion of the lot frontage to the public fire hydrant shall exceed 450 feet via vehicular access.
- All portions of the proposed construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY _____ DATE _____ OFFICE _____

This Information is Considered Valid for Twenty Four Months

When the project does not meet all of the above requirements for approval by the **Building Department,** the project must be sent to the **Fire Prevention Division** for approval before a Building Permit can be issued by the **Building Department**.

CALIFORNIA COASTAL COMMISSION
SOUTH COAST AREA
245 WEST BROADWAY, SUITE 380
LONG BEACH, CA 90802
(213) 590-5071

COASTAL DEVELOPMENT PERMIT

On May 10, 1990, the California Coastal Commission granted to

JAVID DEVELOPMENT

this permit subject to the attached Standard and Special conditions, for development consisting of:

Subdivision of a 45 acre parcel into 19 residential lots and one open space lot and construction of streets, septic systems, utilities, storm drian improvements and 80,500 cubic yards of grading (41,500 cut and 39,000 fill).

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Los Angeles County at 30631 Morning View Drive, Malibu.

Issued on behalf of the California Coastal Commission by

PETER DOUGLAS
Executive Director

By: _____

Title: Staff Analyst

ACKNOWLEDGMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part, that: "A public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

Date _____ Signature of Perm _____

EXHIBIT NO. 5
APPLICATION NO.
4-97-252 (DIVA)
SUBDIVISON PERMIT

ATTACHMENT 5

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT 1

III. Special Conditions.

1. Cumulative Impact Mitigation.

Prior to the issuance of the Coastal Development Permit, the applicants shall submit evidence, subject to the review and approval of the Executive Director, that the cumulative impacts of the subject development with respect to build-out of the Santa Monica Mountains are adequately mitigated. Prior to issuance of this permit, the applicants shall provide evidence to the Executive Director that development rights for residential use have been extinguished on eighteen (18) building sites in the Santa Monica Mountains Coastal Zone. The method used to extinguish the development rights shall be either:

a) one of the five lot retirement or lot purchase programs contained in the Malibu/Santa Monica Mountains Land Use Plan (Policy 272, 2-6);

b) a TDC-type transaction, consistent with past Commission actions;

c) participation along with a public agency or private nonprofit corporation to retire habitat or watershed land in amounts that the Executive Director determines will retire the equivalent number of potential building sites. Retirement of a site that is unable to meet the County's health and safety standards, and therefore unbuildable under the Land Use Plan, shall not satisfy this condition.

2. Trail Dedication.

Prior to issuance of permit, the applicant shall submit an irrevocable offer to dedicate a twenty-foot wide public access trail easements along the eastern portion of the site along the back portions of lot 10 thru 15 then along the northern portion of lot 19 to Street "A" (Zuma Canyon trail), a ten-foot wide easement south along Street "A" to Morning View Drive and then west along Morning View Drive, a twenty-foot wide easement north along the western boundary of the site and then along a portion of the northern boundary of the site (Chumash trail). The irrevocable offer shall be of a form and content approved by the Executive Director, free of prior encumbrances except for tax liens, providing the public the right to pass and repass over the noted route limited to hiking and equestrian uses only. The present public use of the existing trails shall not be interfered with until the trails have been relocated and improved. The dedicated trail easement shall not be open for public hiking and equestrain usage until a public agency or private association approved by the Fxecutive Director agrees to accept responsibility for maintenance and liability associated with the trail easement. The offer shall run with the land in favor of the State of California binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date or recording.

EXHIBIT 11

3. Easement for Locating Drain on Adjacent Property

Prior to issuance the applicant shall submit a recorded agreement (drainage easement) from the adjacent property owner showing that an easement has been granted to the applicant for the purpose of extending the subsurface drain and energy dissipator onto the property.

4. Landscaping and Erosion Control Plan

Prior to issuance of permit, the applicant shall submit landscaping and fuel modification plans prepared by a licensed architect for review and approval by the Executive Director. The plans shall incorporate the following criteria:

(a) All graded areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes. To minimize the need for irrigation and to screen or soften the visual impact of development all landscaping shall consist primarily of native, drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains, dated November 23, 1988. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.

(b) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within 90 days and shall be repeated, if necessary, to provide such coverage. This requirement shall apply to all disturbed soils including all existing graded roads and pads;

(c) Should grading take place during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location.

5. Plans Conforming to Geologic Recommendation

All recommendations contained in the Engineering Geologic Report prepared by California Geo/Systems, INC. (8/17/87) regarding the proposed development shall be incorporated into all final design and construction including

EXHIBIT 11

grading, sewage disposal, and drainage. All plans must be reviewed and approved by the consultant. Prior to transmittal of the permit the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans. The geologic restricted use area shall be delineated and recorded on the final parcel map.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

6. Archeological Resources.

Prior to issuance of the permit, the applicant shall agree in writing that a qualified archaeologist and an authorized representative of the Native American Heritage Commission shall be present on-site during all grading and that should archaeological (or paleontological) resources be discovered, all activity which could damage or destroy these resources shall be temporarily suspended until the site has been examined by a qualified archaeologist (or paleontologist) and mitigation measures have been developed and implemented to address the impacts of the project on archaeological (or paleontological) resources. Such mitigation measures shall be reviewed and approved by the State Office of Historic Preservation prior to implementation and resumption of development. Any change to the proposed project required by the mitigation measures shall be reported in writing to the Executive Director to determine whether an amendment to the permit is required.

7. Revised Grading Plans

Prior to issuance of permit the applicant shall submit a revised Tract Map and grading plan approved by the County of Los Angeles consistent with the final proposed grading (as shown in the revised grading plan submitted to this office on 4/19/90) indicating no more than 69,500 cubic yards of total grading and no graded building pads.

8. Open Space Dedication

Prior to transmittal of the coastal development permit, the applicant as landowner shall execute and record a document, in a form and content acceptable to the Executive Director, which irrevocably offers to dedicate to a public agency or private association acceptable to the Executive Director, an easement for open space, view preservation and habitat protection. Such easement shall be located on the northern and western portions of the subdivision and include all of lot 20 including the "Restricted Use Area", (see Exhibit). The easement shall restrict the applicant from grading, landscaping (other than required by this permit), vegetation removal or placement of structures within the easement area. The easement shall not restrict the future development of a trail for hiking and equestrian use. The offer shall be recorded free of prior liens and encumbrances except for tax liens which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of twenty one (21) years, such period running from the date of recording.

EXHIBIT # 1

9. Future Grading for Single-family Development

Prior to issuance of the permit, the applicant shall record a deed restriction, in a form and content acceptable to the Executive Director, which provides that the development of single-family residences shall conform to the natural contours of the site and grading for the development of the single-family residences shall be limited to the minimium amount necessary for driveway access. The document shall further stipulate that no grading for tennis courts, pools or other ancillary uses which require level pads shall be permitted.

10. Recreational Lot

Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director a deed restriction for recording free of prior liens, except for tax liens, and free of prior encumbrances, that binds the applicant and any successors in interest. The form and content of the deed restriction shall be subject to the review and approval of the Executive Director. The deed restriction shall provide that lot 20, as shown on the Tentative Tract Map No. 45585, shall be restricted for use as a low intensity community center/recreational lot, which minimizes grading and landform alteration, for use by members of the homeowners' association. Such uses include, but are not limited to, swimming pool and tennis court.

AP:tn
6030D

EXHIBIT A-1

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

CORRECTED COPY
AMENDMENT TO COASTAL DEVELOPMENT PERMIT

Date: May 26, 2011

Permit No: 5-90-327 Issued to: Javid Development

For: The development originally approved by the permit consisted of: Subdivision of a 45 acre parcel into 19 residential lots, a recreation lot, an open space lot, and construction of streets, septic systems, utilities, storm drain improvements, and 80,500 cu. yds. of grading (41, 500 cu. yds. cut; 39,000 cu. yds. fill)

Amendment 5-90-327-A1 - Denied

Amendment 5-90-327-A2 - Void see 4-95-074

Amendment 5-90-327-A3 - was amended for modification of special condition 8, to reduce the size of the open space lot, and approval of after-the-fact lot line adjustment between lots 20 (open space lot) and 21 (recreation lot), resulting in two lots of 20.95 acres and 1.46 acres respectively.

Amendment 5-90-327-A4 - Applicant proposes the relocation of the existing equestrian trail easement, the abandonment of the current easement, and the construction of an equestrian trail within the new easement

At: 30601 Morning View Drive, Malibu (Los Angeles County).

Has been amended to include the following changes: Minor realignment of two portions of the hiking and equestrian trail previously required by CDP 5-90-327 and later modified in CDP Amendment 5-90-327-A4. The existing and proposed trail alignment is shown on Revised Exhibit 1. Revised Exhibits 2 and 3 to this amendment are more detailed plans showing each of the two realignments. The applicants also propose to supersede and replace Special Condition No. 2 of CDP 5-90-327-A4 with the following condition:

2. Revised Hiking and Equestrian Trail Alignment

In order to implement the applicants' proposal to modify the location of the public access trail easement area approved pursuant to Coastal Development Permit No. 5-90-327, the landowners of Lots 12, 13, and 19 of Tract No. 45585 in the City of Malibu, shall each record an amendment to the Offer to Dedicate Trail Easement recorded on March 1, 1991 as Instrument No. 91-296247 in the Official Records of the Los Angeles County Recorder's Office. The recorded documents shall include an exhibit consisting of both a metes and bounds legal description and a corresponding graphic depiction, prepared by a licensed surveyor of the revised trail easement area consistent with the revisions generally as shown on Exhibits 1, 2, and 3 to this permit amendment. The amendment documents shall be in a form and content acceptable to the Executive Director.

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, April 4, 2022, at 6:30 p.m**. for the project identified below which will be held via teleconference only in order to reduce the risk of spreading COVID-19 pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order.

COASTAL DEVELOPMENT PERMIT NO. 16-028 - An application to allow the construction of a 5,984 square foot, one-story single-family residence with a rooftop deck, a 422 square foot detached two-car garage, swimming pool and spa, grading, landscaping and hardscape, and the installation of an onsite wastewater treatment system on an undeveloped parcel

LOCATION / APN / ZONING:	**6333 Sea Star Dr** / 4469-047-003 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER:	Vue Ventures, Inc. / Issac Real Estate Holdings, Series LLC
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(a) and 15303(e)
APPLICATION FILED:	May 24, 2016
CASE PLANNER:	David Eng, Assistant Planner, deng@malibucity.org (310) 456-2489, ext. 372

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review at City Hall or by contacting the Case Planner. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit www.malibucity.org/virtualmeeting.

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 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.

RICHARD MOLLICA, Planning Director — Date: March 24, 2022