AUGUST 3, 2026 REGULAR MEETING

PLEASE DOWNLOAD THE AGENDA DOCUMENT FOR INSTRUCTIONS ON HOW TO PARTICIPATE IN THE MEETING.

1. Meeting Agenda

   Documents:

   PC260803_AGENDA.PDF

2. Item 1A

   Report on change in operations for the Annual Chili Cook-Off and Carnival / 23575 Civic Center Way

   Documents:

   PC260803_ITEM 1A.PDF

3. Item 3B1

   Administrative Coastal Development Permit No. 26-008 / 6300 Ramirez Canyon Road

   Documents:

   PC260803_ITEM 3B1.PDF

4. Item 3B2

   Approval of Minutes / July 20, 2026 Regular Planning Commission meeting

   Documents:

   PC260803_ITEM 3B2.PDF

5. Item 3B3

   Extension of Planning Verification-Woolsey Fire No. 20-122 for obtaining a building permit / 5949 Bonsall Drive

   Documents:

   PC260803_ITEM 3B3.PDF

6. Item 3B4

   Extension of Planning Verification-Woolsey Fire No. 20-104 to obtain a building permit / 6973 Birdview Avenue

Documents:

PC260803_ITEM 3B4.PDF

7. Item 5A

   Coastal Development Permit No. 23-028 / 6200 Porterdale Drive

   Documents:

   PC260803_ITEM 5A.PDF

8. Item 5B

   Coastal Development Permit No. 20-033 / 6800 Westward Beach Road, Unit 1 (Sunset Restaurant)

   Documents:

   PC260803_ITEM 5B.PDF

9. Item 5C

   Coastal Development Permit No. 26-032 / 4000 Corral Canyon Road (Los Angeles Department of Water and Power Temporary Laydown Yard)

   Documents:

   PC260803_ITEM 5C.PDF
   PC260803_ITEM 5C_SUPPLEMENTAL.PDF

HOW TO VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video and via Zoom Webinar.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to planningcommission@malibucity.org at least three days prior to the meeting to provide adequate time for Commissioner consideration. Correspondence will continue to be processed until thirty minutes prior to the start of the meeting or as practical.

HOW TO PARTICIPATE IN-PERSON DURING THE MEETING: In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form and be present in the Council Chambers when the item is called by the Chair. In-person participants may also surrender their opportunity to speak on a particular item to donate one minute to another in-person speaker, not to exceed a total of eight minutes.

HOW TO PARTICIPATE REMOTELY DURING THE MEETING: The City has been experiencing extreme technical issues with its broadcast and Zoom capabilities. It is strongly recommended that those who wish to participate do so in person as Zoom participation is not guaranteed. While the City intends to allow Zoom participation, if possible, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public participation over Zoom. In such case, only in-person participation will be allowed. In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. When you join the Zoom meeting, you may see a pop-up asking you to enter an email address, but a valid email address is not required.

Please visit https://malibucity.org/VirtualMeeting and follow the directions to stream the live meeting or learn how to use the Zoom application.

Malibu Planning Commission
Regular Meeting Agenda

Monday, August 3, 2026

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

City Hall – Council Chambers
23825 Stuart Ranch Road

Zoom Meeting Link:
https://us02web.zoom.us/j/84438477395

Call to Order - Chair

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – July 23, 2026

1. **Ceremonial/Presentations**

A. Report on change in operations for the Annual Chili Cook-Off and Carnival, a four-day event, Labor Day weekend and a one-day private fundraising event

Event Location:	23575 Civic Center Way, not within the appealable coastal zone
APN:	4458-022-907
Owner:	City of Malibu
Parking Owners:	City of Malibu, Wave Enterprises, Inc., Los Angeles County, Santa Monica-Malibu Unified School District, KW Malibu Colony LLC, and Cross Creek Ranch Malibu LLC
Applicant:	The Boys and Girls Club of Malibu
Parking APNs:	23825 Stuart Ranch Road (APN 4458-021-901) 23805 Stuart Ranch Road (APN 4458-021-173) 3542 Coast View Drive (APN 4458-021-003) 23525 Civic Center Way (APN 4458 022-906) 23575 Civic Center Way (APN 4458-022-907) 23841 Malibu Road (APN 4458-019-010)
Ride Share/Drop:	23525 Civic Center Way (APN 4458-022-906)

Recommended Action: Receive and file a report on a change in operations for the Annual Chili Cook-Off and Carnival.

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. Subject to the rules of the Brown Act and the Planning Commission's Rules of Procedure and Decorum, the time allotted per Planning Commissioner to respond to public comment and ask staff to follow-up is three (3) minutes.

B. Community Development Director Report

3. **Consent Calendar**

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 26-008 – An application for the installation of an advanced wastewater treatment system and installation of a new dispersal field

Location:	6300 Ramirez Canyon Road, partially within the appealable coastal zone
APN:	4467-011-006
Owner:	Kathleen M. Hughes Trust
Case Planner:	Contract Planner Ward, 925-667-0547

Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-008.

2. Approval of Minutes

Recommended Action: Approve the minutes of the July 20, 2026 Regular Planning Commission meeting.

Staff Contact: Management Analyst Duncan 456-2489, ext. 309

3. Extension of Planning Verification-Woolsey Fire No. 20-122 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire

Location: 5949 Bonsall Drive
APN: 4467-024-003
Owner: Malibu Vintage Dirt LLC
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246

Recommended Action: Adopt Planning Commission Resolution No. 26-33 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 20-122 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5949 Bonsall Drive (Malibu Vintage Dirt LLC).

4. Extension of Planning Verification-Woolsey Fire No. 20-104 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire

Location: 6973 Birdview Avenue
APN: 4468-015-002
Owner: Bradshaw Family Trust
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246

Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-32 granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 20-104 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, One-Acre zoning district at 6973 Birdview Avenue (Bradshaw Family Trust); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

4. Continued Public Hearings

None.

5. New Public Hearings

A. Coastal Development Permit No. 23-028, Site Plan Review No. 23-032 and Minor Modification No. 26-004 – An application for a new single-family residence and associated site improvements

Location: 6200 Porterdale Drive, not within the appealable coastal zone
APN: 4467-004-040
Owner: Brad Folb
Case Planner: Contract Planner Paolini, 650-522-2500

Recommended Action: Continue this item to the September 22, 2026 Regular Planning Commission meeting.

B. Coastal Development Permit No. 20-033, Conditional Use Permit No. 18-004 and Demolition Permit No. 20-018 – An application to continue the operation of an existing restaurant and associated building improvements

Location: 6800 Westward Beach Road, Unit 1, within the appealable coastal zone
APN: 4468-022-001
Owner: 6800 Westward Beach Road LP
Tenant: Sunset Restaurant & Beach Bar, Inc.
Case Planner: Contract Planner Pisarkiewicz, 949-489-1442

Recommended Action: Continue this item to the September 22, 2026 Regular Planning Commission meeting.

C. Coastal Development Permit No. 26-032, Conditional Use Permit 26-005 and Variance No. 26-008 – A follow-up application to Emergency Coastal Development Permit No. 25-017 for a temporary public utility laydown yard to store materials and vehicles; including a variance for development on slopes steeper than 2.5 to 1

Location: 4000 Corral Canyon, partially within the appealable coastal zone
APN: 4459-006-270
Owner: Los Angeles Department of Water and Power
Case Planner: Associate Planner Elias, 456-2489, ext. 256

Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-23 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 26-032 as follow-up to Emergency Coastal Development Permit No. 25-017 to construct a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, utility hook-ups, and the complete restoration and improvement of site environmental conditions than existing conditions prior to construction activities at the end of the seven year period; including Conditional Use Permit No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance No. 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre zoning district at 4000 Corral Canyon Road (Los Angeles Department of Water and Power); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

A. Planning Commission and staff comments and inquiries

Adjournment

Future Meetings

Monday, August 17, 2026 6:30 p.m. Regular Planning Commission Meeting City Hall Multi-Purpose Room
Tuesday, September 8, 2026 6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers
Tuesday, September 22, 2026 6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers

Guide to the Planning Commission Proceedings

The Oral Communication portion of the agenda is for members of the public to present items which are not listed on the agenda but are under the subject matter jurisdiction of the Planning Commission. No action may be taken under, except to direct staff, unless the Commission, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Commission and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three minutes. Members of the public may speak during the meeting in-person or through the Zoom application, although it is strongly recommended that those who wish to participate do so in person. While the City intends to allow zoom participation, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public comment over Zoom. In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Chair. In person participants may surrender their time by donating one minute to another speaker, not to exceed a total of eight minutes. The speaker wishing to donate time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are donating time to. Speakers are taken in the order slips are submitted. In-person speakers will be called prior to Zoom speakers.

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.

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 majority 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 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 Community Development 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 the Media Team at media@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 23rd day of July 2026 at 5:30 p.m.



Rebecca Evans, Senior Management Analyst

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 1.A.

To: Chair Peak and Members of the Planning Commission

Prepared by: Michelle Santiago, Assistant Planner

Reviewed by: Didier Murillo, Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Report on change in operations for the Annual Chili Cook-Off and Carnival, a four-day event, Labor Day weekend and a one-day private fundraising event a four-day event, Labor Day weekend and a one-day private fundraising event

Event Location:	23575 Civic Center Way, not within the appealable coastal zone
APN:	4458-022-907
Owner:	City of Malibu
Parking Owners:	City of Malibu, Wave Enterprises, Inc., Los Angeles County, Santa Monica-Malibu Unified School District (SMMUSD), KW Malibu Colony LLC, and Cross Creek Ranch Malibu LLC
Applicant:	The Boys and Girls Club of Malibu
Parking APNs:	23825 Stuart Ranch Road (APN 4458-021-901) 23805 Stuart Ranch Road (APN 4458-021-173) 3542 Coast View Drive (APN 4458-021-003) 23525 Civic Center Way (APN 4458 022-906) 23575 Civic Center Way (APN 4458-022-907) 23841 Malibu Road (APN 4458-019-010)
Ride Share/Drop:	23525 Civic Center Way (APN 4458-022-906)

RECOMMENDED ACTION: Receive and file a report on a change in operations for the Annual Chili Cook-Off and Carnival.

DISCUSSION: After the June 15, 2026, Regular meeting, the applicant requested to change their Alcohol Management Plan to the previously approved plan from 2024. Planning Division staff has brought back the item to discuss the changes to the Alcohol Management Plan. This will affect Planning Commission Resolution No. 26-26, Condition No. 2:

> 2. This approval is for the temporary use of the site located at 23575 Civic Center Way for the Annual Chili Cook-Off and Carnival, a four-day event, Labor Day weekend, and a one-day private fundraising event, sponsored by the Malibu Boys and Girls Club. Offsite parking is proposed on additional nearby parcels owned by public and private parties. The private fundraising event will take place prior to the public carnival event. The event will take place on a vacant parcel owned by the City of Malibu. Staff is only permitting the event as scheduled below:

Table 1 – Event Schedule

Date	Activity	Time
Monday, August 24, 2026 to Thursday, September 3, 2026 [excluding Sundays per MMC Section 8.24.050(G)]	Event Set-Up	7:00 a.m. to 7:00 p.m.
Thursday, September 3, 2026	Private Event	5:00 p.m. to 9:00 p.m.
Friday, September 4, 2026	Carnival	4:00 p.m. to 10:00 p.m.
Saturday, September 5, 2026	Chili Cook-Off and Carnival	11:00 a.m. to 10:00 p.m.
Sunday, September 6, 2026	Chili Cook-Off and Carnival	11:00 a.m. to 10:00 p.m.
Monday, September 7, 2026	Carnival	11:00 a.m. to 8:00 pm.
Tuesday, September 8, 2026 to Thursday, September 10, 2026	Event Break- Down	7:00 a.m. to 7:00 p.m.

Additionally, the following are new to this year's event and are approved:

- Beer and wine sales within the beer garden (as typical) ~~but proposing to allow beer and wine consumption within the general premises of the Chili Cookoff event area (outside of the just the beer garden).~~
- No alcohol consumption shall be allowed outside the beer garden (as typical) ~~within the Carnival area~~ and security will monitor ingress and egress from the alcohol sales area ~~as well as each entrance to the carnival~~.
- Extra day of music on Monday, September 7, 2026, from 11:00 a.m. to 7:00 p.m.
- To have a capacity of 1,000 attendees for the private event on Thursday September 3, 2026.
- Four additional days to load in and load out.

The Alcohol Management Plan submitted by the applicant includes policies, procedures, hours of operations, products and service size, intoxication response protocol, and guest

safety and signage. The requested change to the Alcohol Management Plan is to limit *beer and wine sales and consumption to the beer garden (as typical).*

Pursuant to Planning Commission Resolution No. 26-26 Condition No. 7, the requested change is considered a minor change to the conditions of approval and therefore the Community Development Director has approved the request;

> 7. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.

CONCLUSION: The report memorializes the change to the Alcohol Management Plan, specifically the area of consumption and sale of beer and wine to be allowed only in the beer garden.

ATTACHMENT:

1. Planning Commission Resolution No. 26-26

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-26

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. 26-031 AND TEMPORARY USE PERMIT NO. 26-003 TO ALLOW FOR THE ANNUAL CHILI COOK-OFF AND CARNIVAL PROPOSED TO TAKE PLACE FRIDAY, SEPTEMBER 4, 2026 THROUGH MONDAY, SEPTEMBER 7, 2026 (LABOR DAY WEEKEND) AND A PRIVATE FUNDRAISING EVENT TO TAKE PLACE THURSDAY, SEPTEMBER 3, 2026 LOCATED ON A CITY-OWNED PARCEL IN THE COMMUNITY COMMERCIAL ZONING DISTRICT AT 23575 CIVIC CENTER WAY AND VARIOUS LOCATIONS FOR OFFSITE PARKING LOTS LOCATED AT 23825 STUART RANCH ROAD, 23805 STUART RANCH ROAD, 3542 COAST VIEW DRIVE, 23525 CIVIC CENTER WAY, AND 23841 MALIBU ROAD

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

SECTION 1. Recitals.

A. On April 15, 2026, the Boys and Girls Club of Malibu submitted for a Coastal Development Permit (CDP) No. 26-031 and Temporary Use Permits (TUP) No. 26-003 to allow for the annual chili cook-off and carnival proposed to take place Friday, September 4, 2026 (Labor Day Weekend) and a private fundraising event to take place Thursday, September 3, 2026, located on a city- owned parcel in the community commercial zoning district at 23575 Civic Center and various locations for offsite parking lots located at 23825 Stuart Ranch Road, 23805 Stuart Ranch Road, 3542 Coast View Drive, 23525 Civic Center Way and 23841 Malibu Road.

B. On June 4, 2026, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 1,000-foot radius of the subject property.

C. On June 8, 2026, a Notice of Coastal Development Permit Application was posted on the subject property.

D. On June 15, 2026, 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 15304(e) – Minor Alterations to Land. 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 contained within the record, including the agenda report for the project and the hearing on June 15, 2026, and pursuant to the Local Coastal Program (LCP) Local Implementation Plan (LIP) including Sections 13.7(B) and 13.9 and Malibu Municipal Code (MMC), the Planning Commission adopts the findings of fact, and approves CDP No. 26-031 and TUP No. 26-003 to allow for the Annual Chili Cook-Off and Carnival proposed to take place Friday, September 4, 2026 through Monday, September 7, 2026 (Labor Day Weekend) and a private fundraising event to take place Thursday, September 3, 2026 located in the Community Commercial (CC) zoning district at 23575 Civic Center Way (City of Malibu).

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 TUP, the project, as conditioned, has been determined to be consistent with all applicable LCP and MMC codes, standards, goals, and policies. The required findings are made herein.

A. Coastal Development Permit (LIP Chapter 13)

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 event is located in the CC zoning district, an area designated for commercial uses. The proposed project has been reviewed for conformance with the LCP by the Planning Division, the City Public Works Department, Los Angeles County Sheriff's Department (LASD), and the Environmental Sustainability Division. The Los Angeles County Health Department and Los Angeles County Fire Department (LACFD) are currently reviewing the application, which is conditioned to obtain these approvals prior to the event. As discussed herein, based on the submitted site and parking plans, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable standards for events.

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 event as well as the offsite parking sites are not located between the first public road and the sea and there are no recreational opportunities within the event site as described on the LCP Park Lands Map. Parking for event attendees will be located at additional offsite properties located adjacent or within short walking distance of the event site. The event is near Legacy Park. However, the event has been conditioned to not block access to the park or any public trails, as access along Civic Center Way will be maintained. The project will not impact the public's access to coastal resources. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

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. The proposed event would not result in significant adverse effects on the environment, as it involves the minor temporary use of land having negligible or no

permanent effect on the environment. The applicant will be required to clean and restore the event site to its pre-event condition. The event will not result in potentially significant impacts on the physical environment.

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 and parking sites are not designated as containing ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board (ERB) review was not required, and this finding does not apply.

B. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The subject property and project sites are not designated as containing ESHA, or ESHA buffer, as shown on the LCP ESHA and Marine Resources Map. It has been determined that there is no ESHA on the property and that review by the ERB was not required. As conditioned, the proposed project will not result in 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)

The majority of the event is sited on the southern portion of the property where there are no existing trees and does not include any structures or development that will impact any potential protected trees located in the northern part of the subject site.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those CDP applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. Since the event will be visible from Pacific Coast Highway (PCH), an LCP-designated scenic road and Legacy Park, the required findings are made as follows:

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 project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons. The project is a four-day temporary event and a one-day private fundraising event with offsite parking, which will not include any permanent structures or development. The event location will be returned to its pre-event condition following clean-up of all event activities. With the exception of the carnival rides, all tents, booths, and canopies will be below 27 feet in height and will not have a significant adverse impact on scenic or visual resources visible from PCH. The event includes temporary security and amusement lighting, and a small amount of carnival rides that exceed 18 feet in height. The tallest rides are approximately 65 feet in height. The carnival rides will be visible from PCH and Legacy Park. Lighting from the amusement rides and tents will also be visible during permitted night-time event hours, until 10:00

p.m. at the latest. However, due to the temporary nature of the event and that no permanent structures or lighting will remain on site subsequent to the event, significant adverse scenic or visual impacts visible from PCH or Legacy Park are not anticipated.

2. *The project, as proposed, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.*

The project is for a four-day event and a one-day private fundraising event, which will not include any permanent structures or development. Conditions of approval will require that upon completion of the event, the site shall be returned to its pre-event condition. In addition, lighting associated with the event will be directed towards the event area and not the hillside behind. As discussed previously, the temporary structures will not have a significant adverse impact on scenic or visual resources.

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

Due to the temporary nature of the event and its proposed location within the Civic Center area, it is anticipated that the event will not result in potentially significant impacts on the physical environment. This project does not propose any permanent structures or landform alterations and the event location will be returned to its pre-event condition following clean up of all event activities.

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 is for a four-day event, and a one-day private event, which will not include any permanent structures or development constructed on site. Upon completion of the event, the site will be returned to its pre-event condition. As proposed and with the incorporated conditions of approval, the temporary structures and event activities are not anticipated to have significant adverse impacts on scenic or visual resources visible from PCH or Legacy Park.

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 project is for a four-day event, and a one-day private event, which will not include any permanent structures or development constructed on site. As conditioned, the temporary structures will not have a significant adverse impact on scenic or visual resources.

F. 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.

G. Hazards (LIP Chapter 9)

There are no permanent structures or other development proposed for this event. Therefore, this LIP chapter does not apply.

H. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. Therefore, the findings of LIP Chapter 10 are not applicable.

I. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access near the ocean, trail access, and recreational access. Since the event and its associated parking are not located near the shore, there are no impacts or requirements to provide lateral, bluff-top, or vertical access. In addition, there are no public trails or recreational areas located within the event site pursuant to the LCP Park Lands Map. Therefore, the project conforms to LIP Chapter 12 and the findings do not apply.

J. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

MMC Findings

Pursuant to MMC Section 17.68.010, a TUP is intended to allow for the short-term placement of activities, many of which would be prohibited as permanent placements, in temporary facilities, public or private buildings or open spaces, or outside of buildings. The Community Development Director hereby makes the following findings of fact in support of TUP No. 26 003.

J. Temporary Use Permit Findings (MMC Section 17.68.060)

1. *The operation of the requested use at the location proposed and within the time period specified is compatible with the surrounding neighborhood uses.*

The event parcel is located on a non-residential street located in the CC zoning district. The parcels associated with the event have been used in the past for parking for special events, filming, and prior Chili Cook-Off and Carnival events. Nevertheless, the event will be conditioned so that the applicant shall abide with the City's Noise Ordinance pursuant to MMC Chapter 8.24. Therefore, the proposed event is compatible with the uses surrounding the site.

2. *The proposed site is adequate in size and shape to accommodate the temporary use.*

The event will take place on a parcel of land that is vacant. In the past, the event site and additional parking lots have proved to be adequate for the event as proposed and as conditioned. This year the event parking proposes to use five offsite locations to accommodate the number of attendees. As conditioned, each site shall provide the parking needed for the event dates and not impede any uses of Legacy Park or of the Malibu Library. No parking is allowed along the Civic Center Way parking areas abutting Legacy Park and 14 parking spaces will be designated on the County Services parcel specifically for use of Malibu library patrons.

3. *The proposed site is adequately served by the streets or highways, having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary use will or could reasonably generate.*

The event parcel will be accessed from Civic Center Way, a public street with direct access to PCH, Webb Way and Malibu Canyon Road. Traffic from the parking locations will be routed to exit onto PCH. Adequate conditions, including an agreement with the LASD for use of deputies to direct traffic during the event, will be imposed to assure that traffic does not become congested.

4. *Adequate temporary parking will be available to accommodate vehicular traffic to be generated by such use will be available either on-site or at alternate locations acceptable to the planning director;*

Parking will take place on five confirmed parcels in the surrounding area: 1) at 23825 Stuart Ranch Road (City Hall property, vacant); 2) 23805 Stuart Ranch Road (Wave Enterprises Inc, medical offices); 3) 3542 Coast View Drive (Wave Enterprises Inc, vacant); 4) 23525 Civic Center Way for ADA parking (Los Angeles County Library and Santa Monica College); and 5) 23841 Malibu Road (APN 4458-019-010)(KW Malibu Colony LLC, Colony Plaza Shopping Center). Parking for event staff, including LASD vehicles, will be located at 23825 Stuart Ranch Road (Malibu City Hall) and 23525 Civic Center Way (the Malibu Library Lot portion). A total of approximately 785 parking spaces will be available for event guests and participants. The City Public Works Department has reviewed the proposed parking to accommodate traffic during the event. Conditions will be imposed to mitigate any possible dust caused by vehicles on the vacant lots.

5. *The proposed use will not jeopardize the public peace, safety or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.*

The proposed project has been reviewed by the Planning Division, City Public Works Department, LASD, and the City Environmental Sustainability Division. The Los Angeles County Health Department and LACFD are currently reviewing the application and is anticipated to approve the project prior to the event. Appropriate conditions have been imposed to mitigate any health or safety issues and require approval from outstanding reviewers.

6. *That the event shall not exceed a total of 14 consecutive calendar days and that the proposed site has not been used for temporary uses for more than 60 calendar days within any one calendar year.*

MMC Section 17.68.060(F) stating that the event will not exceed 14 days in total length was recently amended by the City Council to include an additional four days for both set up or takedown. This application is consistent with that recent amendment.

7. *That no complaints have been filed against the current property owner with the Los Angeles County district attorney's office during the 24 months preceding the date of application submittal.*

The City of Malibu has no records of any complaints that have been filed against the current property owner with the Los Angeles County Districts Attorney's office during the 24 months preceding the date of application submittal.

8. *That the event authorized by the subject TUP (held on consecutive or non-consecutive days) promotes the same activity (i.e., movie night, summer concert, or holiday), to prevent a variety of unrelated events bundled into one TUP.*

The Annual Chili Cook Off and Carnival promote the same activity throughout the consecutive days during Labor Day weekend.

SECTION 4. Planning Commission Approval.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 26-031 and TUP No. 26-003 subject to the following conditions.

SECTION 5. Conditions of Approval.

Standard Conditions

1. The applicants, 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 temporary use of the site located at 23575 Civic Center Way for the Annual Chili Cook-Off and Carnival, a four-day event, Labor Day weekend, and a one-day private fundraising event, sponsored by the Malibu Boys and Girls Club. Offsite parking is proposed on additional nearby parcels owned by public and private parties. The private fundraising event will take place prior to the public carnival event. The event will take place on a vacant parcel owned by the City of Malibu. Staff is only permitting the event as scheduled below:

Table 1 – Event Schedule

Date	Activity	Time
Monday, August 24, 2026 to Thursday, September 3, 2026 [excluding Sundays per MMC Section 8.24.050(G)]	Event Set-Up	7:00 a.m. to 7:00 p.m.
Thursday, September 3, 2026	Private Event	5:00 p.m. to 9:00 p.m.
Friday, September 4, 2026	Carnival	4:00 p.m. to 10:00 p.m.
Saturday, September 5, 2026	Chili Cook-Off and Carnival	11:00 a.m. to 10:00 p.m.
Sunday, September 6, 2026	Chili Cook-Off and Carnival	11:00 a.m. to 10:00 p.m.
Monday, September 7, 2026	Carnival	11:00 a.m. to 8:00 pm.
Tuesday, September 8, 2026 to Thursday, September 10, 2026	Event Break- Down	7:00 a.m. to 7:00 p.m.

Additionally the following are new to this year's event and are approved:

- Beer and wine sales within the beer garden (as typical) but proposing to allow beer and wine consumption within the general premises of the Chili Cookoff event area (outside of the just the beer garden).
- No alcohol consumption shall be allowed within the Carnival area and security will monitor ingress and egress from the alcohol sales area as well as each entrance to the carnival.
- Extra day of music on Monday, September 7, 2026 from 11:00 a.m. to 7:00 p.m.
- To have a capacity of 1,000 attendees for the private event on Thursday September 3, 2026.
- Four additional days to load in and load out.

3. Except as specifically changed by conditions of approval, the event shall be in substantial conformance with the approved operations plan, as described in Condition No. 2 and depicted on plans on file with the Planning Division date stamped **June 5, 2026**. The project shall further comply with all conditions of approval stipulated in this resolution. In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. This CDP 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 Division within 10 days of the effective date of the approval.

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

6. The project shall conform to the requirements of the City Planning Division, City Environmental Sustainability Division, City Public Works Department (pending), Los Angeles County Sheriff's Department (LASD), Los Angeles County Health Department (pending), and LACFD (pending), as applicable. Notwithstanding this review, all required permits shall be secured.

7. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.

8. The applicant shall comply with all provisions of the MMC and Local Implementation Plan.

9. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.

Parking and Circulation

10. Guests will be directed to park at 23825 Stuart Ranch Road (City Hall), 23805 Stuart Ranch Road (Wave Enterprises Inc, medical offices); 3542 Coast View Drive (Wave Enterprises Inc, vacant); and 23525 Civic Center Way for Americans with Disabilities Act (ADA) parking (Santa Monica College). Sufficient event staff will be provided at the event location to direct vehicles to these locations. Sufficient event signs will be placed to direct vehicles to the above-mentioned areas for parking. Applicant will allow persons with disabled person placards to park at the event location. 23825 Stuart Ranch Road (City Hall property), 23525 Civic Center Way (Malibu Library Lot), and 23841 Malibu Road (Colony Plaza Shopping Center) are for event staff parking.

11. The parking lot of 23525 Civic Center Way (Los Angeles County property) is to be used only for ADA parking and shall remain open and accessible to the public and library users, with 14 parking spaces nearest to the library designated specifically for use by library patrons. Patrons of the Malibu Library shall be allowed to park for free while utilizing library services, and event staff shall make sure library patrons have access to the 14 designated parking spaces.

12. The applicant shall provide 4 changeable message boards that read "SPECIAL EVENT AHEAD SEP 3 – SEP 7". The locations of the signs will be finalized with the Public Works Department. The applicant shall have directional message signs directing the public to park at Malibu City Hall; 23805 Stuart Ranch Road (Wave Enterprises Inc, medical offices); 3542 Coast View Drive (Wave Enterprises Inc, vacant)); and 23525 Civic Center Way for ADA parking (Los Angeles County Property), where parking will be controlled by the applicant.

13. During event times, traffic control at the intersection of Stuart Ranch Road and Civic Center Way will be provided by the applicant.

14. No signs shall be placed in the California Department of Transportation (Caltrans) right-of-way unless all required encroachment permits are first obtained from Caltrans. No signs shall be placed in the public right-of-way without required City of Malibu encroachment permits.

15. Sufficient event staff shall be provided to assure that traffic does not back up onto PCH, Civic Center Way, Cross Creek Road or any public street and to assure the sound level is maintained at a level that does not disturb the peace of residents or tenants in the surrounding area.

16. Emergency vehicle access to all sites shall be maintained at all times. A fire lane shall be maintained along the west side of the property connecting the driveway along Civic Center Way to the gate at the top of Stuart Ranch Road. The safety zones around the rides shall not reduce the width of the fire lane below the width required by the Fire Marshal.

17. Sufficient event staff shall be provided to assure that event attendees do not park on Stuart Ranch Road and the south side of Civic Center Way. Applicant shall place "NO EVENT PARKING ON STUART RANCH ROAD OR SOUTH SIDE OF CIVIC CENTER WAY" signs at the intersection of Civic Center Way and Stuart Ranch Road, with event staff

placed along the road to direct traffic to approved parking locations and discourage people from parking along Stuart Ranch Road or the south side of Civic Center Way.

18. There shall be no lane closures, obstruction of public streets, parking restrictions or other encroachments into the public right of way without the prior approval and permits from the City of Malibu Public Works Department or Caltrans. Any issued Public Works permits shall be maintained on site and presented on request of a City employee or agent.

19. Any signs posted in conjunction with this event must be removed by 10:00 p.m. on Tuesday, September 8, 2026.

20. "NO EVENT PARKING SIGNS" shall be placed on adjacent properties to ensure that guests park at the intended event parking lots.

21. "NO PARKING" signs shall be placed along Malibu Canyon Road, west of Stuart Ranch Road.

22. "NO STOPPING" signs shall be placed along the frontage of the event entrance on the north side of Civic Center Way.

23. The applicant shall provide a designated drop off/pick up area. The area shall not impede the flow of vehicle or pedestrian traffic.

24. A flagger shall be placed on Stuart Ranch Road in order to monitor safety and ensure that pedestrians do not walk on the roadway.

25. The applicant shall comply with all traffic control requirements imposed by the City's Public Works Department and the Los Angeles County Sheriff's Department. The applicant shall contact the Public Works Department to determine traffic control requirements 14 days prior to the start of the event.

26. Riding bikes in Legacy Park is prohibited.

27. The event operator will comply with Chapter 3.12 of the Malibu Municipal Code.

Fire

28. Tents exceeding 200 square feet and canopies exceeding 400 square feet will require a separate permit from the Los Angeles County Fire Prevention Division.

Food and Beverage Service

29. All potentially hazardous food items shall be maintained at proper temperatures. Hot food shall be maintained at 135 degrees Fahrenheit or above; cold food shall be maintained at 41 degrees Fahrenheit or below. Adequate hand washing facilities shall be provided, and food handlers shall frequently wash hands with hot water and soap.

30. Los Angeles County Health Department permits shall be obtained by all for-profit food booths and shall be maintained on site at each booth.

31. Alcohol (beer and wine only) may only be served, but not sold Thursday, September 3, 2026, for a private event and sold Friday September 4 through Monday September 7, 2026. The applicant must be in possession of a valid permit from the California Department of Alcoholic Beverage Control in order to serve beer. Event staff shall assure that alcohol is not sold to nor consumed by any underage person.

32. Alcohol (beer and wine only) service shall cease one hour prior to the event closing.

33. Event staff shall not serve alcohol to any obviously intoxicated person and shall remove any guest who is intoxicated. Any guest removed due to intoxication shall be removed to a safe location, as predetermined by the onsite Los Angeles County Sheriff's Deputy.

34. Applicant is to comply with the terms of the license issued by the California Department of Alcoholic Beverage Control.

35. Event attendees shall not be allowed to take alcohol outside of the designated Chili Cookoff event area located on the subject site, 23575 Civic Center Way.

36. Any wastewater generated by food vendors or by portable hand washing stations shall be contained and properly disposed of.

Restrooms

37. Temporary bathroom facilities shall be provided to accommodate all event guests, vendors and staff. A minimum of 64 portable toilets must be provided. 10 hand washing stations and each station shall contain two sink basins. Temporary bathroom facilities shall be pumped and removed by Tuesday, September 8, 2026 at 5:00 p.m.

38. Temporary bathroom facilities shall have secondary containment and be sited and maintained to prevent any spills to the environment. Temporary bathroom facilities shall be properly maintained in a sanitary condition and shall be serviced regularly.

Lighting

39. All amusement and site lighting shall be directed away from the Malibu Knolls neighborhood, located immediately to the north, and shall not illuminate areas beyond the event and parking site. In addition, all carnival lighting shall be turned off no later than 11:00 p.m.

Resource Management

40. Pursuant to the State of California, all large venues (events with more than 2,000 attendees) shall report to the City of Malibu the tonnage of total waste material generated and the tonnage of material recycled. The goal of the State of California is to reduce quantity of materials disposed at landfills by 50 percent or more. The applicant and all event contractors are required to meet or exceed this goal. The applicant shall report to the City of Malibu, in an approved format within ten (10) days of the conclusion of the event, the total tons of material recycled and disposed from the event. The report shall include copies

of detailed hauling receipts and related documentation. The applicant shall present any recycling and debris facility receipts on request of any City employee or agent.

41. The applicant and all event contractors shall only contract with waste haulers permitted by the City to provide solid waste and recycling services within the City limits.

42. Sufficient waste receptacles should be placed on the event site, along the pedestrian route and throughout the parking lots to provide participants with the opportunity to legally dispose of their trash as well as separate the recyclable portion of the waste. The event organizers should police the area to ensure that the waste that does not find its way into the trash receptacles will not distract from the appearance of the City.

43. Applicant is required to properly manage and dispose of recyclables, trash and associated litter generated during the event by providing an adequate number of recycling and trash containers. There shall be a minimum of one container for collection of recyclables located next to each trash container through the event.

44. Containers for collection of recyclables (including metal, glass, plastic, and paper) shall be clearly delineated and labeled to assure that all recyclable materials are property processed.

45. All recyclables and trash shall be kept in leak-proof, animal-proof containers with tight fitting covers. Recyclables and trash shall be kept overnight in animal-proof containers with tightly closed lids. An adequate number of such containers shall be provided and the contents shall be placed for regular pickup by an authorized solid waste hauler.

46. All material, including solids and liquids, are prohibited from entering the storm drain system. Applicant shall employ methods to prevent the discharge of materials to the storm drain system which may include screens or other equivalent methods to limit the deposit of litter or other materials.

47. The event grounds including parking areas shall be left clean and free of litter and debris. The premises shall be returned to their pre-event condition. All event generated recyclables, trash and associated litter must be picked up and removed at the conclusion of the event.

48. The use or distribution of expanded polystyrene foam packaging, also known as "Styrofoam," is prohibited. Applicant and all event contractors shall not use expanded polystyrene foam packaging for any aspect of their event including food preparation/distribution. Applicant shall comply with MMC Chapter 9.24. The applicant shall be responsible for informing vendors of this ban.

49. The use or distribution of plastic shopping bags (compostable and non-compostable) is prohibited. Applicant and all event contractors shall not use plastic bags for any aspect of their event including food distribution, nor for any distribution of items or goods to the participants and/or attendees except as stated in MMC Chapter 9.28. Applicant shall comply with MMC Chapter 9.28 and shall be responsible for informing vendors of this ban.

50. The sale or distribution of plastic/bioplastic straws, stirrers, and cutlery is prohibited.

Applicant and all event contractors shall not use, sell, or distribute plastic/bioplastic straws, stirrers, and cutlery for any aspect of the event including food distribution. Non-plastic alternatives such as paper, sugar cane, or bamboo are allowed for straws, stirrers, and cutlery. Applicant shall comply with MMC Chapter 9.24 and shall be responsible for informing vendors of this ban.

51. Applicant will provide cigarette receptacles and post designated smoking sections to assure that smokers do not dispose of cigarettes on the ground, in the public roadway, on the beach, or in brush areas. Applicant shall comply with MMC Section 12.08.035.

Site Specific Conditions

52. The applicant has requested permission for performances from live bands, variety acts and other entertainment on the event stage in the middle of the site with amplified sound from 5:00 p.m. to 9:00 p.m. on Thursday for a private concert, 4:00 p.m. to 9:00 p.m. on Friday, 11:00 a.m. to 9:00 p.m. Saturday and Sunday. Amplified music to be allowed on Monday from 11:00 a.m. to 7:00 p.m. All speakers shall face south toward PCH. All noise shall be subject to the provisions of MMC Chapter 8.24 (Noise). Violation of the noise ordinance shall be cause for revocation of this permit and may result in denial of permits in the future. Applicant shall comply with any request by any agent of the City of Malibu or Sheriff's Department to reduce the volume of the music or public address system.

53. Any portable lighting used for the event during the evenings of September 3, 2026 through September 7, 2023, must be directed towards Pacific Coast Highway, away from residential properties, and at an angle as to not impair cars driving along Stuart Ranch Road.

54. The applicant shall make a deposit with the City of Malibu for two Los Angeles County Sheriff's Deputies for crowd control, traffic and permit enforcement on Thursday, September 3, 2026; Friday, September 4, 2026; Saturday, September 5, 2026; Sunday, September 6, 2026; and Monday, September 7, 2026. The applicant shall be billed for any additional charges they may accrue at the current hourly rate, and agree to pay those added charges within seven days of the date billed. Unused funds will be refunded to the applicant.

55. The applicant shall mitigate dust by wetting the parcel located at 23575 Civic Center Way in advance of the event and shall comply with all provisions in the use agreement with the property owner.

56. The use of cigarettes, e-cigarettes, and other forms of smoking are not permitted on any City owned properties or parks.

57. All event attendees shall be offsite by 11:00 p.m. each night during the event.

58. The property shall be restored to its original condition by no later than 8:00 p.m. on Thursday, September 10, 2026.

59. Event breakdown is limited to the hours outlined in Condition No. 2 and shall be prohibited after Thursday, September 10, 2026.

60. The northern portion of the lot contains three trees. Starting from the western most side of the property and ending at the eastern side, a 50 feet radius, an 80 feet radius, and a 25 feet radius must be maintained respectively from each tree. Temporary fencing is required to be placed around each of these radiuses to maintain them for the duration of the event.

Required Submittals Prior to Event

61. This permit shall not be effective until the following additional documentation is provided to City Planning Department staff:
    a. Copy of permit issued by the California Department of Alcoholic Beverage Control;
    b. Copy of permit issued by the LACFD;
    c. and a copy of the approval from the Los Angeles County Health Department.

62. The applicant's representative, Molly Scott, shall be available by telephone at (310) 703-9087 for the duration of the event, onsite during the event, and available to take calls and respond to concerns 24 hours a day. City staff shall publicize the phone number on social media channels, City Manager Updates, the City website, and provide the number to City receptionists and Code Enforcement staff.

Prior to Final Sign- Off

63. The applicant shall request a final Planning Division inspection prior to the start of the event. A final approval shall not be issued until the Planning Division has determined that the project complies with this CDP.

64. 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

65. Violation of any of the conditions of this approval shall be cause for revocation and termination of all rights thereunder.

66. A copy of this permit shall be kept onsite and shall be produced on request of any agent of the City of Malibu, LACFD or LASD.

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

PASSED, APPROVED AND ADOPTED this 15th day of June 2026.

Skylar Peak

SKYLAR PEAK, Planning Commission Chair

ATTEST:

Rebecca Evans

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 may be found online at www.malibucity.org, in person at City Hall or by calling (310) 456-2489, extension 246.

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. 26-26 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 15th day of June 2026 by the following vote:

AYES:	5	Commissioners Peak, Leonard, Mazza, Riddick, Kamins
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

Rebecca Evans

REBECCA EVANS, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 3.B.1.

To: Chair Peak and Members of the Planning Commission

Prepared by: Tonya Ward, AICP, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, PE, MS, CBO, CBFO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Administrative Coastal Development Permit No. 26-008 – An application for the installation of an advanced wastewater treatment system (AOWTS) and installation of a new dispersal field

Location: 6300 Ramirez Canyon Road, partially within the appealable coastal zone
APN: 4467-011-006
Owner: Kathleen M. Hughes Trust

RECOMMENDED ACTION: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-008.

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

LIP Sections 13.13 and 13.29 (Administrative Permits Applicability)

The Community Development Director may process ACDPs in accordance with LIP Section 13.13 if the proposed project is: A) not appealable as defined in LIP Chapter 2 and the project is for any of the uses specified: (1) improvements to any existing structure; (2) any single-family dwelling; (3) lot mergers; (4) any development of four dwelling units or less that does not require demolition, and any other developments not in excess of $100,000.00, other than any division of land; (5) water wells; and (6) driveways or access road improvements required by the fire department to improve access to properties damaged or destroyed as part of the Woolsey Fire that do not meet the criteria for a de minimis waiver; or B) is appealable as defined in LIP Chapter 2 and the project is for an attached or detached second dwelling units. In accordance with LIP Section 13.29, the Community Development Director may also process applications for a new onsite wastewater treatment system (OWTS), replacement of a failed OWTS, or an upgrade to an existing OWTS in the same manner as ACDPs.

Permit Issuance and Local Appeal Period

On July 28, 2026, the Community Development Director will issue the ACDP thus beginning the local appeal period to the City Council. The local appeal period will begin on July 29, 2026 and end on August 7, 2026. A decision on the ACDP is not appealable to the California Coastal Commission (CCC) as the subject parcel is not located within the Appealable Jurisdiction of the CCC as depicted on the City's Post-LCP Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development in LIP Section 2.1.

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

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

ATTACHMENT: ACDP No. 26-008

City of Malibu

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

COMMUNITY DEVELOPMENT DEPARTMENT

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 26-008
Categorical Exemption No. 26-010
6300 Ramirez Canyon Road
APN 4467-011-006

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application submitted by Sheldon Engineering, Inc., on behalf of Kathleen M. Hughes Trust, for an Administrative Coastal Development Permit (ACDP) to install a new advanced onsite wastewater treatment system (AOWTS) to replace an existing onsite wastewater treatment system (OWTS) serving an existing single-family residence. The subject parcel is zoned Rural Residential, Two-Acre (RR-2). A small portion of the subject parcel is within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. However, the proposed development does not extend into the Appeal Jurisdiction. Therefore, as confirmed per the definition of Appealable Coastal Development in Local Implementation Plan (LIP) Section 2.1, the proposed project is not appealable to the California Coastal Commission (CCC).

Proposed Project

- Installation of an AOWTS including a 3,000-gallon treatment tank with a 10,125-square-foot (sf.) subsurface drip dispersal field.

The project involves replacement of an existing OWTS with a new AOWTS serving the existing single-family residence and one-bedroom guest house. The proposed AOWTS consists of a 3,000-gallon wastewater treatment tank with an Advantex AXRT-50 treatment unit, ultraviolet (UV) disinfection, conversion of the existing 2,000-gallon septic tank and 750-gallon pump vault into pretreatment tanks, and an approximately 10,000 sf. subsurface drip dispersal field (Attachment 1 – AOWTS Plot Plan).

Project Overview

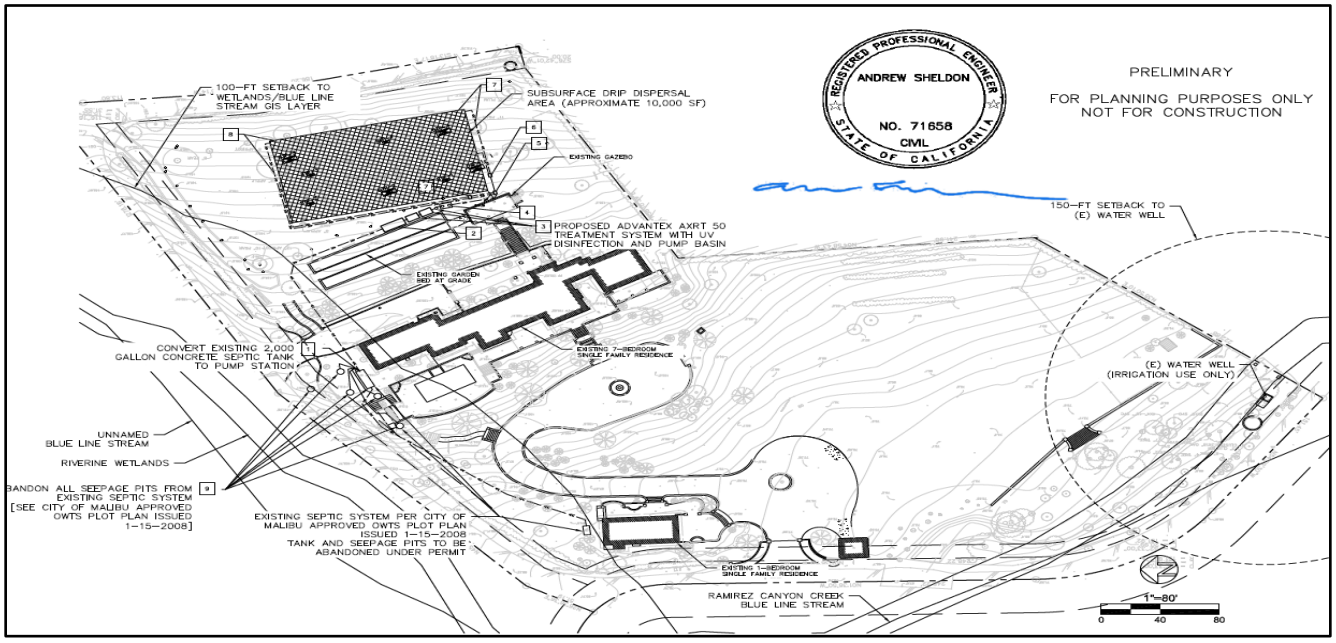
The subject parcel is an irregularly shaped residential lot located on the east side of Ramirez Canyon Road, at the southeast corner of Ramirez Canyon Road and Delaplane Road, approximately one-half mile north of Pacific Coast Highway, at 6300 Ramirez Canyon Road (see Figure 1). The approximately 5.34-acre property is located within the RR-2 (Rural Residential) zoning district and is characterized by relatively flat to moderately sloping terrain with Ramirez Canyon Creek located west of the developed portion of the property. The parcel is developed with an existing two-story, single-family residence, guest house, swimming pool, landscaping, driveway improvements, orchard areas, and an existing OWTS.

Figure 1: Project Area Aerial



Source: Malibu GIS 2026

Figure 2: Project Rendering



Source: Project Plans

Project Setting and Surrounding Land Uses

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

Table 1 – Property Data	
Lot Depth	Approx. 520 feet (ft.)
Lot Width	Approx. 450 ft.
Gross Lot Area	232,850 sf. (5.34 acres)
Street Easements	28,750 sf. private street easement area
1:1 Slopes	0 sf.
Net Lot Area*	204,100 sf. (4.68 acres)

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

The subject parcel is located on a private road within the Ramirez Canyon neighborhood of western Malibu. The surrounding area is characterized by large residential parcels developed with single-family residences, guest houses, and associated accessory improvements interspersed with open space and natural canyon features. The subject property is zoned RR-2 and is currently developed with an existing two-story single-family residence, guest house, swimming pool, landscaping, orchard areas, driveway improvements, and an existing OWTS built in 1991.

Table 2 below provides a summary of the neighboring surrounding land uses.

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Size**	**Zone**	**Land Use**
North	6208 Delaplane Road	2.92 acres	RR-5	Single-family Residential
East	6350 Delaplane Road	2.25 acres	RR-2	Single-family Residential
South	6363 Delaplane Road	8.54 acres	RR-2	Single-family Residential
West	6235 Ramirez Canyon Road	8.13 acres	RR-5	Single-family Residential

Administrative Permits Applicability (LIP Sections 13.13 and 13.29)

The Community Development Director may process ACDPs in accordance with LIP Section 13.13 if the proposed project is: A) not appealable as defined in LIP Chapter 2 and the project is for any of the uses specified: (1) improvements to any existing structure; (2) any single-family dwelling; (3) lot mergers; (4) any development of four dwelling units or less that does not require demolition, and any other developments not in excess of $100,000.00, other than any division of land; (5) water wells; and (6) driveways or access road improvements required by the fire department to improve access to properties damaged or destroyed as part of the Woolsey Fire that do not meet the criteria for a de minimis waiver; or B) is appealable as defined in LIP Chapter 2 and the project is for an attached or detached second dwelling units. In accordance with Section 13.29, the Community Development Director may also process applications for a new OWTS, replacement of a failed OWTS, or an upgrade to an existing OWTS in the same manner as ACDPs.

The project consists of the replacement and upgrade of an existing OWTS with a new AOWTS and associated subsurface drip dispersal field on a parcel that is partially located within the CCC Appeal Jurisdiction. The proposed development does not extend into the Appeal Jurisdiction. Therefore, pursuant to LIP Sections 13.13 and 13.29, the project can be processed administratively.

Application Processing

The following summarizes processing of the ACDP application and noticing:

- ACDP Application Date: January 26, 2026
- Posting of Property: April 29, 2026
- Completeness Determination: May 21, 2026
- Notice of Application Mailer (Attachment 2): July 9, 2026
- Notice of Decision Mailer (Attachment 2): July 23, 2026
- Issuance of ACDP: July 28, 2026
- Planning Commission Reporting: August 3, 2026
- Local Appeal Period to City Council: July 29, 2026 through August 7, 2026

California Environmental Quality Act

Pursuant to the authority and criteria contained in California Environmental Quality Act (CEQA), the Community Development Director has analyzed the proposed project. The Community Development 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 Sections 15302(c) – Replacement or Reconstruction and 15303(d) – New Construction or Conversion of Small Structures. The Community Development 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).

Local Coastal Program Conformance

The Local Coastal Program (LCP) consists of a Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the California Coastal Act in Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a Coastal Development Permit must adhere. This project has been reviewed and conditionally approved for LCP conformance review by the Planning Division, City Biologist, City Environmental Health Administrator, and City geotechnical consultants (Attachment 2 – Department Review Sheets).

Administrative Coastal Development Permit Findings

The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP goals and policies. Based on the foregoing evidence contained within the record and pursuant to LIP Section 13.29, the Community Development Director hereby makes the following findings of fact.

Onsite Wastewater Treatment System Coastal Development Permit (LIP Section 13.29.2)

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

The City Biologist, City Environmental Health Administrator, and City geotechnical consultants have reviewed the proposed project and found it to meet the requirements of the Malibu Municipal Code (MMC) and LCP. The proposed project consists of the replacement and upgrade of an existing OWTS with an AOWTS, including a 3,000-gallon treatment tank, Advantex AXRT-50 treatment unit with UV disinfection, and an approximately 10,125 sf. subsurface drip dispersal field. As a condition of approval, the applicant shall record a covenant identifying the

proper operation and maintenance requirements of the AOWTS. Conditions of approval have also been incorporated to ensure the continued operation, maintenance, monitoring, and long-term performance of the system.

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

The subject parcel is not located along the shoreline and does not propose a shoreline protective device. Thus, this finding is not applicable to this project.

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

The State Water Resources Control Board requires all residential development located within the City of Malibu that is not served by a public or private sewage utility to provide treatment of wastewater through an OWTS that meets minimum design standards intended to protect public health. The subject parcel is not served by a public or private sewage utility and has been designed to meet all applicable design standards as determined by the City Environmental Health Administrator. Therefore, replacement of the existing OWTS with a new AOWTS in conformance with current design standards promotes public health and protects water quality by improving wastewater treatment and minimizing the potential for impacts to groundwater and downstream coastal resources.

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

The proposed project has been designed to meet all applicable LCP requirements and has been conditions in accordance with the LCP.

APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 26-008

Based on the foregoing findings and evidence contained within the record, the Community Development Director hereby approves ACDP No. 26-008, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

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

2. This approval is for the replacement of an existing OWTS and the installation of a new AOWTS, including a 3,000-gallon treatment tank, UV disinfection, conversion of the existing 2,000-gallon septic tank and 750-gallon pump vault into pretreatment tanks, and an approximately 10,125 sf. subsurface drip dispersal field.

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 Division date stamped April 23, 2026. 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 Division prior to the issuance of any development permits.

5. The applicant shall digitally submit a complete set of plans to the Planning Division for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. The ACDP 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 ACDP 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 Community Development Director upon written request of such interpretation.

8. All development shall conform to requirements of the City Community Development Department, City Biologist, City Environmental Health Administrator, and City geotechnical consultant reviewers, 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 Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.

10. This permit shall not become effective until the project is reported to the Planning Commission, pursuant to LIP Section 13.13.6.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the ACDP is effective. The ACDP 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.

Construction

15. Construction hours shall be limited to Monday through Friday from 7:00 AM to 7:00 PM and Saturdays from 8:00 AM to 5:00 PM. No construction activities shall be permitted on Sundays or City-designated holidays.

16. A construction staging plan shall be reviewed and approved by the Community Development Director prior to plan check submittal.

17. 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.

18. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include, but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

19. Prior to final building inspection, the applicant shall provide the Community Development Department with a Recycling Report. The Recycling Report shall designate all materials that were landfilled or recycled, broken down by material types. The Community Development Department shall approve the Recycling Report.

Biology

20. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division 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 sf. or more of landscaping for a new residence, or 2,500 sf. or more of landscaping for an existing residence, a detailed Landscape Documentation Package is required.

21. 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 ft. (300 ft. 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.

22. All new development including structures, septic systems, or landscaping, shall be set back no less than (100) ft. from the (jurisdictional drainage).

23. 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.

24. 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 ft. 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.

25. 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.

Environmental Health

26. Final 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 MMC and the LCP/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.

27. 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.] Note: The conveyance lines and distribution box must be included into the final plan set.

28. 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.

29. 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."

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

31. 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.

32. 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. Note, only original "wet signature" documents are acceptable.

33. AOWTS 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 Office of the Los Angeles County Recorder. 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 MMC. Said covenant shall be provided by the Environmental Health Administrator.

34. Storm Water Pollution Prevention Plan (SWPP Plan): A SWPP Plan shall be submitted during the building plan check stage review. The plan must show the proposed OWTS components.

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

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

37. 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.

38. Waterworks District 29 (WWD29) Approval: WWD29 approval of the OWTS plot plan is required. The final OWTS plot plan must show the water main and meter as applicable. Once the final OWTS plot plan is deemed feasible, Environmental Health staff will route the OWTS plot plan to WWD29

39. City of Malibu Planning Approval: City of Malibu Planning Division final approval of the OWTS plan shall be obtained.

40. 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.

41. 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.

42. Prior to final Planning Division approval, the property owner shall provide a copy of a valid Operating Permit pursuant to MMC Section 15.44.030 or an Operating Permit application fee receipt.

43. 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.

Geology

44. A review fee in accordance with the adopted fee schedule shall be provided for the City's geotechnical consultants final building plan check review of the OWTS plans.

45. Two sets of final electronic OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be reviewed and e-stamped and e-signed by the Project Engineering Geologist. The City's geotechnical consultants will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet.

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

Deed Restrictions

47. 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.

Prior to Final Inspection

48. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Community Development 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.

49. 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.

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

Fixed Conditions

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

52. 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

LOCAL APPEAL – Pursuant to LIP Section 13.20.1 (Local Appeals), a decision of the Community Development Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. The appeal period expires on **August 7, 2026 at 4:30 p.m.** An appeal shall be filed with the City Clerk and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 246.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **August 3, 2026** Regular Planning Commission meeting. Copies of this report will be available at www.malibucity.org/agendacenter and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Tonya Ward in the Planning Division at (925) 667-0547 for further information. Copies of all related documents can be reviewed by any interested person by contacting the Case Planner during regular business hours.

Date: July 28, 2026

Prepared by:

Tonya Ward

Tonya Ward, AICP
Contract Planner

Approved by:

Tyler Eaton for

Yolanda Bundy, MS, PE, CBO, CFCO
Community Development Director

Attachments:

1. AOWTS Plot Plan
2. Department Review Sheets
3. Notice of Application Mailer/Notice of Decision Mailer

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

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for **Administrative Coastal Development Permit No. 26-008, dated July 28, 2026, for the project located at 6300 Ramirez Canyon Road, 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 Division 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

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

STATE OF CALIFORNIA
County of _____

On _____ before me _____,
(insert name and title of the officer)

personally appeared _____

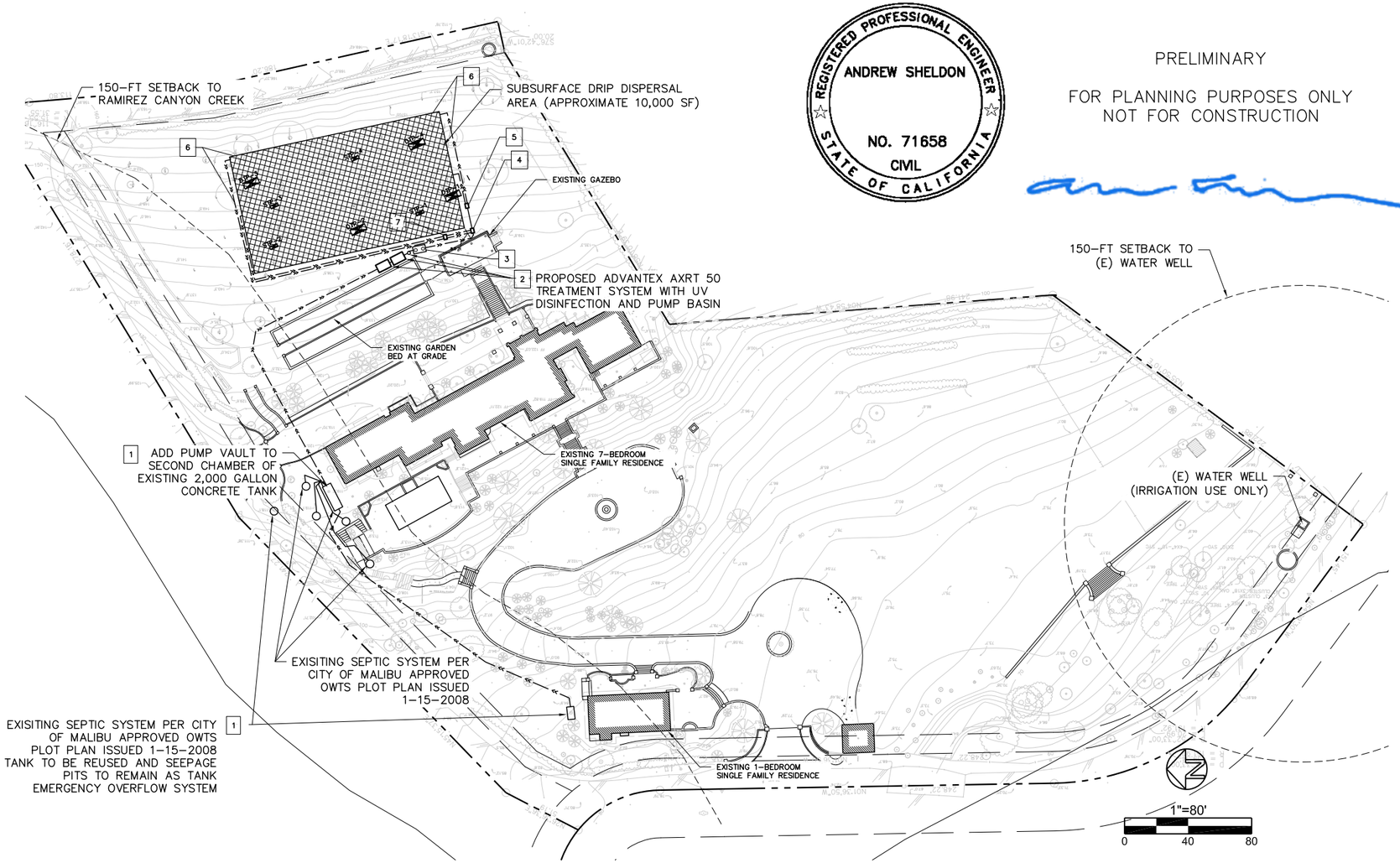
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

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

WITNESS my hand and official seal.

_____

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



REGISTERED PROFESSIONAL ENGINEER
ANDREW SHELDON
NO. 71658
CIVIL
STATE OF CALIFORNIA

PRELIMINARY

FOR PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

1. ONSITE WASTEWATER TREATMENT SYSTEM SITE PLAN

SCOPE OF WORK

1. NEW ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM AND DRIP DISPERSAL FIELD TO REPLACE EXISTING SEEPAGE PITS (NO NEW WASTEWATER DISPOSAL)

LEGEND

- DTP-1 — DEEP INFILTRATION TEST PIT
- STP-1 — SHALLOW INFILTRATION TEST PIT
- —— >> —— >> —— PRESSURE BUILDING SEWER
- —— – – —— PROPERTY LINE
- — —— — EASEMENTS PER REFERENCED SURVEY

REFERENCES AND TRACINGS

1. ARCHITECTURAL SURVEY BY LAND & AIR SURVEYING ISSUED 12–3–2024.
2. CITY OF MALIBU OWTS APPROVAL, ISSUED 1–15–2008.

DESIGN NOTES

GENERATION: 300 GALLONS PER DAY (GPD) MASTER BEDROOM
150 GPD ADDITIONAL BEDROOM
2 MASTER BEDROOMS 600 GPD
6 ADDN'L BEDROOMS 6 X 150 = 900 GPD
TOTAL 1,500 GPD

DRIP DISPERSAL: 75' X 135' SUBSURFACE DRIP DISPERSAL AREA
10,000+ SQUARE FEET (SF) INFILTRATION AREA (PROVIDED CAPACITY)
1,500 GPD / 0.15 GPD/SF* = 10,000 SF (REQUIRED CAPACITY)

RESULT: 10,000+ SF PROVIDED CAPCITY ≥ 10,000 REQ'D CAPACITY => OK
SERVES PROPOSED WASTEWATER FLOW OF 1,500 GPD

TREATMENT: 1,500 GALLON WASTEWATERTREATMENT TANK WITH ADVANTEX RT–50 UNIT AND UV DISINFECTION BASIN (SERVES UP TO 1,500 GPD WASTEWATER GENERATION).

* HYDRAULIC LOADING RATE CALCULATED FROM 1.0 GPD/SF MEASURED INFILTRATION RATE WITH FACTOR OF SAFETY OF 6

KEYNOTES

1. CONVERT EXISTING 2,000–GAL SEPTIC TANK AND 750–GAL PUMP VAULT INTO ADVANTEX PRETREATMENT TANKS
2. PROPOSED NEW ADVANTEX AXRT 50 TREATMENT SYSTEM WITH UV DISINFECTION BASIN
3. 1,000 GALLON CONCRETE PUMP STATION FOR GEOFLOW SUBSURFACE DRIP IRRIGATION SYSTEM
4. GEOFLOW HEADWORKS
5. INDEX DISTRIBUTION VALVE
6. HEADER PIPES AND GEOFLOW SUBSURFACE DRIP IRRIGATION TUBING WITH AIR/VACUUM RELEASE VALVES
7. DUAL CHECK VALVE ASSEMBLY

ATTACHMENT 1

Notes

Preliminary	Dec-8 2026

6300 Ramirez Canyon Drive
Malibu, California 90265

Advanced Onsite Wastewater Treatment System Plot Plan

Sheldon Engineering, Inc.
21070 Summit Rd
Topanga, CA
(424) 425-1228

January 2026

W
Sheet 1
of 1

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** 04/13/2026

PROJECT NUMBER: ACDP 26-008

JOB ADDRESS: 6300 RAMIREZ CANYON RD

APPLICANT / CONTACT: Andrew Sheldon, Sheldon Engineering, Inc.

APPLICANT EMAIL: office@sheldonengineering.com

PLANNER: Tonya Ward

PROJECT DESCRIPTION: New AOWTS

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **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.**

Building Plan Check (BPC) Required ☐ Yes ☐ No BPC Fees Req'd $_____

_____ **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).**

Courtney McCammon 4/27/26

Signature Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:
Courtney McCammon, City Biologist, biology@malibucity.org, (310) 456-2489, extension 277

ATTACHMENT 2

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)	Andrew Sheldon, Sheldon Engineering, Inc. office@sheldonengineering.com		
Project Address:	**6300 RAMIREZ CANYON RD** Malibu, CA 90265		
Planning Case No.:	ACDP 26-008		
Project Description:	New AOWTS		
Date of Review:	April 27, 2026		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	4/13/26
Site Survey:	4/13/26
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	4/13/26
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 AOWTS has been sited to be 100 or more feet from the City of Malibu mapped stream and wetland. Pursuant to Malibu 4.6.1, development shall provide a buffer no less than 100 feet. Therefore, the project is in compliance. In addition, there were no native protected trees identified in the proposed development area. Therefore, the project is in compliance with Malibu LIP Chapter 5.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division 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.

   B. 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.

   C. All new development including structures, septic systems, or landscaping, shall be set back no less than (*100*) feet from the (*jurisdictional drainage*).

-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 website: www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Staff

FROM: City of Malibu Planning Staff **REVISED DATE** 04/13/2026

PROJECT NUMBER: ACDP 26-008

JOB ADDRESS: 6300 RAMIREZ CANYON RD

APPLICANT / CONTACT: Andrew Sheldon, Sheldon Engineering, Inc.

APPLICANT EMAIL: office@sheldonengineering.com

PROJECT DESCRIPTION: New AOWTS

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: Malibu Environmental Health Staff

✓ **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.

Building Plan Check (BPC) Required ☑ Yes ☐ No BPC Fees Req'd $

— **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 Guerrero 4/23/2026

Signature **Date**

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

Public Counter hours for Environmental Health staff are Tuesdays and Thursdays, 8:00 AM – 12:00 PM.

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)	Andrew Sheldon, Sheldon Engineering, Inc. office@sheldonengineering.com		
Project Address:	**6300 Ramirez Canyon Road** Malibu, California 90265		
Planning Case No.:	ACDP 26-008		
Project Description:	New AOWTS		
Date of Review:	April 23, 2026		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	n/a
Grading Plans:	n/a
OWTS Plan:	Sheldon Engineering: Plan dated 1-8-2026, **4-6-2026**
OWTS Report:	Sheldon Engineering: Report dated 1-8-2026, **4-10-2026**
OWTS Geo. Report: Perc Test Report:	Subsurface Designs Inc.: Report dated 9-26-2025, 10-30-2025
Miscellaneous:	
Previous Reviews:	2-12-2026

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program (LCP)/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 LCP/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 OWTS Plan Check Approval:

1) ***Itemized Response to Conditions****: Please provide a written response to this review letter that addresses each of the numbered conditions presented below. Each response should clearly explain how the condition has been addressed, including reference to any revised report or plans, or other supporting response materials. It is the applicant's responsibility to distribute this review letter to all applicable project consultants and ensure a coordinated OWTS plan check submittal package*.

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 existing drainage plan for the developed property, and the existing 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.

3) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings 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 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. Fixture unit worksheets showing all existing bedrooms and DFU must be completed and certified by the OWTS Designer (Sheldon Engineering). Please incorporate the fixture unit worksheet into the final OWTS design report.

   b. 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.

   c. Sewage and effluent pump design calculations (as applicable).

   d. 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.

e. 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.

f. 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 developments) 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) **Notice of Decision:** The final OWTS plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department. The Acceptance of Conditions Affidavit must be signed and notarized by the owner of the property and incorporated into the final OWTS plans.

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

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.

11) **Storm Water Pollution Prevention Plan (S.W.P.P. Plan):** A S.W.P.P. Plan shall be submitted during the building plan check stage review. The plan must show the proposed OWTS components.

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

13) **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.

14) **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.

15) **Waterworks District 29 (W.W.D.29) Approval:** WWD29 approval of the OWTS plot plan is required. The final OWTS plot plan must show the water main and meter as applicable. Once the final OWTS plot plan is deemed feasible, Environmental Health staff will route the OWTS plot plan to WWD29

16) **Environmental Health Approval:** City of Malibu Environmental Health final approval of the OWTS plan shall be obtained.

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

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

19) **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 OWTS plan check submittal shall be submitted with the application.

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

cc: Environmental Health file;
Planning Department

6300 RAMIREZ CANYON ROAD (ACDP 26-008)
MALIBU, CA 90265

S.F.D.:	7 Bedroom/68 Fixture Units (E)
GUEST HOUSE:	1 Bedroom/10 Fixture Units (E)
PUMP STATION:	2,000 Gallon (E) to be converted into pump station (N)
TREATMENT TANK:	3,000 Gallon Processing Tank (N)
TREATMENT UNIT:	2 -A XRT-50 Textile Filters (N) w/UV Disinfection Units (N)
ACTIVE:	10,000-sf Drip Dispersal Field (N)
FUTURE:	N/A
PERC RATE:	0.15 gpsf
DESIGNER:	Andrew Sheldon, RCE 71658
REFERENCE:	Sheldon Engineering: OWTS reports dated 1-8-2026, 4-10-2026
	Subsurface Designs Inc.: OWTS geology report dated 9-26-2025; Percolation test report dated 10-30-2025

NOTES:

1. This conformance review is for a new advanced onsite wastewater treatment system (OWTS) to serve an existing single-family dwelling and guest house. The 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 wastewater treatment.

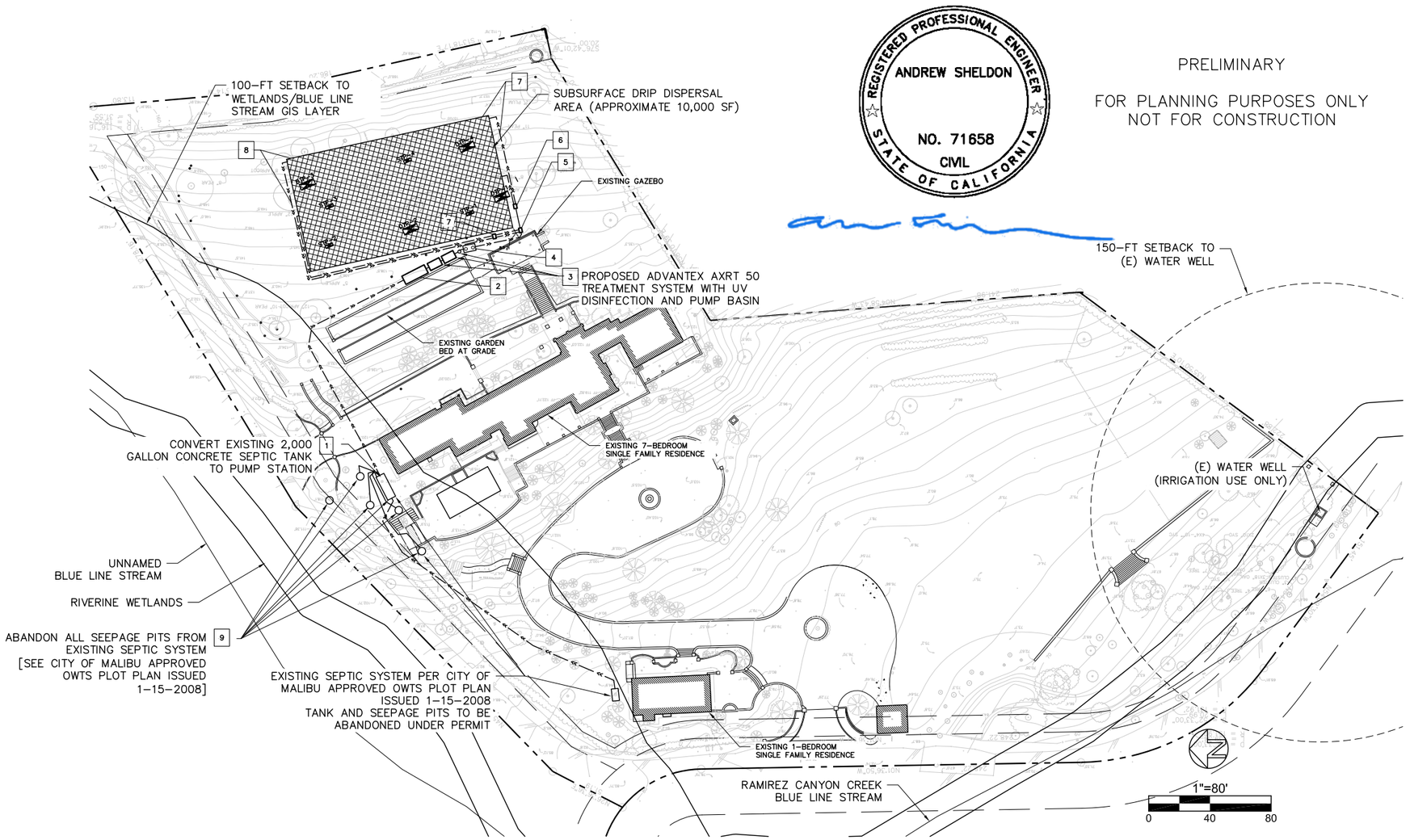
3. This review is valid for one year or until MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: DATE: 4/23/2026

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



REGISTERED PROFESSIONAL ENGINEER
ANDREW SHELDON
NO. 71658
CIVIL
STATE OF CALIFORNIA

PRELIMINARY

FOR PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

1. ONSITE WASTEWATER TREATMENT SYSTEM SITE PLAN

SCOPE OF WORK

1. NEW ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM AND DRIP DISPERSAL FIELD TO REPLACE EXISTING SEEPAGE PITS (NO NEW WASTEWATER DISPOSAL)

LEGEND

- DTP-1 — DEEP INFILTRATION TEST PIT
- STP-1 — SHALLOW INFILTRATION TEST PIT
- PRESSURE BUILDING SEWER
- PROPERTY LINE
- EASEMENTS PER REFERENCED SURVEY

REFERENCES AND TRACINGS

1. ARCHITECTURAL SURVEY BY LAND & AIR SURVEYING ISSUED 12-3-2024.
2. CITY OF MALIBU OWTS APPROVAL, ISSUED 1-15-2008.

DESIGN NOTES

GENERATION: 300 GALLONS PER DAY (GPD) MASTER BEDROOM
150 GPD ADDITIONAL BEDROOM
78 DRAINAGE FIXTURE UNITS

2 MASTER BEDROOMS	600 GPD
6 ADDN'L BEDROOMS 6 X 150 =	900 GPD
TOTAL	1,500 GPD

DRIP DISPERSAL: 75' X 135' SUBSURFACE DRIP DISPERSAL AREA
10,000+ SQUARE FEET (SF) INFILTRATION AREA (PROVIDED CAPACITY)

1,500 GPD / 0.15 GPD/SF* = 10,000 SF (REQUIRED CAPACITY)

RESULT: 10,000+ SF PROVIDED CAPCITY ≥ 10,000 REQ'D CAPACITY => OK

SERVES PROPOSED WASTEWATER FLOW OF 1,500 GPD

TREATMENT: 1,500 GALLON WASTEWATERTREATMENT TANK WITH ADVANTEX RT-50 UNIT AND UV DISINFECTION BASIN (SERVES UP TO 1,500 GPD WASTEWATER GENERATION).

* HYDRAULIC LOADING RATE CALCULATED FROM 1.0 GPD/SF MEASURED INFILTRATION RATE WITH FACTOR OF SAFETY OF 6.67

KEYNOTES

1. CONVERT EXISTING 2,000-GAL SEPTIC TANK TO PUMP STATION. EXISTING 750-GAL PUMP STATION TO REMAIN.
2. PROPOSED NEW 3,000-GAL XERXES PROCESSING TANK
3. PROPOSED NEW ADVANTEX AXRT 50 TREATMENT SYSTEM WITH UV DISINFECTION BASIN
4. 1,000 GALLON CONCRETE PUMP STATION FOR GEOFLOW SUBSURFACE DRIP IRRIGATION SYSTEM
5. GEOFLOW HEADWORKS
6. INDEX DISTRIBUTION VALVE
7. HEADER PIPES AND GEOFLOW SUBSURFACE DRIP IRRIGATION TUBING WITH AIR/VACUUM RELEASE VALVES
8. DUAL CHECK VALVE ASSEMBLY
9. ABANDON ALL EXISTING SEEPAGE PITS UNDER PERMIT

Notes

Preliminary	Dec-8 2025
Revision I	Apr-8 2026

6300 Ramirez Canyon Drive
Malibu, California 90265

Advanced Onsite Wastewater Treatment System Plot Plan

Sheldon Engineering, Inc.
21070 Summit Rd
Topanga, CA
(424) 425-1228

December 2025

W
Sheet 1
of 1

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 9, 2026	**Review Log #:**	**5403**
Site Address:	6300 Ramirez Canyon Road		
Lot/Tract/PM #:		**Planning #:**	**ACDP 26-008 P1**
Applicant/Contact:	Andrew Sheldon, office@sheldonengineering.com	**BPC/GPC #:**	
Contact Phone #:	310-570-7549 **Fax #:**	**Planner:**	**Tonya Ward**
Project Type:	New Advanced Onsite Wastewater Treatment System (AOWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	Subsurface Designs Inc. (Triebold, CEG 1796): **10-30-2025** Subsurface Designs Inc. (Mahn, CE 60293): **9-26-2025** Sheldon Engineering, Inc. (Sheldon, RCE 71658): **1-8-2026** **1st Administrative Coastal Development Permit Submittal** **AOWTS plans prepared by Sheldon Engineering, Inc. dated January 2026.**
Previous Reviews:	None

Review Findings

Administrative Coastal Development Permit Review

☒ The project is **ACCEPTABLE** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage completion.

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

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

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

☐ The plans are **NOT APPROVED** from a geotechnical perspective. 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.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes, guidelines, and standards of practice, including the following current City adopted standards:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction
- City of Malibu Guidelines for the Preparation of Geotechnical Reports and Procedures for Report Submittal (November 2013) referred to herein as Geotechnical Report Guidelines

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning variances, as appropriate; any questions regarding variances should be directed to the case Planner.

This review is limited to the proposed scope of work as described in the Project Type section above. All other geologic or geotechnical issues concerning the subject property are outside of the scope of this review.

NOTE TO PLAN PREPARERS: Please review the City's recently adopted Electronic Submittal Guidelines and resubmit plans that conform.
https://www.malibucity.org/DocumentCenter/View/28469/Electronic-Plans-Submittal-Guideline

Note to Project Geotechnical Consultant: Please provide a written response to this review letter that addresses each of the numbered comments presented below. Each response needs to clearly explain how the comment has been addressed, including reference to any revised report of plans, or other supporting response documents. This review letter may be annotated directly with responses, provided the responses remain clear, complete, and appropriately referenced.

Remarks

The referenced supporting geologic and percolation report, laboratory test report, OWTS design report, and OWTS plans were reviewed by the City's consultants from a geotechnical perspective. Based on the submitted information, the proposed development includes installing a new advanced onsite wastewater treatment system consisting of a 1,500 gallon wastewater treatment tank with Advantex RT-50 unit and UV disinfection basin, converting the existing 2,000-gallon septic tank and 750-gallon pump vault into Advantex pretreatment tanks, and a new 10,125 square foot subsurface drip dispersal area. The loading rate is 0.15 gpd/sf. The existing seepage pits will remain as a tank emergency overflow system.

Building Plan Check Comments to be addressed by the Project Geotechnical Consultant:

1. Please show test pit TP-07 on the Geologic Map.
2. The soils textural triangle shows three samples, yet only two are included in the sieve and hydrometer analysis. Please clarify and correct.

Building Plan-Check Stage Review Comments:

1. Please include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve the installation of the drip dispersal field and provide the City inspector with a field memorandum(s) documenting and verifying that the drip dispersal field was installed per the approved OWTS plans*."
2. One set of final electronic 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.

Please direct questions regarding this review sheet to the City's geotechnical consultants listed below.

Engineering Geology Review by: _____ 2-9-2026

Christopher Dean, C.E.G. #1751, Exp. 9-30-26
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

Date

Geotechnical Engineering Reviewed by: _____ 2-9-2026

Sheryl Shatz, PE 44033, GE 2288 exp. 6-30-27
Geotechnical Engineering Reviewer (805-358-6813)
Email: sshatz@malibucity.org

Date

This review sheet was prepared by representatives of Cotton, Shires and Associates, 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

City of Malibu

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

COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF APPLICATION

NOTICE OF APPLICATION

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

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 26-008 - An application for a new Advanced Onsite Wastewater Treatment System and the conversion of the existing septic tank and gallon pump vault into Advantex pretreatment tanks

LOCATION / APN:	**6300 Ramirez Canyon Rd** / 4467-011-006
ZONING:	Rural Residential, Two-Acre (RR-2)
APPLICANT / OWNER:	Sheldon Engineering, Inc. / Kathleen Hughes
APPEALABLE TO:	Planning Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(d) and 15302(c)
APPLICATION FILED:	January 26, 2026
CASE PLANNER:	Tonya Ward, tward@malibucity.org / (925) 667-0547

PUBLIC COMMENT PERIOD - Related documents are available for review at City Hall during regular business hours. Written comments, concerns, or questions may be presented to the Community Development Department at any time prior to the issuance of a decision. On or after July 28, 2026, the Community Development Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 500 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

REPORTING - The Community Development Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on August 3, 2026. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review at City Hall during regular business hours. An approved permit shall not become effective until completion of the Planning Commission reporting.

LOCAL APPEAL - A decision or any portion of the decision made by the Community Development Director may be appealed to the Planning Commission. Should a decision be issued on July 28, 2026, the appeal period would expire on Friday, August 7, 2026 at 4:30 p.m. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

YOLANDA BUNDY, Community Development Director Date: July 9, 2026

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

COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF DECISION

NOTICE OF DECISION

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

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 26-008 - An application for a new Advanced Onsite Wastewater Treatment System and the conversion of the existing septic tank and gallon pump vault into Advantex pretreatment tanks

LOCATION / APN:	**6300 Ramirez Canyon Rd** / 4467-011-006
ZONING:	Rural Residential, Two-Acre (RR-2)
APPLICANT / OWNER:	Sheldon Engineering, Inc. / Kathleen M. Hughes Trust
APPEALABLE TO:	Planning Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(d) and 15302(c)
APPLICATION FILED:	January 26, 2026
ISSUE DATE:	July 28, 2026
CASE PLANNER:	Tonya Ward, Contract Planner, tward@malibucity.org / (925) 667-0547

REPORTING - The Community Development Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on August 3, 2026. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review at City Hall during regular business hours. An approved permit shall not become effective until completion of the Planning Commission reporting.

LOCAL APPEAL - A decision or any portion of the decision made by the Community Development Director may be appealed to the Planning Commission. Should a decision be issued on July 28, 2026, the appeal period would expire on Friday, August 7, 2026 at 4:30 p.m. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

YOLANDA BUNDY, Community Development Director Date: July 23, 2026

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 3.B.2.

To: Chair Peak and Members of the Planning Commission

Prepared by: Gail Duncan, Management Analyst

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the July 20, 2026 Regular Planning Commission meeting.

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

ATTACHMENT:

July 20, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JULY 20, 2026
COUNCIL CHAMBERS
6:30 P.M.

The following meeting was held in a hybrid format that allowed members of the public to participate in-person and remotely via Zoom when technically viable.

CALL TO ORDER

Chair Peak called the meeting to order at 6:31 p.m.

ROLL CALL

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

PRESENT: Chair Skylar Peak and Commissioners Drew Leonard, John G. Mazza and Elizabeth Riddick

ABSENT: Vice Chair Marni Kamins

ALSO PRESENT: Tyler Eaton, Assistant Community Development Director; Trevor Rusin, Interim City Attorney; Didier Murillo, Principal Planner; Samantha Elias, Associate Planner; Alexander da Silva, Associate Planner; Analise Nash, Assistant Planner; Adriana Grogan, Assistant Planner; Parker Davis, Media Production Technician; Luis Sotelo, Office Assistant; and Gail Duncan, Recording Secretary

PLEDGE OF ALLEGIANCE

Bryan Gordon led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to approve the agenda, continuing Item No. 4.A. to a date uncertain.

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

REPORT ON POSTING OF AGENDA

Recording Secretary Duncan reported that the agenda for the meeting was properly posted on July 9, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Paul Allen Brown alleged there was a conflict of interest regarding Commissioner Mazza's position as a Commissioner on the Planning Commission and his position as Vice Chair on the Malibu Township Council. He added that Commissioner Mazza had served 16 years on the Planning Commission and should retire from his role.

Sterling Paige was called on to give comment and provided only a greeting to the Commission.

Commissioner Mazza addressed Paul Allen Brown's comment and explained that recusals were how Commissioners dealt with conflict of interests.

Chair Peak expressed his hope that everyone was having a wonderful summer.

Commissioner Mazza encouraged the public to attend the Public Works Commission meeting on July 22, 2026 and provide comment on the community lands project. He expressed the importance of public input on future uses of the City-owned vacant parcels.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton thanked Commissioner Mazza for reminding the public about the community lands project and announced that the project would be heard at both the Parks and Recreation and Public Works Commission meetings. He announced that Community Development Director Bundy would be available at the Rebuild Center Monday through Friday for the foreseeable future and mentioned that an appointment was highly recommended. He explained that Phase 1 of the wireless residential fix was approved by the City Council on July 13, 2026 and that Phase 2 was scheduled for the August 24, 2026 Regular City Council Meeting. He also noted that the Local Coastal Program Amendment to create a definition for beachfront was scheduled for the August 10, 2026 Regular City Council meeting. Mr. Eaton announced the Community Development Department would present to ZORACES in the next few months to create a policy on blufftop determinations and biology inspections.

Associate Planner Elias provided an update regarding rebuild statistics and upcoming rebuild meetings.

Commissioner Leonard asked staff how many permits had been issued on beachfront homes.

In response to Commissioner Leonard, Associate Planner Elias explained that there had been 10 building plan check permits issued for beachfront homes to date.

Commissioner Leonard asked staff how many Palisades Fire rebuild properties were under active construction.

In response to Commissioner Leonard, Assistant Community Development Director Eaton noted that he was aware of a few Palisades Fire rebuilds under active construction.

Commissioner Mazza asked staff if they had any information regarding a K-rail that was recently installed on Pacific Coast Highway and questioned if evacuation studies were done to evaluate the safety of having one lane in that area.

In response to Commissioner Mazza, Assistant Community Development Director Eaton explained that Public Works usually took the lead on PCH projects and that he would return with information on the K-rail at the next Planning Commission meeting after speaking with Public Works staff.

Chair Peak commented that he believed the K-rail was temporarily installed to improve worker safety.

ITEM 3 CONSENT CALENDAR

The following Items were pulled: Item Nos. 3.B.3, 3.B.4. and 3.B.5

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to approve the balance of the Consent Calendar, Item Nos. 3.B.1., 3.B.2. and 3.B.6.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 26-029 – An application for the abandonment of an existing onsite wastewater treatment system (OWTS) and construction of a new (replacement) OWTS
   Location: 31810 Cottontail Lane, not within the appealable coastal zone
   APN: 4470-020-019
   Owner: Marjorie L. Weston Trust
   Case Planner: Assistant Planner Nash, 456-2489, ext. 294
   Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-029.

   The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-029 upon approval of the balance of the Consent Calendar.

2. Administrative Coastal Development Permit No. 22-055 – An application for the abandonment of an existing OWTS and to construct a new (replacement) OWTS
   Location: 5742 Busch Drive, not within the appealable coastal zone
   APN: 4467-026-017
   Owners: Scott E. Weiss and Marla Y. Weiss
   Case Planner: Associate Planner da Silva, 456-2489, ext. 314
   Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 22-055.

   The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 22-055 upon approval of the balance of the consent Calendar.

3. Formula Retail Clearance No. 26-007 – Cross Creek Ranch Shopping Center
   Location: 23465 Civic Center Way, Suite 720
   APN: 4458-022-032
   Owner: Cross Creek Ranch Malibu, LLC
   Tenant: Jenni Kayne
   Case Planner: Assistant Planner Grogan, 456-2489, ext. 315
   Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-007.

   The Commission determined Item Nos. 3.B.3. through 3.B.5. would be heard as a collective group.

Senior Planner Allen presented the staff report.

Disclosures: Commissioners Leonard, Mazza, Riddick, Peak,

The Commission directed questions to staff.

Chair Peak opened public comment.

Speaker: Beth Gordie

Chair Peak closed the public comment portion of the hearing.

The Commission directed questions to staff and the applicant team. The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

MOTION Commissioner Mazza moved to receive and file the Community Development Director's reports on Formula Retail Clearance Nos. 26-007, 26-009 and 26-010 and direct staff to return at the next Planning Commission meeting with a report anytime somebody rents an office within Industries that qualifies as a Formula Retail.

The motion failed for lack of a second.

The Commission directed staff to return with a presentation on the current formula retail status of the tenants of Industrious at the Cross Creek Shopping Center at a future meeting, preferably prior to the end of the year.

CONSENSUS The Commission received and filed the Community Development Director's reports on Formula Retail Clearance Nos. 26-007, 26-009 and 26-010 by consensus, Vice Chair Kamins absent.

4. Formula Retail Clearance No. 26-009 – Cross Creek Ranch Shopping Center

Location:	23465 Civic Center Way, Suite 340
APN:	4458-022-032
Owner:	Cross Creek Ranch Malibu, LLC
Tenant:	LoveShackFancy
Case Planner:	Assistant Planner Grogan, 456-2489, ext. 315

Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-009.

The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

The Commission received and filed the Community Development Director's report on Formula Retail Clearance No. 26-009 by consensus, Vice Chair Kamins absent.

5. Formula Retail Clearance No. 26-010 – Cross Creek Ranch Shopping Center
Location: 23465 Civic Center Way, Suite 730
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: Vuori
Case Planner: Assistant Planner Grogan, 456-2489, ext. 315
Recommended Action: Receive and file the Community Development Director's report on Formula Retail Clearance No. 26-010.

The Commission and staff discussed Formula Retail Clearance in relation to Item Nos. 3.B.3. through 3.B.5. extensively.

The Commission received and filed the Community Development Director's report on Formula Retail Clearance No. 26-010 by consensus, Vice Chair Kamins absent.

6. Approval of Minutes
Recommended Action: Approve the minutes of the June 1, 2026 and the June 15, 2026 Regular Planning Commission meetings.
Staff Contact: Senior Management Analyst Evans 456-2489, ext. 246

The Commission approved the minutes of the June 1, 2026 and the June 15, 2026 Regular Planning Commission meetings upon approval of the balance of the Consent Calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 18-029 – A follow-up application to Emergency Coastal Development Permit No. 18-002 for the removal of temporary slope protection measures and the construction of permanent slope protection measures consisting of two revetments on the ocean side of a private street (Continued from June 15, 2026)

Locations: 31618 Sea Level Drive, within the appealable coastal zone
APNs: 4470-017-009, 4470-001-014, 4470-001-015, 4470-001-016, 4470-001-017, 4470-001-018, 4470-001-019, 4470-001-020, 4470-001-021, 4470-001-022, 4470-001-024, 4470-001-025, and 4470-001-026
Owners: Malibu Encinal Homeowners Association; WHE Properties, LLC; Gary and Daphne Murphy; X17 Inc; Sea Level Properties II, LLC; Elizabeth E Heitman Trust; Drake Family Trust; Steve Shuken Trust; MH and JM Gainer Trust; CWMBS, Inc.; Steve Supowitz; Fusco Family Trust; P and C Partners LP; BJGL Holdings I LLC
Case Planner: Associate Planner da Silva, 456-2489, ext. 314
Recommended Action: Continue the item to a date uncertain.

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

ITEM 5 NEW PUBLIC HEARINGS

A. Conditional Use Permit No. 26-003 – An application to allow the operation of a new restaurant including outdoor seating and to allow the onsite sale and consumption of beer, wine, and distilled spirits (Alcohol Beverage Control License Type 47) to patrons of a bona fide eating place (Madeo Mare)

Location: 23465 Civic Center Way, Parcel A, Building 4, Suites 480 & 490, within the Town Center Overlay District
APN: 4458-022-032
Owner: Cross Creek Ranch Malibu, LLC
Tenant: Madeo Mare
Case Planner: Assistant Planner Grogan, 456-2489, ext. 315

Recommended Action: Adopt Planning Commission Resolution No. 26-27 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 26-003 to allow the operation of a new restaurant, including outdoor seating, and authorizing the Community Development Director to submit a letter of public convenience or necessity for a California Department of Alcoholic Beverage Control License Type 47 (On-Sale General – Eating Place) to allow the onsite sale and consumption of beer, wine, and distilled spirits in the Community Commercial zoning district within the Town Center Overlay located at 23465 Civic Center Way, Suites 480 & 490 (Cross Creek Ranch Malibu, LLC).

Assistant Planner Grogan presented the staff report.

Disclosures: Commissioners Leonard, Mazza, Riddick, Peak,

The Commission directed questions to staff.

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

Speakers: Bryan Gordon, Beth Gordie

As there were no other speakers present, Chair Peak closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Commissioner Mazza moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-27, as amended, 1) modifying Condition No. 2 hours of operation to state "8:00 a.m. to 12:00 a.m. Sunday through Thursday; and 8:00 a.m. to 1:00 a.m. Friday through Saturday" and 2) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 26-003 to allow the operation of a new restaurant, including outdoor seating, and authorizing the Community Development Director to submit a letter of public convenience or necessity for a California Department of Alcoholic Beverage Control License Type 47 (On-Sale General – Eating Place) to allow the onsite sale and consumption of beer, wine, and distilled spirits in the Community Commercial zoning district within the Town Center Overlay located at 23465 Civic Center Way, Suites 480 & 490 (Cross Creek Ranch Malibu, LLC).

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

B. Coastal Development Permit No. 26-002 – An application to extend the height of an existing power pole within the Public Right-of-Way

Locations: 5716 Kanan Dume Road and within the adjacent Public Right-of-Way
APN: 4467-033-026
Owners: Fordson Inc. and City of Malibu
Applicant: Fordson Inc.
Case Planner: Principal Planner Murillo, 456-2489, ext. 342
Recommended Action: Adopt Planning Commission Resolution No. 26-28 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 26-002 to extend the height of an existing Southern California Edison wooden utility power pole (Pole No. 2171513E) from 24 feet to 28 feet tall located in the Rural Residential, Five-Acre zoning district at 5716 Kanan Dume Road and within the adjacent Public Right-of-Way (Fordson Inc. and City of Malibu).

Principal Planner Murillo presented the staff report.

Disclosure: Commissioner Mazza

The Commission directed questions to staff.

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

As there were no speakers present, Chair Peak closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to adopt Planning Commission Resolution No. 26-28 determining the project is exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 26-002 to extend the height of an existing Southern California Edison wooden utility power pole (Pole No. 2171513E) from 24 feet to 28 feet tall located in the Rural Residential, Five-Acre zoning district at 5716 Kanan Dume Road and within the adjacent Public Right-of-Way (Fordson Inc. and City of Malibu).

The question was called and the motion carried 4-0, Vice Chair Kamins absent.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

A. Planning Commission and Staff Comments and Inquiries

None.

ADJOURNMENT

CONSENSUS At 7.57 p.m. the meeting was adjourned by consensus 4-0, Vice Chair Kamins absent.

Approved and adopted by the Planning Commission of the City of Malibu on August 3, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
GAIL DUNCAN, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 3.B.3.

To: Chair Peak and Members of the Planning Commission

Prepared by: Rebecca Evans, MS, Senior Management Analyst

Reviewed by: Tyler Eaton, Assistant Community Development Director

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Extension of Planning Verification-Woolsey Fire No. 20-122 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire

Location: 5949 Bonsall Drive
APN: 4467-024-003
Owner: Malibu Vintage Dirt LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-33 (Attachment 1) granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 20-122 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, Five-Acre zoning district at 5949 Bonsall Drive (Malibu Vintage Dirt LLC).

DISCUSSION: On November 8, 2018, the Woolsey Fire destroyed 465 homes in the City of Malibu. On March 12, 2025, the City Council adopted Ordinance No. 524 (Attachment 3), which extended the ability to initiate the planning application process and obtain a building permit to rebuild a structure that was damaged or destroyed by a disaster. Section 17.60.020(C) of the Malibu Municipal Code was amended to read as follows:

> Any structure, including any structure that was damaged or destroyed by a natural disaster, described in subsection A of this section, may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification. Structures that were damaged or destroyed by a

> natural disaster may be permitted, at the discretion of the planning director through approval of a planning verification, to increase the square footage, height or bulk permitted by this title by 10 percent of the existing or previously existing square footage, height or bulk of the structure. Increased height or bulk on non-beachfront properties shall not exceed 18 feet, unless a site plan review is obtained, and increased square footage shall not exceed the limits of Section 17.40.040(A)(13). The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired. A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

Absent a time extension, a building permit would need to be obtained for Planning Verification-Woolsey Fire (PVWF) No. 20-122 no later than November 8, 2026. On June 2, 2026, applicant Schmitz and Associates, Inc., on behalf of owner Malibu Vintage Dirt, LLC, submitted a request for a three-year time extension to the deadline to obtain a building permit for a nonconforming in-kind disaster rebuild of greenhouses and a shed.

The Woolsey Fire rebuild has been complicated by unique characteristics of the parcel, including the need to access the structures by crossing Zuma Canyon Creek, which bisects the property. The owner obtained Los Angeles County Fire Department access plan approval for an Arizona crossing in February 2026 but the design is pending approvals from California Department of Fish and Wildlife and the Regional Water Quality Control Board. The owner’s basis for due cause is included as Attachment 2.

CONCLUSION: Should the Planning Commission approve the time extension request, the owner would have until November 8, 2029 to obtain a building permit for PVWF No. 20-122.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-33
2. Time Extension Request
3. City Council Ordinance No. 524

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

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A THREE-YEAR EXTENSION TO OBTAIN A BUILDING PERMIT FOR PLANNING VERIFICATION-WOOLSEY FIRE NO. 20-122 TO REBUILD NONCONFORMING USES OR STRUCTURES DAMAGED OR DESTROYED IN THE WOOLSEY FIRE FOR THE PROPERTY LOCATED IN THE RURAL RESIDENTIAL, FIVE-ACRE ZONING DISTRICT AT 5949 BONSALL DRIVE (MALIBU VINTAGE DIRT LLC)

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

SECTION 1. Recitals.

A. The 2018 Woolsey Fire destroyed at least 488 single-family homes in Malibu and over 640 parcels were damaged, destroyed, or affected by the Woolsey Fire.

B. On February 25, 2019, the City Council adopted Ordinance No. 445, amendments to the Malibu Municipal Code Title 17 (Zoning Ordinance) and the Local Coastal Program, to facilitate the rebuilding of structures damaged or destroyed by the 2018 Woolsey Fire. The Ordinance included deadlines for property owners to rebuild nonconforming structures and uses: two years from the date of damage to initiate a Planning Verification-Woolsey Fire (PVWF), four years from the date of damage or destruction to obtain building permits, and extensions to these deadlines could not total more than five years.

C. On December 14, 2020, approximately 50 percent of property owners of destroyed homes had submitted a PVWF to rebuild homes. Due to a desire to encourage the rebuilding of homes, the City Council adopted Ordinance No. 476, extending the deadlines to initiate the planning application process and obtain building permits by one year, and allowed for extensions of these deadlines to not total more than six years combined.

D. On January 8, 2024, City Council adopted Ordinance No. 513, which extended the ability to initiate a PVWF within six years of the date of damage or destruction to November 8, 2024, with the ability for the Planning Commission to grant extensions when strict compliance created an undue hardship. Extensions could not total more than nine years. In addition, the deadline to obtain building permits was extended to November 8, 2026.

E. On March 12, 2025 following the 2025 Palisades Fire, City Council adopted Ordinance No. 524, which included an amendment to Malibu Municipal Code Section 17.60.020(C) to allow the Planning Commission to consider requests for an extension of time to obtain a building permit for structures damaged or destroyed by a natural disaster for a maximum total of eleven years from the date of the disaster (November 8, 2029 for the Woolsey Fire).

F. On June 2, 2026, the owner submitted an application requesting a three-year extension to the November 8, 2026 deadline to obtain a building permit for an in-kind rebuild of nonconforming structures. The Woolsey Fire destroyed the owner's greenhouses and a shed. The owner cited delays caused by the parcel's unique characteristics, which require access to the rebuild structures over Zuma Canyon Creek. The Los Angeles County Fire Department approved an Arizona crossing in February 2026. However, approvals from California Department of Fish and Wildlife and the Regional Water Quality Control Board remain pending.

G. On August 3, 2026, the Planning Commission held a duly noticed public hearing on the request, reviewed and considered the agenda report, reviewed and considered written correspondence, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3), which exempts those activities for which it can be seen with certainty that there is no potential to result in significant environmental effects. This Resolution is merely extending the time an applicant has to obtain a building permit for nonconforming structures and uses damaged or destroyed by the Woolsey Fire. Further, this act is not a "project" pursuant to CEQA Guidelines Section 15378(b)(5), which provides that organizational and administrative activities of governments that will not result in physical environmental impacts are not CEQA projects.

SECTION 3. Planning Commission Action.

Based on substantial evidence in the record, the Planning Commission finds that, due to unusual circumstances, strict compliance with the eight-year time limit imposed by Malibu Municipal Code Section 17.60.020(C) would create an undue hardship. The recitals above are adopted hereon, and the property owner has demonstrated to the satisfaction of the Planning Commission the necessity of a time extension to obtain a building permit for PVWF No. 20-122. The Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby grants the property owner a three-year time extension to obtain a building permit for PVWF No. 20-122 to rebuild non-conforming uses or structures destroyed or damaged in the Woolsey Fire. Said building permit shall be obtained by November 8, 2029.

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

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.04.220 (Appeal of Action), 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. 246.

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. 26-33 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 3rd day of August, 2026, 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

Received
06/02/26
Planning Div.

WOOLSEY FIRE
Non-Conforming In-kind Disaster Rebuild Building Permit Time Extension Request

The City of Malibu will not accept incomplete applications.

Staff use only

Woolsey Fire Extension No. PVWF 20-122

To submit a Woolsey Fire building permit time extension request:

To request a time extension to obtain building permits for a previously approved Planning Verification for a non-conforming in-kind rebuild, the request must be timely received by the Planning Division in person or via email to planningadmin@malibucity.org. The deadline to submit a Woolsey Fire building permit time extension request is **November 8, 2026**. Per California Code of Civil Procedure Section 12(a), because this falls on a weekend, the City will accept requests received and paid on the next business day, Monday, November 9, 2026, by 5:30 PM.

Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster, with maximum extension to **NOVEMBER 8, 2029**. For questions about this form, please email revans@malibucity.org.

Site Address: 5949 Bonsall Dr.

Planning Verification-Woolsey Fire No: PVWF 20-122 **(if applicable)**

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

1. **Time Extension Checklist** — X

   This form with property owner's signature

2. **Time Extension to Obtain Building Permits Request Letter** — X

   A letter setting forth unusual circumstances that render strict compliance to the deadline an undue hardship. Property Owners are encouraged to provide evidence of such hardship. This letter and evidence will be provided to the Planning Commission. I am requesting an extension for 3 year(s).

3. **Time Extension Fee ($596)** — X

ATTACHMENT 2

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

Name: Scott Elrod, Member, Malibu Vintage Dirt LLC

Property Owner's mailing Address: C/o Schmitz & Associates, Inc.
28230 Agoura Rd. Suite 200, Agoura Hills, CA 91301

Property Owner's telephone: [redacted]

Property Owner's email address: [redacted]

5. **Proof of Ownership / Authorized Representatives** X

If grant deed or title report is held by an LLC or Trust, submit Operating Agreement for LLC or Trust Documents for Trusts to identify authorized representatives

6. **Applicant's Information**

If an applicant is submitting this form on behalf of the property owner, the Authorization to Submit a Project must be filled out and returned with this form.

Name: Schmitz & Associates, Inc.

Applicant's mailing address: 28230 Agoura Rd. Suite 200, Agoura Hills, CA 91301

Applicant's telephone: 818-338-3636

Applicant's email address: cmartin@schmitzandassociates.net

7. **Acknowledgements**

MMC Section 17.60.020(A) states "Any structure which was lawfully erected and which does not conform to the current design and development standards or lot development criteria of this title may be continuously maintained and shall be treated in all respects as though in full compliance with this title."

Pursuant to MMC Section 17.60.020(C), any structure described in subsection Section 17.60.020 (A), may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification and provided that the application for the reconstruction is initiated with the city within six years of the date of damage or destruction, and a building permit is diligently pursued and obtained within eight years from the date of damage or destruction and has not expired. A request for an extension of time to the six-year or eight-year periods may be granted by the Planning Commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. **Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster**. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

I hereby certify that I am presently the legal owner of the above-described property and have read MMC Sections 17.60.020(A) and (C).

PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
Scott Elrod, Member Maibu Vintage Dirt, LLC	Scott Elrod, Member Maibu Vintage Dirt, LLC	05/29/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

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 request is invalid. 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 SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
Scott Elrod, Member Maibu Vintage Dirt, LLC	Scott Elrod, Member Maibu Vintage Dirt, LLC	05/29/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

8. 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	PROPERTY OWNER NAME (PRINT)	DATE
Scott Elrod, Member Maibu Vintage Dirt, LLC	Scott Elrod, Member Maibu Vintage Dirt, LLC	05/29/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

Note: November 8, 2024 was the deadline to submit a time extension request to submit a <u>Planning Verification</u> for non-conforming structures damaged or destroyed in the Woolsey Fire. No request to extend the deadline to submit a Planning Verification can be accepted at this time.

City of Malibu

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

LETTER OF AUTHORIZATION TO SUBMIT A PROJECT

Schmitz & Associates, Inc. (print name) is authorized by me/us, as the owner(s) of the property located at 5949 Bonsall Dr.,Malibu, CA 90265, to submit an application to and obtain permits from the City of Malibu Planning Department and to act on my/our behalf to process that application. This authorization will be valid until revoked by me/us in writing.

Dated: 6/22/23

Member - Malibu Vintage Dirt
Property Owner Signature

SCOTT ELROD
Property Owner Name

Dated: _____

Property Owner Signature

Property Owner Name

SEE ATTACHED ACKNOWLEDGMENT PAGE

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

Witnessed by:

Dated: _____

Witness Signature (Staff)

Print Name

New Applicant Contact Information

APPLICANT / CONTACT: First: _____ **Last:** _____

APPLICANT ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

APPLICANT PHONE #: _____

APPLICANT EMAIL: _____

ALL- PURPOSE
CERTIFICATE OF 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 }

On June 22 2023 before me, Carina Perry, Notary Public
(Here insert name and title of the officer),

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

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

WITNESS my hand and official seal.

Carina Perry
Notary Public Signature (Notary Public Seal)

Carina Perry, Notary Public

CARINA PERRY
COMM 2340276
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Dec.14, 2024

May 29, 2026

City of Malibu
23825 Stuart Ranch Rd.
Malibu, CA 90265

Re: PVWF 20-122 - 5949 Bonsall Drive – Time Extension Request for Planning Verification- Woolsey Fire.

Good afternoon,

We represent the owners of the subject property located at 5949 Bonsall Drive and respectfully request a three-year extension to the November 8, 2026, Woolsey Fire PV rebuild deadline to pull the Building Permit. This request is due to unusual circumstances that render strict compliance to the subject deadline to be a hardship. Specifically, the time extension is requested extended to November 8, 2029, related to:

- **PVWF 20-122**

A Three-Year Time Extension is Permissible Pursuant to MMC § 17.60.020 – The current PVWF time extension is this upcoming November 8, 2026. The provisions of Section MMC § 17.60.020 allow a three-year time extension to pull the building permit. The pertinent provisions of Section 17.60.020 state:

§ 17.60.020 Structures.

(C)…The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired.

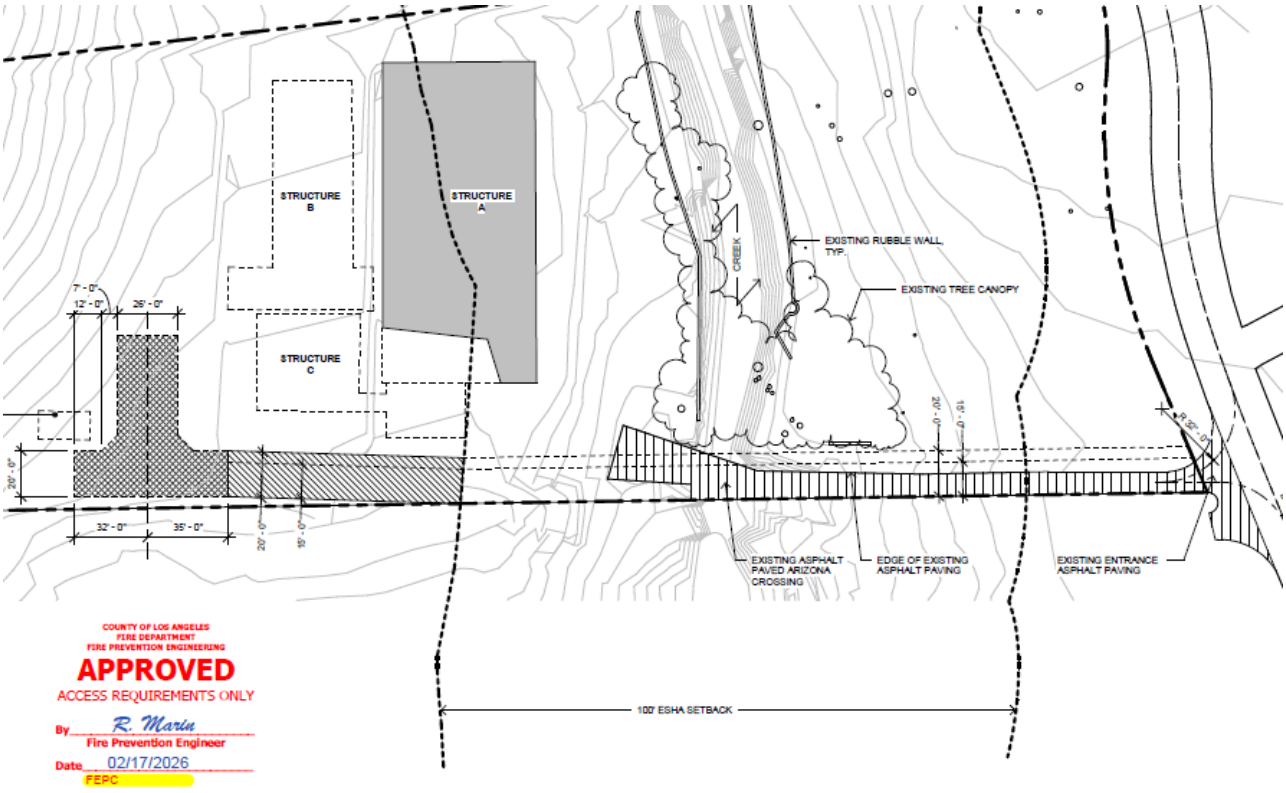
> A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. **Extensions for building permits may not total more than three years for a maximum total of 11 years from the date of the disaster**. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

Unusual Circumstances Exist Due to the Property Being Bisected by Zuma Creek - The pre-fire development included four commercial greenhouse structures, a parking lot, access road and conventional OWTS. The property is bisected by Zuma Canyon Creek. It is necessary to cross the creek to access the structures. The pre-fire access road included an Arizona Crossing.

Post fire development must include fire department access approval. Initially the Fire Department required a bridge to cross the creek to access the property rather than the existing Arizona Crossing. Hyrologists had to be retained, reports prepared and several rounds with Public Works, and the Fire Department at great time and expense.

However, the Fire Department later changed its policy and began allowing Arizona Crossings on a case by case basis. The Arizona Crossing was then pursued with the Fire Department because the greenhouses are not residential.

As a result of several meetings with the Fire Department and several plan revisions, the Fire Department eventually approved the Arizona Crossing, but that only occurred on 2/17/26. See below:



Now that there is a Fire Department approved and a finalized revised access plan, There are still issues being worked out with the Department of Fish and Wildlife and the Regional Water Quality Control Board because the Arizona Crossing goes through the creek.

As a result of these unusual circumstances, the project will not be ready for the Building Permit to be pulled by 11/8/26.

Unusual Circumstances Exist Due to the Location of the Structures - Portions of the structures to be rebuilt are located within the AE flood plain and also within 100' of Zuma Creek. There is also a vested commercial use of the greenhouses. How heights and the commercial aspect of the project were to be determined required several rounds with both the Planning Department and then several rounds with the City Attorney's office.

What normally is a routine planning issue, proposing a roof height not to exceed 18' for portions of the structure located outside of the creek setback, required multiple communications with senior level Planning staff, a predesign meeting, input from the Planning Director and ultimately, a separate APRWF application for a site plan review, although no heights are proposed in excess of 18' (APRWF 23-011), due to the various project constraints and anomalies.

It was later determined the APR was not necessary after several rounds of comment letters, meetings with the Planning Department and then additional meetings with the City Attorneys' Office.

There were also months of meetings and communications as to how roof heights would be measured for the legal non-conforming project within the flood plain, and for the commercial aspect of the project. This also required several rounds of input from the Planning Director and then the City Attorney's office, which delayed the project moving forward.

As a result of these unusual circumstances, the project will not be ready for the Building Permit to be pulled by 11/8/26.

Based on the foregoing a three-year time extension is respectfully requested for PVWF 20-122.

Please find the following documents included with this letter:

1. Signed Checklist
2. Signed and Notarized Agency Authorization Form
3. Grant Deed
4. Malibu Vintage Dirt LLC Operating Agreement

Sincerely,

Cynthia Martin

Cynthia Martin, JD
Principal Planner
Schmitz & Associates, Inc.
818-338-3636
cmartin@schmitzandassociates.net
28230 Agoura Rd. Suite 200, Agoura Hills, CA 91301

ORDINANCE NO. 524

AN ORDINANCE OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT 25-001, AN AMENDMENT TO THE LOCAL COASTAL PROGRAM AND ZONING TEXT AMENDMENT NO. 25-001, AN AMENDMENT TO TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE UPDATING REGULATIONS TO FACILITATE THE REBUILDING OF STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTERS, INCLUDING BUT NOT LIMITED TO, THE 2025 PALISADES FIRE, 2024 FRANKLIN FIRE, AND 2024 BROAD FIRE TO PROVIDE RELIEF FOR THOSE AFFECTED, AND FINDING THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. On November 6, 2024, the Broad Fire began and destroyed structures on at least 4 properties in Malibu leaving residents with an urgent need to rebuild.

B. On December 9, 2024, the Franklin Fire destroyed structures on at least 38 properties in Malibu leaving residents with an urgent need to rebuild.

C. On January 7, 2025, the Palisades Fire destroyed structures on over 700 properties in Malibu leaving residents with an urgent need to rebuild. The Governor of California has declared the event a State of Emergency and the President of the United States has declared the event a Federal Emergency.

D. On January 27, 2025, the City Council adopted Resolution No. 25-06 to: 1) initiate a Local Coastal Program (LCP) amendment and zoning text amendment to consider changes to the Malibu LCP and Title 17 (Zoning) of the Malibu Municipal Code (MMC) to facilitate the rebuilding of structures damaged or destroyed by the 2025 Palisades Fire, 2024 Franklin Fire, and 2024 Broad Fire and provide relief for those affected by the fires; 2) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee and directed the Planning Commission to schedule a public hearing regarding the same.

E. On January 30, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

F. On February 6, 2025, a Notice of Planning Commission Public Hearing was republished in a newspaper of general circulation within the City of Malibu as a courtesy.

G. On February 13, 2025, Governor Newsom issued Executive Order N-20-25, which suspended requirements of the California Environmental Quality Act and California Coastal Act for Palisades Fire rebuilds and related issues.

H. On February 13, 2025, a Notice of Availability of Local Coastal Program Amendment (LCPA) Documents and a Notice of City Council Public Hearings for both the March 4, 2025 and March 10, 2025 meetings were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

I. On February 20, 2025, the Planning Commission held a duly noticed public hearing on the proposed rebuild amendments on LCPA 25-001 and ZTA No.25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

J. On March 4, 2025, the City Council held a meeting which included a public workshop on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council completed the public workshop and adjourned the public hearing to March 5, 2025.

K. On March 5, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The meeting was adjourned to March 6, 2025.

L. On March 6, 2025, the City Council continued the public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on first reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001 as recommended by staff with the additional changes presented at the March 6, 2025 meeting. The City Council adopted Urgency Ordinance No. 524U for the Malibu Municipal Code amendments to go into effect immediately.

M. On March 10, 2025, the City Council continued the public hearing for the second reading to March 12, 2025.

N. On March 12, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on second reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001.

SECTION 2. Environmental Review.

Pursuant to Public Resources Code Section 21080.9, California Environmental Quality Act (CEQA) does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment. This application is for an amendment to the LCP, which must be certified by the California Coastal Commission (CCC) before it takes effect. LCP Local Implementation Plan (LIP) Section 1.3.1 states that the provisions of the LCP take precedence over any conflict between the LCP and the City's Zoning Ordinance. In order to prevent

inconsistency between the LCP and the City's Zoning Ordinance, if the LCPA is approved, the City must also approve the corollary amendment to the Zoning Ordinance. This amendment is necessary for the preparation and adoption of the LCPA and because they are entirely dependent on, related to, and duplicative of the exempt activity, they are subject to the same CEQA exemption.

Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies. The amendments to the MMC that are not corollary to the LCP can be seen not to have a significant effect on the environment as they merely create permit and fine requirements and allow structures that existed previously to be rebuilt in the same location with substantially the same purpose and capacity as the structure that would be replaced, while also further protecting coastal resources and hazard protections.

SECTION 3. Local Coastal Program Findings.

Based on evidence contained within the record, including the agenda reports for and the hearings on February 20 and March 4, 2025, the City Council hereby finds that the proposed amendment meets the requirements of, and is in conformance with, the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Updated development standards specific to rebuild projects that were destroyed in natural disaster and relief for those affected, ensure that development standards are in place to facilitate people getting their properties back to where they were before the natural disaster while also incorporating measures that will further enhance and protect coastal resources. Development standards were carefully crafted to meet the goals of the of the LCP.

B. As a part of the LIP, the updated development standards specific to rebuild projects that were destroyed in natural disaster and providing relief for those affected ensure that future development projects and land uses within specific zoning districts conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for rebuild structures to avoid coastal accessways, be sited the most landward feasible and the installation of structures that will protect the coastal resources from contamination greater than current.

SECTION 4. Zoning Text Amendment Findings.

Pursuant to Malibu Municipal Code Section 17.74.040, the City Council hereby makes the following findings:

A. The subject zoning text amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

SECTION 5. Local Coastal Program Amendment No. 25-001, Amendments to the Local Implementation Plan (LIP).

The City Council hereby amends the LIP as follows:

A. Amend Section 2.1 related to LIP definitions to include the following:

SECONDARY DEVELOPMENT PAD - a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

PRIMARY DEVELOPMENT PAD - the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 3.6(M)(1) related to residential development standards for temporary homes, to read as follows:

1. No more than two temporary housing structures which together total no more than one thousand (1,000) square feet shall be permitted.

C. Amend LIP Section 13.4.6(A) and (B), and add Section 13.4.6(A)(4) related to coastal development permit exemptions, to read as follows:

A. The replacement of any structure, other than a public works facility, destroyed by a disaster provided that the replacement structure meets all the of the following criteria:

1. It is for the same use as the destroyed structure;
2. It does not exceed either the floor area, height, or bulk of the destroyed structure by more than ten (10) percent, and

3. It is sited in substantially the same location on the affected property as the destroyed structure.

As used in this section, "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

4. Mechanized equipment or temporary shoring on the beach necessary to construct the replacement structure is allowed under this exemption for beachfront properties only if there are no feasible alternatives and construction activities do not enter the intertidal zone or extend beyond the previously existing primary development pad and appropriate Best Management Practices are used.

B. An onsite wastewater treatment system (OWTS) that was damaged or destroyed by a natural disaster may be replaced and improved provided that the replacement OWTS is located within the existing primary development pad and is the minimum standard size necessary to meet the building code for the existing or replacement structure it serves. If the new OWTS exceeds the minimum standard size or is located outside the primary development pad, then a De Minimis Waiver or OWTS Coastal Development Permit shall be required as applicable by Sections 13.4.11 and 13.29 respectively. For OWTS replacements on or adjacent to a sandy beach or coastal bluff, the OWTS shall be sited in the most landward location feasible and may not extend further seaward than the existing and/or previously existing seawall, whichever is more landward.

D. Amend LIP Section 13.4.11(A) and (A)(1) and (2), and add subsections (3), (4), (5), and (6); Amend 13.4.11(B)(1),(2), (3), and (5); Amend 13.4.11(C)(2) and(3); and amend 13.4.11(D), related to general requirements for de minimis waiver, to read as follows:

13.4.11 General Requirements for De Minimis Waiver

A. General Requirements for De Minimis Waiver.

The requirement for a coastal development permit may be waived through a De Minimis Coastal Development Permit Waiver issued by the planning director for the items listed below where the improvements are not otherwise exempt pursuant to Section 13.4, provided all the requirements of subsections B and C are met. The planning director's decision on whether to issue a de minimis waiver is not locally appealable; however if the development is within the appealable jurisdiction of the California Coastal Commission, the decision of the planning director is appealable to the Coastal Commission as described below in subsection (C).

1. Improvements to an onsite wastewater treatment system (OWTS) serving a structure that replaces one 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 does not meet the exemption criteria of Section 13.4.6(B).

2. 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. This includes accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement, including new cuts on slopes steeper than 3:1 but less than 1:1, subject to geotechnical feasibility review. Retaining walls shall not exceed six (6) feet in height. New retaining walls that replace an existing wall being removed as a result of the driveway widening are allowed to be replaced to the same height of previous wall and may increase in height by a maximum of three (3) additional feet but shall not have a total height in excess of nine (9) feet. Access improvements that do not meet the findings for a waiver may be processed as an administrative coastal development permit (ACDP) under Section 13.13.1(A) or as a regular coastal development permit.
3. Replacement seawalls that exceed ten (10) percent in height. The replacement seawall shall be sited in the same footprint as the previous seawall and shall not expand further seaward nor shall it extend further into an existing public access easement, deed restriction or view corridor.
4. Increases in the previous finished floor elevation for structures that replace one that was damaged or destroyed as result of a natural disaster, where the previous finished floor elevation must be raised to a higher elevation to meet Federal Emergency Management Agency (FEMA) flood zone requirements as determined by the City's floodplain administrator. Such increase shall not exceed the increase in elevation to the finished floor required to meet the minimum FEMA flood zone requirements. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.
5. Replacement structures that would otherwise be exempt from the requirement to obtain a coastal development permit pursuant to Section 13.4.6(A) but are proposed to be sited not in substantially the same location where the damaged or destroyed structure was located so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration. This waiver may include retaining walls and grading necessary for the construction of the relocated structure, but cuts may not be made into slopes steeper than 1:1 and retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet.
6. Water tanks and other water storage devices necessary to construct, install, or use a replacement structure that was damaged or destroyed by a natural disaster and as required or recommended by applicable federal, state and local laws and regulations. New shoreline protection devices are not included under this waiver.

B. Findings for and Reporting of De Minimis Waivers.

All decisions on de minimis waivers shall be accompanied by written findings:

1. That the structures or improvements have no potential for adverse effects, either individually or cumulatively, on coastal resources or public access to the shoreline or along the coast.
2. That the structures or improvements are consistent with the certified Malibu Local Coastal Program, including the resource protection policies, as applicable.
3. If an OWTS is to be relocated on the lot, that the director, in consultation with the environmental health administrator, has determined the relocation is necessary to better protect coastal resources and if on a beachfront lot, is no further seaward than the existing OWTS or no further seaward than the previously existing seawall, whichever is further landward.
4. If driveway/road improvements are proposed, that: (a) they are in the same general alignment as the existing road; (b) they are not located in environmentally sensitive habitat area (ESHA); (c) they do not remove or encroach within the protected zone of native trees; and (d) they do not adversely impact visual resources.
5. For relocation pursuant to Section 13.4.11(A)(5), that the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and primarily safety.

C. Reporting De Minimis Waiver.

1. At the time the application is submitted for filing, the applicant must post, at a conspicuous place as close to the site as possible that is easily accessible by the public and approved by the city, notice, on a form approved by the city, that an application for a de minimis waiver has been submitted to the city. Such notice shall contain a general description of the nature of the proposed development.
2. The planning director shall issue a notice of determination on the application which shall be reported to the planning commission. The notice of determination shall be provided to all known interested parties, including the executive director of the coastal commission, at least ten (10) days prior to the waiver determination being reported to the planning commission. For development within the appealable jurisdiction of the California Commission, the planning director's decision may be appealed by an aggrieved person directly to the California Coastal Commission within ten (10) working days of issuance of the notice of determination only if the development is one of the four types of development listed in the definition of Appealable Coastal Development Permit.
3. 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 structures or improvements. Otherwise, the waiver is effective immediately after the planning commission meeting where the matter is heard.

D. Waiver Expiration.

A de minimis waiver shall expire and be of no further force and effect if the authorized structures or improvements 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.

SECTION 6. Zoning Text Amendment No. 25-001, Amendments to the Malibu Municipal Code (MMC).

The City Council hereby amends Title 17 - Zoning in the MMC as follows:

A. Amend Section 17.02.060 related to definitions to include the following:

"Secondary development pad" means a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

"Primary development pad" means the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 17.40.040(A)(18)(a) and (g) and add subsections (i), (j), and (k) to read as follows:

18. Temporary Housing. Temporary housing structures as used herein means mobilehomes, trailers, recreational vehicles or other structures which are self-contained units which include sanitary facilities, and facilities for normal daily routines including cooking and sleeping. Temporary housing structures do not include any structure placed upon a permanent foundation, nor do they include tents, yurts, or similar fabric or textile installations. Temporary housing structures used as a residence during reconstruction or in anticipation of reconstruction of a residence destroyed due to natural disaster shall be permitted with a temporary housing permit approved by the Planning Director and shall comply with the following conditions:

a. No more than two temporary housing structures which together total no more than 1,000 square feet shall be permitted.

g. Upon expiration of the temporary housing permit, the property owner shall obtain verification from the city that all temporary housing structures have been removed

from the property. Failure to obtain this verification shall result in a fine of $1,000 per day until the verification is obtained.

i. The temporary housing structures shall be occupied only by the property owner(s) or tenant(s) living on the property at the date of the natural disaster, or their families. Should this requirement be violated, the temporary housing structures must be immediately removed, the property will no longer be eligible to place temporary housing on the property for a period of 5 years, and the owner shall be subject to a fine of $1,000 per day. Liens may also be imposed on the property by the City as a means of compliance.

j. The siting of temporary housing shall be supported by a limited geotechnical report prepared by appropriately licensed professionals which evaluates the location of the proposed temporary housing with respect to geologic and flood hazards that the specific location(s) may be exposed to during the proposed four-year use of the location. Specifically, the threat of post-fire debris flows and floods as described by the United States Geological Survey and identified by the Watershed Emergency Response Team Assessments. A finding is required that the specific location of the temporary housing is safe for its intended use for the duration of use. The report must be submitted to the City for review and accepted by the Building Official.

k. If the temporary housing is supported on anything other than wheels or a trailer which can be readily moved (i.e. a manufactured home), it shall comply with requirements for foundations as noted in Chapter 16, 18 and Appendix G – Flood proof Construction of the current California Building Code and requires a building permit from the City. Temporary housing supported on wheels shall be fastened to the ground.

C. Amend Section 17.44.090(A)(1), to read as follows:

1. The maximum square footage of an ADU shall be 1,000 square feet. The maximum square footage shall include interior and exterior walls, finished and unfinished basements, mezzanines, storage space, and any space with a height clearance (floor to ceiling height dimension) above six feet. The area of a garage (400 square feet maximum) provided as part of accessory dwelling unit and exterior decks or overhangs that are attached to the structure shall not be included in the 1,000 square foot limit.

D. Amend Section 17.45.150(B), to read as follows:

B. Prohibition. All properties within a disaster area are temporarily prohibited from obtaining a new or updated primary view determination unless: (1) the request was submitted prior to the date the natural disaster began as declared or proclaimed by the City, State or Federal government, or as determined by the Planning Director if no declaration or proclamation has been made; or (2) the primary view determination would not impose any limitation on replacement landscaping or replacement structures.

E. Amend Section 17.53.090(C)(1)(a),(b), (c), (e), and (f) and add subsections (h), (i), and (j); and amend Section 17.53.090(C)(2), to read as follows:

a. Palm trees and eucalyptus trees are prohibited.
b. All vegetation is prohibited between zero and five feet from a structure.
c. The following species are prohibited within 50 feet of structures: Pine (Pinus species), Cypress (Cupressus species), Cedar (Cedrus species), Ficus (Ficus species), and Tree of Heaven (Ailanthus altissima).

e. Existing eucalyptus trees are allowed between five feet and 50 feet of a structure if a qualified expert, as determined by the director, identifies the tree(s) as a monarch butterfly habitat.
f. The distances for trees and shrubs subject to (b) through (e) shall be measured from the dripline of the tree or shrub at its projected maturity to the outermost projection of the structure including eaves and overhangs. No tree canopy shall be within five feet of the outermost projection of the structure including eaves and overhangs at projected maturity. Smaller diameter tree branches less than two inches must be removed within five feet of the outermost projection of the structure including eaves and overhangs and within 10 feet above the roof.

h. Only efficiently-irrigated plants and trees as allowed by this chapter shall be allowed between five feet and 30 feet of a structure.
i. Irrigation shall be required and maintained on the site in all planting areas between five feet and 100 feet of a structure, except in geologic hazard areas in which irrigation may not be allowed. Any proposed irrigation shall be reviewed by the project geotechnical consultant and conform to existing surficial stability standards, not contribute to any geologic hazard, and not adversely affect offsite properties. The consultant shall include a statement regarding the impact of the proposed irrigation system in the required Section 111 statement. The city shall review analyses and findings provided by the project geotechnical consultant and determine whether irrigation is allowed or required in geologic hazard areas. All vegetation within 100 feet of a structure shall maintain sufficient moisture content and be supported by appropriately designed irrigation.
j. Plants listed in the City of Malibu 'Invasive Species List' are prohibited.

2. Mulch material proposed between zero and five feet from a structure must consist of nonflammable materials, such as gravel and decomposed granite. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Use of wood chips and shredded rubber is prohibited anywhere on the site. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between five feet and 30 feet from a structure. Non-continuous mulched areas shall be separated with non-flammable materials such as gravel, rocks, decomposed granite, or stone. The distance shall be measured from the outermost projection of the

structure including eaves and overhangs. The maximum application area of mulch located between five feet and 30 feet from a structure is 20 feet by 20 feet with a five-foot separation between 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. Organic mulch shall be maintained with at least a 3 inch depth but must not exceed 6 inches in depth.

F. Amend Section 17.60.020(C) and add subsection (C)(1), to read as follows:

C. Any structure, including any structure that was damaged or destroyed by a natural disaster, described in subsection A of this section, may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification. Structures that were damaged or destroyed by a natural disaster may be permitted, at the discretion of the planning director through approval of a planning verification, to increase the square footage, height or bulk permitted by this title by 10 percent of the existing or previously existing square footage, height or bulk of the structure. Increased height or bulk on non-beachfront properties shall not exceed 18 feet, unless a site plan review is obtained, and increased square footage shall not exceed the limits of Section 17.40.040(A)(13). The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired. A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

1. Replacement structures on beachfront lots are allowed to meet the minimum increases necessary to meet Federal Emergency Management Agency (FEMA) requirements but shall, to the maximum extent feasible, protect neighboring ocean views. Replacement structures shall seek increases in square footage laterally before they are allowed to increase vertically as viewed by neighboring properties. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.

G. Delete Section 17.60.020(F).

H. Amend Section 17.62.030(A), to read as follows:

A. An administrative plan review shall be required for the following development projects, unless they fall under the provisions for a rebuild development permit as provided in Section 17.62.080. If the project meets the requirements of this title and is consistent with Chapter 17.40, the planning manager/ director shall issue a development permit.

I. Amend Section 17.62.040(A) and (A)(10); and add subsection (A)(13) and (C)(1), to read as follows:

A. The planning manager/director may approve a site plan review after consultation with all appropriate city staff and specialists including the building official, city engineer, city biologist, city geologist, city archeologist and city coastal engineer; and where substantial evidence supports the findings set forth in subsection D of this section for new construction or reconstruction of structures authorizing the following:

10. Sea walls, bulkheads, or any other shoreline protective devices, except for those that meet the requirements for a De Minimis Waiver listed in LIP Section 13.4.11 or rebuild development permit listed in Section 17.62.080 as required;

13. Non-beachfront development over 18 feet in height on a replacement structure where the previously existing structure was damaged or destroyed by a natural disaster and the replacement structure is not sited substantially in the same location on the affected property as the damaged or destroyed structure, so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration.

C. Notice of Application Filing. Within 10 calendar days from the receipt date of a complete application, the planning manager/director shall notify in writing of the filing of the application to property owners and residents of all property within a 500 foot radius of the proposed project, but in no event fewer than the owners and occupants of 10 developed properties. Notwithstanding the foregoing, for property in the RR-10 and RR-20 zones the notice radius shall be 1,000 feet. The purpose of the notice is to inform the surrounding property owners and residents of the filing of the application and provide an opportunity for comment on the application prior to the planning manager/director's decision. The notice shall describe the request, provide a map showing the specific location of the property, describe the review process and timeframes, and indicate how to contact the case planner assigned to the application.

1. For development over 18 feet in height where the replacement structure is not proposed to be sited in substantially the same location on the affected property as the damaged or destroyed structure, a notice of application shall be provided to all properties within a 1,000 foot radius of the development.

J. Add Section 17.62.080. Rebuild development permit, to read as follows:

§ 17.62.080. Rebuild development permit.

A. A rebuild development permit shall be required for the following development projects related to structures being replaced after being damaged or destroyed in a natural disaster. It shall be issued by planning manager/director upon demonstrating by a preponderance of the evidence that all requirements of the municipal code are met, as applicable.

1. Mechanized equipment or temporary shoring on the beach necessary to construct beachfront properties so long as construction activities do not enter the intertidal zone and in no case shall extend beyond the previously existing primary development pad.

2. An onsite wastewater treatment system (OWTS) that replaces or improves an OWTS serving a structure that that was damaged or destroyed by a natural disaster.

a. OWTS replacements on a sandy beach or coastal bluff shall be sited the most landward feasible as determined by appropriate city staff, shall not impact existing public accessways, and shall not extend seaward of the previously existing primary development pad.

b. OWTS replacements shall be located in the least environmentally impactful area.

3. New seawalls, as determined necessary by the planning director or building official to protect coastal resources, that protect an OWTS serving a structure that was damaged or destroyed by a natural disaster. New seawalls shall be sited only at the boundary of OWTS that it protects. New seawalls shall not extend into any existing public access easements or public access deed restrictions, excluding any such easements or deed restrictions on the seaward side of the OWTS it protects, and shall not expand further into previously approved public view corridors or further into open space deed restrictions.

4. Any new structure or improvement (including, but not limited to, foundation systems, utilities, driveways, water tanks, and other water storage devices) that is necessary or recommended to construct, install, or use the replacement structure described in subsection (A) in compliance with all applicable state and local laws and regulations.

5. 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. Accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement shall also be allowed, including new cuts on slopes steeper than 3:1 but shall not exceed 1:1 or steeper. Retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet. Improvements shall not extend into a public access easement or public access deed restriction and shall not expand further into a previously approved public view corridor (except for on-grade driveways), or further into open space deed restrictions. Access improvements that

do not meet the requirements of this subsection may be processed as an administrative coastal development permit or as a regular coastal development permit as listed in the Malibu LIP.

B. Application Submittal. An application shall be filed with the planning division and may be part of the planning verification application for replacement structures that were damaged or destroyed by a natural disaster. Applications shall be complete only after all required information is submitted; review by all appropriate city staff and specialists including review by the building official, city engineer, city biologist, city geologist, city archeologist, city coastal engineer and city environmental health specialist, as deemed necessary, is complete; and the application fee determined by resolution of the city council is paid.

C. Action. The planning manager/director shall approve, deny, or approve with conditions a rebuild development permit within 15 calendar days from the date of a complete application. Complete application determinations shall be determined solely by the City. The City may include incomplete/or nonconforming plans as a basis for an incomplete application in addition to standard application requirements. No decision shall be subject to invalidation on the grounds that it is made after the deadline. The applicant shall be informed of the action by letter and/or approved plans. Action of the planning manager/director shall be final and not appealable.

D. Expiration. An approved rebuild development permit shall expire three years from the date of final approval, unless a time extension has been granted, or work has commenced and substantial progress made (as determined by the building official) and the work is continuing under a valid building permit. If no building permit is required, the rebuild development permit approval shall expire after three years from the date of final planning approval if construction is not completed. If a rebuild development permit is included within a planning verification application pursuant to Section 17.60.020(C), then the rebuild development permit shall expire when the planning verification expires.

E. Extension. The planning manager/director may grant up to four one-year extensions of the expiration of a rebuild development permit approval, if the planning manager/director finds, Based on substantial evidence, that due to unusual circumstances, strict compliance with the expiration date of the permit would create an undue hardship for the applicant.

SECTION 7. Effective Date.

The LCPA sections referenced in Section 5 of this Ordinance shall become effective upon certification by the California Coastal Commission. The ZTA sections referenced in Section 6 of this ordinance shall become effective 30 days following adoption by the City Council.

SECTION 8. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality or the remaining portions of this Ordinance; it being hereby expressly declared and this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phases be declared invalid or unconstitutional.

SECTION 9. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED, and ADOPTED this 12th day of March 2025.

MARIANNE RIGGINS, Mayor Pro-Tem

ATTEST:

CHRISTINA MUNOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal) 3/12/2025

APPROVED AS TO FORM:

KELLAN MARTZ, Assistant City Attorney
for TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 524 was passed and adopted at the Adjourned Regular City Council meeting of March 12, 2025, by the following vote:

AYES:	3	Councilmembers:	Conrad, Uhring, Riggins
NOES:	0		
ABSTAIN:	1	Councilmembers:	Silverstein
ABSENT:	1	Councilmembers:	Stewart

CHRISTINA MUÑOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal)

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 3.B.4.

To: Chair Peak and Members of the Planning Commission

Prepared by: Rebecca Evans, MS, Senior Management Analyst

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Extension of Planning Verification-Woolsey Fire No. 20-104 – An application to extend the deadline to obtain a building permit for structures damaged or destroyed in the Woolsey Fire

Location: 6973 Birdview Avenue
APN: 4468-015-002
Owner: Bradshaw Family Trust

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 26-32 (Attachment 1) granting a three-year extension to obtain a building permit for Planning Verification-Woolsey Fire No. 20-104 to rebuild nonconforming uses or structures damaged or destroyed in the Woolsey Fire for the property located in the Rural Residential, One-Acre zoning district at 6973 Birdview Avenue (Bradshaw Family Trust); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: On November 8, 2018, the Woolsey Fire destroyed 465 homes in the City of Malibu. On March 12, 2025, the City Council adopted Ordinance No. 524 (Attachment 3), which extended the ability to initiate the planning application process and obtain a building permit to rebuild a structure that was damaged or destroyed by a disaster. Section 17.60.020(C) of the Malibu Municipal Code was amended to read as follows:

> Any structure, including any structure that was damaged or destroyed by a natural disaster, described in subsection A of this section, may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining

> planning verification. Structures that were damaged or destroyed by a natural disaster may be permitted, at the discretion of the planning director through approval of a planning verification, to increase the square footage, height or bulk permitted by this title by 10 percent of the existing or previously existing square footage, height or bulk of the structure. Increased height or bulk on non-beachfront properties shall not exceed 18 feet, unless a site plan review is obtained, and increased square footage shall not exceed the limits of Section 17.40.040(A)(13). The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired. A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

Absent a time extension, a building permit would need to be obtained for Planning Verification-Woolsey Fire (PVWF) No. 20-104 no later than November 8, 2026. On May 28, 2026, applicant Marissa Coughlan, on behalf of owner Bradshaw Family Trust, submitted a request for a three-year time extension to the deadline to obtain a building permit for a nonconforming in-kind disaster rebuild of a single-family residence and detached garage.

The Woolsey Fire destroyed the owner's single-family residence and associated development. The time request stated the project architect had added items beyond the scope of PVWF No. 20-104 without the knowledge of the owner. The applicant and owner require additional time to work with civil and structural engineers to remove and/or correct the items added to bring the plan set into conformance with the approved PVWF. A clean, conforming plan set is required prior to submission to building plan check. The owner's basis for due cause is included as Attachment 2.

CONCLUSION: Should the Planning Commission approve the time extension request, the owner would have until November 8, 2029 to obtain a building permit for PVWF No. 20-104.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-32
2. Time Extension Request
3. City Council Ordinance No. 524

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

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-32

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A THREE-YEAR EXTENSION TO OBTAIN A BUILDING PERMIT FOR PLANNING VERIFICATION NO. 20-104 TO REBUILD NONCONFORMING USES OR STRUCTURES DAMAGED OR DESTROYED IN THE WOOLSEY FIRE FOR THE PROPERTY LOCATED IN THE RURAL RESIDENTIAL, ONE-ACRE ZONING DISTRICT AT 6973 BIRDVIEW AVENUE (BRADSHAW TRUST)

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

SECTION 1. Recitals.

A. The 2018 Woolsey Fire destroyed at least 488 single-family homes in Malibu and over 640 parcels were damaged, destroyed, or affected by the Woolsey Fire.

B. On February 25, 2019, the City Council adopted Ordinance No. 445, amendments to the Malibu Municipal Code Title 17 (Zoning Ordinance) and the Local Coastal Program, to facilitate the rebuilding of structures damaged or destroyed by the 2018 Woolsey Fire. The Ordinance included deadlines for property owners to rebuild nonconforming structures and uses: two years from the date of damage to initiate a Planning Verification-Woolsey Fire (PVWF), four years from the date of damage or destruction to obtain building permits, and extensions to these deadlines could not total more than five years.

C. On December 14, 2020, approximately 50 percent of property owners of destroyed homes had submitted a PVWF to rebuild homes. Due to a desire to encourage the rebuilding of homes, the City Council adopted Ordinance No. 476, extending the deadlines to initiate the planning application process and obtain building permits by one year, and allowed for extensions of these deadlines to not total more than six years combined.

D. On January 8, 2024, City Council adopted Ordinance No. 513, which extended the ability to initiate a PVWF within six years of the date of damage or destruction to November 8, 2024, with the ability for the Planning Commission to grant extensions when strict compliance created an undue hardship. Extensions could not total more than nine years. In addition, the deadline to obtain building permits was extended to November 8, 2026.

E. On March 12, 2025 following the 2025 Palisades Fire, City Council adopted Ordinance No. 524, which included an amendment to Malibu Municipal Code Section 17.60.020(C) to allow the Planning Commission to consider requests for an extension of time to obtain a building permit for structures damaged or destroyed by a natural disaster for a maximum total of eleven years from the date of the disaster (November 8, 2029 for the Woolsey Fire).

F. On May 8, 2026, the owner submitted an application requesting a three-year extension to the November 8, 2026 deadline to obtain a building permit for an in-kind rebuild of nonconforming structures. The Woolsey Fire destroyed the owner's single-family residence, detached garage and associated development. The owner states the plan set provided by the project architect included elements which exceed the scope of the approved PVWF No. 20-104 and additional time is needed for civil and structural engineers to remove or correct the items. A clean plan set in conformance with PVWF No. 20-104 is required in order to submit and proceed through building plan check.

G. On August 3, 2026, the Planning Commission held a duly noticed public hearing on the request, reviewed and considered the agenda report, reviewed and considered written correspondence, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3), which exempts those activities for which it can be seen with certainty that there is no potential to result in significant environmental effects. This Resolution is merely extending the time an applicant has to obtain a building permit for nonconforming structures and uses damaged or destroyed by the Woolsey Fire. Further, this act is not a "project" pursuant to CEQA Guidelines Section 15378(b)(5), which provides that organizational and administrative activities of governments that will not result in physical environmental impacts are not CEQA projects.

SECTION 3. Planning Commission Action.

Based on the substantial evidence in the record, the Planning Commission finds that, due to unusual circumstances, strict compliance with the eight-year time limit imposed by Malibu Municipal Code Section 17.60.020(C) would create an undue hardship. The recitals above are adopted hereon, and the property owner has demonstrated to the satisfaction of the Planning Commission the necessity of a time extension to obtain a building permit for PVWF No. 20-104. The Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby grants the property owner a three-year time extension to obtain a building permit for PVWF No. 20-104 to rebuild non-conforming uses or structures destroyed or damaged in the Woolsey Fire. Said building permit shall be obtained by November 8, 2029.

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

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.04.220 (Appeal of Action), 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. 246.

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. 26-32 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 3rd day of August, 2026, 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

Received
05/28/26
Planning Div.

WOOLSEY FIRE
Non-Conforming In-kind Disaster Rebuild Building Permit Time Extension Request

The City of Malibu will not accept incomplete applications.

Staff use only

Woolsey Fire Extension No. 26-005

To submit a Woolsey Fire building permit time extension request:

To request a time extension to obtain building permits for a previously approved Planning Verification for a non-conforming in-kind rebuild, the request must be timely received by the Planning Division in person or via email to planningadmin@malibucity.org. The deadline to submit a Woolsey Fire building permit time extension request is **November 8, 2026**. Per California Code of Civil Procedure Section 12(a), because this falls on a weekend, the City will accept requests received and paid on the next business day, Monday, November 9, 2026, by 5:30 PM.

Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster, with maximum extension to **NOVEMBER 8, 2029**. For questions about this form, please email revans@malibucity.org.

Site Address: 6973 Birdview Avenue

Planning Verification-Woolsey Fire No: PVWF 20-0104 **(if applicable)**

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

1. **Time Extension Checklist** — X

   This form with property owner's signature

2. **Time Extension to Obtain Building Permits Request Letter** — X

   A letter setting forth unusual circumstances that render strict compliance to the deadline an undue hardship. Property Owners are encouraged to provide evidence of such hardship. This letter and evidence will be provided to the Planning Commission. I am requesting an extension for _3__ year(s).

3. **Time Extension Fee ($596)** — X

ATTACHMENT 2

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

Name: Bradshaw Family Trust

Property Owner's mailing Address: [redacted]

Property Owner's telephone:

Property Owner's email address:

5. Proof of Ownership / Authorized Representatives

If grant deed or title report is held by an LLC or Trust, submit Operating Agreement for LLC or Trust Documents for Trusts to identify authorized representatives

6. Applicant's Information

If an applicant is submitting this form on behalf of the property owner, the Authorization to Submit a Project must be filled out and returned with this form.

Name: Marissa M. Coughlan

Applicant's mailing address: 23823 Malibu Road

Ste 50-461

Applicant's telephone: (310) 701-7050

Applicant's email address: marissa@mmcccorp.com

7. Acknowledgements

MMC Section 17.60.020(A) states "Any structure which was lawfully erected and which does not conform to the current design and development standards or lot development criteria of this title may be continuously maintained and shall be treated in all respects as though in full compliance with this title."

Pursuant to MMC Section 17.60.020(C), any structure described in subsection Section 17.60.020 (A), may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification and provided that the application for the reconstruction is initiated with the city within six years of the date of damage or destruction, and a building permit is diligently pursued and obtained within eight years from the date of damage or destruction and has not expired. A request for an extension of time to the six-year or eight-year periods may be granted by the Planning Commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. **Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster**. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

I hereby certify that I am presently the legal owner of the above-described property and have read MMC Sections 17.60.020(A) and (C).

James Bradshaw		
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
James Bradshaw		
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

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 request is invalid. 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.

James Bradshaw	Bradshaw Family Trust James W B	5/6/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
James Bradshaw		
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

8. 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.

James Bradshaw	Bradshaw Family Trust James W B	5/6/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
James Bradshaw		
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

Note: November 8, 2024 was the deadline to submit a time extension request to submit a <u>Planning Verification</u> for non-conforming structures damaged or destroyed in the Woolsey Fire. No request to extend the deadline to submit a Planning Verification can be accepted at this time.

AUTHORIZATION TO SUBMIT A PROJECT

Marissa M. Coughlan (print name) is authorized by me/us as the owner(s) of the property located at 6973 Birdview Drive, to submit an application to and obtain permits from the City of Malibu Planning Division 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.

James Bradshaw	Bradshaw Family Trust, James W.	5/6/2026
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE
James Bradshaw		
PROPERTY OWNER SIGNATURE	PROPERTY OWNER NAME (PRINT)	DATE

Witnessed by:

Dated: _____

Witness Signature (Staff)

Print Name

BRADSHAW FAMILY TRUST

JAMES W. BRADSHAW, TRUSTEE

May 6, 2026

Re: Request for extension of Woolsey Fire Planning Verification PVWF 20-0104

City of Malibu
23823 Stuart Ranch Road
Malibu, Ca 90265

The Bradshaw Family Trust hereby requests a time extension for a non-conforming in-kind disaster rebuild building permit approval. We have had delays from the architect providing us with documents and correct plan sets for the replacement the single family residential structure. Since the architect added items beyond the scope of the PV which came out in plan check, we have to remove some items. The Trust did not request the architect to include the additional items nor did the Trust provide approval to the architect to add items beyond the scope of the PV to the plans. When the architect as asked for a clean plan set, the architect only "bubbled" the Items which were to be deleted. The items added by the architect that were included were not part of the Planning Verification (PV) as referenced above. The architect was informed of this by the Applicant, Marissa M. Coughlan our planning consultant as well as the Trustee, James W. Bradshaw

We have to work with the civil and structural engineers to remove and/or correct the items added. We then have to obtain a clean plan set for City review as to compliance and conformance. We are requesting an extension for the full period of 3 years.

We look forward to the time extension to allow us to complete the plans as necessary.

Bradshaw Family Trust

James Bradshaw

James W. Bradshaw, Trustee

ORDINANCE NO. 524

AN ORDINANCE OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT 25-001, AN AMENDMENT TO THE LOCAL COASTAL PROGRAM AND ZONING TEXT AMENDMENT NO. 25-001, AN AMENDMENT TO TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE UPDATING REGULATIONS TO FACILITATE THE REBUILDING OF STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTERS, INCLUDING BUT NOT LIMITED TO, THE 2025 PALISADES FIRE, 2024 FRANKLIN FIRE, AND 2024 BROAD FIRE TO PROVIDE RELIEF FOR THOSE AFFECTED, AND FINDING THE AMENDMENTS ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. On November 6, 2024, the Broad Fire began and destroyed structures on at least 4 properties in Malibu leaving residents with an urgent need to rebuild.

B. On December 9, 2024, the Franklin Fire destroyed structures on at least 38 properties in Malibu leaving residents with an urgent need to rebuild.

C. On January 7, 2025, the Palisades Fire destroyed structures on over 700 properties in Malibu leaving residents with an urgent need to rebuild. The Governor of California has declared the event a State of Emergency and the President of the United States has declared the event a Federal Emergency.

D. On January 27, 2025, the City Council adopted Resolution No. 25-06 to: 1) initiate a Local Coastal Program (LCP) amendment and zoning text amendment to consider changes to the Malibu LCP and Title 17 (Zoning) of the Malibu Municipal Code (MMC) to facilitate the rebuilding of structures damaged or destroyed by the 2025 Palisades Fire, 2024 Franklin Fire, and 2024 Broad Fire and provide relief for those affected by the fires; 2) Bypass the Zoning Ordinance Revisions and Code Enforcement Subcommittee and directed the Planning Commission to schedule a public hearing regarding the same.

E. On January 30, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

F. On February 6, 2025, a Notice of Planning Commission Public Hearing was republished in a newspaper of general circulation within the City of Malibu as a courtesy.

G. On February 13, 2025, Governor Newsom issued Executive Order N-20-25, which suspended requirements of the California Environmental Quality Act and California Coastal Act for Palisades Fire rebuilds and related issues.

H. On February 13, 2025, a Notice of Availability of Local Coastal Program Amendment (LCPA) Documents and a Notice of City Council Public Hearings for both the March 4, 2025 and March 10, 2025 meetings were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

I. On February 20, 2025, the Planning Commission held a duly noticed public hearing on the proposed rebuild amendments on LCPA 25-001 and ZTA No.25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

J. On March 4, 2025, the City Council held a meeting which included a public workshop on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council completed the public workshop and adjourned the public hearing to March 5, 2025.

K. On March 5, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The meeting was adjourned to March 6, 2025.

L. On March 6, 2025, the City Council continued the public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on first reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001 as recommended by staff with the additional changes presented at the March 6, 2025 meeting. The City Council adopted Urgency Ordinance No. 524U for the Malibu Municipal Code amendments to go into effect immediately.

M. On March 10, 2025, the City Council continued the public hearing for the second reading to March 12, 2025.

N. On March 12, 2025, the City Council held a duly noticed public hearing on the proposed rebuild amendments LCPA 25-001 and ZTA No. 25-001, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record. The City Council approved on second reading Ordinance No. 524, approving LCPA 25-001 and ZTA No. 25-001.

SECTION 2. Environmental Review.

Pursuant to Public Resources Code Section 21080.9, California Environmental Quality Act (CEQA) does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment. This application is for an amendment to the LCP, which must be certified by the California Coastal Commission (CCC) before it takes effect. LCP Local Implementation Plan (LIP) Section 1.3.1 states that the provisions of the LCP take precedence over any conflict between the LCP and the City's Zoning Ordinance. In order to prevent

inconsistency between the LCP and the City's Zoning Ordinance, if the LCPA is approved, the City must also approve the corollary amendment to the Zoning Ordinance. This amendment is necessary for the preparation and adoption of the LCPA and because they are entirely dependent on, related to, and duplicative of the exempt activity, they are subject to the same CEQA exemption.

Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies. The amendments to the MMC that are not corollary to the LCP can be seen not to have a significant effect on the environment as they merely create permit and fine requirements and allow structures that existed previously to be rebuilt in the same location with substantially the same purpose and capacity as the structure that would be replaced, while also further protecting coastal resources and hazard protections.

SECTION 3. Local Coastal Program Findings.

Based on evidence contained within the record, including the agenda reports for and the hearings on February 20 and March 4, 2025, the City Council hereby finds that the proposed amendment meets the requirements of, and is in conformance with, the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Updated development standards specific to rebuild projects that were destroyed in natural disaster and relief for those affected, ensure that development standards are in place to facilitate people getting their properties back to where they were before the natural disaster while also incorporating measures that will further enhance and protect coastal resources. Development standards were carefully crafted to meet the goals of the of the LCP.

B. As a part of the LIP, the updated development standards specific to rebuild projects that were destroyed in natural disaster and providing relief for those affected ensure that future development projects and land uses within specific zoning districts conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for rebuild structures to avoid coastal accessways, be sited the most landward feasible and the installation of structures that will protect the coastal resources from contamination greater than current.

SECTION 4. Zoning Text Amendment Findings.

Pursuant to Malibu Municipal Code Section 17.74.040, the City Council hereby makes the following findings:

A. The subject zoning text amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The City Council held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

SECTION 5. Local Coastal Program Amendment No. 25-001, Amendments to the Local Implementation Plan (LIP).

The City Council hereby amends the LIP as follows:

A. Amend Section 2.1 related to LIP definitions to include the following:

SECONDARY DEVELOPMENT PAD - a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

PRIMARY DEVELOPMENT PAD - the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 3.6(M)(1) related to residential development standards for temporary homes, to read as follows:

1. No more than two temporary housing structures which together total no more than one thousand (1,000) square feet shall be permitted.

C. Amend LIP Section 13.4.6(A) and (B), and add Section 13.4.6(A)(4) related to coastal development permit exemptions, to read as follows:

A. The replacement of any structure, other than a public works facility, destroyed by a disaster provided that the replacement structure meets all the of the following criteria:

1. It is for the same use as the destroyed structure;
2. It does not exceed either the floor area, height, or bulk of the destroyed structure by more than ten (10) percent, and

3. It is sited in substantially the same location on the affected property as the destroyed structure.

As used in this section, "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

4. Mechanized equipment or temporary shoring on the beach necessary to construct the replacement structure is allowed under this exemption for beachfront properties only if there are no feasible alternatives and construction activities do not enter the intertidal zone or extend beyond the previously existing primary development pad and appropriate Best Management Practices are used.

B. An onsite wastewater treatment system (OWTS) that was damaged or destroyed by a natural disaster may be replaced and improved provided that the replacement OWTS is located within the existing primary development pad and is the minimum standard size necessary to meet the building code for the existing or replacement structure it serves. If the new OWTS exceeds the minimum standard size or is located outside the primary development pad, then a De Minimis Waiver or OWTS Coastal Development Permit shall be required as applicable by Sections 13.4.11 and 13.29 respectively. For OWTS replacements on or adjacent to a sandy beach or coastal bluff, the OWTS shall be sited in the most landward location feasible and may not extend further seaward than the existing and/or previously existing seawall, whichever is more landward.

D. Amend LIP Section 13.4.11(A) and (A)(1) and (2), and add subsections (3), (4), (5), and (6); Amend 13.4.11(B)(1),(2), (3), and (5); Amend 13.4.11(C)(2) and(3); and amend 13.4.11(D), related to general requirements for de minimis waiver, to read as follows:

13.4.11 General Requirements for De Minimis Waiver

A. General Requirements for De Minimis Waiver.

The requirement for a coastal development permit may be waived through a De Minimis Coastal Development Permit Waiver issued by the planning director for the items listed below where the improvements are not otherwise exempt pursuant to Section 13.4, provided all the requirements of subsections B and C are met. The planning director's decision on whether to issue a de minimis waiver is not locally appealable; however if the development is within the appealable jurisdiction of the California Coastal Commission, the decision of the planning director is appealable to the Coastal Commission as described below in subsection (C).

1. Improvements to an onsite wastewater treatment system (OWTS) serving a structure that replaces one 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 does not meet the exemption criteria of Section 13.4.6(B).

2. 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. This includes accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement, including new cuts on slopes steeper than 3:1 but less than 1:1, subject to geotechnical feasibility review. Retaining walls shall not exceed six (6) feet in height. New retaining walls that replace an existing wall being removed as a result of the driveway widening are allowed to be replaced to the same height of previous wall and may increase in height by a maximum of three (3) additional feet but shall not have a total height in excess of nine (9) feet. Access improvements that do not meet the findings for a waiver may be processed as an administrative coastal development permit (ACDP) under Section 13.13.1(A) or as a regular coastal development permit.
3. Replacement seawalls that exceed ten (10) percent in height. The replacement seawall shall be sited in the same footprint as the previous seawall and shall not expand further seaward nor shall it extend further into an existing public access easement, deed restriction or view corridor.
4. Increases in the previous finished floor elevation for structures that replace one that was damaged or destroyed as result of a natural disaster, where the previous finished floor elevation must be raised to a higher elevation to meet Federal Emergency Management Agency (FEMA) flood zone requirements as determined by the City's floodplain administrator. Such increase shall not exceed the increase in elevation to the finished floor required to meet the minimum FEMA flood zone requirements. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.
5. Replacement structures that would otherwise be exempt from the requirement to obtain a coastal development permit pursuant to Section 13.4.6(A) but are proposed to be sited not in substantially the same location where the damaged or destroyed structure was located so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration. This waiver may include retaining walls and grading necessary for the construction of the relocated structure, but cuts may not be made into slopes steeper than 1:1 and retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet.
6. Water tanks and other water storage devices necessary to construct, install, or use a replacement structure that was damaged or destroyed by a natural disaster and as required or recommended by applicable federal, state and local laws and regulations. New shoreline protection devices are not included under this waiver.

B. Findings for and Reporting of De Minimis Waivers.

All decisions on de minimis waivers shall be accompanied by written findings:

1. That the structures or improvements have no potential for adverse effects, either individually or cumulatively, on coastal resources or public access to the shoreline or along the coast.
2. That the structures or improvements are consistent with the certified Malibu Local Coastal Program, including the resource protection policies, as applicable.
3. If an OWTS is to be relocated on the lot, that the director, in consultation with the environmental health administrator, has determined the relocation is necessary to better protect coastal resources and if on a beachfront lot, is no further seaward than the existing OWTS or no further seaward than the previously existing seawall, whichever is further landward.
4. If driveway/road improvements are proposed, that: (a) they are in the same general alignment as the existing road; (b) they are not located in environmentally sensitive habitat area (ESHA); (c) they do not remove or encroach within the protected zone of native trees; and (d) they do not adversely impact visual resources.
5. For relocation pursuant to Section 13.4.11(A)(5), that the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and primarily safety.

C. Reporting De Minimis Waiver.

1. At the time the application is submitted for filing, the applicant must post, at a conspicuous place as close to the site as possible that is easily accessible by the public and approved by the city, notice, on a form approved by the city, that an application for a de minimis waiver has been submitted to the city. Such notice shall contain a general description of the nature of the proposed development.
2. The planning director shall issue a notice of determination on the application which shall be reported to the planning commission. The notice of determination shall be provided to all known interested parties, including the executive director of the coastal commission, at least ten (10) days prior to the waiver determination being reported to the planning commission. For development within the appealable jurisdiction of the California Commission, the planning director's decision may be appealed by an aggrieved person directly to the California Coastal Commission within ten (10) working days of issuance of the notice of determination only if the development is one of the four types of development listed in the definition of Appealable Coastal Development Permit.
3. 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 structures or improvements. Otherwise, the waiver is effective immediately after the planning commission meeting where the matter is heard.

D. Waiver Expiration.

A de minimis waiver shall expire and be of no further force and effect if the authorized structures or improvements 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.

SECTION 6. Zoning Text Amendment No. 25-001, Amendments to the Malibu Municipal Code (MMC).

The City Council hereby amends Title 17 - Zoning in the MMC as follows:

A. Amend Section 17.02.060 related to definitions to include the following:

"Secondary development pad" means a building pad, disturbed area, or development area that is not connected to a primary development pad other than by a driveway or walkway.

"Primary development pad" means the main building pad, disturbed area, or development area which supported the primary building in which the principal use of the lot was situated or conducted, as distinguished from a secondary building pad or development area that is not attached to the main building pad or development area, for purposes of properties that were damaged or destroyed by a natural disaster. For beachfront lots, decks that were attached to the primary building shall be included in the primary development pad if replaced with another deck in the same footprint.

B. Amend Section 17.40.040(A)(18)(a) and (g) and add subsections (i), (j), and (k) to read as follows:

18. Temporary Housing. Temporary housing structures as used herein means mobilehomes, trailers, recreational vehicles or other structures which are self-contained units which include sanitary facilities, and facilities for normal daily routines including cooking and sleeping. Temporary housing structures do not include any structure placed upon a permanent foundation, nor do they include tents, yurts, or similar fabric or textile installations. Temporary housing structures used as a residence during reconstruction or in anticipation of reconstruction of a residence destroyed due to natural disaster shall be permitted with a temporary housing permit approved by the Planning Director and shall comply with the following conditions:

a. No more than two temporary housing structures which together total no more than 1,000 square feet shall be permitted.

g. Upon expiration of the temporary housing permit, the property owner shall obtain verification from the city that all temporary housing structures have been removed

from the property. Failure to obtain this verification shall result in a fine of $1,000 per day until the verification is obtained.

i. The temporary housing structures shall be occupied only by the property owner(s) or tenant(s) living on the property at the date of the natural disaster, or their families. Should this requirement be violated, the temporary housing structures must be immediately removed, the property will no longer be eligible to place temporary housing on the property for a period of 5 years, and the owner shall be subject to a fine of $1,000 per day. Liens may also be imposed on the property by the City as a means of compliance.

j. The siting of temporary housing shall be supported by a limited geotechnical report prepared by appropriately licensed professionals which evaluates the location of the proposed temporary housing with respect to geologic and flood hazards that the specific location(s) may be exposed to during the proposed four-year use of the location. Specifically, the threat of post-fire debris flows and floods as described by the United States Geological Survey and identified by the Watershed Emergency Response Team Assessments. A finding is required that the specific location of the temporary housing is safe for its intended use for the duration of use. The report must be submitted to the City for review and accepted by the Building Official.

k. If the temporary housing is supported on anything other than wheels or a trailer which can be readily moved (i.e. a manufactured home), it shall comply with requirements for foundations as noted in Chapter 16, 18 and Appendix G – Flood proof Construction of the current California Building Code and requires a building permit from the City. Temporary housing supported on wheels shall be fastened to the ground.

C. Amend Section 17.44.090(A)(1), to read as follows:

1. The maximum square footage of an ADU shall be 1,000 square feet. The maximum square footage shall include interior and exterior walls, finished and unfinished basements, mezzanines, storage space, and any space with a height clearance (floor to ceiling height dimension) above six feet. The area of a garage (400 square feet maximum) provided as part of accessory dwelling unit and exterior decks or overhangs that are attached to the structure shall not be included in the 1,000 square foot limit.

D. Amend Section 17.45.150(B), to read as follows:

B. Prohibition. All properties within a disaster area are temporarily prohibited from obtaining a new or updated primary view determination unless: (1) the request was submitted prior to the date the natural disaster began as declared or proclaimed by the City, State or Federal government, or as determined by the Planning Director if no declaration or proclamation has been made; or (2) the primary view determination would not impose any limitation on replacement landscaping or replacement structures.

E. Amend Section 17.53.090(C)(1)(a),(b), (c), (e), and (f) and add subsections (h), (i), and (j); and amend Section 17.53.090(C)(2), to read as follows:

a. Palm trees and eucalyptus trees are prohibited.
b. All vegetation is prohibited between zero and five feet from a structure.
c. The following species are prohibited within 50 feet of structures: Pine (Pinus species), Cypress (Cupressus species), Cedar (Cedrus species), Ficus (Ficus species), and Tree of Heaven (Ailanthus altissima).

e. Existing eucalyptus trees are allowed between five feet and 50 feet of a structure if a qualified expert, as determined by the director, identifies the tree(s) as a monarch butterfly habitat.
f. The distances for trees and shrubs subject to (b) through (e) shall be measured from the dripline of the tree or shrub at its projected maturity to the outermost projection of the structure including eaves and overhangs. No tree canopy shall be within five feet of the outermost projection of the structure including eaves and overhangs at projected maturity. Smaller diameter tree branches less than two inches must be removed within five feet of the outermost projection of the structure including eaves and overhangs and within 10 feet above the roof.

h. Only efficiently-irrigated plants and trees as allowed by this chapter shall be allowed between five feet and 30 feet of a structure.
i. Irrigation shall be required and maintained on the site in all planting areas between five feet and 100 feet of a structure, except in geologic hazard areas in which irrigation may not be allowed. Any proposed irrigation shall be reviewed by the project geotechnical consultant and conform to existing surficial stability standards, not contribute to any geologic hazard, and not adversely affect offsite properties. The consultant shall include a statement regarding the impact of the proposed irrigation system in the required Section 111 statement. The city shall review analyses and findings provided by the project geotechnical consultant and determine whether irrigation is allowed or required in geologic hazard areas. All vegetation within 100 feet of a structure shall maintain sufficient moisture content and be supported by appropriately designed irrigation.
j. Plants listed in the City of Malibu 'Invasive Species List' are prohibited.

2. Mulch material proposed between zero and five feet from a structure must consist of nonflammable materials, such as gravel and decomposed granite. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Use of wood chips and shredded rubber is prohibited anywhere on the site. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between five feet and 30 feet from a structure. Non-continuous mulched areas shall be separated with non-flammable materials such as gravel, rocks, decomposed granite, or stone. The distance shall be measured from the outermost projection of the

structure including eaves and overhangs. The maximum application area of mulch located between five feet and 30 feet from a structure is 20 feet by 20 feet with a five-foot separation between 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. Organic mulch shall be maintained with at least a 3 inch depth but must not exceed 6 inches in depth.

F. Amend Section 17.60.020(C) and add subsection (C)(1), to read as follows:

C. Any structure, including any structure that was damaged or destroyed by a natural disaster, described in subsection A of this section, may be remodeled, or may be reconstructed in the general location and to the same height as it existed prior to damage or destruction, subject to obtaining planning verification. Structures that were damaged or destroyed by a natural disaster may be permitted, at the discretion of the planning director through approval of a planning verification, to increase the square footage, height or bulk permitted by this title by 10 percent of the existing or previously existing square footage, height or bulk of the structure. Increased height or bulk on non-beachfront properties shall not exceed 18 feet, unless a site plan review is obtained, and increased square footage shall not exceed the limits of Section 17.40.040(A)(13). The application for the reconstruction must be initiated with the city within six years of the date of damage or destruction, and a building permit must be diligently pursued and obtained within eight years from the date of damage or destruction and not become expired. A request for an extension of time past the six-year or eight-year periods may be granted by the planning commission where it finds, based on substantial evidence, that due to unusual circumstances, strict compliance with the six- or eight-year limit creates an undue hardship. Extensions for applications may not total more than three years for a maximum total of nine years from the date of the disaster. Extensions for building permits may not total more than three years for a maximum total of eleven years from the date of the disaster. Any reconstruction shall extend the termination date described in Section 17.60.040 for the use operating within such a structure.

1. Replacement structures on beachfront lots are allowed to meet the minimum increases necessary to meet Federal Emergency Management Agency (FEMA) requirements but shall, to the maximum extent feasible, protect neighboring ocean views. Replacement structures shall seek increases in square footage laterally before they are allowed to increase vertically as viewed by neighboring properties. The height of the structure from the finished floor to the roof may remain the same as existed for the prior structure even if the prior structure was nonconforming in height. No additional height shall be allowed for the replacement structure if it has a nonconforming height. A conforming structure shall not be granted an additional height increase if it creates a nonconforming height.

G. Delete Section 17.60.020(F).

H. Amend Section 17.62.030(A), to read as follows:

A. An administrative plan review shall be required for the following development projects, unless they fall under the provisions for a rebuild development permit as provided in Section 17.62.080. If the project meets the requirements of this title and is consistent with Chapter 17.40, the planning manager/ director shall issue a development permit.

I. Amend Section 17.62.040(A) and (A)(10); and add subsection (A)(13) and (C)(1), to read as follows:

A. The planning manager/director may approve a site plan review after consultation with all appropriate city staff and specialists including the building official, city engineer, city biologist, city geologist, city archeologist and city coastal engineer; and where substantial evidence supports the findings set forth in subsection D of this section for new construction or reconstruction of structures authorizing the following:

10. Sea walls, bulkheads, or any other shoreline protective devices, except for those that meet the requirements for a De Minimis Waiver listed in LIP Section 13.4.11 or rebuild development permit listed in Section 17.62.080 as required;

13. Non-beachfront development over 18 feet in height on a replacement structure where the previously existing structure was damaged or destroyed by a natural disaster and the replacement structure is not sited substantially in the same location on the affected property as the damaged or destroyed structure, so long as the new location is substantially superior after considering the impact of the relocation on ESHA, visual resources, and safety; with safety being the primary consideration.

C. Notice of Application Filing. Within 10 calendar days from the receipt date of a complete application, the planning manager/director shall notify in writing of the filing of the application to property owners and residents of all property within a 500 foot radius of the proposed project, but in no event fewer than the owners and occupants of 10 developed properties. Notwithstanding the foregoing, for property in the RR-10 and RR-20 zones the notice radius shall be 1,000 feet. The purpose of the notice is to inform the surrounding property owners and residents of the filing of the application and provide an opportunity for comment on the application prior to the planning manager/director's decision. The notice shall describe the request, provide a map showing the specific location of the property, describe the review process and timeframes, and indicate how to contact the case planner assigned to the application.

1. For development over 18 feet in height where the replacement structure is not proposed to be sited in substantially the same location on the affected property as the damaged or destroyed structure, a notice of application shall be provided to all properties within a 1,000 foot radius of the development.

J. Add Section 17.62.080. Rebuild development permit, to read as follows:

§ 17.62.080. Rebuild development permit.

A. A rebuild development permit shall be required for the following development projects related to structures being replaced after being damaged or destroyed in a natural disaster. It shall be issued by planning manager/director upon demonstrating by a preponderance of the evidence that all requirements of the municipal code are met, as applicable.

1. Mechanized equipment or temporary shoring on the beach necessary to construct beachfront properties so long as construction activities do not enter the intertidal zone and in no case shall extend beyond the previously existing primary development pad.

2. An onsite wastewater treatment system (OWTS) that replaces or improves an OWTS serving a structure that that was damaged or destroyed by a natural disaster.

a. OWTS replacements on a sandy beach or coastal bluff shall be sited the most landward feasible as determined by appropriate city staff, shall not impact existing public accessways, and shall not extend seaward of the previously existing primary development pad.

b. OWTS replacements shall be located in the least environmentally impactful area.

3. New seawalls, as determined necessary by the planning director or building official to protect coastal resources, that protect an OWTS serving a structure that was damaged or destroyed by a natural disaster. New seawalls shall be sited only at the boundary of OWTS that it protects. New seawalls shall not extend into any existing public access easements or public access deed restrictions, excluding any such easements or deed restrictions on the seaward side of the OWTS it protects, and shall not expand further into previously approved public view corridors or further into open space deed restrictions.

4. Any new structure or improvement (including, but not limited to, foundation systems, utilities, driveways, water tanks, and other water storage devices) that is necessary or recommended to construct, install, or use the replacement structure described in subsection (A) in compliance with all applicable state and local laws and regulations.

5. 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. Accessory structures, such as retaining walls, necessary to accommodate the driveway or access road improvement shall also be allowed, including new cuts on slopes steeper than 3:1 but shall not exceed 1:1 or steeper. Retaining walls shall not exceed six feet in height for any one wall, nor twelve (12) feet for any combination of walls (including required freeboard), and which shall be separated by at least three feet. Improvements shall not extend into a public access easement or public access deed restriction and shall not expand further into a previously approved public view corridor (except for on-grade driveways), or further into open space deed restrictions. Access improvements that

do not meet the requirements of this subsection may be processed as an administrative coastal development permit or as a regular coastal development permit as listed in the Malibu LIP.

B. Application Submittal. An application shall be filed with the planning division and may be part of the planning verification application for replacement structures that were damaged or destroyed by a natural disaster. Applications shall be complete only after all required information is submitted; review by all appropriate city staff and specialists including review by the building official, city engineer, city biologist, city geologist, city archeologist, city coastal engineer and city environmental health specialist, as deemed necessary, is complete; and the application fee determined by resolution of the city council is paid.

C. Action. The planning manager/director shall approve, deny, or approve with conditions a rebuild development permit within 15 calendar days from the date of a complete application. Complete application determinations shall be determined solely by the City. The City may include incomplete/or nonconforming plans as a basis for an incomplete application in addition to standard application requirements. No decision shall be subject to invalidation on the grounds that it is made after the deadline. The applicant shall be informed of the action by letter and/or approved plans. Action of the planning manager/director shall be final and not appealable.

D. Expiration. An approved rebuild development permit shall expire three years from the date of final approval, unless a time extension has been granted, or work has commenced and substantial progress made (as determined by the building official) and the work is continuing under a valid building permit. If no building permit is required, the rebuild development permit approval shall expire after three years from the date of final planning approval if construction is not completed. If a rebuild development permit is included within a planning verification application pursuant to Section 17.60.020(C), then the rebuild development permit shall expire when the planning verification expires.

E. Extension. The planning manager/director may grant up to four one-year extensions of the expiration of a rebuild development permit approval, if the planning manager/director finds, Based on substantial evidence, that due to unusual circumstances, strict compliance with the expiration date of the permit would create an undue hardship for the applicant.

SECTION 7. Effective Date.

The LCPA sections referenced in Section 5 of this Ordinance shall become effective upon certification by the California Coastal Commission. The ZTA sections referenced in Section 6 of this ordinance shall become effective 30 days following adoption by the City Council.

SECTION 8. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality or the remaining portions of this Ordinance; it being hereby expressly declared and this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phases be declared invalid or unconstitutional.

SECTION 9. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED, and ADOPTED this 12th day of March 2025.

MARIANNE RIGGINS, Mayor Pro-Tem

ATTEST:

CHRISTINA MUNOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal) 3/12/2025

APPROVED AS TO FORM:

KELLAN MARTZ, Assistant City Attorney
for TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 524 was passed and adopted at the Adjourned Regular City Council meeting of March 12, 2025, by the following vote:

AYES:	3	Councilmembers:	Conrad, Uhring, Riggins
NOES:	0		
ABSTAIN:	1	Councilmembers:	Silverstein
ABSENT:	1	Councilmembers:	Stewart

CHRISTINA MUÑOZ, Deputy City Clerk
for KELSEY PETTIJOHN, City Clerk
(seal)

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 5.A.

To: Chair Peak and Members of the Planning Commission

Prepared by: Gina Paolini, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Coastal Development Permit No. 23-028, Site Plan Review No. 23-032 and Minor Modification No. 26-004 – An application for a new single-family residence and associated site improvements

Location: 6200 Porterdale Drive, not within the appealable coastal zone
APN: 4467-004-040
Owner: Brad Folb

RECOMMENDED ACTION: Continue this item to the September 22, 2026 Regular Planning Commission meeting.

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 5.B.

To: Chair Peak and Members of the Planning Commission

Prepared by: Adam Pisarkiewicz, AICP, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Coastal Development Permit No. 20-033, Conditional Use Permit No. 18-004 and Demolition Permit No. 20-018 – An application to continue the operation of an existing restaurant and associated building improvements

Location: 6800 Westward Beach Road, Unit 1
APN: 4468-022-001
Owner: 6800 Westward Beach Road LP
Tenant: Sunset Restaurant & Beach Bar, Inc.

RECOMMENDED ACTION: Continue this item to the September 22, 2026 Regular Planning Commission meeting.

Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 5.C.

To: Chair Peak and Members of the Planning Commission

Prepared by: Samantha Elias, Associate Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 23, 2026 Meeting date: August 3, 2026

Subject: Coastal Development Permit No. 26-032, Conditional Use Permit 26-005, and Variance No. 26-008 – A follow-up application to Emergency Coastal Development Permit No. 25-017 for a temporary public utility laydown yard to store materials and vehicles; including a variance for development on slopes steeper than 2.5 to 1

Location: 4000 Corral Canyon Road, partially within the appealable coastal zone
APN: 4459-006-270
Owner: Los Angeles Department of Water and Power (LADWP)

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 26-23 (Exhibit A) determining the project is categorically exempt from the California Environmental Quality Act (CEQA) and approving Coastal Development Permit (CDP) No. 26-032 as follow-up to Emergency Coastal Development Permit (ECDP) No. 25-017 (Exhibit B) to construct a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, utility hook-ups, and the complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven year period; including Conditional Use Permit (CUP) No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance (VAR) No. 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre (RR-20) zoning district at

4000 Corral Canyon Road (LADWP); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: This agenda report provides a background, project overview, project setting, and a summary of the surrounding land uses, description of the proposed project, an analysis of the project's consistency with the applicable provisions of the Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC), and environmental review pursuant to CEQA. The Planning Commission can consider the merits of the project and determine if the analysis demonstrates the project is consistent with the LCP and MMC with the inclusion of the VAR or constitutes a denial if the findings cannot be made.

The VAR has been added to the project as earlier renditions of the color-coded slope analysis with one-foot contours, approved under the ECDP, showed impacts to a small sliver of steep slopes (steeper than 2.5:1) at the toe of the proposed driveway. The City's long-standing practice, as identified on the City's official submittal checklist and documented through years of Planning Commission precedent, has been to analyze slopes based on five-foot contour maps rather than the one-foot contours provided originally by the applicant. An updated color-coded slope analysis with five-foot contours and simplified formatting to clarify the areas with steep slopes was provided by the applicant. The updated slope analysis showed no impacts to slopes steeper than 2.5 to 1, however due to outstanding discrepancies between the updated slope analyses that have not been verified between the two maps, City staff is processing a VAR until certain that the slopes are not steeper than 2.5:1. The original slope analysis is within Exhibit B - ECDP No. 25-017. An updated version of the original with modified colors and the most recent slope analysis are available for the Planning Commission's review in Exhibit C - Project Plans. The applicant is attempting to provide sufficient evidence to the City prior to the meeting to clear the discrepancies.

Background

The Palisades Fire commenced on January 7, 2025 and the Los Angeles County Fire Department (LACFD) reported that 23,448 acres burned and 6,837 structures were destroyed across multiple jurisdictions, in addition to damages to public infrastructure. In response, LADWP required a utility laydown yard for the storage of vehicles and materials within a reasonable distance of the Pacific Palisades community to conduct restoration work for critical public utilities and underground infrastructure damaged in the fire. LADWP is a municipal utility provider in the City of Los Angeles that provides essential services such as water and electricity to millions of residents in the City of Los Angeles and is directly serving the Pacific Palisades area. Even though LADWP does not provide services within the City of Malibu, it owns property in Malibu at the subject location.

As part of its fire recovery efforts, LADWP initially operated at the Palisades Recreation Center located on Alma Real Drive in Pacific Palisades for one year before the Army Corps of Engineers commenced debris removal and demolition of the site, necessitating LADWP's relocation. Since that time, portions of the center have been reopened to the public.

LADWP considered utilizing another property they owned in Pacific Palisades on Marquez Avenue, however the location was designated by the Mayor of the City of Los Angeles as the Palisades Inspections and Permitting Support Center. The center was constructed in an expedited manner and the space on the site became limited for LADWP's use. LADWP's Real Estate Group searched for other available sites within the area and was not able to identify alternative sites that would meet the size, accessibility, or costs necessary to operate the laydown yard.

On September 2, 2025, LADWP submitted an ECDP application to the City of Malibu for a temporary laydown yard on the subject parcel. While the ECDP was in process, LADWP temporarily leased other locations in the Pacific Palisades and at the intersection of Topanga Canyon Boulevard and Pacific Coast Highway (PCH). These interim locations served as temporary solutions pending the approval of the ECDP. However, they were not suitable for LADWP's needs as the sites were too small to accommodate all their equipment and operations during the restoration period. Additionally, the Topanga Canyon Boulevard site had a month-to-month lease that could expire at any time, potentially leading up to the original pre-fire tenants renewing their leases and LADWP having to relocate.

ECDP No. 25-017 was approved on March 24, 2026 and grading permits were issued on May 2, 2026 after completing building plan check review. The ECDP authorized the placement of four storage trailers, grading a new access driveway on slopes steeper than 2.5 to 1 without need for retaining walls, fencing, and the placement of permeable aggregate base on areas planned for use. The ECDP did not authorize nighttime lighting, portable toilets, or utility hook-ups. Emergencies are defined in LCP Local Implementation Plan (LIP) Section 2.1 as "a sudden unexpected occurrence demanding, immediate action to prevent **or mitigate** loss or damage to life, health, property, or **essential public services**." The definition does not limit an emergency or public services to be within City limits, but as experienced by the City and surrounding communities, the Palisades Fire resulted in necessary emergency actions within and outside of the City. An emergency was declared for the Palisades Fire by the President of the United States, the Governor of California, and the Mayor of Malibu. The unprecedented damage to critical public utility infrastructure in the Pacific Palisades required immediate action to mitigate the loss and restore essential public services and continues to be a priority for LADWP's restoration activities today.

LIP Section 13.14(F) requires that a regular follow-up CDP be submitted for processing within 90 days of an approved ECDP. ECDP No. 25-017 had a specially modified condition that required CDP approval within 90 days to ensure continued momentum with the follow-up CDP. This was memorialized in ECDP No. 25-017 by Condition No. 5. Additionally, all development authorized by an ECDP is considered temporary unless and until a regular CDP is obtained. Inability to obtain this CDP approval requires that all development approved by the ECDP be removed and the site restored to its original site conditions.

Due to the 90-day requirement in Condition No. 5, LADWP did not have sufficient time to complete the development authorized and had to halt vegetation removal and driveway grading activities. Most of the grading for the driveway has been completed. None of the temporary structures approved by the ECDP have been placed onsite beyond fencing to secure the site. LADWP plans to complete the development and utilize the site upon issuance of the subject CDP for seven years. On May 1, 2026, the subject CDP application was submitted to the Planning Division for processing.

Project Overview

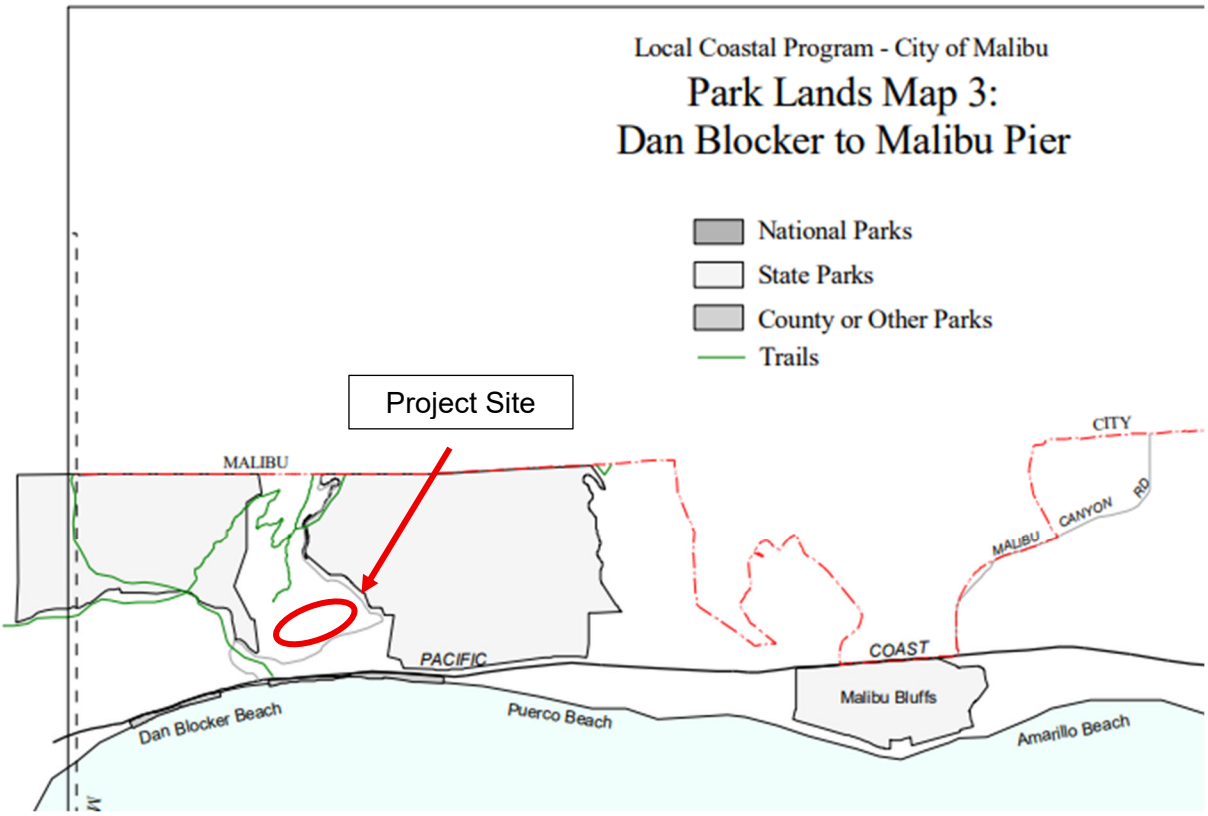
As shown in Figure 1, the subject parcel is an irregularly shaped, 97-acre lot located between Corral Canyon Park and Solstice Canyon, generally stretching between PCH to the south and the City's northern city limit. The project site was vacant prior to the approval of ECDP No. 25-017. The parcel is approximately 97 acres but less than two acres are requested for the proposed project, marked with a red outline in Figure 1. The parcel is privately owned and the project area is not open to the general public like the parklands to the north, west (Solstice Canyon), and east (Corral Canyon Park). There are LCP mapped trail systems at the north of the property connecting the two parklands but the subject parcel is not a parkland according to the LCP Park Lands Map (Figure 2).

Figure 1 – Site Map



Source: City GIS (2022)

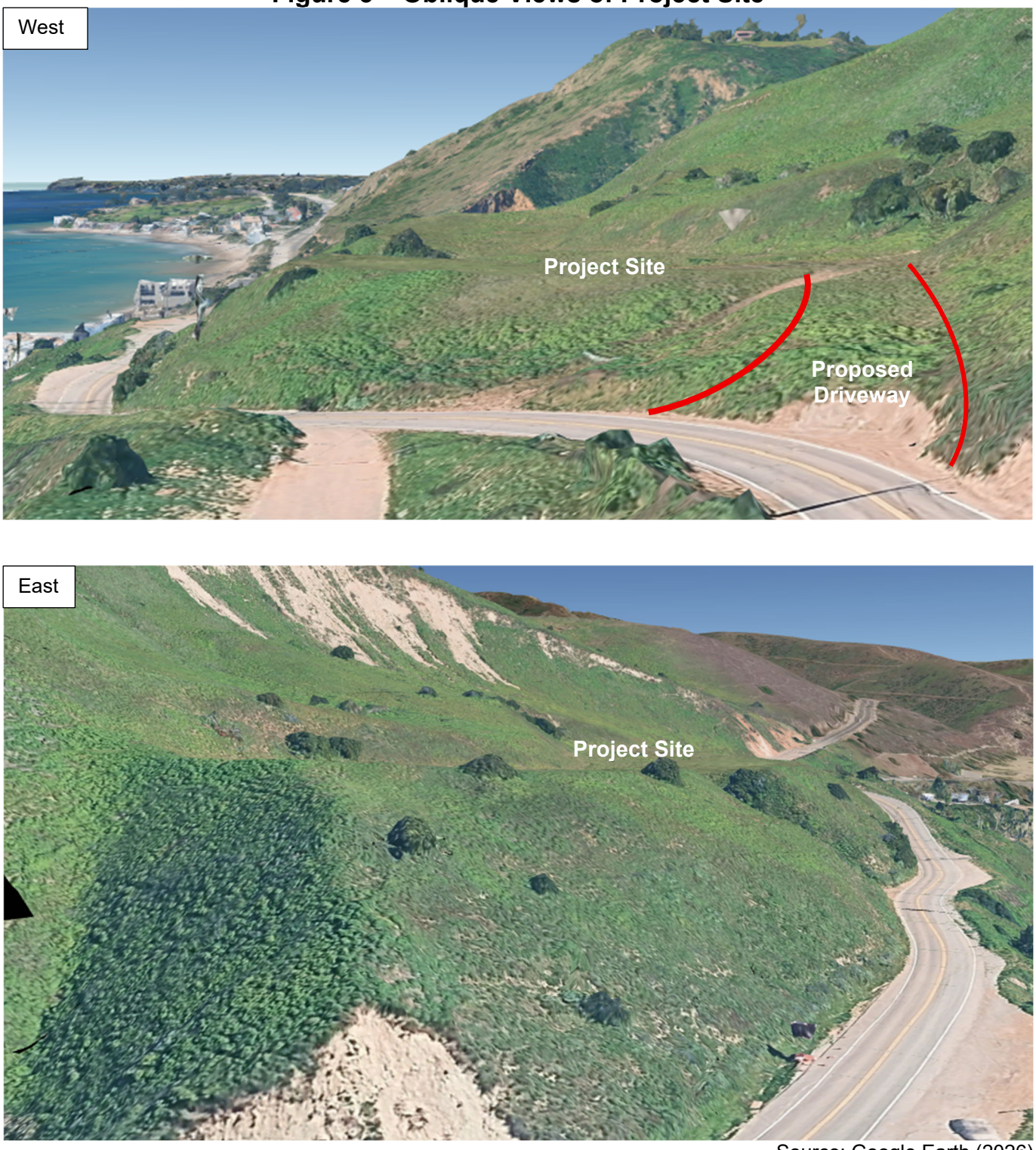
Figure 2 – LCP Park Lands Map and Site Map



Source: Malibu Local Coastal Program Park Lands Map

Figure 3 shows aerial views of the project site, which is located in a smaller area approximately two acres in size near the southern part of the parcel, closer to pre-existing development within the RV Park and Calamigos Beach Club. As shown in Figure 3, the project site utilizes an existing pad that ranges from flat to gently sloped topography framed by steep slopes. Access would be taken from Corral Canyon Road via a new access driveway on slopes ranging from flatter than 4 to 1 to 2.5 to 1 and steeper (based on current information). An existing 10-foot (ft.) wide access driveway from Corral Canyon Road to the project site would not be used due to its limited width, steep grade, and inability to provide safe ingress/egress for vehicles. Existing chain-link fencing would remain except for the area of the new proposed driveway.

Figure 3 – Oblique Views of Project Site



Source: Google Earth (2026)

Figure 4 shows that heavy grading occurred on the project site in 1947. The proposed development is sited within this previously disturbed area except for the new driveway.

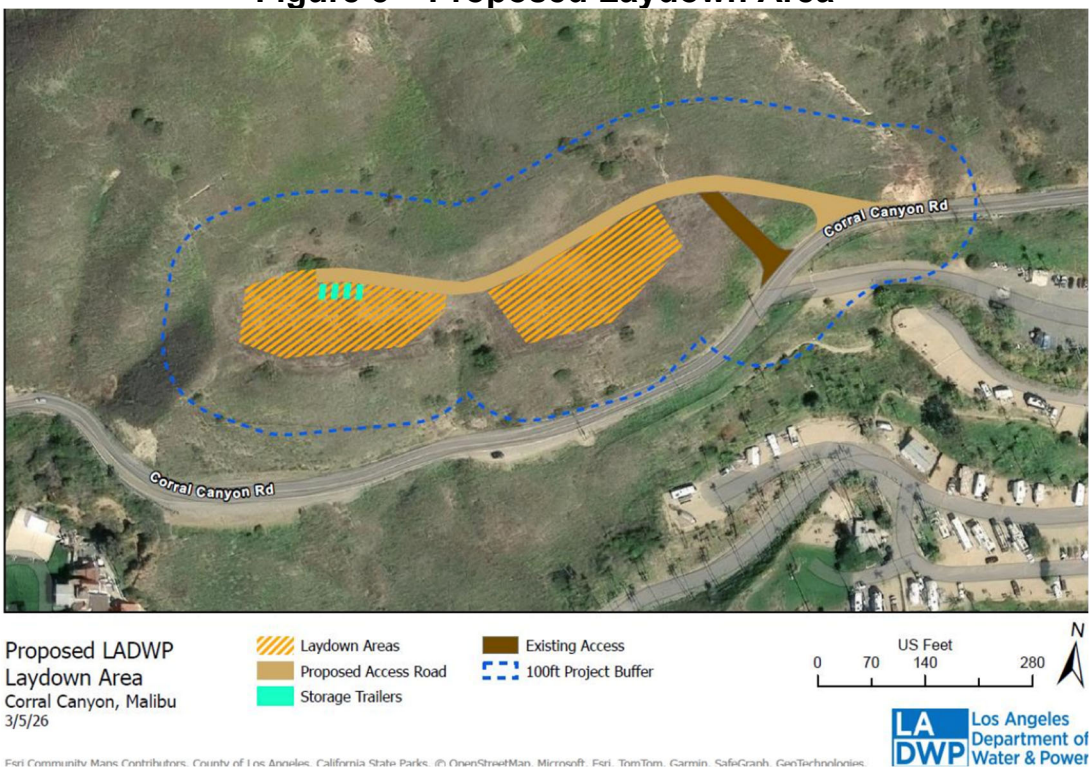
Figure 4 – Historical Grading from 1947



Source: Project Initial Evaluation, Aspen Environmental 2026

Figure 5 shows the limits of the proposed laydown area on the project site in orange.

Figure 5 – Proposed Laydown Area



Source: ECDP Project Application

The subject application proposes the development approved under ECDP No. 25-017, expanded to include four additional storage trailers (eight trailers total), dark sky compliant lighting, six portable toilets, and utility hook-ups as shown on the project plans (Exhibit C). All development is considered temporary and includes no permanent foundation. The application requests the temporary use of the project site as a public utility facility for a period of seven years. Uses would be limited to a temporary utility laydown yard to accommodate LADWP's fire restoration work in the Pacific Palisades. Once restoration work is complete, LADWP would vacate the site and restore the project area to its original condition. Restoration includes improving existing floral conditions even greater than what it was prior to the laydown yard activities. The application includes CUP No. 26-005 to authorize a public utility facility comprised of a temporary utility laydown yard in the RR-20 zoning district and VAR No. 26-008 to authorize the placement of structures on slopes steeper than 2.5 to 1 in order to develop the new access driveway authorized in ECDP No. 25-017.

The proposed hours of operation for the laydown yard would be 6:00 AM to 6:00 PM, Monday through Saturday. The project site will be used to store materials and vehicles. Typical daily activities would include materials and equipment being loaded onto a maximum of six trucks (30 feet or less in length) in the morning. The trucks will drive out to their construction sites in the Pacific Palisades, where the trucks will remain for the day. The trucks would return to the laydown yard in the evening and unload any equipment and/or potential unused materials at the end of the day. A total of two daily trips (to the Palisades and back to Malibu) will be conducted. Material deliveries would come from the greater Los Angeles Area through Malbu Canyon Road and to the site, avoiding the fire affected area. There will be no vehicle maintenance onsite, and the laydown yard is not a designated reporting location for workers. A security team may patrol the site occasionally to deter possible theft and vandalism.

At the end of the seven-year period, the site is required to be completely restored to its original condition and even improved upon via required seeding and planting to rehabilitate areas that have been affected by manmade landform alteration occurring over many decades.

Project Setting and Surrounding Land Uses

Table 1 provides a summary of the dimensions and area of the subject parcel. Note that the project area would be limited to approximately two acres in size.

Table 1 – Parcel Data[1]	
Lot Depth	2,988 ft.
Lot Width	1,206 ft.
Gross Lot Area	4,225,149 sf. (97 acres)

The project site is not within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development Permit in LIP Section 2.1. While a portion of the northernmost corner of the subject parcel is located in the Appeal Jurisdiction, the proposed development area is in the southern portion of the parcel and well outside of the Appeal Jurisdiction.

As stated previously, the subject parcel is not designated park lands as shown on the LCP Park Lands Map but is located between two recreational areas – Solstice Canyon operated by the National Park Service (NPS) to the west and Corral Canyon operated by the Mountains Recreation Conservation Authority (MRCA) to the east. The LCP Park Lands map identifies a mapped trail on the northern half of the subject parcel; however, no trails are mapped or existing on the lower half of the subject parcel. A recreational vehicle (RV) park is located south of the subject parcel. Due to the location of the project site on a small two-acre site adjacent to Corral Canyon Road, no impact to adjacent recreational lands or the onsite mapped trail are anticipated.

The subject parcel is visible from two LCP designated scenic roads, PCH and Corral Canyon Road, and two public viewing areas along Corral Canyon Road. The project site is landside of these areas and due to the topography of the parcel and the location of the proposed development, there will be no significant scenic or visual impacts. The project site is visible from Corral Canyon Road while descending toward southwest, however, photos were taken of the site after the majority of the grading took place and the dirt removed by the grading is still onsite at the time of the photo. The storage containers approved under the ECDP have not been placed onsite, but as shown in Figure 6, the dirt mound is significantly taller than the container height of 9.5 ft. and does not block any scenic views of the mountains or ocean. The dirt pile will be removed from the site following the approval of the CDP.

[1] Due to the size of the parcel and the limited area of the project site, a survey of the entire parcel was not required, including information to determine the Net Lot Area which excludes 1 to 1 slopes and public/private street easements. These measurements are approximate values provided by the City's GIS and the Los Angeles County Tax Assessor information.

Figure 6 – Site Photo from Corral Canyon Road



Source: City Staff (2026)

The subject parcel, including the project site, is zoned RR-20. Parcels to the west and east are zoned Public Open Space (POS) with exception of one vacant parcel to the west in the RR-20 zone. Parcels to the south are zoned RV Park (RVP) and Commercial Visitor Serving-One (CV-1). The nearest developments to the project site are two commercial properties, the Malibu Beach RV Park and the Calamigos Beach Club, zoned RVP and CV-1. The northern edge of the subject parcel, well away from the project site, is bordered by residential properties within Unincorporated Los Angeles County with the nearest residence approximately one-half mile from the project site.

Table 2 provides a summary of the neighboring surrounding land uses and lot sizes.

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Lot Size**	**Zoning**	**Land Use**
North	44570-016-031	0.17 acres	Residential	Vacant
	3058 Sequit Dr. (County)	0.36 acres	Residential	Single Family Residence
	3035 Sequit Dr. (County)	0.18 acres	Residential	Single Family Residence
	3029 Sequit Dr. (County)	0.19 acres	Residential	Single Family Residence
	3025 Sequit Dr. (County)	0.45 acres	Residential	Single Family Residence
	3003 Sequit Dr. (County)	0.23 acres	Residential	Single Family Residence

	3015 Sequit Dr. (County)	0.46 acres	Residential	Single Family Residence
	2975 Sequit Dr. (County)	0.31 acres	Residential	Single Family Residence
	2955 Sequit Dr. (County)	0.35 acres	Residential	Single Family Residence
	4457-023-003 (County)	3.34 acres	Agriculture	Vacant
	2911 Sequit Dr. (County)	4.0 acres	Residential	Single Family Residence
South	25801 Pacific Coast Hwy	14.56 acres	RVP	RV Park
	4459-008-900	2.08 acres	CV-1	Vacant
	26023 Pacific Coast Hwy	4.81 acres	CV-1	Beach Club
West	4459-006-903	3.35 acres	RR-20	Vacant
	4459-006-902	5.26 acres	POS	Public Open Space
	4459-006-900	64.62 acres	POS	Public Open Space
East	4459-007-900	48.40 acres	POS	Public Open Space
	25635 Pacific Coast Hwy	170.10 acres	POS	Public Open Space

Environmentally Sensitive Habitat Area (ESHA)

The LCP ESHA Overlay map shows the subject parcel as mapped ESHA. However, pursuant to LIP Section 4.3(C): "*If the applicant's site-specific biological study or other independent information contains substantial evidence that an area previously shown on the ESHA overlay does not contain habitat that meets the definition of "environmentally sensitive area", the City shall determine the physical extent of habitat that does meet the definition of "environmentally sensitive area" on the project site."* Further LIP Section 4.3(C) states, *"If an area is not ESHA or ESHA buffer, LCP policies and standards for protection of ESHA and ESHA buffer shall not apply and development may be permitted (consistent with all other LCP requirements) even if the LUP ESHA Map and ESHA Overlay Map have not yet been amended."*

Prior to approving the ECDP, multiple biological surveys were conducted on the site by Aspen Environmental Group (Aspen) and a Biological Assessment (BA) was prepared by the Environmental Planning and Assessment division of LADWP in July 2025 and an assessment specific to the ESHA determination was prepared March 2026, with an addendum prepared in July 2026 (Exhibit D - March and July 2026 Biological Assessments).

The assessments concluded, to the satisfaction of the City staff and the City Biologist, that the project site and area within 100 ft. of it do not meet the definition of ESHA. The 100 ft.

area is considered an ESHA buffer and the area beyond the 100 ft. vicinity is considered to meet the definition of ESHA unless demonstrated otherwise with additional biological assessments.

While no special status wildlife species were seen during the surveys, they have some potential to occur on the site. Precautionary measures shall be taken to preserve any potential for special status species in the future. The Avoidance and Mitigation Measures in Appendix A of the March 2026 assessment shall be implemented as a condition of approval. The potential for habitat does not make an area ESHA pursuant to the LCP, instead ESHA is evaluated under LIP Section 4.3(B)(1-6). The site did not meet any of the six criteria for being an ESHA, as surveyed by the applicant's biologist and confirmed by the City's Biologist through a site visit and evaluation of the evidence in the record:

1. There was no habitat area that is rare or especially valuable from a local, regional, or statewide basis.

2. There was no habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law.

3. There was no habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State law or regulations.

4. There was no habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (Rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.

5. There was no designated Area of Special Biological Significance, or Marine Protected Area.

6. There were no streams identified within 100 feet of the project area.

Proposed development would not encroach into the 100 ft. ESHA buffer and there is no required fuel modification as the trailers are temporary.

Environmental Review Board

Being within 200 feet of mapped ESHA, the project required review from the Environmental Review Board (ERB) (LIP Section 4.4.4(E)). The ERB concurred with the findings from the City's Biologist that the project site is not ESHA and recommended the following in regard to restoration activities:

- Plant winter nectar plants instead of restoring milkweed population to support a monarch overwintering site within a mile of the project area

- Restoration activities should be outside of the existing developed pad if the intent is to potentially use the pad for a future use after the laydown yard.

Winter nectar plants shall be conditioned to be included in restoration efforts along with restoring previous milkweed populations. The site will be required to be restored to its previous conditions prior to construction activity, including the new driveway, but a condition will be added that an additional area outside of the existing development pad will be restored and improved.

An additional recommendation was made in regard to site drainage. The ERB recommended additional Best Management Practices for drainage control be installed beyond fiber rolls, in the form of silt fences and gravel bags for any time the site is open bare ground.

These recommendations have been included as required conditions in the attached resolution.

Project Description

The proposed scope of work is as follows (Exhibit C – Project Plans).

Construction:

a. Three laydown areas with eight temporary trailers (8 ft. x 40 ft.) ;
b. 16-ft. wide permeable access driveway;
c. Approximately 848 cubic yards (c.y.) of non-exempt grading to develop the access driveway;
d. 6 ft. tall chain-link fencing around the material storage areas;
e. 20 ft. wide, 8 ft. tall chain-link driveway gate;
f. Dark sky compliant lighting comprised of (12) 10 ft. tall light poles along the driveway and main site access and (11) 40 inch (in.) tall light bollards around service yard vehicle access paths (3,000 Kelvin);
g. Six portable toilets;
h. Placement of approximately 20,900 sf. of permeable aggregate base and geo grid for operational areas;
i. Utility hook-ups; and
j. Complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven-year period.

Additional Requests:

k. CUP No. 26-005 for a temporary public utility facility in the form of a utility laydown yard for a period of seven years within the RR-20 zoning district; and
l. VAR No. 26-008 to allow for grading a driveway on slopes steeper than 2.5 to 1.

Proposed Total Development Square Footage (TDSF)

- Eight temporary containers and six portable toilets 2,656 sf.

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 CDP 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) Wastewater Treatment System Standards. Conformance with these LIP chapters is made below.

The nine remaining LIP chapters contain required findings: 1) CDP; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. For the reasons described in this report and resolution, 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: CDP; Scenic, Visual and Hillside Protection; and Hazards. These findings are made in the resolution for Commission's consideration should the Commission make the findings to approve the project. If the Commission decides that one or more of the findings cannot be made, staff would need to be directed to return with a denial resolution and the reasons why.

The proposed project has been reviewed by the Planning Division, City Biologist, City Public Works Department, and the City geotechnical consultant reviewers (Exhibit E – Department Review Sheets). All conditions of approval from reviewers are included in the resolution. The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies.

Zoning (LIP Chapter 3)

The project is subject to the non-beachfront residential development and design standards set forth under LIP Sections 3.5 and 3.6. While the project does not propose residential development, for which the development and design standards are intended, the proposed project conforms to the applicable standards as set forth under LIP Chapter 3 for height,

setbacks and other applicable development standards. Table 3 provides a summary and indicates the proposed project meets those standards, inclusive of the requested VAR.

Table 3 – Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
SETBACKS (ft.)[3]			
Front Yard	65	65	Complies
Rear Yard	448	2,788	Complies
Side Yard (Minimum 10%)	121	842	Complies
Side Yard	181	288	Complies
Total Side Yard (Cumulative 25%)	302	1,130	Complies
Total Development Square Footage (TDSF) (sf.)			
TDSF	11,172	2,656	Complies
HEIGHT (ft. in.)			
Storage Containers	18’	9’ 6”	Complies
IMPERMEABLE COVERAGE (sf.)	25,000	2,656	Complies
NON-EXEMPT GRADING (c.y.)	1,000	848	Complies
STRUCTURES ON SLOPES	3 to 1 and flatter	3 to 1 and flatter	**VAR**
FENCES/WALLS/HEDGES (ft. in.)			
Front Yard			
Impermeable	42”	0’	Complies
Permeable	6’	6’	Complies
Rear & Side Yard	6’	6’	Complies
Outside of Required Setbacks	12’ (vehicle gate)	8’	Complies

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 c.y. for a residential parcel. The total amount of proposed non-exempt grading is 848 c.y., which is less than the maximum allowable of 1,000 c.y. per residential parcel. No exempt grading is required or proposed, including removal and recompaction, understructure, and safety grading. The proposed total amount of non-exempt grading conforms to the grading requirements.

[3] Due to the size of the parcel and the limit of the scope of work, a full survey of the entire property was not required. These measurements are approximate values provided by the City’s GIS

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. Prior to grading the site for the approved work under the ECDP, an initial evaluation was conducted by Aspen Environmental Group (Aspen), for the project site on May 15, 2026. While the project site is within 0.25 miles of four archaeological resources, Aspen concluded that there is no indication of prehistoric or historic archaeological resources discovered in the project area. Aspen determined that any proposed improvements should have no adverse impacts to known cultural resources.

As previously shown in Figures 3 and 4, the project site utilizes a previously disturbed pad and appears to have been heavily graded in 1947 as shown in an aerial image from Aspen's archeology report. As a result, the proposed development is not expected to have a significant impact on cultural resources. Accordingly, staff determined that no further study is required at this time and any proposed improvements within the project area will have no adverse impact on known or potential cultural resources. As previously stated, the majority of the grading has been completed and to date no archaeological resources have been found. Nevertheless, a condition of approval would be included in the resolution which would state that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources, and until the Community Development 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. A Local Storm Water Pollution Prevention Plan (LSWPPP) incorporating a construction-phase Erosion and Sediment Control Plan and Best Management Practices had been approved under the ECDP and the majority of the approved grading was completed. No additional scope of work proposed under the subject CDP would impact the LSWPPP's previous approval. The proposed project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

This project does not propose a new or replacement OWTS, and there is no existing OWTS onsite. Six portable toilets would be provided and serviced regularly. Therefore, this chapter does not apply.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project. The Community Development 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 – New Construction and 15304 – Minor Alterations to Land. The Community Development 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: As of the publication of this report, the following correspondence has been received by the Planning Division (Exhibit F):

- Emails dated June 15 and June 17, 2026, from Frank Angel expressing concerns regarding the project.

Members of Malibu Township Council expressed concerns at a City Council meeting related to ESHA and grading.

PUBLIC NOTICE: On July 9, 2026, the Planning Division 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 1,000 ft. radius of the subject parcel (Exhibit G).

SUMMARY: Consider if the project is categorically exempt from CEQA, and either 1) adopt Planning Commission Resolution No. 26-23; or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

EXHIBITS:

A. Planning Commission Resolution No. 26-23
B. ECDP No. 25-017
C. Project Plans
D. March and July 2026 Biological Assessments
E. Department Review Sheets
F. Public Correspondence
G. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-23

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. 26-032 AS FOLLOW-UP TO EMERGENCY COASTAL DEVELOPMENT PERMIT NO. 25-017 TO CONSTRUCT A TEMPORARY UTILITY LAYDOWN YARD TO BE OPERATED OVER A PERIOD OF SEVEN YEARS, INCLUDING THE PLACEMENT OF EIGHT STORAGE TRAILERS, A NEW ACCESS DRIVEWAY, FENCING, VEHICLE GATE, DARK SKY COMPLIANT LIGHTING, SIX PORTABLE TOILETS, THE PLACEMENT OF A PERMEABLE AGGREGATE BASE FOR THE OPERATIONAL AREA, UTILITY HOOK-UPS, AND THE COMPLETE RESTORATION AND IMPROVEMENT OF SITE ENVIRONMENTAL CONDITIONS THAN EXISTING CONDITIONS PRIOR TO CONSTRUCTION ACTIVITIES AT THE END OF THE SEVEN YEAR PERIOD; INCLUDING CONDITIONAL USE PERMIT NO. 26-005 FOR THE OPERATION OF A PUBLIC UTILITY FACILITY COMPRISED OF A TEMPORARY UTILITY LAYDOWN YARD AND VARIANCE NO. 26-008 FOR DEVELOPMENT ON SLOPES STEEPER THAN 2.5 TO 1 LOCATED IN THE RURAL RESIDENTIAL, 20-ACRE ZONING DISTRICT AT 4000 CORRAL CANYON ROAD (LOS ANGELES DEPARTMENT OF WATER AND POWER)

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

SECTION 1. Recitals.

A. On September 2, 2025, an application for an Emergency Coastal Development Permit (ECDP) No. 25-017 and was submitted to the Planning Division by applicant Katherine Rubin, on behalf of the Los Angeles Department of Water and Power (LADWP).

B. On March 24, 2026, the Community Development Director approved ECDP No. 25-017 to allow a temporary utility laydown yard including four storage trailers, grading a new access driveway on slopes steeper than 2.5 to 1 without need for retaining walls, fencing, and the placement of permeable aggregate base on areas planned for use.

C. On May 1, 2026 the Planning Division received an application for a follow-up Coastal Development Permit (CDP) and Conditional Use Permit (CUP) to permit the development approved under ECDP No. 25-017, expanded to include, four additional storage trailers (eight trailers total), dark sky compliant lighting, six portable toilets, and utility hook-ups.

D. On May 7, 2026, a Notice of Coastal Development Permit Application was posted on the subject property.

E. On June 8, 2026, ECDP No. 25-017 was reported to the City Council pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.14.1(A).

F. On June 23, 2026, the subject application was deemed complete.

G. On July 9, 2026, 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 1,000-foot (ft.) radius of the subject parcel.

H. On August 3, 2026, 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 – New Construction and 15304 – Minor Alterations to Land. 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 contained within the record, including the agenda report for the project and the hearing on August 3, 2026, and pursuant to the LIP including Sections 13.7(B) and 13.9 and Malibu Municipal Code (MMC), the Planning Commission adopts the findings of fact, and approves CDP No. 26-032 for a follow-up CDP application to construct for a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, and utility hook-ups; including CUP No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance (VAR) No 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre (RR-20) zoning district at 4000 Corral 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 CUP and VAR, 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. *That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with certified City of Malibu Local Coastal Program.*

The project consists of a temporary public utility facility comprised of a laydown yard to support public infrastructure restoration in the Pacific Palisades that was affected by the Palisades Fire of 2025. The project site is located in the RR-20 residential zoning district, an area primarily designated for residential uses with agricultural accessory uses and additional conditionally permitted uses, such as a public utility facility, subject to an approved CUP. The proposed development associated with the laydown yard has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Public Works Department, and City geotechnical

consultant reviewers. Evidence in the record demonstrates that the project, as conditioned, conforms to the LCP in that it meets all applicable development standards, with the inclusion of the VAR.

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

The project is not located between the first public road and the sea. Therefore, this finding is not applicable.

3. *The project is the least environmentally damaging alternative.*

The proposed project consists of placing temporary structures on an existing pad and grading a new access driveway. The Planning Division, City Biologist, City geotechnical consultant reviewers, and the City Public Works Department reviewed the proposed project for conformance with the LCP and MMC, and these specialists found the project meets all applicable development standards for residential development with the inclusion of the CUP and VAR. The proposed project, as conditioned, will comply with all applicable requirements of State and local law.

The applicant considered utilizing the existing access driveway but to support the requested use and ensure employee safety, the 10-foot driveway would have to be widened and the steep slopes framing it trimmed to prevent potential collisions. This project alternative would require 2,545 cubic yards of non-exempt grading, exceeding the LIP maximum allowable grading quantities for this zoning district, and require grading on steep slopes. The reviewed project alternative would not be compliant with the MMC or LIP, and would require greater site disturbance. There is no evidence that another alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

As proposed, the project avoids encroachment into ESHA, and proposes the least amount of ground disturbance while allowing safe access to the site. The proposed project and the project alternative would require a VAR due to the steep topography of the area surrounding the existing two-acre pad. The remaining project scope is limited to clearing the pad of vegetation, and the placement of temporary structures. The rest of the 97-acre property would remain in its existing and natural conditions. As designed, the project complies with the requirements of the LCP and represents the least environmentally damaging feasible alternative as impacts to resources are minimized or avoided to the maximum extent feasible.

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 LCP ESHA Overlay map shows the subject parcel as mapped ESHA. Consistent with LIP Section 4.3, the applicant prepared a site-specific biological assessment and addendums which concluded, to the satisfaction of the City, that the project site and area within 100 ft. of it do not meet the definition of ESHA. The 100 ft. area is considered an ESHA buffer and the area beyond the 100 ft. vicinity is considered to meet the definition of ESHA until further assessment is conducted. All proposed development would not encroach into the 100 ft. ESHA buffer and there

is no required fuel modification as the trailers are temporary. However, the City determined that review by the Environmental Review Board (ERB) was necessary prior to the Planning Commission hearing due to the site being within 200 ft of ESHA. All of the ERB's recommendations have been incorporated into the conditions of approval.

B. Conditional Use Permit for the Operation of a Public Utility Facility Comprised of a Temporary Utility Laydown Yard in the RR-20 Zone (LIP Section 3.3(A)(2) and MMC Section 17.66.080)

CUP No. 26-005 would permit the operation of a public utility facility comprised of a temporary utility laydown yard in the RR-20 zoning district. No other conditionally allowed uses in the RR-20 zone are authorized by this CUP. LIP Section 3.3(A)(2) designates the requested use as conditionally permitted subject to a CUP with the findings being made per MMC Chapter 17.66.080.

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 public utility facility is a conditionally permitted use within the RR-20 zoning district. The subject application will permit a public serving utility facility comprised of a utility laydown yard to support the restoration of infrastructure for residences in the Pacific Palisades for a maximum duration of seven years. The RR district is primarily intended for single family residences as well as agricultural uses that are respectful to surrounding residents and the natural environment. However, the RR district conditionally allows public serving uses such as day care facilities, community stage theaters, and public utility facilities. The LADWP restoration work is outside of City limits however the MMC and LIP does not define "public" and can be interpreted to include non-local residents. The project is conditioned accordingly to meet the intent of the RR zoning district with appropriate noise and lighting restrictions, mitigation measures to avoid potential impacts to the surrounding environment, and mechanisms for the community to ensure the property remains respectful of the neighboring uses and the surrounding environment.

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

The scope of the proposed use is a public utility facility in the form of a utility laydown yard. The laydown yard will store equipment and materials that will be delivered to construction sites in the Pacific Palisades. The proposed use will have similar intensity to certain levels of agricultural use permitted within the RR zoning district. Raising crops, including nursery stock, is a permitted agricultural use, in addition to raising and training various types of farm animals. Large-scale deliveries to and from properties with these uses would not be uncommon depending on the scale of the operation. The proposed laydown yard will only be for dropping off and picking up stored equipment and materials and the conditions described in B.1 will ensure that the proposed use will not impair the integrity and character of the zoning district. The laydown yard is temporary and environmental conditions will be restored and improved at the end of the permit period.

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

The proposed use will be located on a large existing pad that ranges from flat to gently sloped. The site is physically suitable to store materials and vehicles due to the flat topography of the project area and its distance from residential neighborhoods eliminates the potential for view impacts.

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

There are no existing uses on the subject property. The surrounding developed neighborhood in the vicinity of the project area is a mix of commercial and open space properties. The site's topography and location minimize disturbances to existing uses and as conditioned is compatible with the uses in the surrounding neighborhood.

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 surrounding zoning districts are a mixture of commercial, rural residential, and public open space. The proposed use would be compatible with the existing and future lands uses in the general area. The proposed used is landside of the existing developments and will not impact existing neighboring parcels due to the topography of the site and the distance between the public open space and rural residential parcels. For the existing developments south of the project site as discussed in Finding B.1, there will be conditions to ensure the use remains respectful of existing neighboring uses and will abide by all noise regulations contained in MMC Chapter 8.2.

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 project will not affect existing water, sanitation, and public utilities and services in the area. The proposed use does not require provisions for water and sanitation services will be in the form of six portable toilets for when workers are onsite to load and unload materials. Power for the site lighting will be serviced by a temporary service pole provided by Southern California Edison (SCE). The project site is landward of the nearest existing developments and located on an elevated plateau. The proposed use will have eight 9.5 ft. tall storage trailers, but will not affect existing or future solar access or impact existing public or private views due to the site's location and topography.

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

The proposed use is not intended for the public to be on site. Adequate public access exists to the nearby public Park Lands and trails. No impacts to any recreational resource will take place.

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

The General Plan states that the RR zoning designation is intended for sensitively designed, large lot, residential development as well as agricultural uses and animal keeping which respects surrounding residents and the natural environment. While the proposed use is not residential, it is of similar impact as types of agricultural uses as discussed in finding B.2 and the LIP and MMC conditionally allows for public serving uses as discussed in finding A.1. The proposed use will support public serving utilities in an area affected by a natural disaster and will not impact nearby residences on Corral Canyon due to their distance from the site. In addition, as discussed in finding A.3 the proposed project is the least environmentally damaging alternative and will restore the site after the use has concluded.

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

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

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

The proposed use is a conditionally permitted use within the RR zoning district and the proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare because the use will comply with applicable requirements of state and local law as conditioned and the proposed driveway improves line of site for vehicles entering or exiting the project area than the existing driveway, reducing the risk for vehicle collisions and benefiting public safety.

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 proposed use was reviewed by City geotechnical consultants and while the proposed use is within a landslide zone, it was determined that the use and development will not affect the stability and integrity of the site as the proposed grading and the load of the proposed materials will have an insignificant effect on the stability of the landslide area. However, monitoring equipment will be placed to detect movement or vibration onsite with defined alarm thresholds and as conditioned there is no permanent development that would be at risk of these hazards as the proposed structures do not have foundation.

C. Variance from LIP Section 3.6(J) for Development on slopes steeper than 2.5 to 1 (LIP Section 13.26)

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.*

Evidence in the record shows an existing pad framed on each side by slopes of varying steepness that has historically been accessed by a narrow undeveloped driveway. It is not feasible to grade a new driveway or widen the existing driveway without requiring grading on a steep slope. The property is in a mixed-use neighborhood and all the properties zoned Rural Residential within the vicinity are currently vacant. If these properties were to be developed with residential homes, they would require at minimum a 20 ft. access driveway to comply with Los Angeles County Fire Department requirements. The applicant is requesting a 16 ft. driveway and additional grading to reduce potential collusions with the slopes and ensure vehicle safety when entering and exiting the property. Strict application of the zoning ordinance would deprive the property of a reasonably sized driveway access that all new developed properties are allowed.

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 development on steep slopes is for a new driveway access. As discussed in the record, the grading on steep slopes will ensure the safety of those entering and exiting the property and provide better line of sight for motorists. The new driveway will improve access to the site and the grading on the slopes would not affect neighboring properties.

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

As discussed in finding C.1, there are no neighboring properties zoned RR that are developed. However, grading on steep slopes is a common necessity for multiple properties in the City as the City's topography increases in steepness toward the City's northern boundaries. Granting a VAR for construction on steep slopes would not constitute a special privilege to the owner as multiple properties within the City have been granted similar variances.

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.*

As discussed in finding C.1 and C.3 the VAR will ensure similar privileges afforded to other properties in the City on similar topography while conforming to the LCP's intent by proposing the least environmentally damaging alternative impact to the site and does not affect coastal resources

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.*

As mentioned previously herein, evidence in the record demonstrates the property is not within Environmentally Sensitive Habitat Area (ESHA) as such this finding is not applicable.

6. *For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.*

The VAR is not for a stringline modification as such this finding is not applicable.

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.*

A public utility facility is a conditionally permitted use within the RR-20 zoning. The VAR request for grading on steep slopes is to develop driveway access to the property. The VAR would ensure safe access to the property and the proposed conditionally allowed use.

8. *The subject site is physically suitable for the proposed variance.*

The large size of the parcel and the previously developed pad make the parcel physically suitable

for the location of the proposed grading as it provides access to the existing pad with the least amount of grading as discussed in finding A.3.

9. *The variance complies with all requirements of state and local law.*

As conditioned, the variance complies with all requirements of state and local law as conditioned. The CUP will allow the use on the lot and the laydown activities comply with all laws with the inclusion of the VAR which is only necessary for a small portion of development on steep slopes at the toe of the driveway.

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.*

There is no public parking on the property or nearby public parking that would be affected by the proposed project. Adequate beach and recreational parking exist nearby and this project has no impact to them.

D. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

As described in Finding A.4, the project will have no impacts on sensitive resources, no significant loss of vegetation or wildlife, and no encroachment into ESHA. Therefore, the findings of LIP Section 4.7.6 are not applicable. The project was referred to Environmental Review Board who also found that the site is not ESHA. The site did not meet any of the six criteria for being an ESHA, as surveyed by the applicant's biologist and confirmed by the City's Biologist through a site visit and evaluation of the evidence in the record:

1. There was no habitat area that is rare or especially valuable from a local, regional, or statewide basis.

2. There was no habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law.

3. There was no habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State law or regulations.

4. There was no habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (Rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.

5. There was no designated Area of Special Biological Significance, or Marine Protected Area.

6. There were no streams identified within 100 feet of the project area.

E. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

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

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 project site is located on an elevated plateau that is visible from two LCP designated scenic roads, Pacific Coast Highway (PCH) and Corral Canyon Road, and two public viewing areas along Corral Canyon Road. The majority of the proposed site is not visible from PCH. The proposed project is landside of the scenic areas and there will be no significant scenic or visual impacts. The project site is visible from Corral Canyon Road while descending toward southwest, however, evidence in the record demonstrates that the proposed site development will not block any scenic view of the mountains or ocean due to the project site's location and topography.

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

The proposed development is setback from the edges of the development pad and as discussed in Finding F.1 the project will not have significant adverse scenic or visual impacts. No impressive scenes of the Pacific Ocean or Santa Monica Mountains are expected to be impacted.

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

As discussed in Finding A.3, the proposed project is the least environmentally damaging alternative. There will be no significant impacts to scenic resources due to the project location. No impacts to views of the Pacific Ocean nor Santa Monica Mountains from any scenic area were identified in the project evaluation.

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

As discussed in Findings A.2 and A.3 there are no significant adverse impacts on scenic and visual resources. The project is sited in a location where scenic impacts have been mitigated to the extent that they will not block any impressive scenes of the Pacific Ocean or Santa Monica Mountains.

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 F.1 there would be no significant adverse scenic or visual impacts. The project is sited in a location where scenic impacts have been mitigated to the extent that they will not block any impressive scenes of the Pacific Ocean or Santa Monica Mountains.

G. 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.

H. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards must be included in support of all approvals, denials or conditional approvals of development located in or near an area subject to these hazards. The project has been analyzed for the hazards listed in LIP Sections 9.2(A)(1-7) by the Planning Division, City geotechnical consultant reviewers, and the Public Works Department, and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and MMC. Based on review of the project and site, while there is a mapped landslide on the site, the proposed project will not impact the geologic hazard. In addition, the fire hazard of the parcel will not be increased by approval of the CDP or CUP.

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.*

City reviewers determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity since no new foundation system or permanent structures are proposed. The project consists of a follow-up CDP to allow a public utility facility comprised of a temporary laydown yard, including grading a new access driveway, the placement of eight storage trailers, six portable toilets, fencing, vehicle gate, dark sky compliant lighting, the placement of permeable aggregate base for the operational areas, and utility hook-ups. The fencing will have in-ground posts, but no other foundations are proposed. The site is located within a mapped landslide area; however, City geotechnical consultants concluded that the project will not increase the potential for adverse impacts to site stability or structural integrity because the slope stability analysis presented by the applicant team demonstrates that the proposed grading and the load of the proposed materials will have an insignificant effect on the stability of the landslide.

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 scope of work proposed as part of this application is not expected to have an impact on wildfire hazards as the subject parcel is currently subject to wildfire hazards and the extent of development and temporary use is not anticipated to increase the site's susceptibility to wildfire.

The project, as conditioned, will incorporate all recommendations and conditions required by City geotechnical staff and the City Public Works Department. As such, the proposed project will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, fire, or any other hazards.

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.*

The project as designed, conditioned, and approved by the City geotechnical consultant reviewers, the City Biologist, 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 proposed or as conditioned, is the least environmentally damaging alternative.*

As discussed in Finding A.3 the project, as designed and conditioned, is the least environmentally damaging alternative.

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

The proposed new access driveway requires the least amount of site disturbance and grading and the proposed equipment would not impact the current site stability. Evidence in the record demonstrates that there are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity. As described in Finding G.1, there are no expected impacts on site stability or structural integrity and therefore there are no feasible alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

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 described in Findings A.3 and A.4, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

I. 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.

J. Public Access (LIP Chapter 12)

In accordance with LIP Section 12.6.B.2, the project is exempt from providing public lateral, vertical, blufftop, trail, or recreational access for the following reasons:

A. Lateral and Vertical Access – The subject parcel is located inland from Corral Canyon Road and is not located on or adjacent to a shoreline.
B. Blufftop Access – The subject parcel is located inland from Corral Canyon Road and is not located on a coastal blufftop nor connected to an existing or planned public blufftop public accessway.
C. Trail Access – The LCP Park Lands map identifies a mapped trail on the northern half of the subject parcel; however, no trails are mapped or existing on the lower half of the subject parcel, including in the vicinity of the project site and temporary use. No condition for trail access is warranted.
D. Recreational Access – The subject parcel is not designated recreational lands as shown on the LCP Park Lands Map but is located between two recreational areas – Solstice Canyon operated by the National Park Service (NPS) to the west and Corral Canyon operated by the Mountains

Recreation Conservation Authority (MRCA) to the east. Due to the location of the project site on a small two-acre site adjacent to Corral Canyon Road, no impact to adjacent recreational lands is anticipated.

No potential project-related or cumulative impacts on public access and/or recreation are anticipated to result from the proposed project. The proposed project conforms to the public access and recreational policies in Chapter 3 of the Coastal Act. Therefore, the requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

K. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 26-032, CUP No. 26-005 and VAR No. 26-008, 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:

   Construction:
   a. Three laydown areas with eight temporary trailers (8 ft. x 40 ft.);
   b. 16-ft. wide permeable access driveway;
   c. Approximately 848 cubic yards (c.y.) of non-exempt grading to develop the access driveway;
   d. 6 ft. tall chain-link fencing around the material storage areas;
   e. 20 ft. wide, 8 ft. tall chain-link driveway gate;
   f. Dark sky compliant lighting comprised of (12) 10 ft. tall light poles along the driveway and main site access and (11) 40 inch (in.) tall light bollards around service yard vehicle access paths (3,000 Kelvin);
   g. Six portable toilets;
   h. Placement of approximately 20,900 sf. of permeable aggregate base and geo grid

for operational areas;
i. Utility hook-ups; and
j. Complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven-year period.

Additional Requests:
k. CUP No. 26-005 for a temporary public utility facility in the form of a utility laydown yard for a period of seven years within the RR-20 zoning district; and
l. VAR No. 26-008 to allow for grading a driveway on slopes steeper than 2.5 to 1.

Proposed Total Development Square Footage (TDSF)

- Eight temporary containers and six portable toilets 2,656 sf.

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 Division date stamped **May 29, 2026**. 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 set forth herein. The applicant shall file this form with the Planning Division prior to issuance of any development permits.

5. This CDP 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 Division within 10 days of the effective date of the approval.

6. The applicant shall digitally submit a complete 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.

7. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. 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 Community Development Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Community Development Department, City Biologist, City geotechnical consultant reviewers, and City Public Works 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 Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and LCP. Revised plans reflecting the minor changes and additional fees shall be required.

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

12. The property owner must submit payment for any 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 Community Development 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.

Fencing/Walls/Screening

15. 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.

16. For the portions of front fencing and gates above 42 inches, the members shall be a minimum of six inches apart and no more than one inch in diameter.

Construction

17. 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 and storage of construction materials, not within the public right of way. Prior to permit issuance, the Construction Management Plan must be

acceptable to the Community Development Director and, if applicable, to the Building Official and Public Works Director.

18. A construction staging plan shall be reviewed and approved by the Community Development Director prior to plan check submittal.

19. Construction hours shall be limited to Monday through Friday from 7:00 AM to 7:00 PM and Saturdays from 8:00 AM to 5:00 PM. No construction activities shall be permitted on Sundays or City-designated holidays.

20. 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.

21. 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.

22. 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.

Biology/Landscaping

23. Except as permitted pursuant to the provisions in Local Coastal Program Land Use Plan 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 ESHA 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.

24. 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 ft. from the eave/overhang of a structure with limited application areas. Any materials (excluding wood chips and shredded rubber) are allowed 30 ft. or more from a structure with no limitation on application area.

25. Each of the Avoidance and Mitigation Measures in Appendix A of the submitted biological assessment dated March 2026 shall be implemented. Any reports from subsequent surveys shall be submitted for review and approval. The reseeding of narrowleaf milkweed will be completed and a subsequent report will be submitted for review and approval.

26. 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.

27. Construction fencing shall be placed and indicated on the site plan. Construction fencing shall be installed prior to the beginning of construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

28. All new development including structures, septic systems, or landscaping, shall be set back no less than 100 feet from ESHA.

29. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division 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.

30. A site restoration plan must be submitted and approved by the Community Development Director and the site restored to its previous conditions after the approved duration of seven years or if the site's approved use is discontinued for 180 days. The site restoration plan must be submitted within 30 days of the conclusion of use.

Environmental Review Board Recommendations

31. Winter nectar plants must be planted on the parcel as part of the site restoration efforts, equal to or more than the previous amount of narrowleaf milkweed within the project area.

32. At minimum an area on the subject parcel equal to the project site perimeter must have site environmental conditions restored and improved outside the existing development pad.

33. When the project area has bare ground, additional BMPs must be implemented in the form of silt fences and gravel bags.

Geology

34. 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 permits.

35. 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.

36. The proposed monitoring plan shall be implemented and may include any or all of the following: procedures for visual observation by qualified personnel, installation of instrumentation or other monitoring devices to detect movement or vibration onsite with defined alarm thresholds, and an action plan to respond to detected movement or vibration alarms or after potentially triggering seismic or hydrological events occur.

Public Works

37. 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.

38. 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.

39. 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.
h. Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.

40. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 ft. 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.

41. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to issuance of grading/building permits. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but is 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 BMPs 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.

Lighting

42. 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.

43. 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.

44. Night lighting from exterior 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.

45. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

46. No lighting can exceed 18 feet in height except as required by the California building code.

47. 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.

48. Up-lighting of landscaping is prohibited.

Conditional Use Permit

49. This CUP shall expire on August 3, 2033 and be of no force or effect. Any rights or privileges granted shall no longer be valid after August 3, 2033 unless the CUP and CDP is amended pursuant to the MMC and LIP.

50. The use of the site as a utility laydown yard will cease following the expiration of the CUP and the site will be restored to its original site conditions and topography. A restoration plan must be submitted within 30 days of the CUP's expiration date or the approved use is discontinued for 180 consecutive days, whichever occurs first.

51. A sign, visible from the public right-of-way, must be posted on or near the access gate with a contact number that is available to take calls and responds to concerns 24 hours a day, seven days a week.

52. No flammable material or fuel shall be stored on site.

53. City staff shall inspect the project site one year after approval of the CUP, and again five years after approval, to verify compliance with conditions of approval. The operator shall request an inspection and pay the applicable fee for each inspection.

54. The CUP may be reviewed by the Community Development Director (or designee) and/or Planning Commission on an as-needed basis at the discretion of the Community Development Director (or designee) or Planning Commission. Should it be determined that a review is required, the Property Owners shall pay the Planning Division site inspection fee in effect at the time of request for a site inspection. A planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the Community Development Director (or designee) will determine whether the CUP may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified during the site inspection or made aware of by members of the public. Possible mitigation measures can include:
    a. Modifying the hours of operation;
    b. Incorporate noise mitigating measures / devices;
    c. Traffic safety measures; or
    d. Other measures deemed necessary by the Planning Commission.

55. The conditions under which this CUP may be modified by the City without the consent of the property owners or operator if the Planning Commission finds that the use is creating a nuisance.

56. A CUP that is valid and in effect and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land.

57. This CUP shall become subject to revocation should the use for which the CUP was granted cease for 180 consecutive days after the start of operations, except in the case of natural disaster.

58. Three received complaints filed to the Sheriff's office regarding violation of the noise ordinance shall be cause for revocation of the permit or decreased hours of operations as determined by the Community Development Director.

59. If it has cause to believe that grounds for modification or revocation 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 CUP may be revoked if the Planning Commission finds that one or more of the following conditions exists:

a. The CUP was obtained in a fraudulent manner.
b. The use for which the CUP was granted has ceased or was suspended for at least six successive calendar months, absent a natural disaster.
c. One or more of the conditions found within this resolution have not been substantially met.

60. All noise shall be subject to the provisions of MMC Chapter 8.24 (Noise). Violation of the noise ordinance shall be cause for revocation of this permit and may result in denial of permits in the future. Applicant shall comply with any request by an agent of the City of Malibu, or Sheriff's Department to reduce noise and vibrations.

Site Specific Conditions

61. No equipment or vehicles may be staged on the exterior side of the perimeter fencing.

62. The aggregate base used on the lot must blend in with the surrounding topography so that it does not stand out. Colors for the aggregate base must be consistent with the flora and mountain terrain nearby.

63. The site must be completely restored, and all materials and equipment removed, after the laydown activities have ended pursuant to all conditions of this permit. The applicant/owner is responsible for all restorative costs and efforts and must rehabilitate the site to improved conditions, following the restoration measures listed in these conditions to the satisfaction of the City.

Fixed Conditions

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

65. Violation of any of the conditions of this approval shall be cause for revocation and termination of the CDP and/or CUP and termination of all rights granted there under.

Deed Restrictions

66. 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 Planning Division staff prior to Planning final inspection.

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

PASSED, APPROVED AND ADOPTED this 3rd day of August 2026.

SKYLAR PEAK, 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. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 246.

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. 26-23 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 3rd day of August 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

REBECCA EVANS, Recording Secretary

City of Malibu

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

Emergency Coastal Development Permit

Location: 4000 Corral Canyon Road APN: 4459-006-270	Appealable Jurisdiction: ☐ Yes ☒ No ☐ Partial
ECDP No. 25-017	CEQA Exemption Section: 15269(c)
Property Owner: Los Angeles Department of Water and Power (LADWP) Applicant: Katherine Rubin, LADWP	Property Posting: March 4, 2026
Emergency First Documented: January 7, 2025	Cause of Emergency: 2025 Palisades Fire

The subject ECDP is for a temporary Los Angeles Department of Water and Power (LADWP) laydown yard to support fire restoration efforts in the Pacific Palisades. LADWP will store materials and vehicles that will be used in their ongoing recovery efforts due to impacts to their infrastructure from the 2025 Palisades Fire. LADWP serves the City of Los Angeles but owns property in Malibu at the subject location that they will use to serve their recovery efforts in the Pacific Palisades. This approval is to allow four temporary storage containers, a new access driveway, safety fencing, and the placement of permeable aggregate base on active areas. There will be no nighttime lighting, restrooms, or utility hook ups.

Pursuant to LIP Chapter 2 (DEFINITIONS) an emergency is an unexpected occurrence demanding, immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. The proposed work will help mitigate loss to essential public services by providing LADWP with a laydown hub close to the areas they are restoring. LADWP is a municipal utility provider which provides essential services such as water and electricity to millions of residents within Los Angeles and is directly serving the Pacific Palisades area.

Based on the project plans and information provided in the permit application, the Community Development Director approves the emergency application for the use of a temporary laydown yard and associated grading. This permit for the temporary work is only valid for 90 days pursuant to Local Implementation Plan (LIP) Section 13.14(F)(7). The applicant will be submitting a follow-up Coastal Development Permit application to use the site past 90 days. Failure to submit an application within 30 days will result in penalties imposed by the City onto the applicant and require the complete restoration of the site.

Emergency Coastal Development Permit LIP Findings

The Community Development Director has reviewed this permit application and verified the facts, including the existence and nature of the emergency, insofar as time allows. After reviewing the subject application and the facts, the Community Development Director hereby makes the following findings:

Finding 1. An emergency exists and requires action more quickly than permitted by the procedures for

administrative permits or for regular permits administered pursuant to the provisions of the Malibu Local Implementation Plan (LIP) and Public Resources Code Section 30600.5, and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit.

The Los Angeles County Fire Department (LACFD) reported that the Palisades Fire burned 23,448 acres and destroyed 6,837 structures. The affected burn area spreads across multiple jurisdictions and includes damages to public infrastructure. LADWP was originally based at the Palisades Recreation Center but as the site was also affected by the fire, LADWP had to vacate the premises to allow the Army Corps of Engineers to commence debris removal and demo on the site. Since then, the LADWP laydown yard has had multiple relocations, delaying power restoration for the Pacific Palisades and LADWP is at risk of losing its current laydown yard again. This will further delay restoration of critical power service to the fire affected Pacific Palisades community. An emergency exists to mitigate the current loss of essential public services. Restoring power service is necessary for public health and safety as more homes are rebuilt and repopulation efforts start.

Beyond the site storing containers and materials, the requested grading and the placement of aggregate base along with fencing the work will be completed within 30 days as LADWP requires immediate use of the site. The regular procedures to approve the use of the property will require a public hearing and the risk of losing their current lot may happen prior to being able to schedule one, as such immediate action is required.

Finding 2. Public comment on the proposed emergency action has been reviewed as time permitted.

The applicant posted a Notice of Application sign on the subject property that includes a staff contact number and email for the public to submit questions and comments directly to staff. To date, no comments from the public have been received.

Finding 3. The work proposed is temporary and consistent with the requirements of the certified Local Coastal Program.

All work is temporary and has no permanent foundation. All work approved under the ECDP is considered temporary and if a follow-up Coastal Development Permit is not approved extending the duration of the use, all materials would need to be removed, and the site restored to its original condition including the access road.

In addition, the proposed scope of work was reviewed for consistency with the requirements in the LIP for grading and development within potential Enviornmentally Sensitive Habitat Area (ESHA). The majority of the subject property is mapped ESHA as shown on the LCP ESHA and Marine Resources Map. A biological assessment provided by the applicant (Attachment 4) shows that the project area, and a 100-foot buffer around it, are not ESHA. However, in the event that there may be special status species or habitat in the vicinity, avoidance and mitigation measures in Appendix A of the assessment will be conditioned to be implemented. This information was reviewed and confirmed by the City's Biologist who concurred with the findings of the biological assessment.

The proposed grading is within the maximum allowable nonexempt grading quantities. The follow up CDP will be required to have a site plan review or variance for construction on steep slopes based on a preliminary color-coded slope analysis (Attachment 1)

Finding 4. The work proposed is the minimum action necessary to address the emergency and, to the maximum extent feasible, is the least environmentally damaging temporary alternative for addressing the emergency.

The current site has an existing access road that is too small to accommodate the trucks that will need to access this site. Grading a new proposed access way is the minimum amount of work necessary to allow the proposed use of the site and is the least environmentally damaging option. Widening the existing access road would require more than twice the amount of grading than the current proposal and both options would require grading on discretionary slopes. If immediate use of the property is not granted, there is a risk of LADWP losing their current site and delaying or halting restoration efforts in the Pacific Palisades.

Finding 5. The permit is not within an area that falls within the provisions of Public Resources Code Section 30519(b).

This permit does not fall within the provisions of the California Public Resources Code Section 30519(b). The proposed work will not take place in or on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, and lying within the coastal zone. The work will not take place on any State or college lands or ports.

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. 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 Division within 30 days of this decision or **prior to issuance of building permits.**

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

4. All development or structures constructed pursuant to this permit shall be considered temporary until authorized by a follow-up regular coastal development permit (CDP) and the issuance of this emergency permit shall not constitute an entitlement to the erection of permanent development or structures.

5. The applicant has 90 days to obtain approval of the follow-up CDP. If the applicant fails to satisfy this requirement all temporary work must be removed pursuant to the LIP Section 13.14(F)(7). If a regular CDP authorizing permanent retention of the development is denied, then the development that was authorized in the emergency permit, or the denied portion of the development, must be removed.

6. The applicant is responsible to restore the site to its existing condition as documented prior to March 24, 2026 if a follow-up CDP is not obtained within 90 days. The applicant is responsible to pay all fees necessary to the City for any restoration measures determined by the Community Development Director to be satisfactory to restore the site to its original condition.

7. The applicant acknowledges and agrees that, in addition to any and all other consequences of failing to comply with the requirement that a CDP be obtained for the work approved by this emergency permit, no further applications for permits for any development will be accepted by the City of Malibu until such time as the CDP required in Condition No. 4, above, has been obtained unless permission is received from the Community Development Director.

8. If applicable, the applicant shall sign and record at the City of Malibu an "Assumption of Risk and Release" for geotechnical hazards prior to permit issuance.

9. If polypropylene sandbags are proposed, applicant must receive exemption from Building Safety Division pursuant to Malibu Municipal Code Section 9.30.030 for their use.

Public Works

10. 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.

11. 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.

12. 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.

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

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

15. 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.

Biology

16. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division 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. 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

18. Each of the Avoidance and Mitigation Measures in Appendix A of the submitted biological assessment shall be implemented. Any reports from subsequent surveys shall be submitted for review and approval. The reseeding of narrowleaf milkweed will be completed and a subsequent report will be submitted for review and approval.

19. Construction fencing shall be placed and indicated on the site plan. Construction fencing shall be installed prior to the beginning of construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

20. All new development including structures, septic systems, or landscaping, shall be set back no less than (100) feet from the (ESHA).

Geology

21. 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.

22. 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.

Approval of Emergency Coastal Development Permit

Having made the above findings per LIP Chapter 13, the Community Development Director hereby determines that an emergency condition exists, and immediate action is required to prevent or mitigate loss or damage to life, health, property, or essential public services. Therefore, the Community Development Director hereby approves this emergency coastal development permit.

Please contact Samantha Elias in the Planning Division at (310) 456-2489, extension 256, for further information.

Date: March 24, 2026

Prepared by:

Samantha Elias
Associate Planner

Approved by:

Tyler Eaton for

Yolanda Bundy, MS, PE, CBO, CFCO
Community Development Director

Attachments:

1. Project Plans
2. Department Review Sheets
3. Expert Letter
4. Biological Assessment
5. Notice of Application Posting Affidavit

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu Community Development Director's decision of approval and agrees to abide by all terms and conditions of **Emergency Coastal Development Permit No. 25-017** dated **March 24, 2026**, and submitted plans, dated **March 9, 2026,** for the project located at 4000 Corral Canyon Road (4459-006-270). The permit and rights conferred in this approval shall not be effective until the property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Division within 30 days of the decision or prior to issuance of development permits.

_____ _____

Date Signature of Property Owner

_____

Print Property Owner Name

_____ _____

Date Signature of Property Owner

_____

Print Property Owner Name

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 _____

On _____ before me _____,
(insert name and title of the officer)

personally appeared _____

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

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

WITNESS my hand and official seal.

_____

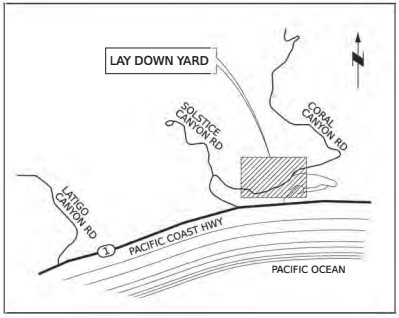
(Notary Public's signature in and for said County and State) **(Seal)**

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST ADDITION.
2. A COPY OF THE GRADING PERMIT AND GRADING PLAN MUST BE IN THE POSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE WHILE WORK IS IN PROGRESS.
3. ALL CUT AND FILL SLOPES SHALL NOT BE STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
4. FILL AREAS SLOPING STEEPER THAN 5:1 SHALL BE KEYED AND BENCHED TO SUPPORT FILL.
5. FILL MATERIALS SHALL BE PLACED IN LAYERS NOT EXCEEDING 6 INCHES IN COMPACTED THICKNESS AND COMPACTED AT OPTIMUM MOISTURE CONTENT BY APPROVED METHOD.
6. ALL FILL TO BE COMPACTED TO A MINIMUM OF 90% DENSITY OF THE MAXIMUM DENSITY AND SO CERTIFIED BY TESTS AND REPORTS PERFORMED BY A SOILS ENGINEER.
7. SURVEY DATUM: HORIZONTAL CALIFORNIA COORDINATE SYSTEM 1983, ZONE 5, 2025_00; VERTICAL NORTH AMERICAN VERTICAL DATUM 1988.
8. ELEVATIONS SHOWN IN PARENTHESIS ARE EXISTING.
9. DASHED CONTOUR LINES INDICATE EXISTING GRADE.
10. ALL ELEVATIONS ARE FINISHED GRADE EXCEPT AS NOTED.
11. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITTED TO THE PUBLIC WORKS DEPT.
12. EXCESS SOIL AND ANY UNSUITABLE MATERIAL MUST BE TRANSPORTED AND DISPOSED AT A LEGAL, PERMITTED DUMP SITE.
13. THE GEOTECHNICAL ENGINEER SHALL BE NOTIFIED TO INSPECT AND APPROVE THE EXPOSED SUBGRADE OR BOTTOM OF THE EXCAVATED AREAS BEFORE PLACING ANY COMPACTED FILL MATERIAL. NOTIFY THE GEOLOGY/GEOTECHNICAL GROUP AT 213-367-4192 AT LEAST 48 HOURS IN ADVANCE OF ANY SOIL INSPECTIONS.
14. ALL CHAIN LINK FENCING MATERIALS SHALL BE IN ACCORDANCE WITH DWP STANDARD SPECIFICATION NO. G-106-R3.
15. EARTHWORK SHOULD BE PERFORMED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE LOS ANGELES CITY GRADING CODES, THE LATEST EDITION OF THE SSPWC (GREENBOOK, 2024).
16. PRIOR TO CONSTRUCTION, THE AREAS PLANNED FOR NEW CONSTRUCTION SHOULD BE CLEARED OF EXISTING IMPROVEMENTS AND ANY OTHER DELETERIOUS MATERIALS. VEGETATION, TRASH, AND DEBRIS SHOULD BEPROPERLY DISPOSED OFFSITE. UNDERGROUND SERVICE ALERT (USA) OF SOUTHERN CALIFORNIA, ALSO KNOWN AS DIG ALERT SHALL BE CONTACTED TO LOCATE AND VERIFY ANY EXISTING OR ABANDONED UTILITY LINES IN THE AREA PLANNED FOR CONSTRUCTION. EXISTING UTILITIES SHOULD BE EITHER PROPERLY ABANDONED AND REMOVED OR REROUTED AROUND THE DEVELOPMENT AREA TO PRESERVE THEIR FUNCTION. EXCAVATIONS THAT RESULT FROM THE REMOVAL OF UTILITIES AND OTHER EXISTING SITE IMPROVEMENTS SHOULD BE PROPERLY BACKFILLED AND COMPACTED.
17. LADWP CORPORATE ENVIRONMENTAL SERVICES GROUP SHALL BE CONTACTED IMMEDIATELY IF SOIL OF A QUESTIONABLE ENVIRONMENTAL QUALITY IS ENCOUNTERED DURING CONSTRUCTION. THE QUESTIONABLE SOIL SHALL THEN BE PLACED IN PLASTIC AND LABELED AS SOIL NOT TO BE USED FOR BACKFILL.
18. IF UNSUITABLE SOILS ARE ENCOUNTERED DURING EXCAVATION, ADDITIONAL EXCAVATION TO REMOVE THE UNSUITABLE MATERIALS TO EXPOSE A FIRM AND UNYIELDING SURFACE WILL BE REQUIRED.
19. PRIOR TO PLACING FILL, THE SUBGRADE SHALL BE SCARIFIED TO A DEPTH OF 6 INCHES, MOISTURE-CONDITIONED TO APPROXIMATELY 2 PERCENT ABOVE OPTIMUM AND COMPACTED TO AT LEAST 90 PERCENT RELATIVE COMPACTION. THE FINISH SUBGRADE SHOULD BE MAINTAINED MOIST AT ALL TIME PRIOR TO PLACING FILL OR OTHER IMPROVEMENTS.
20. ALL FILL MATERIALS SHALL BE INORGANIC SOILS FREE OF VEGETATION, DEBRIS, AND COBBLES LARGER THAN 3 INCHES IN DIAMETER.
21. ENGINEERED FILL SHOULD BE PLACED IN LOOSE LIFTS NOT TO EXCEED 8 INCHES, MOISTURE-CONDITIONED TO 2 PERCENT ABOVE ITS OPTIMUM MOISTURE, AND COMPACTED TO AT LEAST 90 PERCENT RELATIVE COMPACTION IN ACCORDANCE WITH ASTM D1557.
22. TEMPORARY EXCAVATIONS MUST BE PROPERLY SLOPED OR SHORED IN ACCORDANCE WITH OSHA STANDARDS.
23. THE CONTRACTOR IS RESPONSIBLE FOR WORKER SAFETY IN THE FIELD DURING CONSTRUCTION. THE CONTRACTOR SHALL CONFORM TO ALL APPLICABLE OCCUPATIONAL SAFETY ANO HEALTH STANDAROS, RULES, REGULATIONS, AND ORDERS ESTABLISHED BY THE STATE OF CALIFORNIA.
24. PRIOR TO PLACEMENT OF CRUSHED AGGREGATE BASE (CAB), THE SUBGRADE SOILS SHALL BE EXCAVATED TO MINIMUM DEPTH OF 6 INCHES BELOW PROPOSED DEPTH AND RECOMPACTED TO A MINIMUM OF 90 PERCENT RELATIVE COMPACTION BASED ON THE MAXIMUM DRY DENSITY DETERMINED BY ASTM D1557.
25. CAB SHALL SATISFY THE SPECIFICATIONS CONTAINED IN THE SSPWC FOR GRADATION AND SHOULD HAVE A MINIMUM R-VALUE OF 78. ALL GRADATION AND R-VALUE SHOULD BE CONFIRMED BY THE GEOTECHNICAL ENGINEER DURING CONSTRUCTION. ALL BASE MATERIALS SHOULD BE COMPACTED TO A MINIMUM OF 95 PERCENT OF THE MAXIMUM DRY DENSITY PER ASTM 01557.

ESTIMATED EARTHWORK QUANTITIES
CUT 735 CUBIC YARDS
FILL 133 CUBIC YARDS

VICINITY MAP



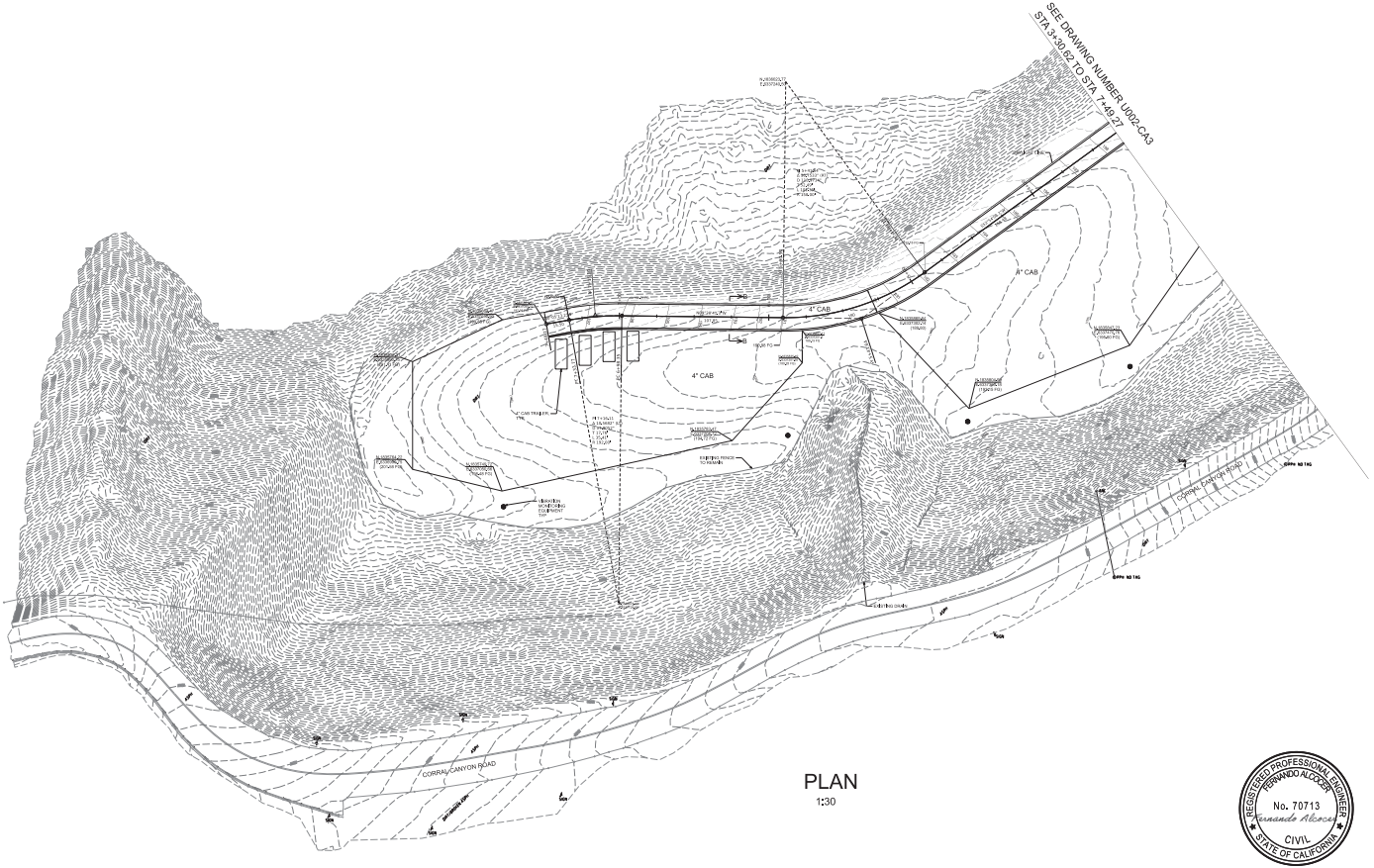
REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
CIVIL
STATE OF CALIFORNIA

ATTACHMENT 1

REVISIONS							
NO.	DESCRIPTION	Revision Number	OWNER/AGENT APPROVAL	SCALE: UNLESS NOTED!	OWNER/AGENT APPROVAL	GRADING PALISADES RESTORATION CORRAL CANYON LAY DOWN YARD	
		DRAFTING RELEASE		DRAFTING RELEASE			
		DRAWN BY	DRAWING REVISION RELEASE APPROVAL	DRAWN BY FERNANDO ALCOCER	DRAWING RELEASE APPROVAL		
		CHECKED BY		CHECKED BY JOSH PANG			
		ENGINEERING APPROVAL		ENGINEERING APPROVAL FERNANDO ALCOCER		POWER SYSTEM DEPARTMENT OF WATER AND POWER CITY OF LOS ANGELES	DRAWING NUMBER U002-CA1
			FINAL APPROVAL RELEASE SIGNATURE DATE	JOSH PANG	FINAL APPROVAL RELEASE SIGNATURE DATE		REV.

DES. ENGR. FERNANDO ALCOCER
SUP. ENGR. JOSH PANG

DRA CORRAL CYN LAYDOWN FINAL DESIGN.DGN



PLAN
1:30

REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
CIVIL
STATE OF CALIFORNIA

DES. ENGR.
FERNANDO ALCOCER
SUP. ENGR.
JOSH PANG

REVISIONS		
NO.	DESCRIPTION	

Revision Number
DRAFTING RELEASE
DRAWN BY
CHECKED BY
ENGINEERING APPROVAL

OWNER/AGENT APPROVAL
DRAWING REVISION RELEASE APPROVAL
FINAL APPROVAL RELEASE SIGNATURE DATE

SCALE: UNLESS NOTED AS NOTED
DRAFTING RELEASE
DRAWN BY FERNANDO ALCOCER
CHECKED BY JOSH PANG
ENGINEERING APPROVAL
FERNANDO ALCOCER
JOSH PANG

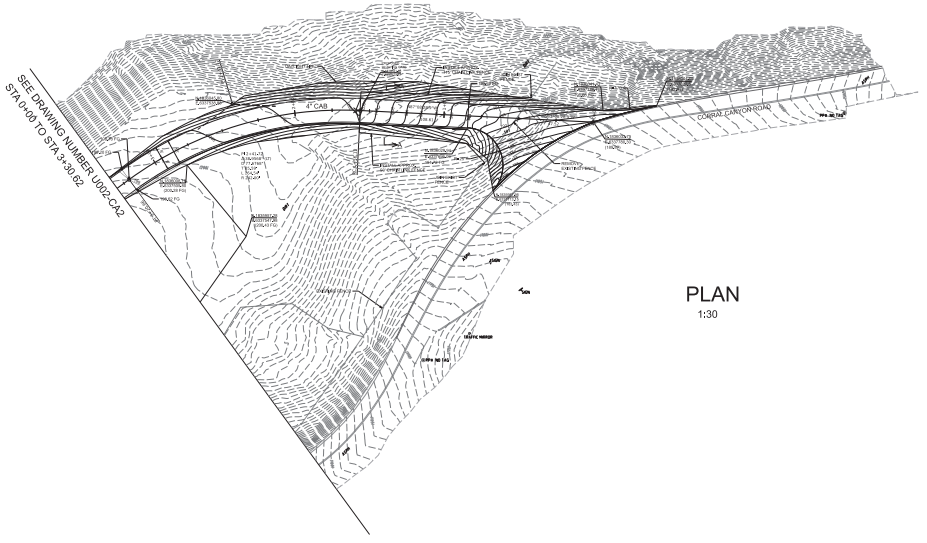
OWNER/AGENT APPROVAL
DRAWING RELEASE APPROVAL
FINAL APPROVAL RELEASE SIGNATURE DATE

GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

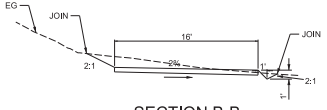
POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

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REV.

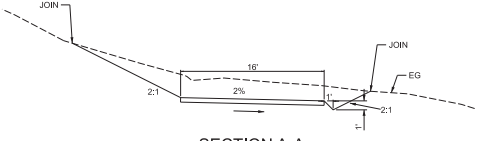
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SECTION B-B



SECTION A-A

REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
CIVIL
STATE OF CALIFORNIA

CHK. DWN.
FERNANDO ALCOCER
SUP. ENGR.
JOSH PANG

REVISIONS
NO. DESCRIPTION

Revision Number
DRAFTING RELEASE
DRAWN BY
CHECKED BY
ENGINEERING APPROVAL

OWNER/AGENT APPROVAL
DRAWING REVISION RELEASE APPROVAL
FINAL APPROVAL RELEASE SIGNATURE DATE

SCALE: UNLESS NOTED AS NOTED
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DRAWN BY FERNANDO ALCOCER
CHECKED BY JOSH PANG
ENGINEERING APPROVAL
FERNANDO ALCOCER
JOSH PANG

OWNER/AGENT APPROVAL
DRAWING RELEASE APPROVAL
FINAL APPROVAL RELEASE SIGNATURE DATE

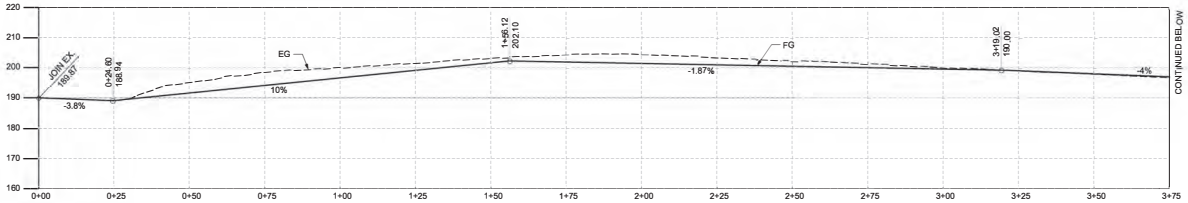
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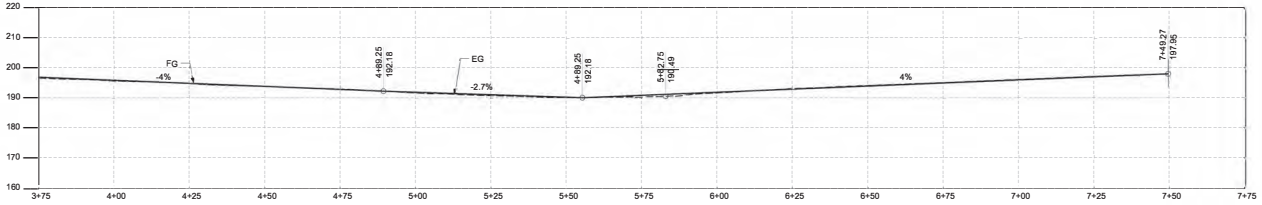
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DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U0002-CA3

REV.

DRA





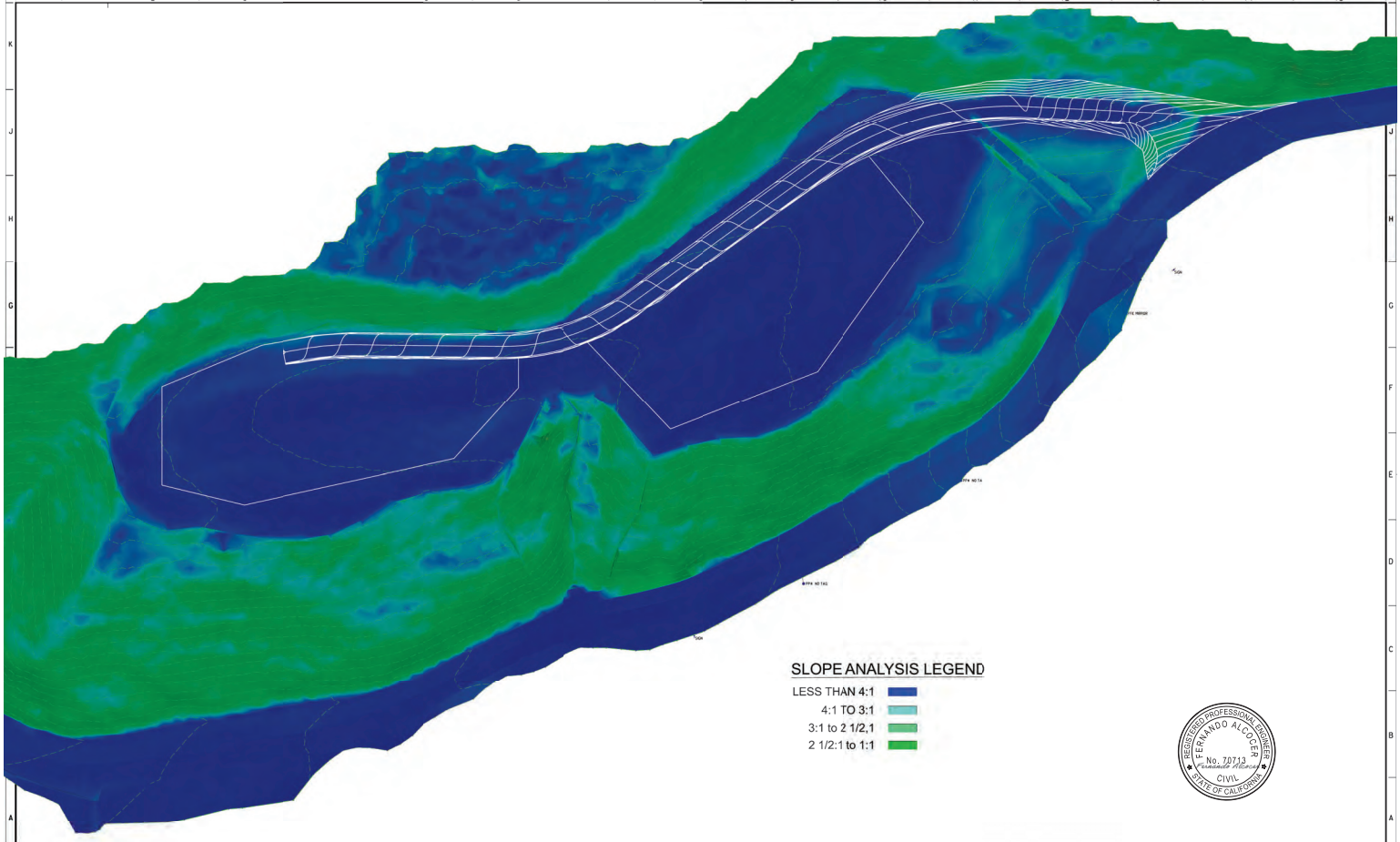
ACCESS ROAD

REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
Fernando Alcocer
CIVIL
STATE OF CALIFORNIA

GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

DRAWING NUMBER
U0002-CA4
REV.

DRA



REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
CIVIL
STATE OF CALIFORNIA

DRN. FERNANDO ALCOCER
DES. ENGR. FERNANDO ALCOCER
SUP. ENGR. JOSH PANG

REVISIONS

NO.	DESCRIPTION

Revision Number _____
DRAFTING RELEASE
DRAWN BY _____
CHECKED BY _____
ENGINEERING APPROVAL

OWNER/AGENT APPROVAL
DRAWING REVISION RELEASE APPROVAL
Final Approval Release Signature DATE

SCALE: UNLESS NOTED AS NOTED
DRAFTING RELEASE
DRAWN BY FERNANDO ALCOCER
CHECKED BY JOSH PANG
ENGINEERING APPROVAL
FERNANDO ALCOCER
JOSH PANG

OWNER/AGENT APPROVAL
DRAWING RELEASE APPROVAL
Final Approval Release Signature DATE

GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U0002-CA5

REV.

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** 03/09/2026

PROJECT NUMBER: ECDP 25-017

JOB ADDRESS: 4000 CORRAL CANYON RD

APPLICANT / CONTACT: Katherine Rubin, Los Angeles Department of Wate

APPLICANT EMAIL: katherine.rubin@ladwp.com

PLANNER: Samantha Elias

PROJECT DESCRIPTION: Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical equipment . Site will be covered with 20,900sqft of aggregate base and approximately 1,600ft of fencing.

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **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.**

Building Plan Check (BPC) Required ☐ Yes ☐ No BPC Fees Req'd $_____

_____ **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).**

Courtney McCammon 3/17/26

Signature Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:
Courtney McCammon, City Biologist, biology@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)	Katherine Rubin, Los Angeles Department of Wate katherine.rubin@ladwp.com	
Project Address:	**4000 CORRAL CANYON RD** Malibu, CA 90265	
Planning Case No.:	ECDP 25-017	
Project Description:	Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical equipment. Site will be covered with 20,900sqft of aggregate base and approximately 1,600ft of fencing.	
Date of Review:	March 17, 2026	
Reviewer:	Courtney McCammon	Signature: Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email: biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	3/9/26
Site Survey:	3/9/26
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	3/9/26
OWTS Plan:	
Bio Assessment:	July 2025 (LADWP), revised March 2026
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	9/11/25 (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 site and the surrounding 100-foot buffer are mapped as ESHA on the City of Malibu GIS. There are also several mapped streams. However, the submitted biological assessment states:

   "Following completion of the biological surveys and assessment of the habitat known for the project area and the survey area, there was no habitat identified on site or in the survey area that would be deemed rare or especially valuable from a local, regional or statewide basis…. Given the evidence of the biological surveys conducted in the area, this region that was previously identified as ESHA within the LCP ESHA Overlap Map does not meet the criteria for ESHA."

   Therefore, the site does not contain ESHA or streams and is in compliance with Chapter 4 of the Malibu LIP.

2. There are no native protected trees on site. Therefore, the project is in compliance with Chapter 5 of the LIP.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. Each of the Avoidance and Mitigation Measures in Appendix A of the submitted biological assessment shall be implemented. Any reports from subsequent surveys shall be submitted for review and approval. The reseeding of narrowleaf milkweed will be completed and a subsequent report will be submitted for review and approval.

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

   C. 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.

   D. Construction fencing shall be placed and indicated on the site plan. Construction fencing shall be installed prior to the beginning of construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

E. All new development including structures, septic systems, or landscaping, shall be set back no less than (*100*) feet from the (*ESHA*).

-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) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **DATE:** 09/02/2025

PROJECT NUMBER:	ECDP 25-017
JOB ADDRESS:	4000 CORRAL CANYON RD
APPLICANT / CONTACT:	Katherine Rubin, Los Angeles Department of Water
APPLICANT EMAIL:	katherine.rubin@ladwp.com
PROJECT DESCRIPTION:	Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical equipment . Site will be covered with 20,900sqft of aggregate base and approximately 1,600ft of fencing.

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.

Building Plan Check (BPC) Required ☒ Yes ☒ BPC Fees Req'd $ 512

Juliet Sorkin
SIGNATURE

9/18/2025
DATE

Please see the attached memo.

City of Malibu
MEMORANDUM

To: Community Development Department, Planning Division

From: Public Works Department
Julie Santia, Associate Engineer

Date: September 18, 2025

Re: Proposed Conditions of Approval for 4000 Corral Canyon Rd, ECDP 25-017

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.

4. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

STORMWATER

5. 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.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 website: www.malibucity.org

GEOTECHNICAL REVIEW
REFERRAL SHEET

TO: City of Malibu Geotechnical Staff

FROM: City of Malibu Planning Department **REVISED DATE** 03/09/2026

PROJECT NUMBER: ECDP 25-017

JOB ADDRESS: 4000 CORRAL CANYON RD

APPLICANT / CONTACT: Katherine Rubin, Los Angeles Department of Wate

APPLICANT EMAIL: katherine.rubin@ladwp.com

PROJECT DESCRIPTION: Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical equipment . Site will be covered with 20,900sqft of aggregate base and approximately 1,600ft of fencing.

REVISION: Revised grading at entrance, shifted east, 2:1 H:V cutslopes, less than 10 feet high, cut: 735 cy, fill:135 cy

---

TO: Malibu Planning Staff and/or Applicant

FROM: City Geotechnical Staff

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

Building Plan Check (BPC) Required ☐Yes ☐No BPC Fees Req'd $ None

____ **The project CANNOT proceed through the planning process until geotechnical feasibility is determined. Depending upon the nature of the project, this may require engineering geologic and/or geotechnical engineering (soils) reports which evaluate the site conditions, factor of safety, and potential geologic hazards.**

SIGNATURE  DATE 3-17-2026

Determination of geotechnical feasibility for planning should not be construed as approval of building and/or grading plans which need to be submitted for Building Department approval. At that time, those plans may require approval by City Geotechnical Staff. Additional requirements/conditions may be imposed at the time building and/or grading plans are submitted for review, including geotechnical reports

Public Counter hours for Geotechnical staff are Tuesdays and Thursdays, 9:00 AM – 12:00 PM.

REF: Appended geotechnical review letter dated 3-18-2026 applies.

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:	March 18, 2026	**Review Log #:**	**472**
Site Address:	4000 Corral Canyon Road		
Lot/Tract/PM #:		**Planning #:**	**ECDP 25-017 P4-P5**
Applicant/Contact:	Katherine Rubin, Director of Corporate Environmental Affairs, LADWP katherine.rubin@ladwp.com,	**BPC/GPC #:**	
Contact Phone #:	(213) 367-0436 **Fax #:**	**Planner:**	**Samantha Elias**
Project Type:	REVISED: Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical, equipment. Site will be covered with 20,900 sq. ft. of aggregate base and approximately 1,600 ft of fencing.		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	Los Angeles Department of Water and Power, Geology/Geotechnical Group (Yan, GE 2554; Larios CEG 2579): 11-24-2025 (revised), 11-20-2025, 11-13-2025 Ref**:** Professional Geotechnical Consultants (Masterman, GE 567; Schock, CEG 1300): 4-19-2023, 9-5-2019, Western Laboratories (Juge, RCE 9597): 8-28-1978, 4-13-1976, 7-30-1975, 1-18-1973 Emil DiMatteo (CEG 374): 6-9-1976 Geoplan, Inc. (Merrill, CEG 83): 7-1-1996, 8-26-1993 **5th ECDP Submittal** **Site plans prepared by City of Los Angeles Department of Water and Power sheet U002-CA1-CA5 (5 sheets, no date).** Site plan prepared by City of Los Angeles Department of Water and Power sheet U002-SA1 (no date). Letter requesting Emergency Use Permit prepared by Katherine Rubin, Los Angeles Department of Water and Power dated September 5, 2025.
Previous Reviews:	11-25-2025, 11-17-2025, 9-19-2025

Emergency Coastal Development Permit Review Findings

Planning Stage Review

☒ The project plans and report(s) are **ACCEPTABLE** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ The project plans and report(s) are **NOT ACCEPTABLE** from a geotechnical perspective. The listed 'Planning Stage Review Comments shall be addressed prior to acceptance.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes, guidelines, and standards of practice, including the following current City adopted standards:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, *Buildings and Construction*
- City of Malibu *Guidelines for the Preparation of Engineering Geology and Geotechnical Engineering Reports and Procedures for Report Submittal* (November 2013) referred to herein as "Geotechnical Guidelines"

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning regulations, as appropriate; any questions regarding Planning regulations or interpretations should be directed to the case Planner.

This review is limited to the proposed scope of work as described in the Project Type section above. All other geologic or geotechnical issues concerning the subject property are outside of the scope of this review.

Remarks

The revised plans have been reviewed from a geotechnical perspective. The revision is for the site entrance; no other revisions are proposed for the site plan. The grading plans depict proposed road sections showing 735 cy of cut, 135 cy of fill.

Based on the submitted reports and plans, the scope of the proposed project includes grading to create an entrance and widen an existing dirt road on the site, approximately 16-feet to 30-feet wide, and fine grading to create a 16-foot-wide access road, oriented east-west across the existing flat pad onsite. Three laydown areas are proposed with four (4) non-habitable 8 ft by 20 ft material storage trailers on the western side of the site. According to the project description provided to Planning, approximately 20,900 sq ft. of aggregate base is proposed to cover the site, likely spread out over the laydown and road areas. Fencing is proposed around the entire material storage site (fence type not specified, presumably chain link). The site is proposed to be in use for up to 4 years, based on discussions with representatives from the Los Angeles Department of Water and Power.

This project and site was discussed with LADWP in a meeting on June 26, 2025 wherein it was noted that this site was in the middle of large landslide as mapped and documented by the California Geological Survey in their report *Landslide Hazard Mapping for Selected California, Highway Corridors, Phase 2Üalifornia Geological Survey Special Report 243, Chapter 8: Landslide Hazards Along Route 1 between Santa Monica and Oxnard* (2017). See links below and page 253 of this report under section **Highway Segment C: Malibu Canyon to Escondido Canyon, PM 46.8 to 51.8,** paragraph 3 "RV Park" slide.

https://maps.conservation.ca.gov/cgs/lsi/

https://www.conservation.ca.gov/cgs/documents/publications/special-reports/sr_243/SR_243-ch-8-sans-Plates.pdf

Eagle View aerial photo link keyed to RV Park APN:
https://egis3.gis.lacounty.gov/ipa_s/?apn=4459008003

This landslide is classified by CGS as "dormant young," which is defined as landslides with landforms that are relatively young but with no record of historic movement. The landslide underlies the entire proposed laydown site, and the entire south facing slope above and below Corral Canyon Road. This road is the only access to about 100 homes in Los Angeles County in the hills above the site, and the Malibu Beach RV Park at 25801 Pacific Coast Highway is located on the southeast lobe of the landslide. Reports prepared for the fire rebuild project at the Malibu Beach RV Park in 2019 and 2023 (see references) documented mapping of cracks in the asphalt of Corral Canyon Road above the RV park in 2023 and interpreted them as being due to creep of the underlying fill and colluvium, and not the result of landslide reactivation (Geotechnical Design Consultants, April 19, 2023). However, the undersigned reviewer (and other

geotechnical reviewers for the City, Christopher Dean, CEG and Michael B. Phipps, CEG) note that during 1998 and 2005, they personally observed tension cracks at the margins of the landslide congruent with creep movement of the landslide during years of high rainfall. There is no record of remedial stabilization measures for this landslide.

The geologic site characterization and the static and pseudo-static slope stability analysis presented by LADWP was intended to satisfy the applicable sections of Los Angeles County Building Code Section 110. LADWP geotechnical staff modeled the existing slope stability condition of the landslide and compared it to the proposed slope stability condition of the landslide including the proposed work. The existing and proposed factors of safety were evaluated using under lower bound and upper bound material parameters. **The results of the analysis indicate that the proposed grading (which will be permanent) and the loading from materials storage (temporary) will have an insignificant effect on the stability of the landslide, relatively speaking, under static and pseudo-static load conditions**. The revised report dated November 24, 2025, provides a code-conforming finding in accordance with Los Angeles County Code Section 110.2.1.

Planning Stage Comments

1. None.

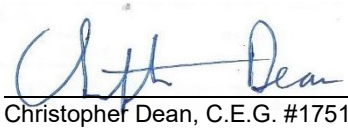
Recommended Note for the Plans

1. The geotechnical professionals for LADWP should review, sign, and stamp the final grading plans.
2. Include the proposed monitoring plan as notes and details on the grading and drainage plan. The monitoring plan may include any or all of the following suggested by LADWP: procedures for visual observation by qualified personnel, installation of instrumentation or other monitoring devices to detect movement or vibration onsite with defined alarm thresholds, and an action plan to respond to detected movement or vibration alarms or after potentially triggering seismic or hydrological events occur.

Please direct questions regarding this review sheet to the City's Geotechnical consultants listed below.

Geotechnical Engineering Review by: 

Lauren J. Doyel, G.E. #2981, Exp. 6-30-27 — 3-18-2026
Geotechnical Engineering Reviewer (805-370-8710) — Date
Email: ldoyel@malibucity.org

Engineering Geology Review by: 

Christopher Dean, C.E.G. #1751, Exp. 9-30-26 — 3-18-2026
Engineering Geology Reviewer (408-656-3210) — Date
Email: cdean@malibucity.org

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

Not Applicable.

Los Angeles Department of Water & Power

BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners
Allan T. Marks, President
Nurit D. Katz, Vice President
Rudy J. Ortega Jr.
Wilma J. Pinder
Benny B. Tran

Chante L. Mitchell, Secretary

Janisse Quiñones, Chief Executive Officer and Chief Engineer

March 12, 2026

Ms. Yolanda Bundy
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Dear Ms. Bundy:

Subject: ECDP No. 25-017 – 4000 Corral Canyon Road, Malibu, CA
Justification for Emergency

The Los Angeles Department of Water and Power (LADWP) is in the process of restoring the Pacific Palisades community with critical power service. Space to store material for the restoration continues to be very constrained due to the very limited space available within the area and vicinity, and this has slowed down the restoration effort progress. LADWP has been required to move its laydown area on various occasions, and these multiple relocations have hindered the progress of the re-establishment of power service for this community. As more members of the community rebuild their homes and repopulate the area, LADWP must be able to provide power service for public health and safety. Yet again, LADWP faces losing its current laydown location placing LADWP in a very serious emergency with its workflow to restore critical power service to this community.

If you have any questions, please feel free to contact me at (213) 367-0436.

Sincerely,

Katherine Rubin
Director of Corporate Environmental Affairs

KR:ar
c: Ms. Samantha Elias, City of Malibu
Mr. Tyler Eaton, City of Malibu

Los Angeles Department of Water & Power

BUILDING A STRONGER L.A.

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Benny B. Tran

Chante L. Mitchell, Secretary

Janisse Quiñones, Chief Executive Officer and Chief Engineer

March 9, 2026

Ms. Samantha Elias
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Dear Ms. Elias:

Subject: Corral Canyon Laydown Area Project - 4000 Corral Canyon Road Emergency Coastal Development Permit No. 25-017 ESHA Findings

The Los Angeles Department of Water and Power (LADWP) submits the enclosed Environmentally Sensitive Habitat Area (ESHA) Assessment, as discussed at our meeting on Tuesday, March 3, 2026, for the emergency Coastal Development Permit 25-017, for the Corral Canyon Laydown Project located at 4000 Corral Canyon Road.

LADWP appreciates all your support and time in working with us. If you have any questions or need additional information, please feel free to contact me at (213) 367-0436.

Sincerely,

Katherine Rubin
Director of Corporate Environmental Affairs

JAH:cv
Enclosure

Corral Canyon Staging Area Environmentally Sensitive Habitat Area (ESHA) Assessment

Prepared by:

Environmental Planning and Assessment
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1044
Los Angeles, CA 90012

March 2026

1. Introduction

1.1 Purpose

This memorandum has been prepared to assess the Los Angeles Department of Water and Power (LADWP)'s proposed laydown area located at 4000 Corral Canyon Road in Malibu, California for Environmentally Sensitive Habitat Area (ESHA) as defined in the City of Malibu's Local Coastal Program (LCP). This memorandum supplements the Biological Resources Assessment (BRA, LADWP, 2025) prepared to support the emergency Coastal Development Permit (eCDP) for the laydown area.

1.2 Background

The LADWP-owned Malibu property encompasses 97 acres in the Santa Monica Mountains Significant Ecological Area. Corral Canyon Road abuts the property and provides access to the site, located at approximately 4000 Corral Canyon Road.

The 2025 Palisades Fire destroyed large areas of Pacific Palisades, Topanga, and Malibu, burning 23,448 acres and destroying 6,837 structures, making it the most destructive fire to occur in the history of the City of Los Angeles. LADWP's emergency response crew is in need of a site for emergency command staging and is targeting use of landholdings near the burned areas, including the Corral Canyon property, which is located approximately 12 miles from the Pacific Palisades.

1.3 Project Description

The southern portion of the property would be proposed as a temporary utility laydown yard to support fire restoration efforts (restoring and upgrading the power distribution system in the Pacific Palisades; Figures 1, 2 and 3). Up to one acre would be mowed and used for laydown, access roads, and trailer staging. Roads would require grading to improve access to the site. All active areas would be covered with four to six inches of aggregate base. Locking shipping containers (Conex) would house wire, cable and insulators. The laydown area would hold underground prefab concrete structures and electric conduits. The proposed area would be enclosed with approximately 1,600 linear feet of fencing. No nighttime lighting, portable toilets, restrooms or utility hooks ups are proposed.

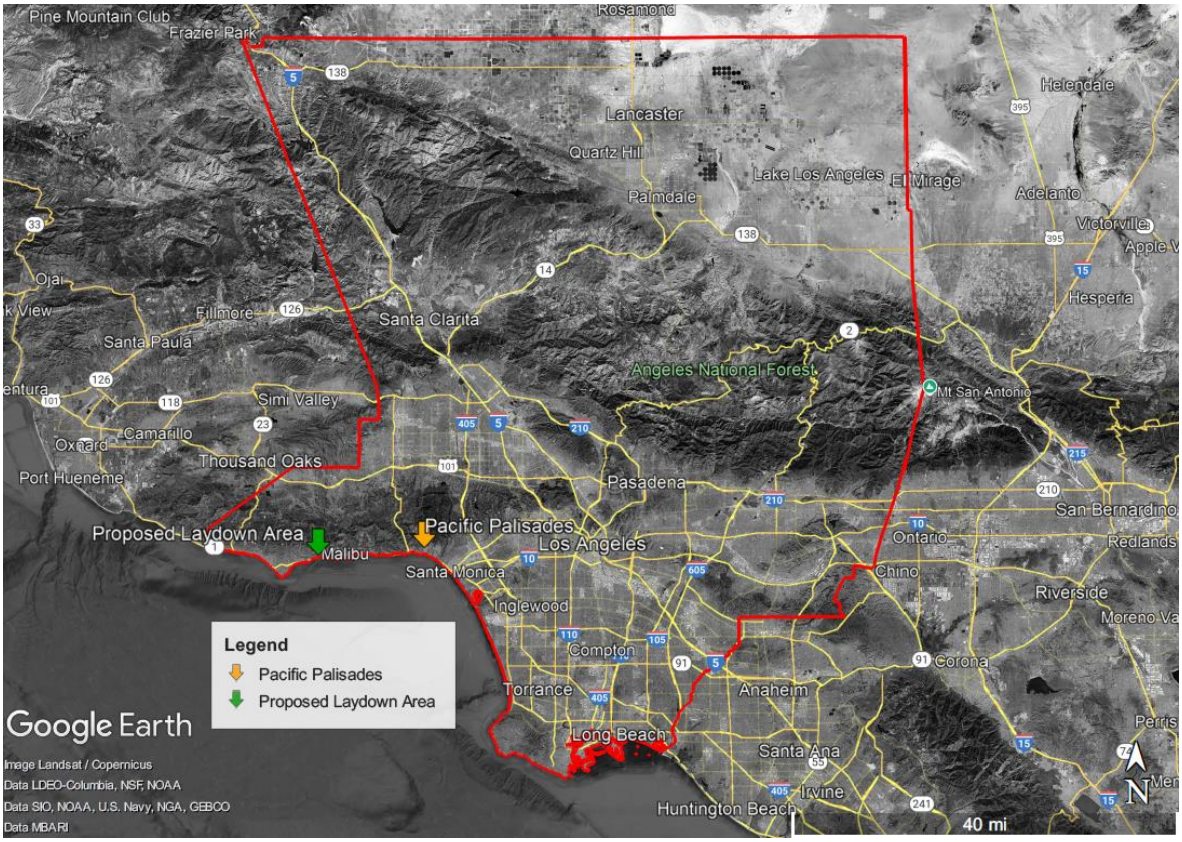


Figure 1. Regional Map



Figure 2. Laydown and Entrance

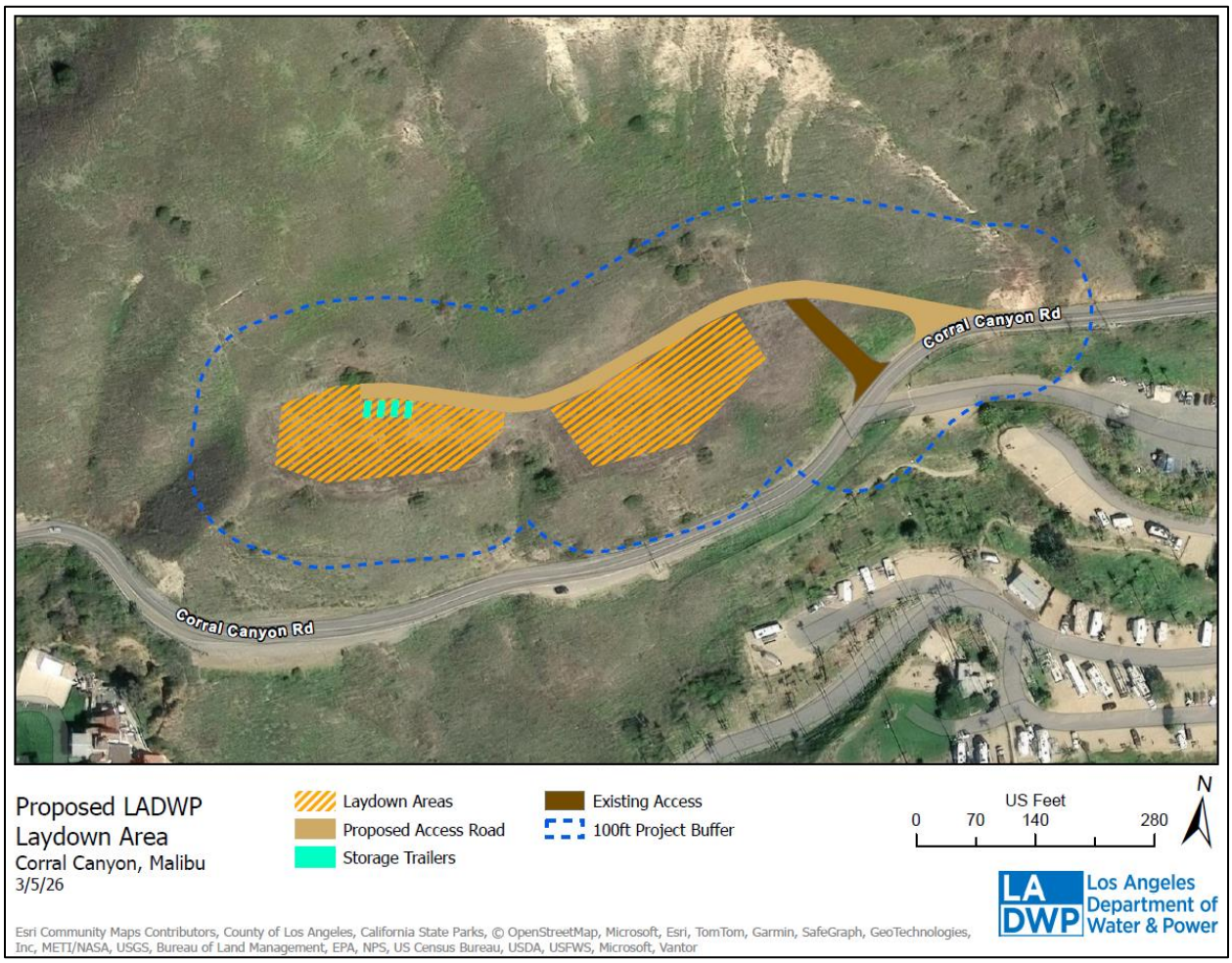


Figure 3. Proposed Laydown Area

1.4 Local Regulations

City of Malibu Local Coastal Program

The entire City of Malibu is located within the California coastal zone, which means that all development and activity occurring within city limits (unless considered exempt) is subject to the regulations of the City's Local Coastal Program (LCP). LCPs contain the ground rules for protecting sensitive coastal resources and public access along the entire coastline of California. LCPs are required for all jurisdictions located within the coastal zone and the California Coastal Commission (CCC) is tasked with overseeing certification of those LCPs before they become law at the local level. Likewise, any amendments to an LCP must first be certified by the CCC before taking effect. Malibu's LCP was certified in 2002 and grants the City authority to review and approve coastal development permits (CDPs) at the local level. The policies and regulations of the LCP supersede any policy or regulation of the City's General Plan or Zoning Code in the event there is a conflict between the documents. Zoning is administered through the

LCP Local Implementation Plan (LIP), and land use is administered through the LCP Land Use Plan (LUP). Combined, the two documents constitute the City's LCP.

Environmentally Sensitive Habitat Area (ESHA)

The City of Malibu LCP provides protection for ESHA by restricting developments that occur on or near ESHA. The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the parcel is within LCP ESHA Overlay Map areas. The City of Malibu LCP Local Implementation Plan (LIP) defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." ESHAs protected in the LIP include areas of native habitats such as woodland, coastal bluff, coastal sage scrub, and chaparral; and wetlands, streams, and riparian areas surrounding streams. See section 2.3 for more details on ESHA findings.

1.5 Literature Review and Records Searches

As discussed in the BRA, the following natural resource databases, management agency websites, and biological reports were used to identify special-status species and habitats:

- California Department of Fish and Wildlife (CDFW)'s California Natural Diversity Database (CNDDB; CDFW 2025);
- California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California (CIRP; CNPS 2025);
- U.S. Fish and Wildlife Service (USFWS)'s Information for Planning and Consultation (IPaC) (USFWS 2025a);
- USFWS Environmental Conservation Online System Critical Habitat Mapper (USFWS 2025b);
- USFWS National Wetlands Inventory (USFWS 2025c)

1.6 Habitat Assessment

LADWP Environmental Planning and Assessment Staff provided habitat assessments of the proposed project site on May 26, 2025, July 11, 2025, October 25, 2025, February 12, 2026, February 18, 2026, and March 4, 2026. The habitat assessment on March 4, 2026 included a 100-foot buffer around the project site (depicted in Figure 3).

2.0 BRA Findings

2.1 Vegetation Communities and Land Cover Types

Four vegetation communities and land cover types were mapped within the survey area (project area with 100-foot buffer). One vegetation community was mapped within the project area. The vegetation communities and land cover types mapped within the project site are summarized in table 1 and their spatial distribution is presented in Figure 4.



Figure 4. Vegetation Community Map

Table 1. Vegetation Communities and Land Cover Types in the Survey Area and Project Area

Vegetation Community or Land Cover Type	Alliance[1]	Association	Ranking[2]	Acreage within the Survey Area	Acreage within the Project Area
Native Vegetation Communities					
Laurel Sumac Scrub	*Malosma laurina* Shrubland	*Malosma laurina – Eriogonum cinereum*	G4S4	0.22	0
			Native Vegetation Communities Subtotal	*0.22*	*0*
Semi-Naturalized Vegetation Communities					
Upland Mustards or Star Thistle Fields	*Brassica nigra–Centaurea* (*solstitialis, melitensis*) Herbaceous	*Hirschfeldia incana*	GNA SNA	5.7	0.89
			Herbaceous Semi-Naturalized Vegetation Communities Subtotal	*5.7*	*0.89*
Disturbed and Developed Land Cover Types					
Urban/Developed	NA	NA	NA	0.38	0
Disturbed Habitat	NA	NA	NA	0.54	0.1

Table 1. Vegetation Communities and Land Cover Types in the Survey Area and Project Area

Vegetation Community or Land Cover Type	Alliance[1]	Association	Ranking[2]	Acreage within the Survey Area	Acreage within the Project Area
			Unvegetated Land Cover Types Subtotal	*0.92*	*0.1*
			Total	**6.84**	**0.99**

Notes:

[1] The term semi-natural is used in the Manual of California Vegetation to distinguish vegetation types dominated by non-native plants from natural vegetation communities (CNPS 2026).

[2] The conservation status of a vegetation community is designated by a number from 1 to 5, preceded by a letter reflecting the appropriate geographic scale of the assessment (G = global, S = subnational/state). The numbers have the following meaning (NatureServe 2025): 1 = critically imperiled; 2 = imperiled; 3 = vulnerable to extirpation or extinction; 4 = apparently secure; 5 = demonstrably widespread, abundant, and secure; NA = no applicable ranking

Upland Mustards or Star-thistle Fields

The upland mustards or star-thistle fields alliance features either black mustard (*Brassica nigra*), field mustard (*Brassica rapa*), Italian thistle (*Carduus pycnocephalus*), Geraldton carnation weed (*Euphorbia terracina*), shortpod mustard (*Hirschfeldia incana*), Dyer's woad (*Isatis tinctoria*), or cultivated radish (*Raphanus sativus*), among other similar ruderal forbs, as the dominant species in the herbaceous layer (CNPS 2026). Membership rules of this alliance indicate *Euphorbia terracina* or *Cynara cardunculus* > 50% relative cover in the herbaceous layer with other non-natives, including *Brassica nigra* and *Bromus diandrus* (CNPS 2026). One provisional association was mapped in the study area: *Hirschfeldia incana.* The entirety of the project site and the majority of the 100-foot survey area is characterized by this community, consisting of upland ruderal forbs as dominant in the herbaceous layer, and some shrubs are present at low cover. The habitat in the project area is dominated by invasive species including Geraldton carnation weed, Yellow Starthistle (*Centaurea solstitialis),* Black Mustard, Brome grasses (*Bromus* sp.), Yellow Sweetclover (*Melilotus indicus*), and Slender Wild Oat (*Avena barbata).* The association is not considered a sensitive vegetation community by CDFW (2026).

Laurel Sumac Scrub

The Laurel sumac scrub alliance features Laurel Sumac (*Malsoma laurina*) as the dominant or co-dominant shrub canopy with California Sagebrush (*Artemisia californica),* California brittlebrush (*Encelia californica),* Ashyleaf buckwheat *(Eriogonum cinereum)* and others. Membership rules of this alliance indicate *Malsoma laurina* is >50% or is >30% relative cover if co-dominant with California buckwheat (*Eriogonum fasciculatum)* or Black Sage (*Salvia mellifera)* in the shrub canopy (CNPS 2026). One provisional association was mapped in the study area: *Eriogonum cinereum.* This alliance was not mapped within the project area but was mapped within the 100-foot buffer survey area (Figure 4). Other species observed in this community in the survey area include: California sagebrush, California brittlebrush, Ashyleaf buckwheat and shortpod mustard. The association is not considered a sensitive vegetation community by CDFW (2026).

Disturbed Habitat
Although not recognized by the Manual of California Vegetation, Online Edition (CNPS 2026) or the Natural Communities List (CDFW 2026), disturbed habitat is described in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008). Disturbed habitat is described as areas generally lacking vegetation due to high levels of existing or historical human disturbance and are no longer recognizable as a native or naturalized vegetation association. Areas mapped as disturbed habitat may include unpaved roads, trails, and graded areas (Oberbauer et al. 2008). Vegetation in these areas, if present at all, is usually sparse and dominated by non-native weedy herbaceous species (Oberbauer et al. 2008). Areas mapped as disturbed habitat are associated with the project site entrance road (Figure 4). This land cover would not be considered sensitive by CDFW.

Urban/Developed
Although not recognized by the Manual of California Vegetation, Online Edition (CNPS 2026) or the Natural Communities List (CDFW 2026), urban/developed is described in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008). Urban/developed refers to areas that have been constructed on or disturbed so severely that native vegetation is no longer supported. Developed land includes areas with permanent or semi-permanent structures, pavement or hardscape, landscaped areas, and areas with a large amount of debris or other materials. Areas mapped as urban/developed within the study area include the paved road that surrounds the project site (Figure 4). This land cover would not be considered sensitive by CDFW.

2.2 Special Status Species

2.2.1 Special Status Plants
Of the 55 plant species identified as in the general project vicinity based on desktop review in the BRA, one special status plant species, Malibu Baccharis (*Baccharis malibuensis*), with a California Rare Plant Rank (CRPR) status of 1B.1 (rare), has a moderate potential to occur. However, the site has been surveyed six times over the past year including surveys by qualified botanists, and this species was not detected during any of the surveys. Special status plants were not detected during the surveys and there is a low potential for their occurrence based on the historic and annual vegetation clearing of the site. It is possible that use of the site could result in temporary, indirect impacts to vegetation (and therefore special-status plant species) adjacent to the Project from dust. However, as described in the BRA, implementation of MM-BIO-1 would require a pre-work survey of grading and staging areas to delineate (with tape, fencing, etc.) the limits of disturbance for those activities, and to identify and mark any sensitive species to ensure avoidance. MM-BIO-4 would be implemented to avoid sensitive plants or facilitate transplanting for native species that are not federally or state-listed. With the implementation of these minimization measures, the construction of the proposed project is not expected to result in impacts to special-status plant species. BMP-4, BMP-5, BMP-6, and BMP-7 would ensure that indirect impacts to special-status plants beyond the construction area, if present, are avoided (See Appendix A for full list of Avoidance and Minimization Measures).

2.2.2 Nesting Birds & Raptors

The proposed project would require trimming of vegetation that provide potential nesting habitat for birds protected by the Migratory Bird Treaty Act, California Migratory Bird Protection Act, and the Fish and Game Code. If present at the time of vegetation removal, active nests, eggs, or young could be harmed. In addition, indirect impacts from noise or vibration have the potential to disturb an active bird nest to the point of failure if the nest is within immediate proximity to project activities. To avoid impacts to active bird nests, eggs, or young, preconstruction nesting bird surveys will be required as described in the BRA under MM-BIO-1 and BMP-3.

2.2.3 Special Status Mammals

The San Diego Woodrat (*Neotoma lepida intermedia*) has a moderate potential to occur in the project area, with marginal habitat present on site due to routine vegetation maintenance. However, this species was not detected on the project site during multiple surveys. To avoid impacts to special status mammals, pre-work surveys, protection of special-status wildlife species, and biological monitoring (MM-BIO-1, MM-BIO-2, and MM-BIO-3) will be required as described in the BRA.

2.2.4 Special Status Reptiles

California legless lizard and Southern California legless lizard have a moderate potential to occur on site, and Coastal whiptail and coast horned lizard have a high potential to occur on site due to potentially suitable habitat on site. All four species are California species of special concern (SSC). However, the habitat on the project site consists of relatively compact soils and is heavily vegetated which likely reduces the potential for long term persistence on the site for California legless lizard, Southern California legless lizard, and coast horned lizard. Similarly, because coastal sage scrub communities occur near the project site there is a potential for Coastal whiptail to disperse across the site. None of these species were detected during multiple surveys of the project site. If present during project activities, these species could be harmed by construction equipment. If the species are observed in the project area, the CDFW regulations for development require fulfilment of measures to avoid impacts to them as per the following measures, as described in the BRA: pre-work surveys, protection of special-status wildlife species, and biological monitoring (MM-BIO-1, MM-BIO-2, and MM-BIO-3).

2.2.5 Special Status Insects

Crotch's Bumble Bee, American Bumble Bee, and Monarch Butterfly were identified as special status insects that have a high potential to occur on site due to potential forage plants on site. If present during project activities, these species could be harmed directly or indirectly by construction equipment. While the site has a high probability to support monarch breeding (i.e., not overwintering) populations of this species due to host plant narrowleaf milkweed being present (LADWP 2025), the site does not contain any suitable habitat (i.e. wind-protected tree groves) for overwintering populations of monarch butterfly which are the federally protected populations. Sporadic patches of narrowleaf milkweed were identified and mapped on site, but at very low coverage (<1%) in comparison to the non-native species, and the entire survey area is identified as the Upland Mustard or Star-thistle Fields Herbaceous Semi-Naturalized Alliance. Narrowleaf milkweed, a common species that does not have special status, is present in abundance among the Santa Monica Mountains as a whole, including within the same

LADWP-owned parcel outside of project activities less than 0.1 mile (mi) away, Corral Canyon Park which is 0.36 mi east, Solstice Canyon which is 0.4 mi northwest, and Bluffs Park which is 1.86 miles east (iNaturalist, 2026). The proposed critical habitat for the Monarch Butterfly is located across Alameda, Marin, Monterey, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura Counties and does not overlap with the project site (USFWS 2025b). Due to the site presenting poor overwintering habitat due to lack of significant perennial vegetation (such as eucalyptus trees) that could support these species during overwintering, potential impacts to protected overwintering populations (the federally protected populations) of this species are not expected. Crotch's Bumble Bee and American Bumble Bee are known from coastal areas of the City and forage widely across the region following seasonal plant expression. While these species prefers certain native species of plants, they are a generalist forager and use a wide variety of plants and habitat for foraging and nesting. Based on the surveys there did not appear to be a wide base of forage for the species but they can forage on non-native mustards when available. None of these species were detected during multiple surveys of the project site.

Prior to disturbance LADWP would implement MM-BIO-1 which requires preconstruction surveys within the disturbance limits for special-status wildlife species. Should individuals be located, no construction activity shall occur until the animals have left the area (MM-BIO-2). MM-BIO-3 requires a biological monitor to be present to ensure that sensitive species are avoided by construction crews should they enter the work area. MM-BIO-4 requires surveys for Crotch's bumblebee to determine presence/absence of this species, and to develop requirements for avoidance and minimization should this species be found.

3.0 ESHA Summary

3.1 LIP ESHA Guidance

As discussed in the LIP Section 4.3 ESHA Determination B.:

> *Unless there is site-specific evidence that establishes otherwise, the following habitat areas shall be considered to be ESHA:*
>
> 1. *Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.*
> 2. *Any habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law City of Malibu LCP Local Implementation Plan Adopted by the California Coastal Commission on September 13, 2002 Page 124.*
> 3. *Any habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State law or regulations.*
> 4. *Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (Rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or*

endangered in California but more common elsewhere) by the California Native Plant Society,

5. *Any designated Area of Special Biological Significance, or Marine Protected Area.*
6. *Streams.*

A California Coastal Commission Memorandum (CCC 2003) was issued to provide details on the designation of ESHA in the Santa Monica Mountains in the context of the Malibu LCP. As described in the memo, the scientific background presented for ESHA Analysis in the Santa Monica Mountains was adapted from the Revised Findings for the Malibu LCP that the CCC adopted on February 6, 2003. The memo identified three important elements to the definition of ESHA: "First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of a particular habitat. Second, in order for an area to be designated ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities (CCC 2003)."

3.2 ESHA Assessment

Element 1 – is the habitat or species rare?
As described in section 2.1, the project site is comprised solely of a vegetation community entitled the Upland Mustards or Star-thistle Fields alliance. This habitat is dominated by non-native species and is not rare or considered sensitive by CDFW. No rare plants were identified on site. The area surrounding the project site is also not identified as rare or sensitive.

Element 2 – is the habitat or species especially valuable?
Areas may be valuable because of their "special nature," such as being an unusually pristine example of a habitat type, containing an unusual mix of species, supporting species at the edge of their range, or containing species with extreme variation. Habitats are generally considered valuable because of their special role in the ecosystem, and the Coastal Act requires that this role be "especially valuable." This test is met for relatively pristine areas that are integral parts of the Santa Monica Mountains ecosystem if they are demonstrably rare and extraordinarily special. The project site is largely dominated by non-native species that are not especially valuable to the Santa Monica Mountains ecosystem. There is a minimal composition of common native plants that can support native sensitive wildlife species of the area, however the project site is located within a much larger area that has abundant populations of the same common native plants. Use of the site by sensitive species has not been documented during multiple surveys of the project area. The habitat and species known for the surveyed project site would not be considered especially valuable.

Element 3 – would the area be easily disturbed or degraded by human activities and developments?
The area has been subject to regular vegetation maintenance on an annual basis for at least the last 35 years (Google 2026). Continuing human activities on the project site would not result in any significant disturbance or degradation of the site in its current state.

3.3 ESHA Determination

The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the project area is within LCP ESHA Overlay Map areas. Following completion of the biological surveys and assessment of the habitat known for the project area and the survey area, there was no habitat identified on site or in the survey area that would be deemed rare or especially valuable from a local, regional or statewide basis. As discussed in section 2.1, the vegetation communities are not identified as sensitive by CDFW (2026) and use of the site by sensitive wildlife has not been detected.

Section 2.2 provides a summary of special status plant and wildlife species impacts as described in the BRA (LADWP, 2025). As discussed, from the five surveys conducted over the course of a year, no special-status species (plant or wildlife) were identified on site. The BRA describes special status species that have some likelihood of occurrence on site due to habitat presence and recent occurrences near but outside of the project vicinity. While no special status species were detected, nevertheless there is some potential for these species to be present on site as periodic foragers or during dispersal. Therefore, a list of minimization measures and best management practices as discussed above, in the BRA, and in Appendix A below will be implemented to ensure that direct or indirect impacts to special status species are avoided.

Given the evidence of the biological surveys conducted in the area, this region that was previously identified as ESHA within the LCP ESHA Overlap Map does not meet the criteria for ESHA. Under LIP Section 4.3 ESHA Determination (c), if the applicant's site-specific biological study or other independent information contains evidence that an area previously shown on the ESHA overlay does not contain habitat that meets the definition of "environmentally sensitive area", the City shall determine the physical extent of habitat that does meet the definition of "environmentally sensitive area" on the project site.

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Appendix A: Avoidance and Minimization Measures

As described in the Biological Resources Assessment (LADWP, 2025), the measures below will be implemented as part of the proposed operation and maintenance activities to avoid and minimize potential impacts to special-status species and habitats.

Mitigation / BMP	Description
MM-BIO 1 Pre-Work Surveys	A qualified biologist will conduct pre-work surveys within and adjacent to the proposed work area up to 10 days prior to the start of operation and maintenance activities. Pre-work surveys will include, but not limited to: (1) general surveys for botanical and wildlife resources; (2) work areas with flowing or standing water will be visually surveyed for any aquatic species that project activities may impact; and (3) infrastructure, equipment, etc. that may be used as nesting, roosting, or habitat refugia. If the qualified biologist does not find any non-listed or listed special-status species, then work may proceed.
MM-BIO 2 Protection of Listed Special-Status Wildlife Species	If listed special-status wildlife species are observed in the work area during the pre-work surveys, no work will occur until the individual has left the work area. If necessary, the appropriate regulatory agencies will be contacted about how best to proceed.
MM-BIO 3 Biological Monitoring	If the qualified biologist locates non-listed special-status species or other wildlife in the proposed work area during the pre-work surveys, the qualified biologist will determine, based on the type and location of work, what level (e.g., daily, weekly) of monitoring may be required. During monitoring, the qualified biologist will make every effort to keep the species out of harm's way to the extent feasible using one of the following methods: cease operation and maintenance activities until the individual leaves the area on its own; re-direct the individual out of the work area into suitable habitat; or capture and relocate the individual to suitable habitat outside the work area if the qualified biologist has the appropriate handling permit(s). If a listed special-status species is observed in the work area, all operation and maintenance activities will cease until the individual has voluntarily left the work area.
MM-BIO 4 Protection of Special-Status and Native Plants	All non-listed native plant species shall be avoided, if feasible. When not feasible, the plant may be salvaged and replanted in an area that will not be disturbed by operation and maintenance activities. If any federally- or state-listed listed plant species are observed in or near a work area, they will be avoided using an appropriate buffer and no operation and maintenance activities will occur within this buffer.
MM-BIO 5 Crotch's Bumble Bee	Before any vegetation is cleared or grading begins, a qualified biologist must conduct presence/absence surveys for Crotch's bumble bee to determine if they are present. The biologist shall search both the Project area and adjacent areas to search for foraging bees and underground nests. All survey findings, even if no bees are found, must be reported to the California Department of Fish and Wildlife (CDFW) prior to mobilization of construction crews to the Project area, including

	details about the survey conditions, the biologist(s) involved, physical environment, and a description of the potentially impacted habitat if a nest is found. If no Crotch's bumble bees or their nests are found, no further action is needed. However, if nests or potential nests are identified, a Crotch's bumble bee protection plan must be developed and approved by CDFW before any ground disturbance occurs. This plan will outline measures including timing restrictions for ground-disturbing activities (e.g., avoiding raking until from winter months to late March to protect overwintering queens), preconstruction survey requirements that must occur at least 30 days before work starts to find active nests, setting up avoidance buffers around nest sites, and restricting construction activities that could harm nests, biological monitoring during constriction. Any accidental "take" of the bumble bees or their nests is only permitted under specific CDFW authorizations.
MM-BIO 6 Night Work Restrictions	To minimize potential impacts on sensitive biological resources (e.g., nocturnal wildlife [including bats], migratory birds), adjacent residential areas (noise, light pollution), and worker safety, all construction and heavy equipment operation activities shall be restricted to daylight hours only. No work shall commence prior to twilight and all work shall cease by civil dusk, as defined by local sunrise/sunset tables. This restriction applies to all phases of the project, including vegetation clearing, grading, and construction. If emergency work is required or the project schedule necessitates temporary night work, prior written approval must be obtained from the appropriate regulatory agencies. Any approved night work shall implement additional specific mitigation measures, such as directional shielding of lights, noise reduction best management practices, and biological monitoring, as deemed necessary to minimize potential adverse effects.
BMP-1 Worker Environmental Awareness Training	A Worker Environmental Awareness Training will be provided to all on-site personnel (i.e., LADWP employees and contractors). Educational materials will be created and incorporated into a worker environmental awareness training for all project personnel working in the project area where sensitive habitats and/or species may be present. Educational materials will identify sensitive species and their habitat, discuss any specific measures to protect the species and their habitat, what to do if the species is observed, etc. Upon completion of the training, employees will sign a form stating they attended the program and understand all the protection measures. These forms will be filed at the worksite office.
BMP-2 Work Notification	Prior to the start of operation and maintenance activities, personnel will contact the Environmental Planning and Assessment Group (213-841-0750) to notify them of the proposed work. Environmental Planning and Assessment will be responsible for coordinating work with a qualified biologist. The qualified biologist will determine, based on the type and location of work, if a pre-work survey is required.
BMP-3 Nesting Bird Surveys and Nest Protection	LADWP will make every effort not to remove or otherwise disturb vegetation from February 1 to August 31. If work cannot be avoided during this period, a qualified biologist will conduct a nesting bird survey three days prior to the start of operation and maintenance activities. If an active nest is identified, the qualified biologist will establish a buffer of sufficient size around the nest based on existing conditions, including ambient noise, topography, and disturbance tolerance to avoid any

	negative impacts on the nesting bird(s). The nest site will be adequately marked such that personnel are aware of the buffer zone. The qualified biologist will take care not to mark the buffer in a way that would draw attention to the nest by potential predators. The qualified biologist will document the baseline behavior of the nesting bird(s) and monitor the behavior of the bird(s) to determine the efficacy of the buffer. If the qualified biologist determines that operation and maintenance activities may be impacting the bird(s), they will adjust the buffer accordingly. No work will occur in the buffer until the nest becomes inactive or the young have left the area.
BMP-4 Prevent the Introduction and Spread of Invasive Plants	LADWP will conduct operation and maintenance activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, seeds, animals, and microbes from one project site and/or watershed to another. LADWP will implement applicable best management practices and guidelines for invasive plants as found on the California Invasive Plant Council's website.
BMP-5 Vehicle or Equipment Maintenance and Fueling.	Any equipment or vehicles driven and/or operated while conducting operation and maintenance activities will be checked regularly and maintained as needed to prevent leaks of materials that could impact special-status species and their habitat. No vehicle or equipment maintenance or fueling will be done in or near any waterway where petroleum products or other pollutants from the equipment could enter these areas in the case of a spill or leak.
BMP-6 Pollutants and Debris	No debris, soil, silt, sand, bark, slash, sawdust, trash, construction waste, cement or concrete washings, asphalt, paint, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, or other organic or earthen material from operation and maintenance activities will be allowed to contaminate the soil and/or enter into or placed where it may be washed by rainfall or runoff into any stream, channel, culvert, or ditch.
BMP-7 Trash Abatement and Refuse Removal	Trash and food items will be contained in animal-proof containers and removed at the end of each workday to avoid attracting opportunistic predators such as common ravens, coyotes, and feral dogs.

Corral Canyon Staging Area

Environmentally Sensitive Habitat Area (ESHA) Assessment Addendum

Prepared by:

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July 2026

1. Purpose

At the request of the City of Malibu, this addendum has been prepared to analyze the Los Angeles Department of Water and Power (LADWP)'s proposed laydown area located at 4000 Corral Canyon Road in Malibu, California for Environmentally Sensitive Habitat Area (ESHA) as defined in the City of Malibu's Local Coastal Program (LCP) with respect to Section 4.3 ESHA Determination B (4):

> *"Any habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State Law or regulations" and "Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society".*

This addendum supplements the March 2026 ESHA Memorandum in addition to the Biological Resources Assessment (BRA, LADWP, 2025) previously prepared to support the emergency Coastal Development Permit (eCDP) for the laydown area.

2. Background and Incorporated Assessments

The LADWP-owned Malibu property encompasses 97 acres in the Santa Monica Mountains Significant Ecological Area. Corral Canyon Road abuts the property and provides access to the site, located at approximately 4000 Corral Canyon Road. LADWP is proposing to use approximately one acre of the 97 acres for temporary laydown to support fire recovery efforts in the Pacific Palisades. Please refer to the BRA (LADWP, 2025) and the ESHA Memo (LADWP, 2026) for the project description, special status species analysis, vegetation community mapping, and ESHA analysis.

3. Environmentally Sensitive Habitat Area (ESHA) Investigation

The City of Malibu LCP provides protection for ESHA by restricting developments that occur on or near ESHA. The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the parcel has been mapped as within LCP ESHA Overlay Map areas. The City of Malibu LCP Local Implementation Plan (LIP) defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." ESHAs protected in the LIP include areas of native habitats such as woodland, coastal bluff, coastal sage scrub, and chaparral; and wetlands, streams, and riparian areas surrounding streams.

Although this region was previously mapped as ESHA within the LCP ESHA Overlay Map, the actual observations from the various biological surveys that have been

conducted led to the determination that the proposed area does not meet the criteria for ESHA.

The City of Malibu ESHA maps further discuss that “Boundaries of ESHA may change location over time due to varying circumstances. This map is not intended to depict fixed boundaries of ESHAs or marine resources and may not include al areas that are ESHA. This map does not establish any final boundary lines or constraints on the Commission’s ability to identify, map and regulate ESHAs and Marine Resources in the City of Malibu” (City of Malibu, 2002b). Under LIP Section 4.3 ESHA Determination (c), if the applicant’s site-specific biological study or other independent information contains evidence that an area previously shown on the ESHA overlay does not contain habitat that meets the definition of “environmentally sensitive area”, the City shall determine the physical extent of habitat that does meet the definition of “environmentally sensitive area” on the project site.

LIP Section 4.3 ESHA Determination B (4)

The City of Malibu has requested that LADWP evaluate the proposed laydown site with emphasis on LIP Section 4.3 ESHA Determination B (4) – see underlined language below.

> *Unless there is site-specific evidence that establishes otherwise, the following habitat areas shall be considered to be ESHA:*
>
> 1. *Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.*
> 2. *Any habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law City of Malibu LCP Local Implementation Plan Adopted by the California Coastal Commission on September 13, 2002 Page 124.*
> 3. *Any habitat area that contributes to the viability of species that are designated “fully protected” or “species of special concern” under State law or regulations.*
> 4. *Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as “1b” (Rare or endangered in California and elsewhere) or designation as “2” (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society,*
> 5. *Any designated Area of Special Biological Significance, or Marine Protected Area.*
> 6. *Streams.*

The following analysis refers to criteria set forth in LIP Section 4.3 ESHA Determination B (4).

The entirety of vegetation communities identified onsite have been assessed and determined to be common (i.e. not rare) under local, state and federal regulatory

agency metrics. Further, the area has been surveyed extensively and no special status species or habitat have been identified.

As described in the BRA and ESHA Memo, the site is largely dominated (>95%) by non-native, invasive weeds that do not provide quality habitat or forage for special status species known for the area. As depicted in Figures 1 and 2, the dominant plant species carnation spurge (*Euphorbia terracina)* is described by the California Invasive Plant Council (Cal-IPC) as a non-native invasive plant that produces toxic sap and has allelopathic properties that reduce germination of native plants (Cal-IPC 2026*).* The other dominant plant species on the site were all determined to be non-native and documented by the Cal-IPC as harmful to native habitat such as black mustard (*Brassica nigra*) and shortpod mustard (*Hirschfeldia incana*). The majority of plant species known from the project site and surrounding areas are exclusionary to native habitat and could be argued to be harmful in its continued presence for native plant and wildlife species. Nevertheless, there is still some potential of special status species to be present for periodic forage or dispersal in these non-native areas, irrespective of the lack of value of the vegetation on site. Therefore, avoidance and minimization measures were incorporated in an abundance of caution.



Figure 1. Picture captured on May 24, 2025 depicting the entrance. Dominant species include non-natives such as carnation spurge and mustard.

The BRA identifies a range of special status species that have some potential to occur on site due to certain general environmental conditions and proximity to known occurrences, however no special status species or habitat were observed on site during extensive surveys.



Figure 2. Picture captured on May 24, 2025 depicting the laydown site. Dominant species is non-native carnation spurge.

The BRA conservatively assigns avoidance and minimization measures to ensure that if any potential special status species are encountered, these measures would be implemented to ensure avoidance. Assigning avoidance and minimization measures is a common practice for work on a proposed site and does not confirm or indicate the presence of special status species on site.

The vegetation communities described in the ESHA Analysis Memo are known to be non-native, common, and not considered rare by California Department of Fish and Wildlife or the California Native Plant Society.

4. Water Resources or Riparian Areas

As discussed in the BRA, the National Wetlands Inventory (NWI) Wetlands Mapper documented riverine habitat (R4SBA) traveling through the center of the site for a span of approximately 50 feet. During the field surveys, the mapped area was located and investigated for field indicators of jurisdictional features. Within the area where the feature is mapped, no characteristics were detected that indicate this area supports significant hydrology (i.e., permanent, intermittent, or relatively permanent waters), and no hydric soils were identified. The area lacked evidence of flow features or concavity and also lacked any channel with a defined bed and bank. No hydric vegetation was detected within the mapped area, and the vegetation composition was consistent with the surrounding area and classified as “Upland.” Aerial imagery reviewed for this study shows that this area has been disced on a nearly annual basis within the Project area. Therefore, although this site was mapped as riverine, the field survey verified that the area is not an aquatic feature and therefore not jurisdictional.

No other jurisdictional features were mapped on the project site, and biological surveys did not detect any jurisdictional features on the project site.

5. Protected Trees and Shrubs

The proposed laydown area was surveyed for protected trees and shrubs under the Los Angeles County Ordinance and the City of Malibu. No oak (*Quercus* sp.), sycamore (*Platanus* sp.), alder (*Alnus* sp.), walnut (*Juglans* sp.) or toyon (*Heteromeles arbutifolia*) trees nor shrubs were observed on site.

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Planning Division

CONSTRUCTION NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST ADDITION.
2. A COPY OF THE GRADING PERMIT AND GRADING PLAN MUST BE IN THE POSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE WHILE WORK IS IN PROGRESS.
3. ALL CUT AND FILL SLOPES SHALL NOT BE STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE.
4. FILL AREAS SLOPING STEEPER THAN 5:1 SHALL BE KEYED AND BENCHED TO SUPPORT FILL.
5. FILL MATERIALS SHALL BE PLACED IN LAYERS NOT EXCEEDING 6 INCHES IN COMPACTED THICKNESS AND COMPACTED AT OPTIMUM MOISTURE CONTENT BY APPROVED METHOD.
6. ALL FILL TO BE COMPACTED TO A MINIMUM OF 90% DENSITY OF THE MAXIMUM DENSITY AND SO CERTIFIED BY TESTS AND REPORTS PERFORMED BY A SOILS ENGINEER.
7. SURVEY DATUM: HORIZONTAL CALIFORNIA COORDINATE SYSTEM 1983, ZONE 5, 2025_00; VERTICAL NORTH AMERICAN VERTICAL DATUM 1988.
8. ELEVATIONS SHOWN IN PARENTHESIS ARE EXISTING.
9. DASHED CONTOUR LINES INDICATE EXISTING GRADE.
10. ALL ELEVATIONS ARE FINISHED GRADE EXCEPT AS NOTED.
11. GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITTED TO THE PUBLIC WORKS DEPT.
12. EXCESS SOIL AND ANY UNSUITABLE MATERIAL MUST BE TRANSPORTED AND DISPOSED AT A LEGAL, PERMITTED DUMP SITE.
13. THE GEOTECHNICAL ENGINEER SHALL BE NOTIFIED TO INSPECT AND APPROVE THE EXPOSED SUBGRADE OR BOTTOM OF THE EXCAVATED AREAS BEFORE PLACING ANY COMPACTED FILL MATERIAL. NOTIFY THE GEOLOGY/GEOTECHNICAL GROUP AT 213-367-4192 AT LEAST 48 HOURS IN ADVANCE OF ANY SOIL INSPECTIONS.
14. ALL CHAIN LINK FENCING MATERIALS SHALL BE IN ACCORDANCE WITH DWP STANDARD SPECIFICATION NO. G-106-R3.
15. EARTHWORK SHOULD BE PERFORMED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE LOS ANGELES CITY GRADING CODES, THE LATEST EDITION OF THE SSPWC (GREENBOOK, 2024).
16. PRIOR TO CONSTRUCTION, THE AREAS PLANNED FOR NEW CONSTRUCTION SHOULD BE CLEARED OF EXISTING IMPROVEMENTS AND ANY OTHER DELETERIOUS MATERIALS. VEGETATION, TRASH, AND DEBRIS SHOULD BEPROPERLY DISPOSED OFFSITE. UNDERGROUND SERVICE ALERT (USA) OF SOUTHERN CALIFORNIA, ALSO KNOWN AS DIG ALERT SHALL BE CONTACTED TO LOCATE AND VERIFY ANY EXISTING OR ABANDONED UTILITY LINES IN THE AREA PLANNED FOR CONSTRUCTION. EXISTING UTILITIES SHOULD BE EITHER PROPERLY ABANDONED AND REMOVED OR REROUTED AROUND THE DEVELOPMENT AREA TO PRESERVE THEIR FUNCTION. EXCAVATIONS THAT RESULT FROM THE REMOVAL OF UTILITIES AND OTHER EXISTING SITE IMPROVEMENTS SHOULD BE PROPERLY BACKFILLED AND COMPACTED.
17. LADWP CORPORATE ENVIRONMENTAL SERVICES GROUP SHALL BE CONTACTED IMMEDIATELY IF SOIL OF A QUESTIONABLE ENVIRONMENTAL QUALITY IS ENCOUNTERED DURING CONSTRUCTION. THE QUESTIONABLE SOIL SHALL THEN BE PLACED IN PLASTIC AND LABELED AS SOIL NOT TO BE USED FOR BACKFILL.
18. IF UNSUITABLE SOILS ARE ENCOUNTERED DURING EXCAVATION, ADDITIONAL EXCAVATION TO REMOVE THE UNSUITABLE MATERIALS TO EXPOSE A FIRM AND UNYIELDING SURFACE WILL BE REQUIRED.
19. PRIOR TO PLACING FILL, THE SUBGRADE SHALL BE SCARIFIED TO A DEPTH OF 6 INCHES, MOISTURE-CONDITIONED TO APPROXIMATELY 2 PERCENT ABOVE OPTIMUM AND COMPACTED TO AT LEAST 90 PERCENT RELATIVE COMPACTION. THE FINISH SUBGRADE SHOULD BE MAINTAINED MOIST AT ALL TIME PRIOR TO PLACING FILL OR OTHER IMPROVEMENTS.
20. ALL FILL MATERIALS SHALL BE INORGANIC SOILS FREE OF VEGETATION, DEBRIS, AND COBBLES LARGER THAN 3 INCHES IN DIAMETER.
21. ENGINEERED FILL SHOULD BE PLACED IN LOOSE LIFTS NOT TO EXCEED 8 INCHES, MOISTURE-CONDITIONED TO 2 PERCENT ABOVE ITS OPTIMUM MOISTURE, AND COMPACTED TO AT LEAST 90 PERCENT RELATIVE COMPACTION IN ACCORDANCE WITH ASTM D1557.
22. TEMPORARY EXCAVATIONS MUST BE PROPERLY SLOPED OR SHORED IN ACCORDANCE WITH OSHA STANDARDS.
23. THE CONTRACTOR IS RESPONSIBLE FOR WORKER SAFETY IN THE FIELD DURING CONSTRUCTION. THE CONTRACTOR SHALL CONFORM TO ALL APPLICABLE OCCUPATIONAL SAFETY ANO HEALTH STANDAROS, RULES, REGULATIONS, AND ORDERS ESTABLISHED BY THE STATE OF CALIFORNIA.
24. PRIOR TO PLACEMENT OF CRUSHED AGGREGATE BASE (CAB), THE SUBGRADE SOILS SHALL BE EXCAVATED TO MINIMUM DEPTH OF 6 INCHES BELOW PROPOSED DEPTH AND RECOMPACTED TO A MINIMUM OF 90 PERCENT RELATIVE COMPACTION BASED ON THE MAXIMUM DRY DENSITY DETERMINED BY ASTM D1557.
25. CAB SHALL SATISFY THE SPECIFICATIONS CONTAINED IN THE SSPWC FOR GRADATION AND SHOULD HAVE A MINIMUM R-VALUE OF 78. ALL GRADATION AND R-VALUE SHOULD BE CONFIRMED BY THE GEOTECHNICAL ENGINEER DURING CONSTRUCTION. ALL BASE MATERIALS SHOULD BE COMPACTED TO A MINIMUM OF 95 PERCENT OF THE MAXIMUM DRY DENSITY PER ASTM 01557.

ESTIMATED EARTHWORK QUANTITIES

PROJECT NUMBER ECDP 25-017
PROJECT ADDRESS 4000 CORRAL CANYON RD

REPORT CREATED BY BENTLEY OPENROADS DESIGNER 2023

TERRAIN CALCUATION

CUT FACTOR = 1.0	FILL FACTOR = 1.0
19800 CUBIC FEET	3067 CUBIC FEET
734 CUBIC YARDS	114 CUBIC YARDS

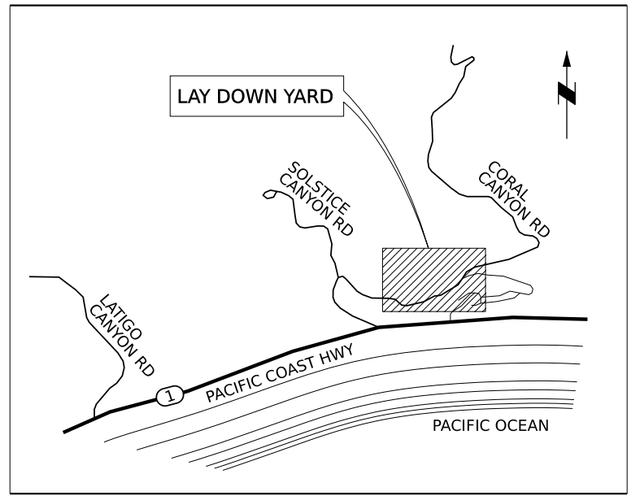
BALANCE 620 CUBIC YARDS
CUT 735 CUBIC YARDS
FILL (CAB): 133 CUBIC YARDS

LEGEND:

● SIGICOM INFRA C22 - WIRELESS TRIAXIAL VIBRATION MONITOR

1. PER THE RECOMMENDATIONS IN THE "Revised Preliminary Geotechnical Report" DATED 11/24/2025, THE MONITORING PLAN SHALL CONSIST OF PERIODIC VISUAL OBSERVATION, PERIODIC MOVEMENT AND SETTLEMENT SURVEYS, ONSITE INSTRUMENTATION, AND ALARM ACTION PLAN AS DETAILED HEREIN.
2. THE LADWP GEOLOGY/GEOTECHNICAL GROUP SHALL PERFORM AN INITIAL SITE ASSESSMENT AT THE SRART OF CONSTRUCTION AND BI-WEEKLY FOLLOW-UP OBSERVATIONS DURING GRADING OPERATIONS. THE FREQUENCY SHALL REDUCE TO QUARTERLY FOLLOW-UP OBSERVATIONS UPON SUBSTANTIAL COMPLETION OF RADING AND CONTINUE SEMIANNUALLY UNTIL COMPLETION OF THE LAY DOWN YARD.
3. THE LADWP GEOLOGY/GEOTECHNICAL GROUP SHALL INSTALL FOUR (4) VIBRATION MONITORS AT THE LOCATIONS SHOWN UPON COMPLETION OF THE INITIAL CLEARING OF VEGETATION, TRASH, AND DEBRIS. VIBRATION MONITORS SHALL REMAIN IN PLACE FOR THE DURATION OF CONSTRUCTION AND THROUGH THE CONCLUSION OF THE FIRST RAINY SEASON FOLLOWING COMPLETION OF THE LAY DOWN YARD.
4. THE LADWP SURVEY GROUP SHALL SET PERMANENT SURVEY MONUMENTS ADJACENT TO EACH VIBRATION MONITOR AND RECORD BENCHMARK ELEVATIONS. MOVEMENT AND SETTLEMENT SURVEYS SHALL BE PERFORMED QUARTERLY UNTIL COMPLETION OF THE LAY DOWN YARD. ADDITIONAL CHECKS SHALL BE PERFORMED AFTER SIGNIFICANT RAIN EVENTS AND UPON ACTIVATION OF AN ALARM.
5. BASELINE VIBRATION MEASUREMENTS SHALL BE OBTAINED AT THE START OF CONSTRUCTION. ALARM THRESHOLDS SHALL BE SET WHEN VIBRATION SIGNALS ARE 10 mm/s ABOVE THE BASELINE PEAK SIGNAL IN EACH DIRECTION. MEASUREMENTS SHALL BE RECORDED USING THE FOLLOWING STANDARD:
   Geophone - Unfiltered geophone signal. Upper frequency limit 500 Hz.
   Level and frequency ranges: 250 mm/s, 5-500 Hz.
   Max resolution in presentation: 0.05 mm/s and 3 significant digits.
   Threshold range: 0.4 220 mm/s.
6. VIBRATION MONITORS SHALL BE CONFIGURED TO TRANSMIT AUTOMATIC NOTIFICATIONS TO THE GEOLOGY/GEOTECHNICAL GROUP WHEN VIBRATION SIGNALS EXCEED THE ALARM THRESHOLD AND RECORD TIME HISTORIES OF EACH EVENT. SUSTAINED ELEVATED VIBRATION MEASUREMENTS SHALL RESULT IN ACTIVATION OF AN ALARM.
7. UPON ACTIVATION OF AN ALARM, THE SURVEY GROUP SHALL BE NOTIFIED AND THE GEOLOGY/GEOTECHNICAL GROUP OR DESIGNATED REPRESENTATIVE SHALL INSPECT THE SITE FOR SIGNS OF DEFORMATION OR SETTLEMENT, AND INVESTIGATE THE CAUSE OF THE ALARM ACTIVATION.
8. DURING CONSTRUCTION, THE GEOLOGY/GEOTECHNICAL GROUP SHALL IMMEDIATELY CONTACT THE SUPERVISOR TO ISSUE AN IMMEDIATE ALL-STOP UPON ACTIVATION OF AN ALARM DURING NORMAL WORKING HOURS. CONSTRUCTION ACTIVITIES SHALL NOT RESUME UNTIL CLEARANCE IS ISSUED BY THE GEOLOGY/GEOTECHNICAL GROUP.
9. FOR ALARM NOTIFICATIONS RECEIVED OUTSIDE OF NORMAL WORKING HOURS, THE GEOLOGY/GEOTECHNICAL GROUP SHALL NOTIFY THE CONSTRUCTION SUPERVISOR OF THE EVENT AT THE START OF THE NEXT SHIFT AND RECOMMEND REDUCED SITE ACTIVITY FOR A SPECIFIED DURATION, IF NECESSARY.
10. AN ALARM WILL NOT BE ACTIVATED FOR ALARM NOTIFICATIONS THAT COINCIDE WITH A RECORDED SEISMIC EVENT WITHIN 10 MILES OF THE SITE WITH A MAGNITUDE BELOW M3. THE GEOLOGY/GEOTECHNICAL GROUP SHALL PERFORM A FOLLOW-UP OBSERVATION AFTER RECORDED SEISMIC EVENTS WITH A MAGNITUDE M3+ UP TO M4. AN ALARM WILL BE ACTIVATED FOR ALARM NOTIFICATIONS THAT COINCIDE WITH A RECORDED SEISMIC EVENT WITH A MAGNITUDE M4+.
11. UPON COMPLETION OF THE LAY DOWN YARD, VISUAL OBSERVATIONS AND MOVEMENT AND SETTLEMENT SURVEYS SHALL BE PERFORMED ON AN ANNUAL BASIS UNTIL THE SITE IS VACATED. OBSERVATION REPORTS, MOVEMENT AND SETTLEMENT SURVEYS, AND LOGS FROM THE VIBRATION MONITORS SHALL BE COMPILED AND SUBMITTED TO THE CITY'S GEOLOGIST ON AN ANNUAL BASIS OR UPON REQUEST.

VICINITY MAP



ABBREVIATIONS

ASPH	ASPHALTIC CONCRETE
CAB	CRUSHED AGGREGATE BASE
CONC	CONCRETE
CY	CUBIC YARD
D	DEGREE
DIA	DIAMETER
DWP	DEPARTMENT OF WATER AND POWER
E.	EASTING
EG	EXISTING GRADE
EL	ELEVATION
ELEC	ELECTRICAL
EXIST	EXISTING
FDN	FOUNDATION
FG	FINISH GRADE
FL	FLOW LINE
FS	FINISHED SURFACE
FT	FEET
GB	GRADE BREAK
L	LENGTH
MIN	MINIMUM
N.	NORTHING
PC	POINT OF CURVATURE
PI	POINT OF INTERSECTION
PP	POWER POLE
R	RADIUS
S	SOUTH
T	TANGENT
TYP	TYPICAL
VAR	VARIES
W	WEST

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: ECDP 25-017
PROJECT ADDRESS: 4000 Corraly Canyon Rd

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	0	0	0	734	0	734
Fill	0	0	0	114	0	114
Total	0	0	0	848	0	848
Import	0	0	0	114	0	114
Export	0	0	0	734	0	734

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: Fernando Alcocer
PRINT NAME
SIGN NAME
DATE: March 26, 2026

REGISTERED PROFESSIONAL ENGINEER · FERNANDO ALCOCER · No. 70713 · CIVIL · STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\PLN Grading Verification Certificate_180201.doc

EXHIBIT C

DES. ENGR. FERNANDO ALCOCER
SUP. ENGR. JOSH PANG

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GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U002-CA1
REV.

DRA

SEE DRAWING NUMBER U002-CA3
STA 3+30.62 TO STA 7+49.27

N.1836023.77
E.6337240.50

N 5+41.64
L 94.73 (R)
Δ 13°31'34"
D 12.49°
L 134.36'
R 158.00'

4" CAB

PORTA POTTIES

4" CAB TRAILER, TYP.

PORTA POTTIES

4" CAB

PORTA POTTIES

4" CAB

R 7+16.11
Δ 10.5682° (LT)
D 9.4652°
T 17.76'
L 35.41'
R 192.00'

EXISTING FENCE TO REMAIN

VIBRATION MONITORING EQUIPMENT TYP

EXISTING DRAIN

CORRAL CANYON ROAD

CORRAL CANYON ROAD

BPP# NO TAG

PLAN

1:30

Scope of Work:

Install approximately 750 ft CAB access road from Corral Canyon Rd. Access road width is 16-ft wide with cross slope of 2%; and connects to Corral Canyon Rd with a driveway. Access road will serve LADWP laydown for equipment and material storage purposes.

Entrance, access road and laydown area will be installed with 4"compacted CAB. Driveway edge daylights to existing grade at limits as shown in the plan at 2:1 slope. Refer to profile on U002-CA4. See Construction Notes, Geotechnical Vibration Monitoring Plan and Abbreviations on U002-CA1.

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GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

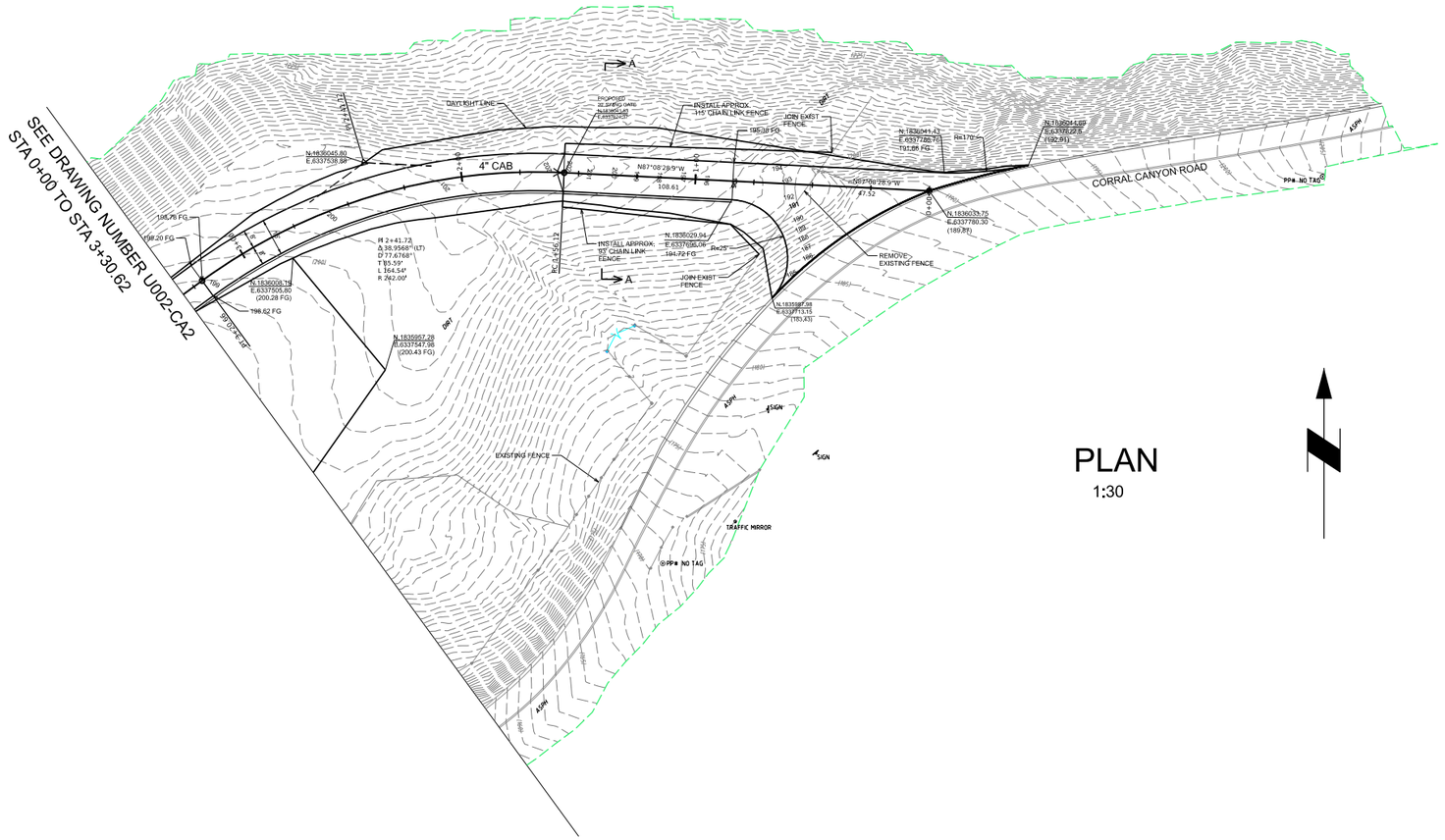
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U002-CA2

REV.

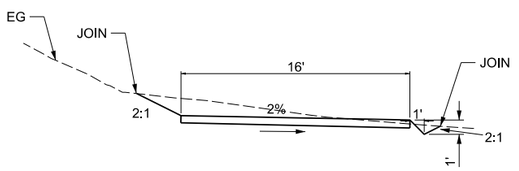
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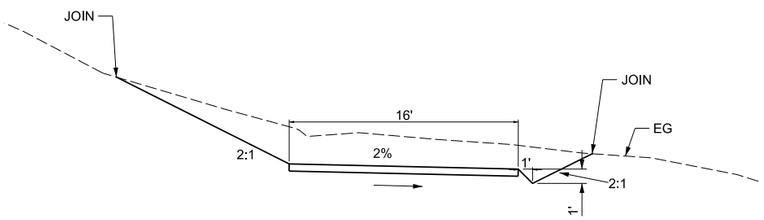
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PLAN
1:30



SECTION B-B



SECTION A-A

REGISTERED PROFESSIONAL ENGINEER — JENNIFER VANEGAS — C 85909 — EXP. 09/30/2026 — CIVIL — STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER — FERNANDO ALCOCER — No. 70713 — CIVIL — STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER — LIPING YAN — No. GE 2554 — EXP. 12/31/2026 — PROTECH/CE — STATE OF CALIFORNIA

DES. ENGR. FERNANDO ALCOCER
SUP. ENGR. JOSH PANG

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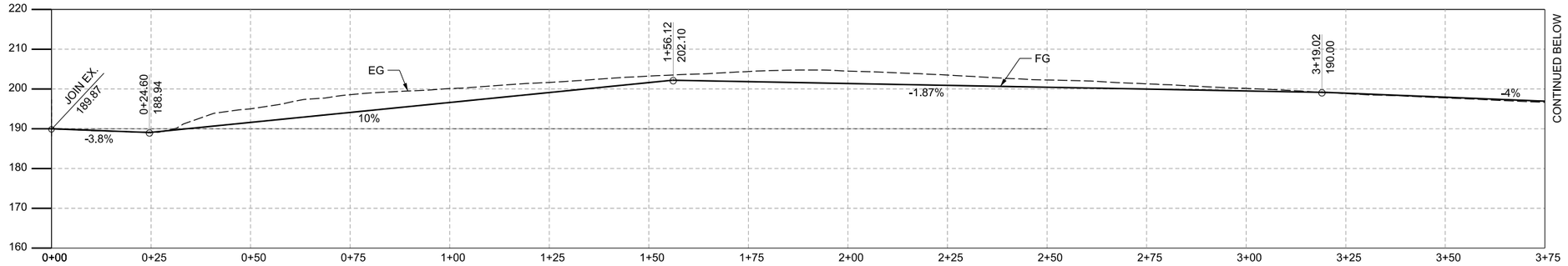
4/14/26
FINAL APPROVAL RELEASE SIGNATURE DATE

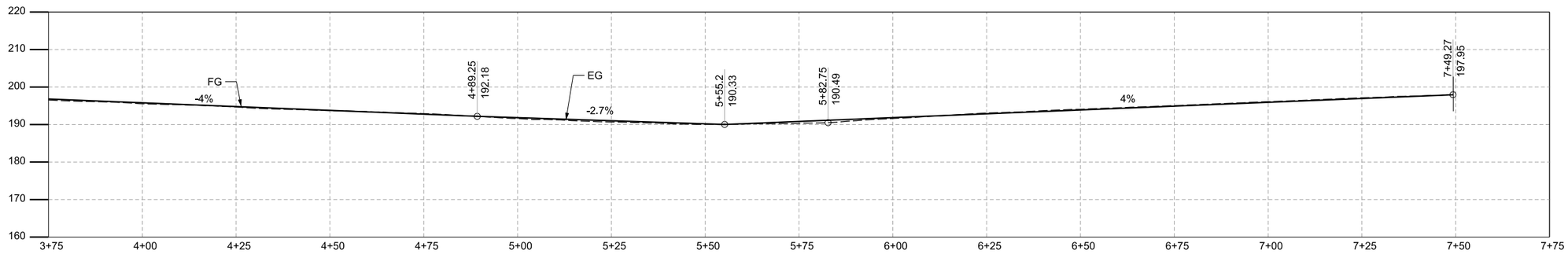
GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U002-CA3

REV.:





ACCESS ROAD

C/85909
EXP. 09/30/2026
CIVIL
STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
FERNANDO ALCOCER
No. 70713
CIVIL
STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
No. GE 2554
EXP. 12/31/2026
GEOTECHNICAL
STATE OF CALIFORNIA

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SUP. ENGR. JOSH PANG

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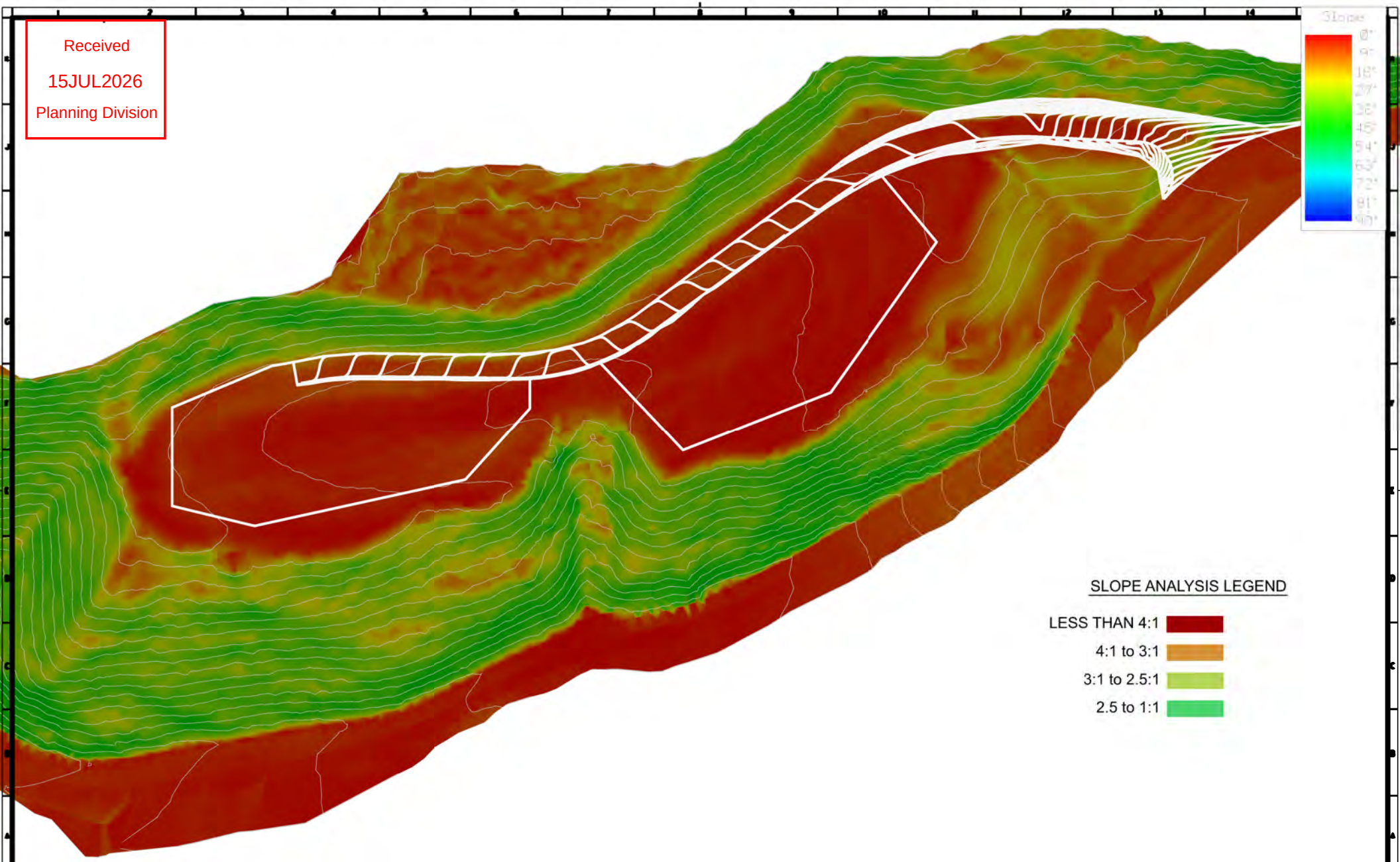
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GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

DWP
POWER SYSTEM
DEPARTMENT OF WATER AND POWER
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U002-CA4
REV.

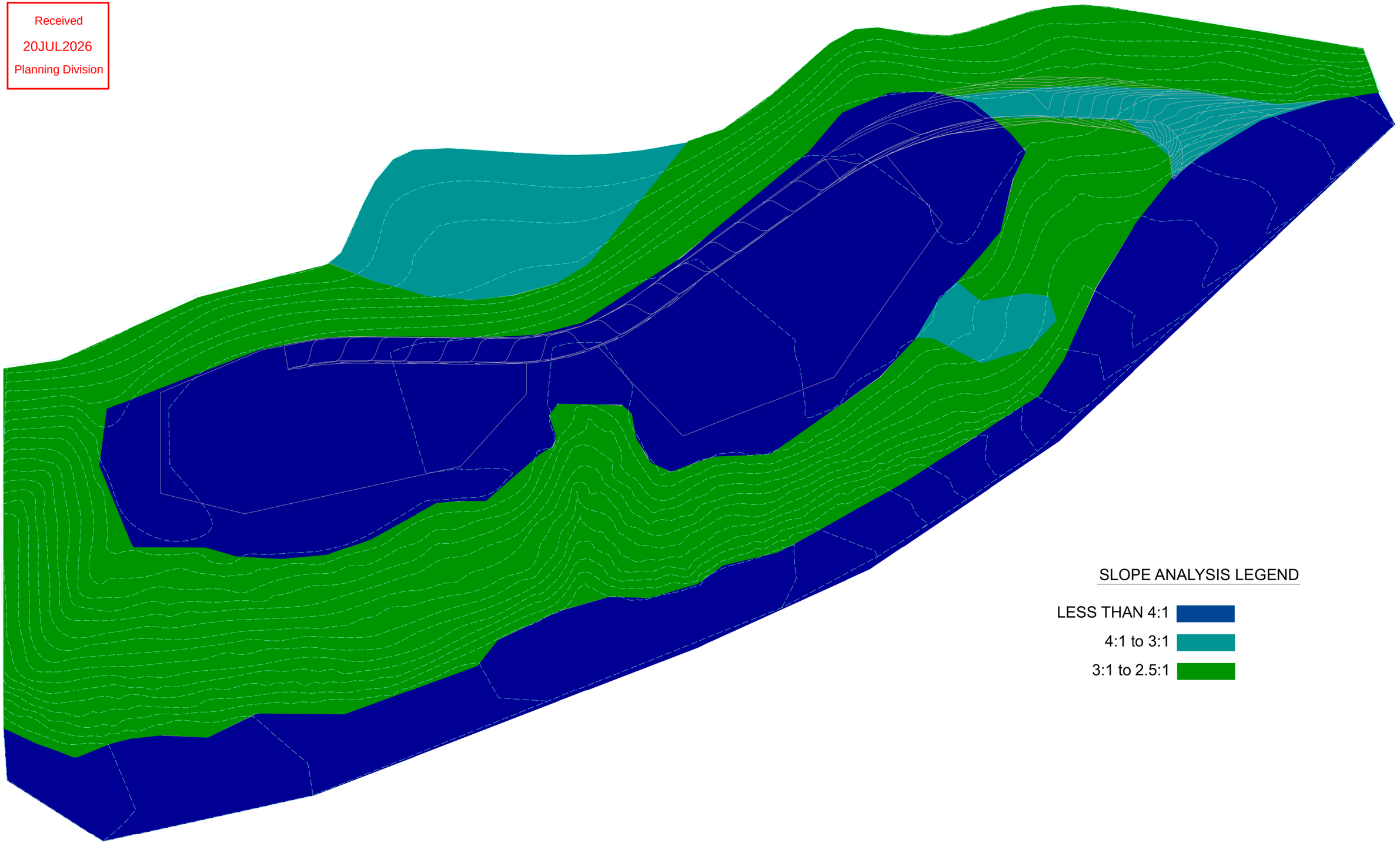
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15JUL2026
Planning Division



GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

U002-CA5

Received
20JUL2026
Planning Division



SLOPE ANALYSIS LEGEND

LESS THAN 4:1

4:1 to 3:1

3:1 to 2.5:1

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CORRAL CANYON LAYDOWN YARD

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CITY OF LOS ANGELES

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REV.

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LEGEND:

STABILIZED ENTRANCE

FIBER ROLLS

STORMWATER FLOW DIRECTION

BEST MANAGEMENT PRACTICES

Erosion Control Practices	
BMP Description	
Erosion Controls	
Scheduling	EC-1.
Sediment Controls	
Silt Fence	SE-1
Gravel Bag Barrier	SE-6
Fiber Rolls	SE-5
Stabilized Construction Entrance	TC-1
Street Sweeping and Vacuuming	SE-7
Non-Storm Water Management	
Water Conservation Practices	NS-1
Waste Management	
Material Delivery and Storage	WM-1
Stockpile Management	WM-3
Spill Prevention and Control	WM-4
Solid Waste Management	WM-5
Sanitary/Septic Waste Management	WM-9

NOTE:

THE SITE CURRENTLY DOES NOT HAVE EXISTING STORM DRAINAGE FACILTIES, AND WILL REAMAIN UNCHANGED ONCE THE LAYDOWN AREA IS COMPLETED.



DES. ENGR. FERNANDO ALCOCER
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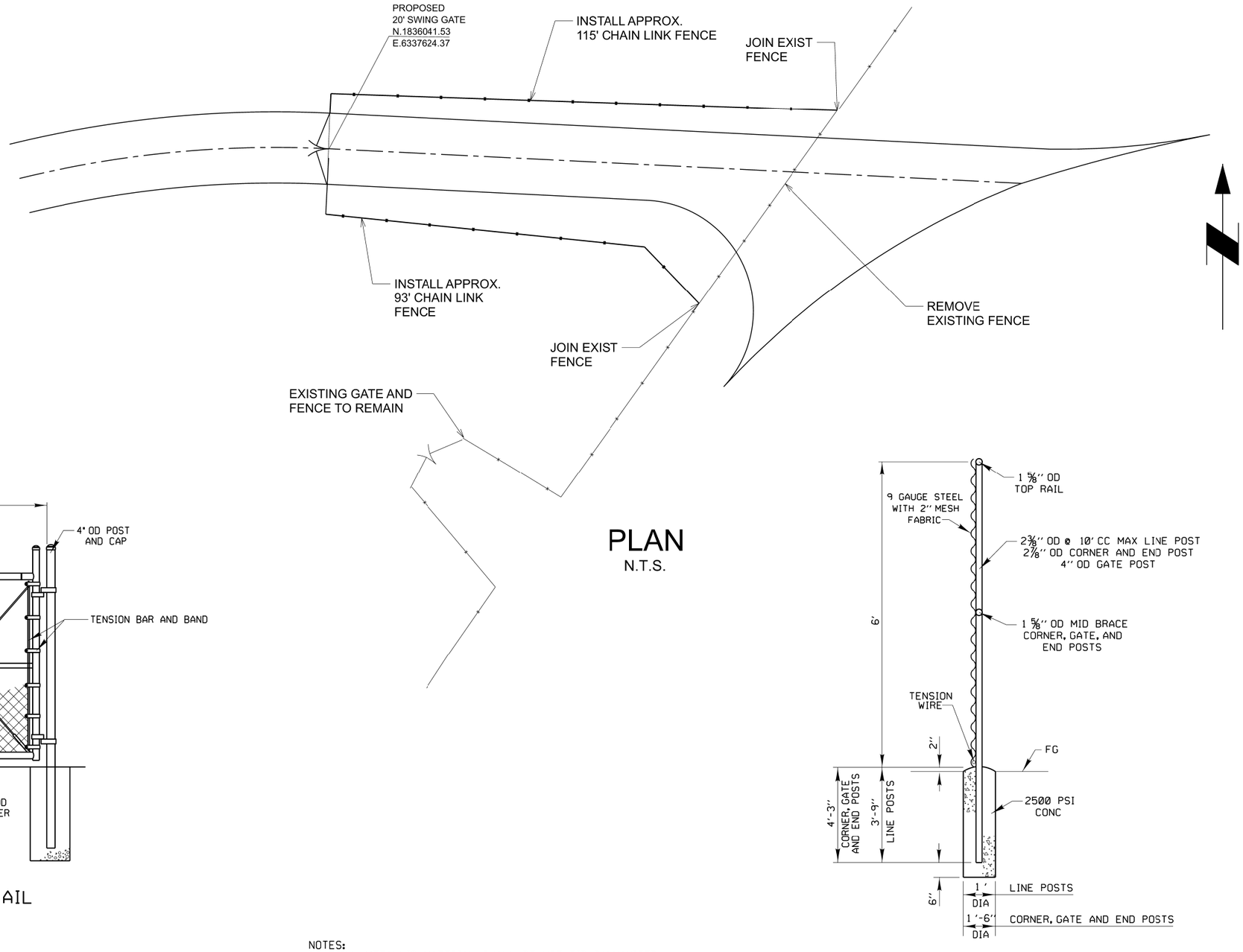
SEDIMENT AND EROSION CONTROL PLAN
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER U002-CA6

REV.

DRA



PLAN
N.T.S.

20' DOUBLE SWING GATE DETAIL
SCALE: NONE

FENCE DETAIL
SCALE: NONE

NOTES:
1. ALL METALLIC MATERIAL SHALL BE HOT DIP GALVANIZED.
2. NEW FENCING IS APPROXIMATELY 90 LINEAR FEET.
3. REMOVE 54 FEET OF EXISTING CHAIN LINK FENCE.
4. INSTALL 208 FEET OF CHAIN LINK FENCE 6-FOOT SPACING.

DES. ENGR. FERNANDO ALCOCER
SUP. ENGR. JOSH PANG

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OWNER/AGENT APPROVAL
DRAWING REVISION RELEASE APPROVAL
FINAL APPROVAL RELEASE SIGNATURE DATE

SCALE: (UNLESS NOTED)
DRAFTING RELEASE
DRAWN BY FERNANDO ALCOCER
CHECKED BY JOSH PANG
ENGINEERING APPROVAL
FERNANDO ALCOCER
JOSH PANG

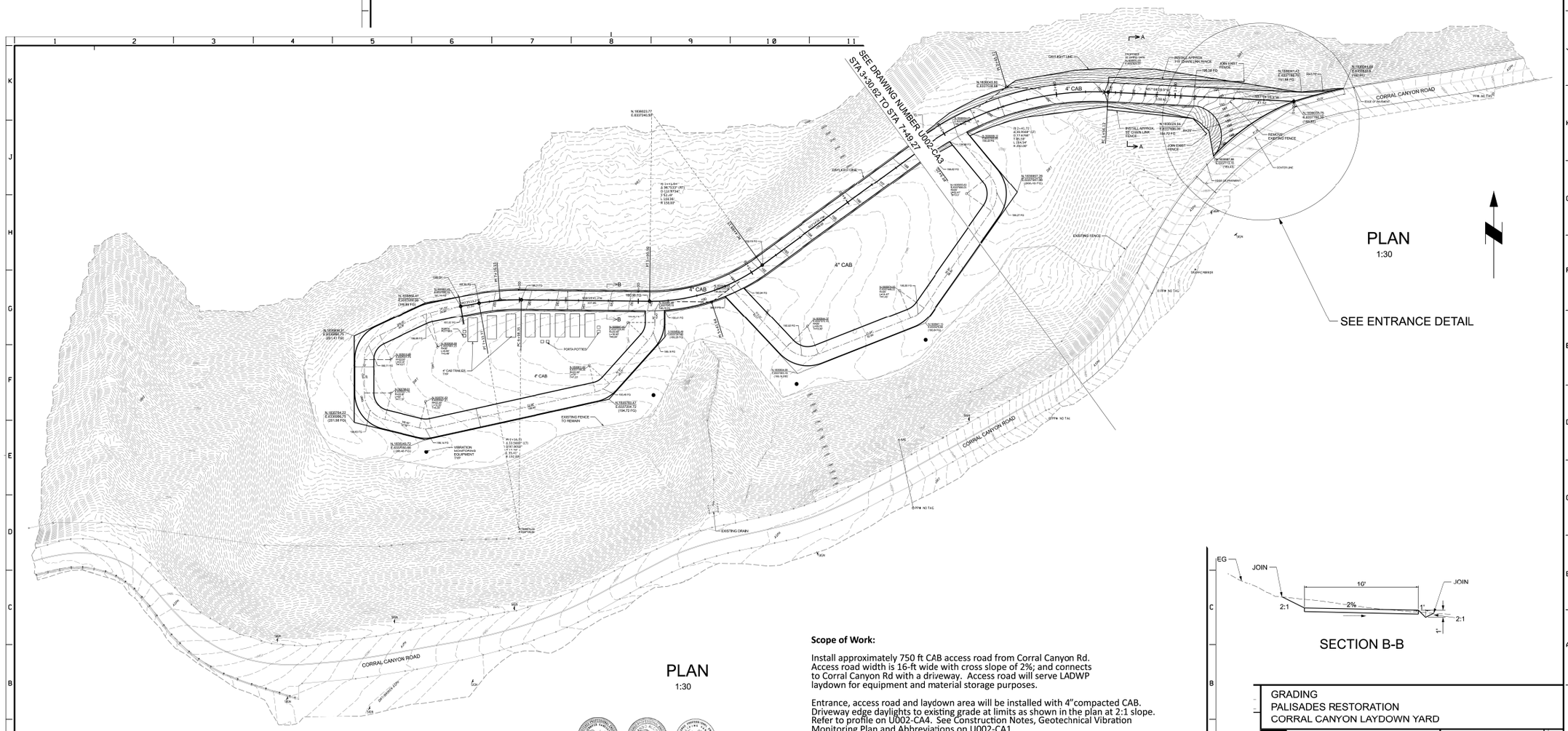
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FENCE AND GATE DETAIL
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U002-CA7
REV.

DRA



PLAN
1:30

PLAN
1:30

Scope of Work:

Install approximately 750 ft CAB access road from Corral Canyon Rd. Access road width is 16-ft wide with cross slope of 2%; and connects to Corral Canyon Rd with a driveway. Access road will serve LADWP laydown for equipment and material storage purposes.

Entrance, access road and laydown area will be installed with 4"compacted CAB. Driveway edge daylights to existing grade at limits as shown in the plan at 2:1 slope. Refer to profile on U002-CA4. See Construction Notes, Geotechnical Vibration Monitoring Plan and Abbreviations on U002-CA1.

SECTION B-B

GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

DRAWING NUMBER
U002-CA3

REV.

DES. BY: FERNANDO ALCOCER
DRAFTED BY: JOSH PANG
SUP. ENGR.:
ASST. MGR.:

REVISIONS

NO.	DESCRIPTION

Revision Number _____

DRAFTING RELEASE
DRAWN BY _____
CHECKED BY _____

ENGINEERING APPROVAL

OWNER/AGENT APPROVAL

DRAWING REVISION RELEASE APPROVAL

FINAL APPROVAL RELEASE SIGNATURE DATE

SCALE: UNLESS NOTED: AS NOTED

DRAFTING RELEASE
DRAWN BY FERNANDO ALCOCER
CHECKED BY JOSH PANG

ENGINEERING APPROVAL
FERNANDO ALCOCER
JOSH PANG

OWNER/AGENT APPROVAL

DRAWING RELEASE APPROVAL

FINAL APPROVAL RELEASE SIGNATURE DATE

GRADING
PALISADES RESTORATION
CORRAL CANYON LAYDOWN YARD

POWER SYSTEM
DEPARTMENT OF WATER AND POWER
CITY OF LOS ANGELES

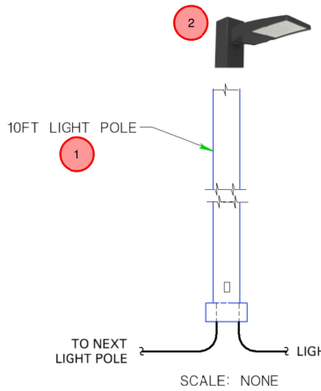
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U002-CA2

REV.

CORRAL CANYON LAYDOWN YARD

PARTS LIST

PART NO	QTY	DESCRIPTION
1	12	RAD 10FT LIGHT POLE, SQUARE, PS4-11-10D2
2	12	RAD ALEDXXS, 3000K, 6.1W, 833 LUMENS, 277V
3	11	AMERLUX AB5 FULL CUTOFF WALKWAY BOLLARD W/180 DEGREE SHIELD, 3000K, 19W, 674 LUMENS, 277V
4	1	POLYMER CONCRETE BOX ASSEMBLY, 11" x 21" x 12", TYPE 2, ANSI/SCTE 77 TIER 15 MEDIUM DUTY
5	1	FIBERGLASS REINFORCED POLYMER HANDHOLE, 30" x 48" x 36", HEAVY TRAFFIC RATED



PRELIMINARY – NOT FOR CONSTRUCTION

This drawing is submitted for conceptual review by the City, AHJ, and environmental agencies only. The lighting plan and associated photometric calculations are intended to demonstrate fixture type, general layout, shielding strategy, control intent, and anticipated lighting performance. Final construction drawings will be prepared following review of this preliminary submittal.

1. Lighting shown is preliminary and intended to convey design intent only.
2. Photometric calculations are included in this submittal for review of lighting performance and off-site impact.
3. Final construction drawings shall provide wiring, conduit routing, mounting details, and control wiring.
4. Exterior lighting is limited to the minimum necessary for vehicle guidance and essential yard operations.
5. Lighting is not intended to illuminate Corral Canyon Road, adjacent hillside areas, the ocean, or other off-site areas.
6. All exterior luminaires shall be 3000K maximum / 850 lumens maximum.
7. All exterior luminaires shall be full cutoff / fully shielded.
8. No uplight is permitted.
9. No direct view of lamp or luminous source shall be allowed from public roads, public viewpoints, or off-site properties.
10. Luminaires shall be oriented downward and toward the interior of the site.
11. Pole-mounted luminaires shall remain inboard of the slope edge as shown.
12. Bollard lights are for local cueing only and are not intended to create continuous perimeter lighting.
13. Lighting shall be motion-controlled and zoned to limit activation to the area needed.
14. Activation of the entire site from a single sensor event is not permitted by design intent.
15. Automatic shutoff shall occur within 10 minutes maximum after last detection.
16. Exterior lighting shall include automatic daylight shutoff controls.
17. Fixture substitutions are not permitted without Engineer review and revised photometric confirmation.
18. Any field condition that increases off-site visibility, glare, or spill shall be brought to the Engineer for review before installation.

REVISIONS

NO.	DESCRIPTION

Revision Number

DRAFTING RELEASE

DRAWN BY

CHECKED BY

ENGINEERING APPROVAL

OWNER/AGENT APPROVAL

DRAWING REVISION RELEASE APPROVAL

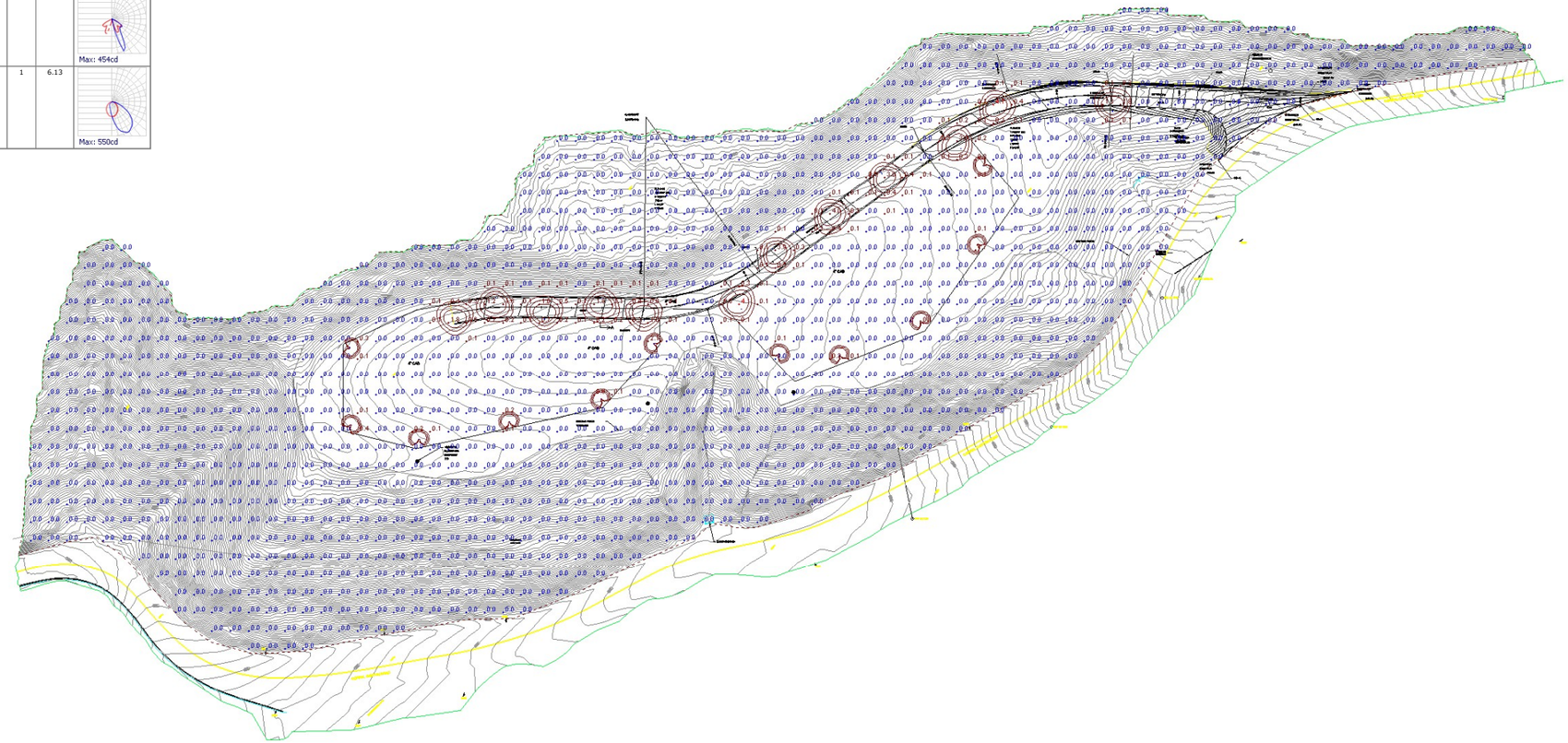
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Schedule

Symbol	Label	Image	QTY	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage	Polar Plot
	A		11	B5HQF1X16U3K	B5 WITH 180-DEGREE SHIELD, ONE 16W QSSI LED ARRAY		1	508	1	17	Max: 454cd
	B		12	ALEDXXS @ 6W/3000K	Outdoor - Pole/Arm-Mounted Area and Roadway Luminaires		1	833	1	6.13	Max: 550cd

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #2	+	0.0 fc	4.1 fc	0.0 fc	N/A	N/A



Current View



The design was developed to comply with Malibu Municipal Code §17.41, with lighting limited to the minimum necessary for site access and safety given site visibility and environmental sensitivity.

- All luminaires are ≤ 3000K, fully shielded, and directed downward
- Fixture outputs are ≤ 850 lumens
- Lighting is motion-activated with ≤ 10-minute shutoff and photocell control
- Fixture placement utilizes site topography to minimize visibility from public viewing areas
- The photometric plan indicates 0.0 fc at the road/property-line interface, demonstrating compliance with light trespass limits

Photometric Calculations were made using Visual Lighting Software

Corral Canyon Staging Area Environmentally Sensitive Habitat Area (ESHA) Assessment

Prepared by:

Environmental Planning and Assessment
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1044
Los Angeles, CA 90012

March 2026

EXHIBIT D

1. Introduction

1.1 Purpose

This memorandum has been prepared to assess the Los Angeles Department of Water and Power (LADWP)'s proposed laydown area located at 4000 Corral Canyon Road in Malibu, California for Environmentally Sensitive Habitat Area (ESHA) as defined in the City of Malibu's Local Coastal Program (LCP). This memorandum supplements the Biological Resources Assessment (BRA, LADWP, 2025) prepared to support the emergency Coastal Development Permit (eCDP) for the laydown area.

1.2 Background

The LADWP-owned Malibu property encompasses 97 acres in the Santa Monica Mountains Significant Ecological Area. Corral Canyon Road abuts the property and provides access to the site, located at approximately 4000 Corral Canyon Road.

The 2025 Palisades Fire destroyed large areas of Pacific Palisades, Topanga, and Malibu, burning 23,448 acres and destroying 6,837 structures, making it the most destructive fire to occur in the history of the City of Los Angeles. LADWP's emergency response crew is in need of a site for emergency command staging and is targeting use of landholdings near the burned areas, including the Corral Canyon property, which is located approximately 12 miles from the Pacific Palisades.

1.3 Project Description

The southern portion of the property would be proposed as a temporary utility laydown yard to support fire restoration efforts (restoring and upgrading the power distribution system in the Pacific Palisades; Figures 1, 2 and 3). Up to one acre would be mowed and used for laydown, access roads, and trailer staging. Roads would require grading to improve access to the site. All active areas would be covered with four to six inches of aggregate base. Locking shipping containers (Conex) would house wire, cable and insulators. The laydown area would hold underground prefab concrete structures and electric conduits. The proposed area would be enclosed with approximately 1,600 linear feet of fencing. No nighttime lighting, portable toilets, restrooms or utility hooks ups are proposed.

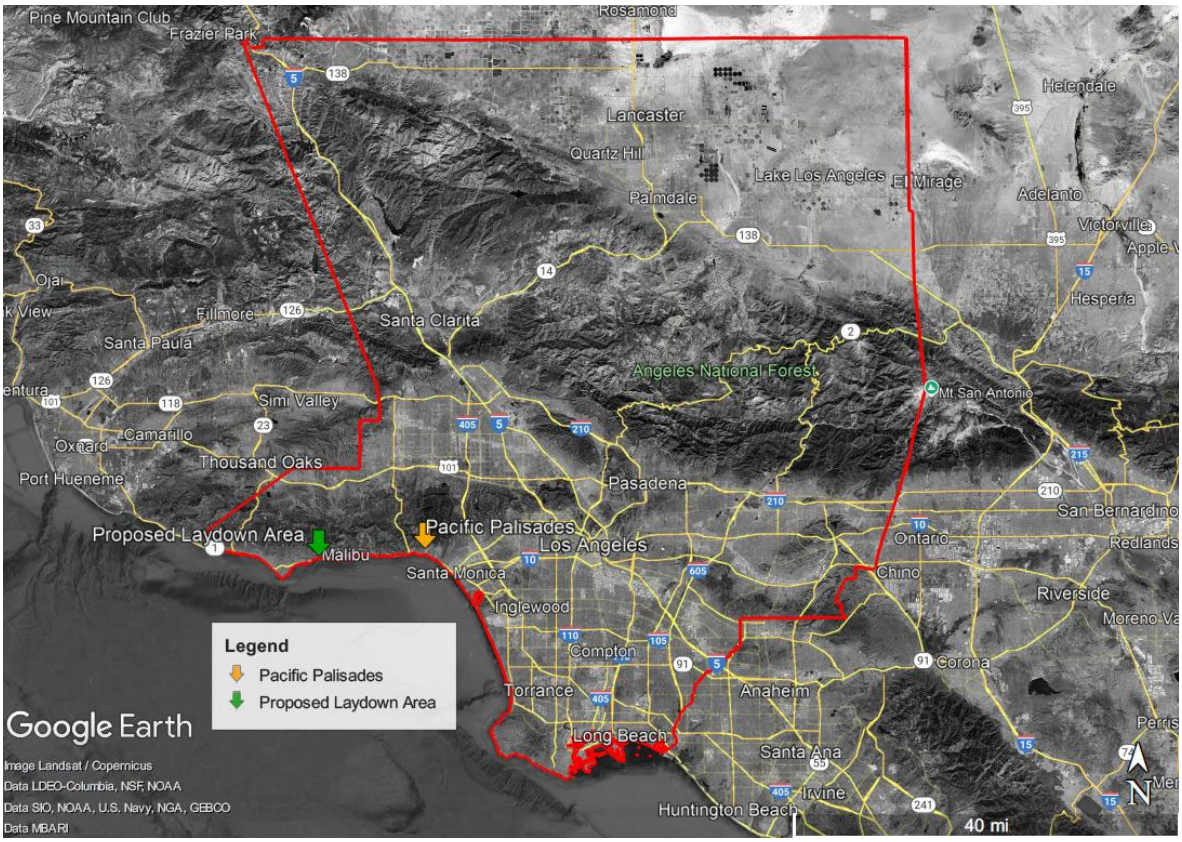


Figure 1. Regional Map



Figure 2. Laydown and Entrance

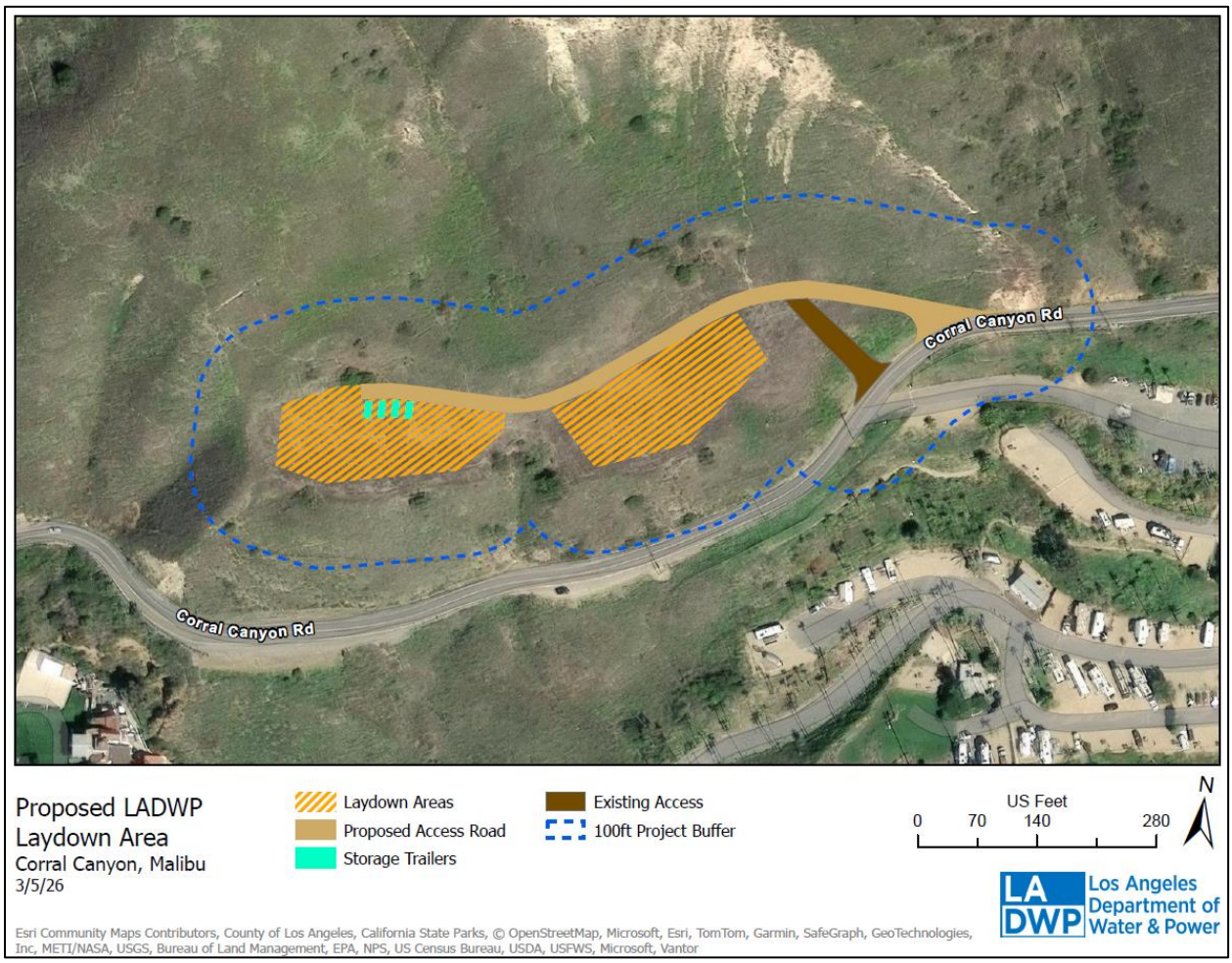


Figure 3. Proposed Laydown Area

1.4 Local Regulations

City of Malibu Local Coastal Program

The entire City of Malibu is located within the California coastal zone, which means that all development and activity occurring within city limits (unless considered exempt) is subject to the regulations of the City's Local Coastal Program (LCP). LCPs contain the ground rules for protecting sensitive coastal resources and public access along the entire coastline of California. LCPs are required for all jurisdictions located within the coastal zone and the California Coastal Commission (CCC) is tasked with overseeing certification of those LCPs before they become law at the local level. Likewise, any amendments to an LCP must first be certified by the CCC before taking effect. Malibu's LCP was certified in 2002 and grants the City authority to review and approve coastal development permits (CDPs) at the local level. The policies and regulations of the LCP supersede any policy or regulation of the City's General Plan or Zoning Code in the event there is a conflict between the documents. Zoning is administered through the

LCP Local Implementation Plan (LIP), and land use is administered through the LCP Land Use Plan (LUP). Combined, the two documents constitute the City's LCP.

Environmentally Sensitive Habitat Area (ESHA)

The City of Malibu LCP provides protection for ESHA by restricting developments that occur on or near ESHA. The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the parcel is within LCP ESHA Overlay Map areas. The City of Malibu LCP Local Implementation Plan (LIP) defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." ESHAs protected in the LIP include areas of native habitats such as woodland, coastal bluff, coastal sage scrub, and chaparral; and wetlands, streams, and riparian areas surrounding streams. See section 2.3 for more details on ESHA findings.

1.5 Literature Review and Records Searches

As discussed in the BRA, the following natural resource databases, management agency websites, and biological reports were used to identify special-status species and habitats:

- California Department of Fish and Wildlife (CDFW)'s California Natural Diversity Database (CNDDB; CDFW 2025);
- California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California (CIRP; CNPS 2025);
- U.S. Fish and Wildlife Service (USFWS)'s Information for Planning and Consultation (IPaC) (USFWS 2025a);
- USFWS Environmental Conservation Online System Critical Habitat Mapper (USFWS 2025b);
- USFWS National Wetlands Inventory (USFWS 2025c)

1.6 Habitat Assessment

LADWP Environmental Planning and Assessment Staff provided habitat assessments of the proposed project site on May 26, 2025, July 11, 2025, October 25, 2025, February 12, 2026, February 18, 2026, and March 4, 2026. The habitat assessment on March 4, 2026 included a 100-foot buffer around the project site (depicted in Figure 3).

2.0 BRA Findings

2.1 Vegetation Communities and Land Cover Types

Four vegetation communities and land cover types were mapped within the survey area (project area with 100-foot buffer). One vegetation community was mapped within the project area. The vegetation communities and land cover types mapped within the project site are summarized in table 1 and their spatial distribution is presented in Figure 4.



Figure 4. Vegetation Community Map

Table 1. Vegetation Communities and Land Cover Types in the Survey Area and Project Area

Vegetation Community or Land Cover Type	Alliance[1]	Association	Ranking[2]	Acreage within the Survey Area	Acreage within the Project Area
Native Vegetation Communities					
Laurel Sumac Scrub	*Malosma laurina* Shrubland	*Malosma laurina – Eriogonum cinereum*	G4S4	0.22	0
			Native Vegetation Communities Subtotal	*0.22*	*0*
Semi-Naturalized Vegetation Communities					
Upland Mustards or Star Thistle Fields	*Brassica nigra–Centaurea* (*solstitialis, melitensis*) Herbaceous	*Hirschfeldia incana*	GNA SNA	5.7	0.89
			Herbaceous Semi-Naturalized Vegetation Communities Subtotal	*5.7*	*0.89*
Disturbed and Developed Land Cover Types					
Urban/Developed	NA	NA	NA	0.38	0
Disturbed Habitat	NA	NA	NA	0.54	0.1

Table 1. Vegetation Communities and Land Cover Types in the Survey Area and Project Area

Vegetation Community or Land Cover Type	Alliance[1]	Association	Ranking[2]	Acreage within the Survey Area	Acreage within the Project Area
Unvegetated Land Cover Types Subtotal				*0.92*	*0.1*
Total				**6.84**	**0.99**

Notes:

[1] The term semi-natural is used in the Manual of California Vegetation to distinguish vegetation types dominated by non-native plants from natural vegetation communities (CNPS 2026).

[2] The conservation status of a vegetation community is designated by a number from 1 to 5, preceded by a letter reflecting the appropriate geographic scale of the assessment (G = global, S = subnational/state). The numbers have the following meaning (NatureServe 2025): 1 = critically imperiled; 2 = imperiled; 3 = vulnerable to extirpation or extinction; 4 = apparently secure; 5 = demonstrably widespread, abundant, and secure; NA = no applicable ranking

Upland Mustards or Star-thistle Fields

The upland mustards or star-thistle fields alliance features either black mustard (*Brassica nigra*), field mustard (*Brassica rapa*), Italian thistle (*Carduus pycnocephalus*), Geraldton carnation weed (*Euphorbia terracina*), shortpod mustard (*Hirschfeldia incana*), Dyer's woad (*Isatis tinctoria*), or cultivated radish (*Raphanus sativus*), among other similar ruderal forbs, as the dominant species in the herbaceous layer (CNPS 2026). Membership rules of this alliance indicate *Euphorbia terracina* or *Cynara cardunculus* > 50% relative cover in the herbaceous layer with other non-natives, including *Brassica nigra* and *Bromus diandrus* (CNPS 2026). One provisional association was mapped in the study area: *Hirschfeldia incana.* The entirety of the project site and the majority of the 100-foot survey area is characterized by this community, consisting of upland ruderal forbs as dominant in the herbaceous layer, and some shrubs are present at low cover. The habitat in the project area is dominated by invasive species including Geraldton carnation weed, Yellow Starthistle (*Centaurea solstitialis),* Black Mustard, Brome grasses (*Bromus* sp.), Yellow Sweetclover (*Melilotus indicus*), and Slender Wild Oat (*Avena barbata).* The association is not considered a sensitive vegetation community by CDFW (2026).

Laurel Sumac Scrub

The Laurel sumac scrub alliance features Laurel Sumac (*Malsoma laurina*) as the dominant or co-dominant shrub canopy with California Sagebrush (*Artemisia californica),* California brittlebrush (*Encelia californica),* Ashyleaf buckwheat *(Eriogonum cinereum)* and others. Membership rules of this alliance indicate *Malsoma laurina* is >50% or is >30% relative cover if co-dominant with California buckwheat (*Eriogonum fasciculatum)* or Black Sage (*Salvia mellifera)* in the shrub canopy (CNPS 2026). One provisional association was mapped in the study area: *Eriogonum cinereum.* This alliance was not mapped within the project area but was mapped within the 100-foot buffer survey area (Figure 4). Other species observed in this community in the survey area include: California sagebrush, California brittlebrush, Ashyleaf buckwheat and shortpod mustard. The association is not considered a sensitive vegetation community by CDFW (2026).

Disturbed Habitat
Although not recognized by the Manual of California Vegetation, Online Edition (CNPS 2026) or the Natural Communities List (CDFW 2026), disturbed habitat is described in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008). Disturbed habitat is described as areas generally lacking vegetation due to high levels of existing or historical human disturbance and are no longer recognizable as a native or naturalized vegetation association. Areas mapped as disturbed habitat may include unpaved roads, trails, and graded areas (Oberbauer et al. 2008). Vegetation in these areas, if present at all, is usually sparse and dominated by non-native weedy herbaceous species (Oberbauer et al. 2008). Areas mapped as disturbed habitat are associated with the project site entrance road (Figure 4). This land cover would not be considered sensitive by CDFW.

Urban/Developed
Although not recognized by the Manual of California Vegetation, Online Edition (CNPS 2026) or the Natural Communities List (CDFW 2026), urban/developed is described in Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008). Urban/developed refers to areas that have been constructed on or disturbed so severely that native vegetation is no longer supported. Developed land includes areas with permanent or semi-permanent structures, pavement or hardscape, landscaped areas, and areas with a large amount of debris or other materials. Areas mapped as urban/developed within the study area include the paved road that surrounds the project site (Figure 4). This land cover would not be considered sensitive by CDFW.

2.2 Special Status Species

2.2.1 Special Status Plants
Of the 55 plant species identified as in the general project vicinity based on desktop review in the BRA, one special status plant species, Malibu Baccharis (*Baccharis malibuensis*), with a California Rare Plant Rank (CRPR) status of 1B.1 (rare), has a moderate potential to occur. However, the site has been surveyed six times over the past year including surveys by qualified botanists, and this species was not detected during any of the surveys. Special status plants were not detected during the surveys and there is a low potential for their occurrence based on the historic and annual vegetation clearing of the site. It is possible that use of the site could result in temporary, indirect impacts to vegetation (and therefore special-status plant species) adjacent to the Project from dust. However, as described in the BRA, implementation of MM-BIO-1 would require a pre-work survey of grading and staging areas to delineate (with tape, fencing, etc.) the limits of disturbance for those activities, and to identify and mark any sensitive species to ensure avoidance. MM-BIO-4 would be implemented to avoid sensitive plants or facilitate transplanting for native species that are not federally or state-listed. With the implementation of these minimization measures, the construction of the proposed project is not expected to result in impacts to special-status plant species. BMP-4, BMP-5, BMP-6, and BMP-7 would ensure that indirect impacts to special-status plants beyond the construction area, if present, are avoided (See Appendix A for full list of Avoidance and Minimization Measures).

2.2.2 Nesting Birds & Raptors

The proposed project would require trimming of vegetation that provide potential nesting habitat for birds protected by the Migratory Bird Treaty Act, California Migratory Bird Protection Act, and the Fish and Game Code. If present at the time of vegetation removal, active nests, eggs, or young could be harmed. In addition, indirect impacts from noise or vibration have the potential to disturb an active bird nest to the point of failure if the nest is within immediate proximity to project activities. To avoid impacts to active bird nests, eggs, or young, preconstruction nesting bird surveys will be required as described in the BRA under MM-BIO-1 and BMP-3.

2.2.3 Special Status Mammals

The San Diego Woodrat (*Neotoma lepida intermedia*) has a moderate potential to occur in the project area, with marginal habitat present on site due to routine vegetation maintenance. However, this species was not detected on the project site during multiple surveys. To avoid impacts to special status mammals, pre-work surveys, protection of special-status wildlife species, and biological monitoring (MM-BIO-1, MM-BIO-2, and MM-BIO-3) will be required as described in the BRA.

2.2.4 Special Status Reptiles

California legless lizard and Southern California legless lizard have a moderate potential to occur on site, and Coastal whiptail and coast horned lizard have a high potential to occur on site due to potentially suitable habitat on site. All four species are California species of special concern (SSC). However, the habitat on the project site consists of relatively compact soils and is heavily vegetated which likely reduces the potential for long term persistence on the site for California legless lizard, Southern California legless lizard, and coast horned lizard. Similarly, because coastal sage scrub communities occur near the project site there is a potential for Coastal whiptail to disperse across the site. None of these species were detected during multiple surveys of the project site. If present during project activities, these species could be harmed by construction equipment. If the species are observed in the project area, the CDFW regulations for development require fulfilment of measures to avoid impacts to them as per the following measures, as described in the BRA: pre-work surveys, protection of special-status wildlife species, and biological monitoring (MM-BIO-1, MM-BIO-2, and MM-BIO-3).

2.2.5 Special Status Insects

Crotch's Bumble Bee, American Bumble Bee, and Monarch Butterfly were identified as special status insects that have a high potential to occur on site due to potential forage plants on site. If present during project activities, these species could be harmed directly or indirectly by construction equipment. While the site has a high probability to support monarch breeding (i.e., not overwintering) populations of this species due to host plant narrowleaf milkweed being present (LADWP 2025), the site does not contain any suitable habitat (i.e. wind-protected tree groves) for overwintering populations of monarch butterfly which are the federally protected populations. Sporadic patches of narrowleaf milkweed were identified and mapped on site, but at very low coverage (<1%) in comparison to the non-native species, and the entire survey area is identified as the Upland Mustard or Star-thistle Fields Herbaceous Semi-Naturalized Alliance. Narrowleaf milkweed, a common species that does not have special status, is present in abundance among the Santa Monica Mountains as a whole, including within the same

LADWP-owned parcel outside of project activities less than 0.1 mile (mi) away, Corral Canyon Park which is 0.36 mi east, Solstice Canyon which is 0.4 mi northwest, and Bluffs Park which is 1.86 miles east (iNaturalist, 2026). The proposed critical habitat for the Monarch Butterfly is located across Alameda, Marin, Monterey, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura Counties and does not overlap with the project site (USFWS 2025b). Due to the site presenting poor overwintering habitat due to lack of significant perennial vegetation (such as eucalyptus trees) that could support these species during overwintering, potential impacts to protected overwintering populations (the federally protected populations) of this species are not expected. Crotch's Bumble Bee and American Bumble Bee are known from coastal areas of the City and forage widely across the region following seasonal plant expression. While these species prefers certain native species of plants, they are a generalist forager and use a wide variety of plants and habitat for foraging and nesting. Based on the surveys there did not appear to be a wide base of forage for the species but they can forage on non-native mustards when available. None of these species were detected during multiple surveys of the project site.

Prior to disturbance LADWP would implement MM-BIO-1 which requires preconstruction surveys within the disturbance limits for special-status wildlife species. Should individuals be located, no construction activity shall occur until the animals have left the area (MM-BIO-2). MM-BIO-3 requires a biological monitor to be present to ensure that sensitive species are avoided by construction crews should they enter the work area. MM-BIO-4 requires surveys for Crotch's bumblebee to determine presence/absence of this species, and to develop requirements for avoidance and minimization should this species be found.

3.0 ESHA Summary

3.1 LIP ESHA Guidance

As discussed in the LIP Section 4.3 ESHA Determination B.:

> *Unless there is site-specific evidence that establishes otherwise, the following habitat areas shall be considered to be ESHA:*
>
> 1. *Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.*
> 2. *Any habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law City of Malibu LCP Local Implementation Plan Adopted by the California Coastal Commission on September 13, 2002 Page 124.*
> 3. *Any habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State law or regulations.*
> 4. *Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (Rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or*

endangered in California but more common elsewhere) by the California Native Plant Society,

5. *Any designated Area of Special Biological Significance, or Marine Protected Area.*
6. *Streams.*

A California Coastal Commission Memorandum (CCC 2003) was issued to provide details on the designation of ESHA in the Santa Monica Mountains in the context of the Malibu LCP. As described in the memo, the scientific background presented for ESHA Analysis in the Santa Monica Mountains was adapted from the Revised Findings for the Malibu LCP that the CCC adopted on February 6, 2003. The memo identified three important elements to the definition of ESHA: "First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of a particular habitat. Second, in order for an area to be designated ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities (CCC 2003)."

3.2 ESHA Assessment

Element 1 – is the habitat or species rare?
As described in section 2.1, the project site is comprised solely of a vegetation community entitled the Upland Mustards or Star-thistle Fields alliance. This habitat is dominated by non-native species and is not rare or considered sensitive by CDFW. No rare plants were identified on site. The area surrounding the project site is also not identified as rare or sensitive.

Element 2 – is the habitat or species especially valuable?
Areas may be valuable because of their "special nature," such as being an unusually pristine example of a habitat type, containing an unusual mix of species, supporting species at the edge of their range, or containing species with extreme variation. Habitats are generally considered valuable because of their special role in the ecosystem, and the Coastal Act requires that this role be "especially valuable." This test is met for relatively pristine areas that are integral parts of the Santa Monica Mountains ecosystem if they are demonstrably rare and extraordinarily special. The project site is largely dominated by non-native species that are not especially valuable to the Santa Monica Mountains ecosystem. There is a minimal composition of common native plants that can support native sensitive wildlife species of the area, however the project site is located within a much larger area that has abundant populations of the same common native plants. Use of the site by sensitive species has not been documented during multiple surveys of the project area. The habitat and species known for the surveyed project site would not be considered especially valuable.

Element 3 – would the area be easily disturbed or degraded by human activities and developments?
The area has been subject to regular vegetation maintenance on an annual basis for at least the last 35 years (Google 2026). Continuing human activities on the project site would not result in any significant disturbance or degradation of the site in its current state.

3.3 ESHA Determination

The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the project area is within LCP ESHA Overlay Map areas. Following completion of the biological surveys and assessment of the habitat known for the project area and the survey area, there was no habitat identified on site or in the survey area that would be deemed rare or especially valuable from a local, regional or statewide basis. As discussed in section 2.1, the vegetation communities are not identified as sensitive by CDFW (2026) and use of the site by sensitive wildlife has not been detected.

Section 2.2 provides a summary of special status plant and wildlife species impacts as described in the BRA (LADWP, 2025). As discussed, from the five surveys conducted over the course of a year, no special-status species (plant or wildlife) were identified on site. The BRA describes special status species that have some likelihood of occurrence on site due to habitat presence and recent occurrences near but outside of the project vicinity. While no special status species were detected, nevertheless there is some potential for these species to be present on site as periodic foragers or during dispersal. Therefore, a list of minimization measures and best management practices as discussed above, in the BRA, and in Appendix A below will be implemented to ensure that direct or indirect impacts to special status species are avoided.

Given the evidence of the biological surveys conducted in the area, this region that was previously identified as ESHA within the LCP ESHA Overlap Map does not meet the criteria for ESHA. Under LIP Section 4.3 ESHA Determination (c), if the applicant's site-specific biological study or other independent information contains evidence that an area previously shown on the ESHA overlay does not contain habitat that meets the definition of "environmentally sensitive area", the City shall determine the physical extent of habitat that does meet the definition of "environmentally sensitive area" on the project site.

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U.S Fish and Wildlife Service. 2025c. National Wetlands Inventory. Website https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper accessed on June 9.

Appendix A: Avoidance and Minimization Measures

As described in the Biological Resources Assessment (LADWP, 2025), the measures below will be implemented as part of the proposed operation and maintenance activities to avoid and minimize potential impacts to special-status species and habitats.

Mitigation / BMP	Description
MM-BIO 1 Pre-Work Surveys	A qualified biologist will conduct pre-work surveys within and adjacent to the proposed work area up to 10 days prior to the start of operation and maintenance activities. Pre-work surveys will include, but not limited to: (1) general surveys for botanical and wildlife resources; (2) work areas with flowing or standing water will be visually surveyed for any aquatic species that project activities may impact; and (3) infrastructure, equipment, etc. that may be used as nesting, roosting, or habitat refugia. If the qualified biologist does not find any non-listed or listed special-status species, then work may proceed.
MM-BIO 2 Protection of Listed Special-Status Wildlife Species	If listed special-status wildlife species are observed in the work area during the pre-work surveys, no work will occur until the individual has left the work area. If necessary, the appropriate regulatory agencies will be contacted about how best to proceed.
MM-BIO 3 Biological Monitoring	If the qualified biologist locates non-listed special-status species or other wildlife in the proposed work area during the pre-work surveys, the qualified biologist will determine, based on the type and location of work, what level (e.g., daily, weekly) of monitoring may be required. During monitoring, the qualified biologist will make every effort to keep the species out of harm's way to the extent feasible using one of the following methods: cease operation and maintenance activities until the individual leaves the area on its own; re-direct the individual out of the work area into suitable habitat; or capture and relocate the individual to suitable habitat outside the work area if the qualified biologist has the appropriate handling permit(s). If a listed special-status species is observed in the work area, all operation and maintenance activities will cease until the individual has voluntarily left the work area.
MM-BIO 4 Protection of Special-Status and Native Plants	All non-listed native plant species shall be avoided, if feasible. When not feasible, the plant may be salvaged and replanted in an area that will not be disturbed by operation and maintenance activities. If any federally- or state-listed listed plant species are observed in or near a work area, they will be avoided using an appropriate buffer and no operation and maintenance activities will occur within this buffer.
MM-BIO 5 Crotch's Bumble Bee	Before any vegetation is cleared or grading begins, a qualified biologist must conduct presence/absence surveys for Crotch's bumble bee to determine if they are present. The biologist shall search both the Project area and adjacent areas to search for foraging bees and underground nests. All survey findings, even if no bees are found, must be reported to the California Department of Fish and Wildlife (CDFW) prior to mobilization of construction crews to the Project area, including

	details about the survey conditions, the biologist(s) involved, physical environment, and a description of the potentially impacted habitat if a nest is found. If no Crotch's bumble bees or their nests are found, no further action is needed. However, if nests or potential nests are identified, a Crotch's bumble bee protection plan must be developed and approved by CDFW before any ground disturbance occurs. This plan will outline measures including timing restrictions for ground-disturbing activities (e.g., avoiding raking until from winter months to late March to protect overwintering queens), preconstruction survey requirements that must occur at least 30 days before work starts to find active nests, setting up avoidance buffers around nest sites, and restricting construction activities that could harm nests, biological monitoring during constriction. Any accidental "take" of the bumble bees or their nests is only permitted under specific CDFW authorizations.
MM-BIO 6 Night Work Restrictions	To minimize potential impacts on sensitive biological resources (e.g., nocturnal wildlife [including bats], migratory birds), adjacent residential areas (noise, light pollution), and worker safety, all construction and heavy equipment operation activities shall be restricted to daylight hours only. No work shall commence prior to twilight and all work shall cease by civil dusk, as defined by local sunrise/sunset tables. This restriction applies to all phases of the project, including vegetation clearing, grading, and construction. If emergency work is required or the project schedule necessitates temporary night work, prior written approval must be obtained from the appropriate regulatory agencies. Any approved night work shall implement additional specific mitigation measures, such as directional shielding of lights, noise reduction best management practices, and biological monitoring, as deemed necessary to minimize potential adverse effects.
BMP-1 Worker Environmental Awareness Training	A Worker Environmental Awareness Training will be provided to all on-site personnel (i.e., LADWP employees and contractors). Educational materials will be created and incorporated into a worker environmental awareness training for all project personnel working in the project area where sensitive habitats and/or species may be present. Educational materials will identify sensitive species and their habitat, discuss any specific measures to protect the species and their habitat, what to do if the species is observed, etc. Upon completion of the training, employees will sign a form stating they attended the program and understand all the protection measures. These forms will be filed at the worksite office.
BMP-2 Work Notification	Prior to the start of operation and maintenance activities, personnel will contact the Environmental Planning and Assessment Group (213-841-0750) to notify them of the proposed work. Environmental Planning and Assessment will be responsible for coordinating work with a qualified biologist. The qualified biologist will determine, based on the type and location of work, if a pre-work survey is required.
BMP-3 Nesting Bird Surveys and Nest Protection	LADWP will make every effort not to remove or otherwise disturb vegetation from February 1 to August 31. If work cannot be avoided during this period, a qualified biologist will conduct a nesting bird survey three days prior to the start of operation and maintenance activities. If an active nest is identified, the qualified biologist will establish a buffer of sufficient size around the nest based on existing conditions, including ambient noise, topography, and disturbance tolerance to avoid any

	negative impacts on the nesting bird(s). The nest site will be adequately marked such that personnel are aware of the buffer zone. The qualified biologist will take care not to mark the buffer in a way that would draw attention to the nest by potential predators. The qualified biologist will document the baseline behavior of the nesting bird(s) and monitor the behavior of the bird(s) to determine the efficacy of the buffer. If the qualified biologist determines that operation and maintenance activities may be impacting the bird(s), they will adjust the buffer accordingly. No work will occur in the buffer until the nest becomes inactive or the young have left the area.
BMP-4 Prevent the Introduction and Spread of Invasive Plants	LADWP will conduct operation and maintenance activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, seeds, animals, and microbes from one project site and/or watershed to another. LADWP will implement applicable best management practices and guidelines for invasive plants as found on the California Invasive Plant Council's website.
BMP-5 Vehicle or Equipment Maintenance and Fueling.	Any equipment or vehicles driven and/or operated while conducting operation and maintenance activities will be checked regularly and maintained as needed to prevent leaks of materials that could impact special-status species and their habitat. No vehicle or equipment maintenance or fueling will be done in or near any waterway where petroleum products or other pollutants from the equipment could enter these areas in the case of a spill or leak.
BMP-6 Pollutants and Debris	No debris, soil, silt, sand, bark, slash, sawdust, trash, construction waste, cement or concrete washings, asphalt, paint, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, or other organic or earthen material from operation and maintenance activities will be allowed to contaminate the soil and/or enter into or placed where it may be washed by rainfall or runoff into any stream, channel, culvert, or ditch.
BMP-7 Trash Abatement and Refuse Removal	Trash and food items will be contained in animal-proof containers and removed at the end of each workday to avoid attracting opportunistic predators such as common ravens, coyotes, and feral dogs.

Corral Canyon Staging Area

Environmentally Sensitive Habitat Area (ESHA) Assessment Addendum

Prepared by:

Environmental Planning and Assessment
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1044
Los Angeles, CA 90012

July 2026

1. Purpose

At the request of the City of Malibu, this addendum has been prepared to analyze the Los Angeles Department of Water and Power (LADWP)'s proposed laydown area located at 4000 Corral Canyon Road in Malibu, California for Environmentally Sensitive Habitat Area (ESHA) as defined in the City of Malibu's Local Coastal Program (LCP) with respect to Section 4.3 ESHA Determination B (4):

> *"Any habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State Law or regulations" and "Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as "1b" (rare or endangered in California and elsewhere) or designation as "2" (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society".*

This addendum supplements the March 2026 ESHA Memorandum in addition to the Biological Resources Assessment (BRA, LADWP, 2025) previously prepared to support the emergency Coastal Development Permit (eCDP) for the laydown area.

2. Background and Incorporated Assessments

The LADWP-owned Malibu property encompasses 97 acres in the Santa Monica Mountains Significant Ecological Area. Corral Canyon Road abuts the property and provides access to the site, located at approximately 4000 Corral Canyon Road. LADWP is proposing to use approximately one acre of the 97 acres for temporary laydown to support fire recovery efforts in the Pacific Palisades. Please refer to the BRA (LADWP, 2025) and the ESHA Memo (LADWP, 2026) for the project description, special status species analysis, vegetation community mapping, and ESHA analysis.

3. Environmentally Sensitive Habitat Area (ESHA) Investigation

The City of Malibu LCP provides protection for ESHA by restricting developments that occur on or near ESHA. The City of Malibu LCP ESHA Overlay Map was created to identify the broad areas of ESHA in the City, and the parcel has been mapped as within LCP ESHA Overlay Map areas. The City of Malibu LCP Local Implementation Plan (LIP) defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." ESHAs protected in the LIP include areas of native habitats such as woodland, coastal bluff, coastal sage scrub, and chaparral; and wetlands, streams, and riparian areas surrounding streams.

Although this region was previously mapped as ESHA within the LCP ESHA Overlay Map, the actual observations from the various biological surveys that have been

conducted led to the determination that the proposed area does not meet the criteria for ESHA.

The City of Malibu ESHA maps further discuss that “Boundaries of ESHA may change location over time due to varying circumstances. This map is not intended to depict fixed boundaries of ESHAs or marine resources and may not include al areas that are ESHA. This map does not establish any final boundary lines or constraints on the Commission’s ability to identify, map and regulate ESHAs and Marine Resources in the City of Malibu” (City of Malibu, 2002b). Under LIP Section 4.3 ESHA Determination (c), if the applicant’s site-specific biological study or other independent information contains evidence that an area previously shown on the ESHA overlay does not contain habitat that meets the definition of “environmentally sensitive area”, the City shall determine the physical extent of habitat that does meet the definition of “environmentally sensitive area” on the project site.

LIP Section 4.3 ESHA Determination B (4)

The City of Malibu has requested that LADWP evaluate the proposed laydown site with emphasis on LIP Section 4.3 ESHA Determination B (4) – see underlined language below.

> *Unless there is site-specific evidence that establishes otherwise, the following habitat areas shall be considered to be ESHA:*
>
> 1. *Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.*
> 2. *Any habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law City of Malibu LCP Local Implementation Plan Adopted by the California Coastal Commission on September 13, 2002 Page 124.*
> 3. *Any habitat area that contributes to the viability of species that are designated “fully protected” or “species of special concern” under State law or regulations.*
> 4. *Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as “1b” (Rare or endangered in California and elsewhere) or designation as “2” (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society,*
> 5. *Any designated Area of Special Biological Significance, or Marine Protected Area.*
> 6. *Streams.*

The following analysis refers to criteria set forth in LIP Section 4.3 ESHA Determination B (4).

The entirety of vegetation communities identified onsite have been assessed and determined to be common (i.e. not rare) under local, state and federal regulatory

agency metrics. Further, the area has been surveyed extensively and no special status species or habitat have been identified.

As described in the BRA and ESHA Memo, the site is largely dominated (>95%) by non-native, invasive weeds that do not provide quality habitat or forage for special status species known for the area. As depicted in Figures 1 and 2, the dominant plant species carnation spurge (*Euphorbia terracina)* is described by the California Invasive Plant Council (Cal-IPC) as a non-native invasive plant that produces toxic sap and has allelopathic properties that reduce germination of native plants (Cal-IPC 2026*).* The other dominant plant species on the site were all determined to be non-native and documented by the Cal-IPC as harmful to native habitat such as black mustard (*Brassica nigra*) and shortpod mustard (*Hirschfeldia incana*). The majority of plant species known from the project site and surrounding areas are exclusionary to native habitat and could be argued to be harmful in its continued presence for native plant and wildlife species. Nevertheless, there is still some potential of special status species to be present for periodic forage or dispersal in these non-native areas, irrespective of the lack of value of the vegetation on site. Therefore, avoidance and minimization measures were incorporated in an abundance of caution.



Figure 1. Picture captured on May 24, 2025 depicting the entrance. Dominant species include non-natives such as carnation spurge and mustard.

The BRA identifies a range of special status species that have some potential to occur on site due to certain general environmental conditions and proximity to known occurrences, however no special status species or habitat were observed on site during extensive surveys.



Figure 2. Picture captured on May 24, 2025 depicting the laydown site. Dominant species is non-native carnation spurge.

The BRA conservatively assigns avoidance and minimization measures to ensure that if any potential special status species are encountered, these measures would be implemented to ensure avoidance. Assigning avoidance and minimization measures is a common practice for work on a proposed site and does not confirm or indicate the presence of special status species on site.

The vegetation communities described in the ESHA Analysis Memo are known to be non-native, common, and not considered rare by California Department of Fish and Wildlife or the California Native Plant Society.

4. Water Resources or Riparian Areas

As discussed in the BRA, the National Wetlands Inventory (NWI) Wetlands Mapper documented riverine habitat (R4SBA) traveling through the center of the site for a span of approximately 50 feet. During the field surveys, the mapped area was located and investigated for field indicators of jurisdictional features. Within the area where the feature is mapped, no characteristics were detected that indicate this area supports significant hydrology (i.e., permanent, intermittent, or relatively permanent waters), and no hydric soils were identified. The area lacked evidence of flow features or concavity and also lacked any channel with a defined bed and bank. No hydric vegetation was detected within the mapped area, and the vegetation composition was consistent with the surrounding area and classified as “Upland.” Aerial imagery reviewed for this study shows that this area has been disced on a nearly annual basis within the Project area. Therefore, although this site was mapped as riverine, the field survey verified that the area is not an aquatic feature and therefore not jurisdictional.

No other jurisdictional features were mapped on the project site, and biological surveys did not detect any jurisdictional features on the project site.

5. Protected Trees and Shrubs

The proposed laydown area was surveyed for protected trees and shrubs under the Los Angeles County Ordinance and the City of Malibu. No oak (*Quercus* sp.), sycamore (*Platanus* sp.), alder (*Alnus* sp.), walnut (*Juglans* sp.) or toyon (*Heteromeles arbutifolia*) trees nor shrubs were observed on site.

Literature Cited

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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** 05/29/2026

PROJECT NUMBER: CDP 26-032

JOB ADDRESS: 4000 CORRAL CANYON RD

APPLICANT / CONTACT: Katherine Rubin, Los Angeles Department of Wate

APPLICANT EMAIL: katherine.rubin@ladwp.com

PLANNER: Samantha Elias

PROJECT DESCRIPTION: Follow-up CDP for temporary utility laydown yard for LADWP

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **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.**

Building Plan Check (BPC) Required ☐ Yes ☐ No BPC Fees Req'd $_____

_____ **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).**

Courtney McCammon 6/9/26

Signature Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:

Courtney McCammon, City Biologist, biology@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)	Katherine Rubin, Los Angeles Department of Wate katherine.rubin@ladwp.com		
Project Address:	**4000 CORRAL CANYON RD** Malibu, CA 90265		
Planning Case No.:	CDP 26-032		
Project Description:	Follow-up CDP for temporary utility laydown yard for LADWP		
Date of Review:	June 9, 2026		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	5/29/26
Site Survey:	5/29/26
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	5/29/26
OWTS Plan:	
Bio Assessment:	July 2025 (LADWP), revised March 2026
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	5/14/26 (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 site and the surrounding 100-foot buffer are mapped as ESHA on the City of Malibu GIS. There are also several mapped streams. However, the submitted biological assessment states:

   "Following completion of the biological surveys and assessment of the habitat known for the project area and the survey area, there was no habitat identified on site or in the survey area that would be deemed rare or especially valuable from a local, regional or statewide basis…. Given the evidence of the biological surveys conducted in the area, this region that was previously identified as ESHA within the LCP ESHA Overlap Map does not meet the criteria for ESHA."

   Therefore, the site does not contain ESHA or streams and is in compliance with Chapter 4 of the Malibu LIP.

2. There are no native protected trees on site. Therefore, the project is in compliance with Chapter 5 of the LIP.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. Each of the Avoidance and Mitigation Measures in Appendix A of the submitted biological assessment shall be implemented. Any reports from subsequent surveys shall be submitted for review and approval. The reseeding of narrowleaf milkweed will be completed and a subsequent report will be submitted for review and approval.

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

   C. 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.

   D. Construction fencing shall be placed and indicated on the site plan. Construction fencing shall be installed prior to the beginning of construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

   E. All new development including structures, septic systems, or landscaping, shall be set back no less than (*100*) feet from the (*ESHA*).

-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) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **REVISED DATE** 05/29/2026

PROJECT NUMBER:	CDP 26-032
JOB ADDRESS:	4000 CORRAL CANYON RD
APPLICANT / CONTACT:	Katherine Rubin, Los Angeles Department of Water
APPLICANT EMAIL:	katherine.rubin@ladwp.com
PROJECT DESCRIPTION:	Follow-up CDP for temporary utility laydown yard for LADWP
REVISION:	

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.**

Building Plan Check (BPC) Required ❑Yes ❑No BPC Fees Req'd $_____

SIGNATURE

06/22/2026
DATE

ANY WORK IN THE CITY'S ROW SHALL BE COORDINATED WITH THE PUBLIC WORKS INSPECTORS.

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: June 9, 2026		**Review Log #:**	**5432**
Site Address:	4000 Corral Canyon Road		
Lot/Tract/PM #:		**Planning #:**	**CDP 26-032 P1** Ref: ECDP 25-017
Applicant/Contact:	Katherine Rubin, Director of Corporate Environmental Affairs, LADWP katherine.rubin@ladwp.com,	**BPC/GPC #:**	
Contact Phone #:	(213) 367-0436 **Fax #:**	**Planner:**	**Samantha Elias**
Project Type:	Emergency laydown yard for LADWP, containing storage containers and electrical/mechanical, equipment. Site will be covered with 20,900 sq. ft. of aggregate base and approximately 1,600 ft of fencing.		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	Los Angeles Department of Water and Power, Geology/Geotechnical Group (Yan, GE 2554; Larios CEG 2579): **5-28-2026**, 11-24-2025 (revised), 11-20-2025, 11-13-2025 Ref: Professional Geotechnical Consultants (Masterman, GE 567; Schock, CEG 1300): 4-19-2023, 9-5-2019, Western Laboratories (Juge, RCE 9597): 8-28-1978, 4-13-1976, 7-30-1975, 1-18-1973 Emil DiMatteo (CEG 374): 6-9-1976 Geoplan, Inc. (Merrill, CEG 83): 7-1-1996, 8-26-1993 **1st CDP Submittal** **Site plan prepared by City of Los Angeles Department of Water and Power sheet U002-SA2 (no date).** Letter requesting Emergency Use Permit prepared by Katherine Rubin, Los Angeles Department of Water and Power dated September 5, 2025.
Previous Reviews:	None; Ref: 3-18-2026, 11-25-2025, 11-17-2025, 9-19-2025 for ECDP 25-017)

Coastal Development Permit Review Findings

Coastal Development Permit Review

☒ The project plans and report(s) are **ACCEPTABLE** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ The project plans and report(s) are **NOT ACCEPTABLE** from a geotechnical perspective. The listed 'Planning Stage Review Comments shall be addressed prior to acceptance.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes,

guidelines, and standards of practice, including the following current City adopted standards:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, *Buildings and Construction*
- City of Malibu *Guidelines for the Preparation of Engineering Geology and Geotechnical Engineering Reports and Procedures for Report Submittal* (November 2013) referred to herein as "Geotechnical Guidelines"

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning regulations, as appropriate; any questions regarding Planning regulations or interpretations should be directed to the case Planner.

This review is limited to the proposed scope of work as described in the Project Type section above. All other geologic or geotechnical issues concerning the subject property are outside of the scope of this review.

Remarks

The referenced geotechnical report update and site plan, as well as the files for the ECDP, have been reviewed by the City's consulting reviewers from a geotechnical perspective. The follow-up CDP was submitted with revisions. The revised project includes grading to widen an existing dirt road entrance to the site from approximately 16-feet to 50 to 30-feet wide, and fine grading to create a 16-foot-wide access road, oriented east-west across the existing flat pad onsite. Three laydown areas are proposed with eight (8) trailers, six non-habitable 8 ft by 20 ft material storage trailers and two office trailers, as well as six porta-potties on the western side of the site. According to the project description provided to Planning, approximately 20,900 sq ft. of aggregate base is proposed to cover the site, likely spread out over the laydown and road areas. Fencing is proposed around the entire material storage site (fence type not specified, presumably chain link). The site is proposed to be in use for up to 7 4-years, based on discussions with representatives from the Los Angeles Department of Water and Power and the updated scope of the project for the follow-up CDP provided to the City.

This project and site was discussed with LADWP in a meeting on June 26, 2025 wherein it was noted that this site was in the middle of large landslide as mapped and documented by the California Geological Survey in their report *Landslide Hazard Mapping for Selected California, Highway Corridors, Phase 2Ualifornia Geological Survey Special Report 243, Chapter 8: Landslide Hazards Along Route 1 between Santa Monica and Oxnard* (2017). See links below and page 253 of this report under section **Highway Segment C: Malibu Canyon to Escondido Canyon, PM 46.8 to 51.8,** paragraph 3 "RV Park" slide.

https://maps.conservation.ca.gov/cgs/lsi/

https://www.conservation.ca.gov/cgs/documents/publications/special-reports/sr_243/SR_243-ch-8-sans-Plates.pdf

Eagle View aerial photo link keyed to RV Park APN:
https://egis3.gis.lacounty.gov/ipa_s/?apn=4459008003

This landslide is classified by CGS as "dormant young," which is defined as landslides with landforms that are relatively young but with no record of historic movement. The landslide underlies the entire proposed laydown site, and the entire south facing slope above and below Corral Canyon Road. This road is the only access to about 100 homes in Los Angeles County in the hills above the site, and the Malibu Beach RV Park at 25801 Pacific Coast Highway is located on the southeast lobe of the landslide. Reports prepared for the fire rebuild project at the Malibu Beach RV Park in 2019 and 2023 (see references) documented mapping of cracks in the asphalt of Corral Canyon Road above the RV park in 2023 and interpreted them as being due to creep of the underlying fill and colluvium, and not the result of landslide reactivation

(Geotechnical Design Consultants, April 19, 2023). However, the undersigned reviewer (and other geotechnical reviewers for the City, Christopher Dean, CEG and Michael B Phipps, CEG) note that during 1998 and 2005, they personally observed tension cracks at the margins of the landslide congruent with creep movement of the landslide during years of high rainfall. There is no record of remedial stabilization measures for this landslide.

The geologic site characterization and the static and pseudo-static slope stability analysis presented by LADWP was intended to satisfy the applicable sections of Los Angeles County Building Code Section 110. LADWP geotechnical staff modeled the existing slope stability condition of the landslide and compared it to the proposed slope stability condition of the landslide including the proposed work. The existing and proposed factors of safety were evaluated using under lower bound and upper bound material parameters. The results of the analysis indicate that the proposed grading (which will be permanent) and the loading from materials storage (temporary) will have an insignificant effect on the stability of the landslide, relatively speaking, under static and pseudo-static load conditions. The revised report dated November 24, 2025, provides a code-conforming finding in accordance with Los Angeles County Code Section 110.2.1.

Planning Stage Conditions of Approval:

1. The LADWP geotechnical professionals confirmed that the previous SSA included the November 2025 reports included the additional loading of the 4 additional trailers, and that the SSA demonstrated a negligible effect on the stability of the landslide. Therefore, the Section 110 statement in the November 24, 2025, report still applies to the updated project as proposed. Although the structures are temporary, the Building Official may require an Assumption of Risk and Release may be required be recorded prior to permitting.
2. The proposed monitoring plan shall be included as notes and details on the grading and drainage plan. The monitoring plan may include any or all of the following suggested by LADWP: procedures for visual observation by qualified personnel, installation of instrumentation or other monitoring devices to detect movement or vibration onsite with defined alarm thresholds, and an action plan to respond to detected movement or vibration alarms or after potentially triggering seismic or hydrological events occur. NOTE: The reviewed plan set incorporates these notes.

Please direct questions regarding this review sheet to the City's Geotechnical consultants listed below.

Geotechnical Engineering Review by: _____ 6-9-2026

Lauren J. Doyel, G.E. #2981, Exp. 6-30-27 Date
Geotechnical Engineering Reviewer (805-370-8710)
Email: ldoyel@malibucity.org

Engineering Geology Review by: _____ 6-9-2026

Christopher Dean, C.E.G. #1751, Exp. 9-30-26 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

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

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

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

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

Not Applicable.

From: **Frank Angel** [redacted]
Date: Wed, Jun 17, 2026 at 11:47 AM
Subject: RE: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park
To: Bruce Silverstein [redacted]
Cc: Steve Uhring [redacted] >, John Mazza [redacted]

Bruce,

Not at all. Please include the pics I sent. I would actually like to meet with the city manager and CDD director. The ECDP must be rescinded, work stopped and a restoration plan submitted because the ECDP was based on incomplete and inadequate information (to put it euphemistically). If the planning commission and city council weren't notified of the issuance of this ECDP, that, too, violates LIP chapter 13.

Meanwhile, after I emailed you, a source provided me the attached notice-of-decision document. (While I tried to receive answers for weeks now, neither Tyler nor the CDD Director offered it.)

As I emailed Tyler in response to an email I received from him yesterday (his email and my response also attached), his email raises more questions than it answers, e.g., regarding the gross misuse of a below-the-radar ECDP (no emergency was proven, and none exists), the absence of any CEQA review, not to mention the flippant decision by the contracted city biologist striking the ESHA from the LCP map and neglecting to refer the project to the ERB. I had not heard about this project from Tyler until yesterday. And never from Yolanda Bundy. If this site isn't ESHA, then there is no ESHA anywhere in the city. A hell of a precedent. And once again, the city biologist didn't bother to do a single field inspection. There is no independent city review of an applicant's biological assessment any longer, unlike when Marti Witter served as city biologist, which is the very purpose of having a city biologist. McCammon is setting the city up for a practice and pattern lawsuit. She systematically rubber-stamps what an applicant submits -- it's a desktop box-checkoff, as you'll see in a notice of decision attachment. Then why do we have a city biologist?

I begin to suspect this isn't the first misuse of an ECDP to bypass public hearings before the harm is done. This is so disturbing on so many levels.

Many thanks for your attention to this!

Frank P. Angel | O (310) 314-6433 | C (310) 924-1416

2601 Ocean Park Blvd., Suite 205, Santa Monica, CA 90405

Angel Law

angellaw.com

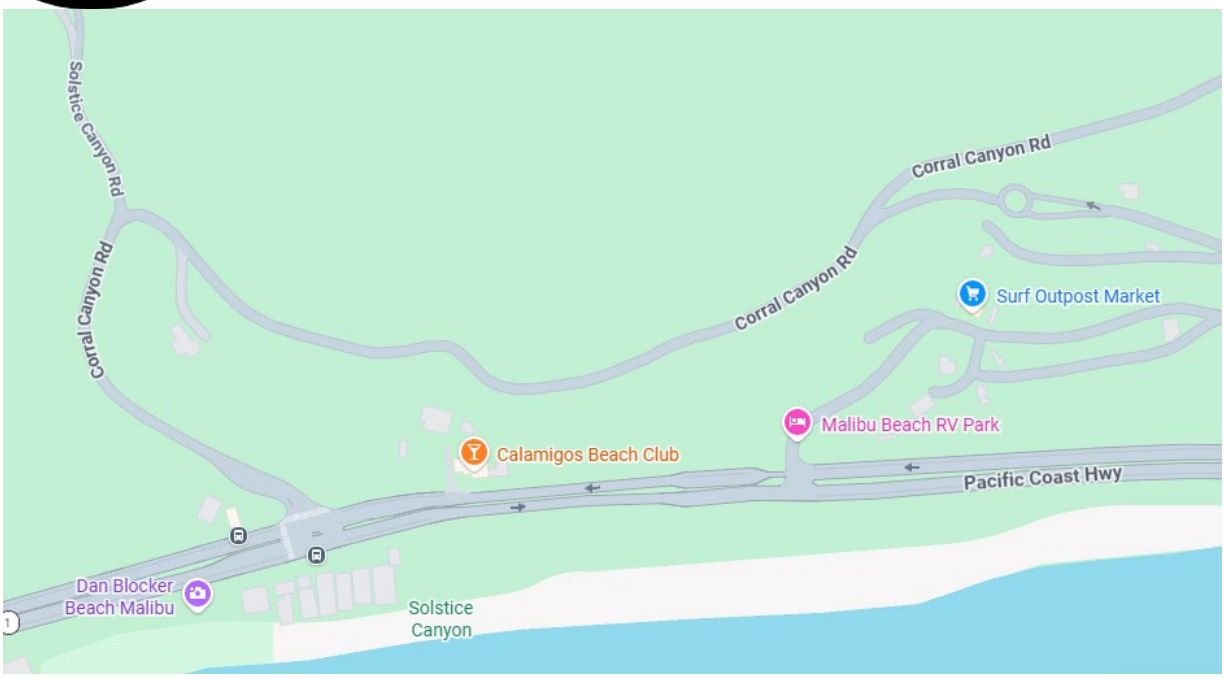
CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Bruce Silverstein [redacted]
Sent: Wednesday, June 17, 2026 10:52 AM
To: Frank Angel [redacted]
Cc: Steve Uhring [redacted] John Mazza [redacted]
Subject: Re: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park

Do you mind if I share your emails with the City Manager?

EXHIBIT F

On Mon, Jun 15, 2026 at 11:17 PM Frank Angel [redacted] wrote:

> Bruce,
>
> It's an operation conducted by the City of Los Angeles's Department of Water and Power, as you can see from one of the pics I sent earlier (showing one of their trucks). There are many workers on this site every day.
>
> And, yes, totally within city limits, way below the Sequit line. It's near the bottom of the coastal terrace, immediately above the Malibu Beach RV Park, on the north side of Corral Canyon Road. See black oval on this Google map screenshot (not to scale nor reflecting actual dimensions but indicating general location). The leveling and denuding of the native vegetation extends over a length of more than five hundred feet in my estimation and a variable width, with mounds of earth stockpiled on that site. I have more pictures.
>
> If not *the* most destructive, extensive grading project in the city's history since its incorporation, it surely figures among them. John Mazza tells me this project, whatever it is, has not come before the planning commission for a CDP or any other permit!
>
> Who is responsible for this disaster within the City Hall bureaucracy? How is this possible?
>
> [redacted]
>
> 
>

Frank P. Angel | O (310) 314-6433 | C (310) 924-1416

2601 Ocean Park Blvd., Suite 205, Santa Monica, CA 90405

Angel Law

angellaw.com

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic

Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Bruce Silverstein [redacted]
Sent: Monday, June 15, 2026 8:07 PM
To: Frank Angel [redacted]
Cc: Steve Uhring [redacted] John Mazza [redacted]
Subject: Re: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park

L.A. "City" ? Or County?

Is this within the city limits of Malibu?

On Mon, Jun 15, 2026 at 6:21 PM Frank Angel [redacted] wrote:

> This FYI. Are you aware of this ESHA massacre? The first and last pics are from Corral Canyon Road across from the RV park, where L.A.city graded a road into it's property—the site of a long since abandoned nuclear power plant project.
>
> Frank P. Angel (he/him/his)
>
> (c) 310-924-1416
>
> (o) 310-314-6433
>
> @FrankPAngel1
>
> www.angellaw.com
>
> Sent from my
>
> Begin forwarded message:
>
> > **From:** Frank Ange [redacted]
> > **Date:** June 15, 2026 at 6:16:05 PM PDT
> > **To:** Tyler Eaton <teaton@malibucity.org>
> > **Subject: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park**
> >
> > Hi Tyler,
> >
> > Following up on my voicemail an earlier this month, below are some pictures from today of this DWP project I mentioned to you. I have no clue what this project is, and have not received or seen any notice of any CDP or other permit.
> >
> > This operation has created significant resource damage in LCP-designated, undisturbed ESHA.
> >
> > What permits, if any has the city issued, and what environmental review, if any, has been performed for this project?
> > Is the city aware of this operation? And if so, is the city inspecting it?
> >
> > I look forward to hearing from you at your very earliest opportunity. Please call me back. We're not talking about a minor home remodel project here.
> >
> > Best,
> >
> > [IMG_1809.jpeg]

[IMG_1810.jpeg]

[IMG_1821.jpeg]

[IMG_1829.jpeg]

Frank P. Angel (he/him/his)

(c) 310-924-1416
(o) 310-314-6433
@FrankPAngel1
www.angellaw.com

Sent from my

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

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, August 3, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

COASTAL DEVELOPMENT PERMIT NO. 26-032, CONDITIONAL USE PERMIT NO. 26-005, AND VARIANCE NO. 26-008 - A follow-up application to Emergency Coastal Development Permit No. 25-017 for the Los Angeles Department of Water and Power to continue using the site as a temporary utility laydown yard for storage of materials and vehicles to support fire restoration efforts in the Pacific Palisades, which authorized four storage trailers, grading of a new access driveway on slopes, fencing, and the placement of permeable aggregate base on active areas; this application would permit additional development and the continued use of the site as a public utility facility for the duration of the Pacific Palisades restoration work, estimated to be seven years, including four additional trailers, Dark Sky compliant lighting, six portable toilets and a variance for construction on slopes steeper than 2.5 to 1

LOCATION / APN:	**4000 Corral Canyon Rd** / 4459-006-270
ZONING:	Rural Residential, Twenty-Acre (RR-20)
APPLICANT / OWNER:	Los Angeles Department of Water and Power
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303 and 15304
APPLICATION FILED:	May 1, 2026
CASE PLANNER:	Samantha Elias, Associate Planner, selias@malibucity.org / (310) 456-2489, ext. 256

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

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 246.

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.

YOLANDA BUNDY, Community Development Director — Date: July 9, 2026

EXHIBIT G

Supplemental Commission Agenda Report

Planning Commission Meeting
08-03-26
Item 5.C.

To: Chair Peak and Members of the Planning Commission

Prepared by: Samantha Elias, Associate Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: July 29, 2026 Meeting date: August 3, 2026

Subject: Coastal Development Permit No. 26-032, Conditional Use Permit 26-005, and Variance No. 26-008 – A follow-up application to Emergency Coastal Development Permit No. 25-017 for a temporary public utility laydown yard to store materials and vehicles; including a variance for development on slopes steeper than 2.5 to 1

Location: 4000 Corral Canyon Road, partially within the appealable coastal zone
APN: 4459-006-270
Owner: Los Angeles Department of Water and Power (LADWP)

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 26-23 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 26-032 as follow-up to Emergency Coastal Development Permit No. 25-017 to construct a temporary utility laydown yard to be operated over a period of seven years, including the placement of eight storage trailers, a new access driveway, fencing, vehicle gate, dark sky compliant lighting, six portable toilets, the placement of a permeable aggregate base for the operational area, utility hook-ups, and the complete restoration and improvement of site environmental conditions to conditions existing prior to construction activities at the end of the seven year period; including Conditional Use Permit No. 26-005 for the operation of a public utility facility comprised of a temporary utility laydown yard and Variance No. 26-008 for development on slopes steeper than 2.5 to 1 located in the Rural Residential, 20-Acre zoning district at 4000 Corral Canyon Road (LADWP); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: Attached is correspondence regarding the proposed project that was previously distributed to the City Council. Also attached is a memorandum prepared by the City Biologist, dated September 15, 2025, regarding the proposed work.

ATTACHMENTS:

1. Correspondence
2. September 15, 2025 City Biologist Memorandum

Received
6/16/26
Planning Div.

From: Tyler Eaton
Sent: Tuesday, June 16, 2026 7:28 AM
To: 'Frank Angel' <fangel@angellaw.com>
Subject: RE: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park

Hi Frank,

LADWP obtained a permit from the City to install a staging yard to help with fire recovery in nearby areas. The immediate area has been vetted with a biological assessment and determined not to be ESHA by City staff. It was authorized under an emergency CDP and the follow up CDP will be heard at the Planning Commission within the next couple months. We will send inspectors out there and make sure they are within the limits of their permit. This is temporary site so they are supposed to restore the disturbed areas once their rebuild efforts have been completed.

Tyler Eaton

Assistant Community Development Director

Community Development Department

Office: (310) 456-2489 ext. 273

23825 Stuart Ranch Road | Malibu, CA 90265

From: Frank Angel <fangel@angellaw.com>
Sent: Monday, June 15, 2026 6:16 PM
To: Tyler Eaton <teaton@malibucity.org>

Subject: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park

Hi Tyler,

Following up on my voicemail an earlier this month, below are some pictures from today of this DWP project I mentioned to you. I have no clue what this project is, and have not received or seen any notice of any CDP or other permit.

This operation has created significant resource damage in LCP-designated, undisturbed ESHA.

What permits, if any has the city issued, and what environmental review, if any, has been performed for this project?

Is the city aware of this operation? And if so, is the city inspecting it?

I look forward to hearing from you at your very earliest opportunity. Please call me back. We're not talking about a minor home remodel project here.

Best,


LA DWP


LA
DWP




Diamond
WATER&POWER
PS6306

Frank P. Angel (he/him/his)

[redacted]

[redacted]

@FrankPAngel1

www.angellaw.com

Sent from my 📱

City Council

Subject: Item 4A, city council agenda, June 22, 2026: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park



FILED
City of Malibu
Office of the City Clerk
Meeting Date 6/22/2026
Agenda Item # 4A

From: Bill Sampson [redacted]
Sent: Sunday, June 21, 2026 7:22 PM
To: City Council <citycouncil@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Steve Uhring <suhring@malibucity.org>; Haylynn Conrad <hconrad@malibucity.org>; Marianne Riggins <mriggins@malibucity.org>; Doug Stewart <dstewart@malibucity.org>
Subject: Item 4A, city council agenda, June 22, 2026: Major Grading Operation on DWP property on Corral Canyon Road across from Malibu RV Park

Honorable Mayor and Councilmembers,

Malibu Township Council is calling for immediate action regarding the extensive grading and habitat destruction at the DWP property near 4000 Corral Canyon.

This is mapped ESHA. The site and the surrounding 100-foot buffer are mapped as ESHA on the City of Malibu GIS, and there are also mapped streams in the area. Yet the biological assessment somehow concluded that no habitat on site or in the survey area was rare or especially valuable, and that this area previously identified as ESHA in the LCP ESHA Overlay Map does not actually meet the criteria for ESHA.

That conclusion should never have been accepted.

The photos from the site below show what looks like extensive bulldozing, scraping, road-cutting, equipment staging, disturbed slopes, exposed soil, and large areas cleared of vegetation. This is not a minor impact. This is visible resource destruction in an area the City itself maps as ESHA and within a protected buffer.

If mapped ESHA in Corral Canyon can be dismissed through a cursory checkbox sign-off, then ESHA protection in Malibu has become meaningless.

This is also not the first time. The Bell Lot was paved over after Woolsey under an emergency rationale and remains paved nearly eight years later, despite involving sensitive wetland resources. The Weintraub ESHA landslide property was severely graded and used as an SCE staging area after the Palisades Fire, with no meaningful restoration visible to the public. Now we have Corral Canyon.

At some point, this is no longer an isolated mistake. It is a pattern of failure in the City's biological review process. On behalf of Malibu

Township Council, we are asking the City Manager to remove the current City Biologist from further ESHA determinations in every instance involving mapped or potential ESHA, stream buffers, wetlands, wildlife habitat, or other protected coastal resources, and to retain a qualified, independent biologist who will properly investigate, identify, buffer, and protect those resources.

MTC is asking the City to immediately suspend or rescind the emergency authorization for this work, investigate whether the actual disturbance exceeded what was approved, require full restoration and mitigation, pursue fines and enforcement against LADWP, believed to be the responsible party and or any other responsible party if violations occurred, and remove any City staff from ESHA determinations who cannot reliably identify and protect mapped ESHA.

Put residents first. Protect Malibu's open space. Enforce the Coastal Act. And stop using "emergency" as a blank check to destroy the very resources Malibu is legally required to protect.

Thank you.

Bill Sampson

President, Malibu Township Council

CC: Council; CM; CA ;_____; Ref. Binder; Original to 6/22/2026____ Agenda File


Diamond
888-744-7191




LA
DWP


LA
DWP

Received
7/29/26
Planning Div.

From: Jyoti Drummond [redacted]
Sent: Thursday, June 25, 2026 10:38 AM
To: Joseph Irvin <jirvin@malibucity.org>; Jyoti Drummond [redacted]; Tyler Eaton <teaton@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>
Cc: City Council <citycouncil@malibucity.org>; Steve Uhring <suhring@malibucity.org>; Haylynn Conrad <hconrad@malibucity.org>; Doug Stewart <dstewart@malibucity.org>; Marianne Riggins <mriggins@malibucity.org>; Bill Sampson [redacted] Ann Doneen [redacted]; Patt Healy [redacted]; John Mazza [redacted]; Yolanda Bundy <ybundy@malibucity.org>; Frank Angel <fangel@angellaw.com>; Dawn Ericson [redacted]; andrea slosberg-philipson [redacted]; Dominique Navarro [redacted]; Dru Ann Jacobson [redacted]; Tiffany Murray [redacted]; Jan Ravlich [redacted]; Mariela Guastavino [redacted]; Malibu Township Council [redacted]; Colin Drummond [redacted]
Subject: Re: 4000 corral canyon

Just letting everyone know that there is a ton of activity here today - I can stop and ask on my way back up if they are shutting down operations for now. But wondering if the city has an update! Tysm, Jo



On Jun 22, 2026, at 1:29 PM, Jyoti Drummond [redacted] wrote:

Honorable Mayor, Councilmembers, and City Manager Irvin,

I am submitting this comment in response to the City Manager's email regarding LADWP's emergency staging yard near 4000 Corral Canyon.

I also want to thank Frank Angel for alerting Malibu Township Council to this issue so residents could review it independently, examine the record, look at the site history, and rally around protecting Malibu's coastal resources.

The City Manager's explanation does not resolve the concern. It actually makes the concern worse.

The site is mapped ESHA on the City of Malibu GIS, with mapped streams and a 100-foot buffer. The City now says the maps are only a guide and that a site-specific biological report found no ESHA within 100 feet of the project area. But the Google Earth historical images and current site photos tell a very different story.

Please see the attached photos and historical Google Earth images showing the site over time. Images from 2008, 2024, and 2025 show this area as green, vegetated, open habitat for decades. Even after the Woolsey fire ravaged the area in 2018 the ESHA came back. These images do not show a long-standing developed industrial yard, a regularly used access road, or a disturbed pad of the scale now being used. The current site photos show something entirely different: large-scale scraping, bulldozing, road widening, equipment staging, exposed soil, stockpiled material, cleared vegetation, and major disturbance.

My family has remained displaced in Corral Canyon since January 2025, and we are fortunate to have owned a home in that area since 2022. From our own direct experience, this area has never had a road running through it of the kind now being suggested. The hills were always lush, green, and vegetated. What is there now is not simply the use of a pre-existing road or pad — it is a major transformation of open habitat into an industrial staging area.

Together, these images and our direct experience contradict any suggestion that this was merely the use of an already-disturbed pad with minimal coastal-resource impact. So the question is not whether some portion of this land may have been touched in the 1940s. The

question is whether the City allowed a mapped ESHA and stream-buffer area that had functioned as habitat for decades to be converted into an industrial utility yard under an emergency permit.

The City Manager's email also says this site is "largely unpopulated" and that no residents are directly impacted. That misses the entire point of ESHA protection. Wildlife habitat does not matter only when humans live next door. This land borders Solstice and Corral Canyon Parks and is part of the open-space network wildlife depends on, including mountain lions whose habitat has already been fragmented and degraded across the Santa Monica Mountains.

And how can bulldozing protected habitat in Corral Canyon, 18 miles from the Palisades, be justified as an emergency response to the Palisades Fire? Why was this location necessary? Why were already-disturbed sites not used first? Why was a "laydown yard" never clearly defined? And why was mapped ESHA treated as disposable?

We have seen this pattern before. The Bell wetland lot was paved after Woolsey and still has not been restored nearly eight years later. The Weintraub ESHA landslide property was heavily graded and used for staging after the Palisades Fire and now vacated, with no meaningful restoration visible to residents. Now Corral Canyon appears to be the next casualty.

Meanwhile, fire victims are held to a completely different standard. My home rebuild permit took nine months to issue, and I still cannot start rebuilding because our fire-destroyed pool requires a separate permit we were not initially told about. That separate pool permit has delayed us more than six months, and we still have not been able to break ground.

This is crippling families, delaying rebuilds, keeping people displaced, and forcing residents out of Malibu — while utilities are allowed to disturb and destroy wildlife habitat under emergency exceptions residents could never obtain.

I am asking the City Manager to remove Courtney McCammon as City Biologist. This is not an isolated mistake. The City Biologist has repeatedly failed to protect ESHA, stream buffers, wetlands, wildlife habitat, and open space in Malibu.

We saw this in the Harvester Road stream-bed matter, where renowned UCLA environmental scientist Dr. Travis Longcore determined that the watercourse met Malibu's LIP definition of a stream and therefore qualified as ESHA, yet the City Biologist rejected that conclusion and supported development within the required 100-foot buffer. And now, after the developer represented that he was building a dream home for his family, the same property is being marketed for sale with City-approved plans — showing exactly why the City should not weaken ESHA protections based on applicant narratives.

When mapped or documented ESHA can be dismissed, disturbed, paved, graded, or converted to staging areas again and again, the problem is no longer just one consultant report or one emergency permit. It is a failure of biological oversight. Malibu needs a City Biologist who will defend protected resources, require real field investigation, enforce required buffers, and treat ESHA as legally protected habitat — not as an obstacle to be worked around.

The City cannot allow an outside consultant report and cursory sign-off (see attached) to override Malibu's own ESHA maps and permit mapped habitat to be bulldozed. If mapped ESHA can be dismissed this easily, then Malibu's environmental safeguards have failed.

This emergency authorization should be suspended or rescinded. The damage should be fully investigated, the true extent of disturbance compared against the approved scope, restoration and mitigation required, and LADWP or any responsible party should face enforcement and fines.

Malibu needs to fast-track fire rebuilds, not the destruction of protected habitat. And Joe, I know you are actively helping make that happen. I hope this comment helps give some much-needed perspective on how painful it is for families to remain stuck while utilities are allowed to move quickly through protected habitat.

Put residents first. Rebuild Malibu faster. Protect the land that makes Malibu Malibu.

Thank you.

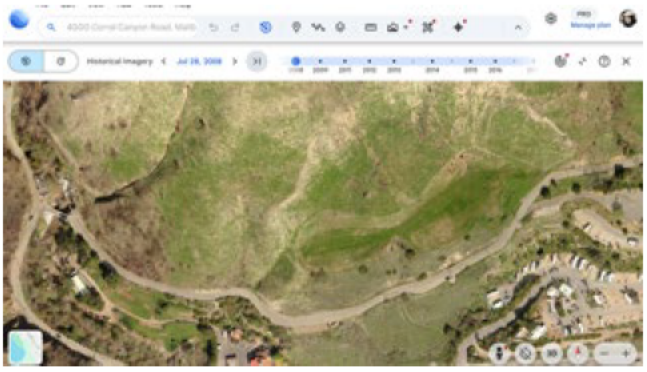
Jo Drummond

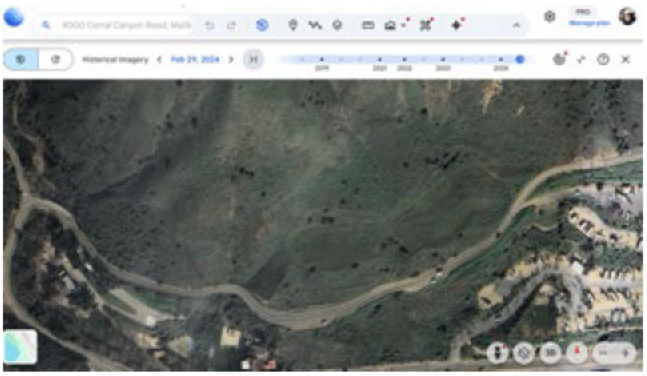
Attachments: Historical Google Earth images; current site photos; biological assessment excerpt; Longcore report regarding 30053 Harvester Road; Harvester Road listing.

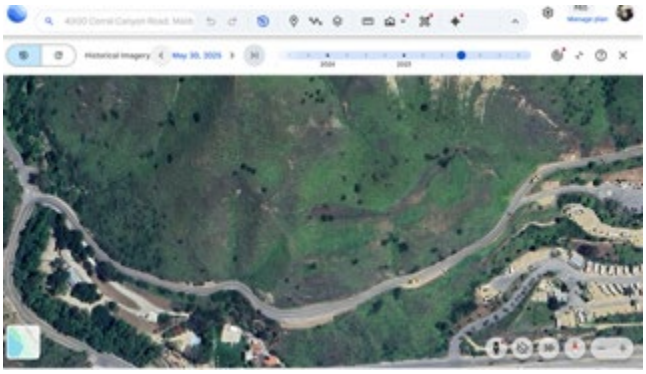


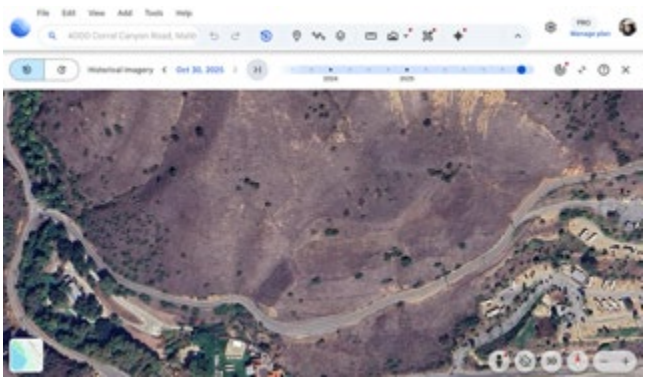
[30053 Harvester Rd, Malibu, CA 90265 | MLS #26821619 | Zillow]

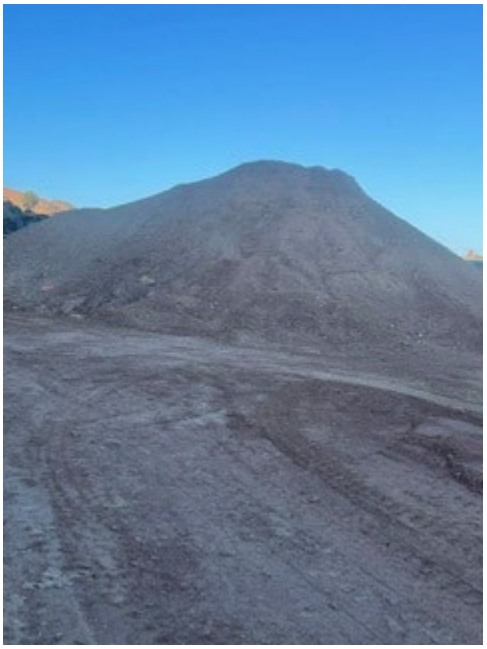
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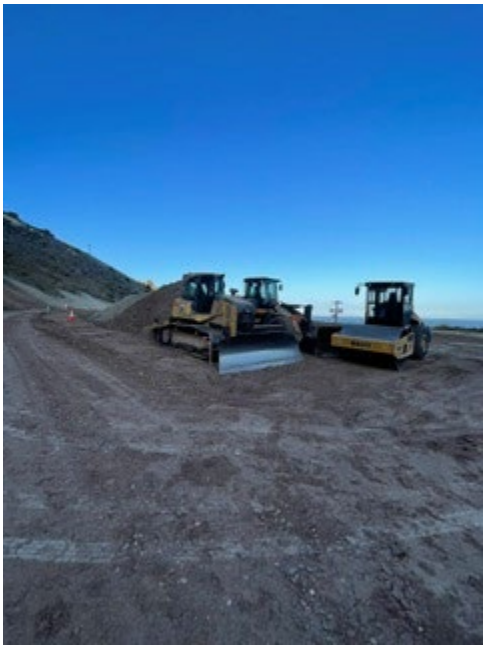






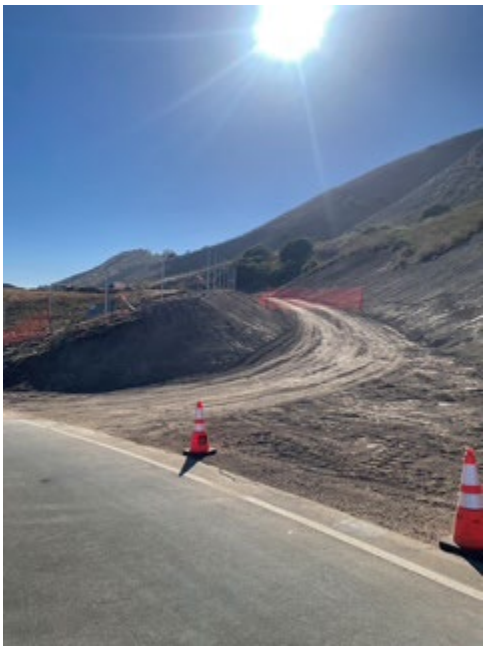














1. The site and the surrounding 100-foot buffer are mapped as ESHA on the City of Malibu GIS. There are also several mapped streams. However, the submitted biological assessment states:

   "Following completion of the biological surveys and assessment of the habitat known for the project area and the survey area, there was no habitat identified on site or in the survey area that would be deemed rare or especially valuable from a local, regional or statewide basis…. Given the evidence of the biological surveys conducted in the area, this region that was previously identified as ESHA within the LCP ESHA Overlap Map does not meet the criteria for ESHA."

   Therefore, the site does not contain ESHA or streams and is in compliance with Chapter 4 of the Malibu LIP. City Biologist Courtney McCammon's cursory sign-off:

www.trinityroseofficial.com

Sent from my iPhone

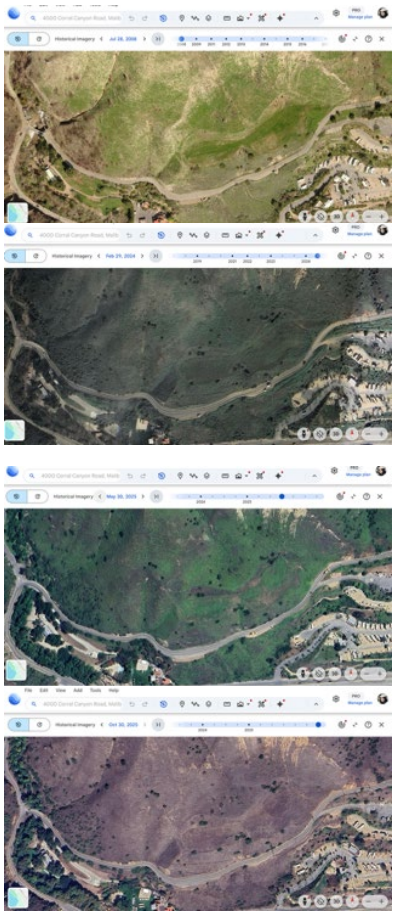
Received
7/29/26
Planning Div.

From: Jyoti Drummond [redacted]
Sent: Monday, June 22, 2026 1:26 PM
To: City Council <citycouncil@malibucity.org>; Steve Uhring <suhring@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Haylynn Conrad <hconrad@malibucity.org>; Doug Stewart <dstewart@malibucity.org>; Joseph Irvin <jirvin@malibucity.org>; Marianne Riggins <mriggins@malibucity.org>
Cc: Bill Sampson [redacted]; Ann Doneen [redacted]; Patt Healy [redacted]; John Mazza [redacted]; Yolanda Bundy <ybundy@malibucity.org>; Tyler Eaton <teaton@malibucity.org>; Frank Angel <fangel@angellaw.com>; Dawn Ericson [redacted]; andrea slosberg-philipson [redacted]; Dominique Navarro [redacted]; Malibu Township Council [redacted]; Dru Ann Jacobson [redacted]; Tiffany Murray [redacted]; Jan Ravlich [redacted]; Mariela Guastavino [redacted]
Subject: 4000 corral canyon

Honorable Mayor, Councilmembers, and City Manager Irvin,
I am submitting this comment in response to the City Manager's email regarding LADWP's emergency staging yard near 4000 Corral Canyon.
I also want to thank Frank Angel for alerting Malibu Township Council to this issue so residents could review it independently, examine the record, look at the site history, and rally around protecting Malibu's coastal resources.
The City Manager's explanation does not resolve the concern. It actually makes the concern worse.
The site is mapped ESHA on the City of Malibu GIS, with mapped streams and a 100-foot buffer. The City now says the maps are only a guide and that a site-specific biological report found no ESHA within 100 feet of the project area. But the Google Earth historical images and current site photos tell a very different story.
Please see the attached photos and historical Google Earth images showing the site over time. Images from 2008, 2024, and 2025 show this area as green, vegetated, open habitat for decades. Even after the Woolsey fire ravaged the area in 2018 the ESHA came back. These images do not show a long-standing developed industrial yard, a regularly used access road, or a disturbed pad of the scale now being used. The current site photos show something entirely different: large-scale scraping, bulldozing, road widening, equipment staging, exposed soil, stockpiled material, cleared vegetation, and major disturbance.
My family has remained displaced in Corral Canyon since January 2025, and we are fortunate to have owned a home in that area since 2022. From our own direct experience, this area has never had a road running through it of the kind now being suggested. The hills were always lush, green, and vegetated. What is there now is not simply the use of a pre-existing road or pad — it is a major transformation of open habitat into an industrial staging area.
Together, these images and our direct experience contradict any suggestion that this was merely the use of an already-disturbed pad with minimal coastal-resource impact. So the question is not whether some portion of this land may have been touched in the 1940s. The question is whether the City allowed a mapped ESHA and stream-buffer area that had functioned as habitat for decades to be converted into an industrial utility yard under an emergency permit.
The City Manager's email also says this site is "largely unpopulated" and that no residents are directly impacted. That misses the entire point of ESHA protection. Wildlife habitat does not matter only when humans live next door. This land borders Solstice and Corral Canyon Parks and is part of the open-space network wildlife depends on, including mountain lions whose habitat has already been fragmented and degraded across the Santa Monica Mountains.
And how can bulldozing protected habitat in Corral Canyon, 18 miles from the Palisades, be justified as an emergency response to the Palisades Fire? Why was this location necessary? Why were already-disturbed sites not used first? Why was a "laydown yard" never clearly defined? And why was mapped ESHA treated as disposable?
We have seen this pattern before. The Bell wetland lot was paved after Woolsey and still has not been restored nearly eight years later. The Weintraub ESHA landslide property was heavily graded and used for staging after the Palisades Fire and now vacated, with no meaningful restoration visible to residents. Now Corral Canyon appears to be the next casualty.
Meanwhile, fire victims are held to a completely different standard. My home rebuild permit took nine months to issue, and I still cannot start rebuilding because our fire-destroyed pool requires a separate permit we were not initially told about. That separate pool permit has delayed us more than six months, and we still have not been able to break ground.
This is crippling families, delaying rebuilds, keeping people displaced, and forcing residents out of Malibu — while utilities are allowed to disturb and destroy wildlife habitat under emergency exceptions residents could never obtain.
I am asking the City Manager to remove Courtney McCammon as City Biologist. This is not an isolated mistake. The City Biologist has repeatedly failed to protect ESHA, stream buffers, wetlands, wildlife habitat, and open space in Malibu.
We saw this in the Harvester Road stream-bed matter, where renowned UCLA environmental scientist Dr. Travis Longcore determined that the watercourse met Malibu's LIP definition of a stream and therefore qualified as ESHA, yet the City Biologist rejected that conclusion and supported development within the required 100-foot buffer. And now, after the developer represented that he was building a dream home for his family, the same property is being marketed for sale with City-approved plans — showing exactly why the City should not weaken ESHA protections based on applicant narratives.
When mapped or documented ESHA can be dismissed, disturbed, paved, graded, or converted to staging areas again and again, the problem is no longer just one consultant report or one emergency permit. It is a failure of biological oversight. Malibu needs a City Biologist who will defend protected resources, require real field investigation, enforce required buffers, and treat ESHA as legally protected habitat — not as an obstacle to be worked around.
The City cannot allow an outside consultant report and cursory sign-off (see attached) to override Malibu's own ESHA maps and permit mapped habitat to be bulldozed. If mapped ESHA can be dismissed this easily, then Malibu's environmental safeguards have failed.
This emergency authorization should be suspended or rescinded. The damage should be fully investigated, the true extent of disturbance compared against the approved scope, restoration and mitigation required, and LADWP or any responsible party should face enforcement and fines.
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Thank you.
Jo Drummond
Attachments: Historical Google Earth images; current site photos; biological assessment excerpt; Longcore report regarding 30053 Harvester Road; Harvester Road listing.



30053 Harvester Rd, Malibu, CA 90265 | MLS #26821619 | Zillow
zillow.com





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   Therefore, the site does not contain ESHA or streams and is in compliance with Chapter 4 of the Malibu LIP. City Biologist Courtney McCammon's cursory sign-off:

Land Protection Partners

P.O. Box 24020, Los Angeles, CA 90024-0020
Telephone: [redacted]

To: Mayor Stuart and Honorable Members of the City Council, City of Malibu

From: Travis Longcore, Ph.D.

Date: April 25, 2025

Re: Appeals of Planning Commission Resolution No. 24-021 regarding Coastal Development Permit No. 23-019 and Site Plan Review No. 23- 024 – An application to construct a new single-family residence, second unit and associated development (30053 Harvester Road, Owner, Steven Kent; Appellant Dawn N. Ericson

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This memorandum provides field observations and expert interpretation that concludes that the water feature that runs west of the boundary between 30053 and 30069 Harvester Road meets the definition of "stream" under the Malibu Local Coastal Program Local Implementation Plan (LIP) and that the project at 30053 Harvester Road, as sited and designed, does not represent the least environmentally damaging alternative as would be required under the LIP.

Methods

Field Visit

I visited the project site on April 21, 2025, at 4:00 P.M. and spent 90 minutes at 30069 Harvester Road. I spoke with the residents of the property (Dawn Ericson and Dominique Navarro) to learn about the history of the site and any planting activities that had taken place. I inspected the watercourse, took photographs, and walked it several times from end to end. I noted the number and presence of the native plant species along the watercourse and took photographs of them. I then observed the drainage south of Harvester Road and from Cuthbert Road north of the property, noting the location of the story poles on the proposed development site.

Archival Aerial Photography Review

I consulted the Air Photo Archive at the University of California Santa Barbara to obtain historical photographs of the project area. Photographs dating from the 1920s to 1970s are available through a website interface and are free to download. I used a geographic search to identify and review photographs of the site vicinity to ascertain the land use history and natural features of the project site.

Results

Field Visit

I found a channel that carries water located along the eastern boundary of 30069 Harvester Road. At the southern end there is a zone that clearly ponds during rainfall events and then drains under Harvester Road to the south. A channel with bed and bank was evident within this area roughly ten feet north of Harvester Road. At this point the channel is within exotic vegetation and there is debris from previous storm events accumulated on the banks. The channel is 18 inches deep and then as it proceeds north it becomes shallower to about 6 inches. Roughly 40 feet north of Harvester Road, there was a short stretch where the channel was not present for about 40 feet. Then, for the remainder of the property of about 240 feet, a channel was present. The channel shape varied between a V shape (incised) and a U-shaped bed and bank with a flat bottom of sorted sediments (typically sand) and nearly vertical banks. Often the channel was full of leaf litter, but its shape was easily discernable (Figure 1). At the northern end of the property, the bed was made of sediment of pebble to gravel size (Figure 2). The width of the channel varied from 12 to 30 inches across.



Figure 1. Example of channel with bed and bank formation, outlined in red to reflect the topographic variation observed in the field. The plant to the left of the image is a Coast Live Oak (Quercus agrifolia).



Figure 2. Example of stream bed with pebble to gravel sized sediment, located at northeastern corner of 30069 Harvester Road. Note a flat bottom and banks of 6–8 inches height.

I observed the following native plant species within the zone approximately fifteen feet east and west of the stream channel, spread along the distance from the southern to northern end of the 30069 Harvester Road property: California Sycamore (*Platanus racemosa*; 6 specimens, Figure 3 and Figure 4), California Black Walnut (*Juglans californica*; 5 specimens, for example see Figure 5 and Figure 7; 2 saplings were planted by the owner in April 2024), Coast Live Oak (*Quercus agrifolia*; 2 specimens; Figure 5 and Figure 6), Lemonade Berry (*Rhus integrifolia*; 4 specimens, for example Figure 7), Toyon (*Heteromeles arbutifolia*; 6 specimens, for example Figure 7), Holly-leafed Cherry (*Prunus ilicifolia*; 5 specimens, for example Figure 7), and Valley Oak (*Quercus lobata*; 2, which the owner said that she had planted 20 years ago).



Figure 3. Two California Sycamore trees near the southern end of 30069 Harvester Road just to the west of the channel. The owner described these two trees as growing back in the same location as a sycamore had been located and burned in the 2018 Woolsey Fire.



Figure 4. Left: A California Sycamore tree of approximately 12 feet height between the stream channel and the property line fence, with story poles in the background. Middle: Two more California Sycamores to the west of the channel. Right: A California Sycamore growing to the east of the channel along the property line fence, with the story poles in the background. These trees were not planted by the owner of 30069 Harvester Road.



Figure 5. Left: A California Black Walnut tree is located west of the stream along the property line fence near the proposed second garage/ADU site. Right: A Coast Live Oak tree is located immediately on the top of the east bank of the stream and within 30 feet of the proposed second garage/ADU.



Figure 6. This Coast Live Oak tree is located immediately west of the stream channel near the northern edge of 30069 Harvester Road. It appears to have been damaged some in the 2018 Woolsey Fire.



Figure 7. In this thicket of vegetation at the northeastern edge of 30069 Harvester Road, there is a California Black Walnut, several Toyons, two Holly-leafed Cherries, and two Lemonade Berries. The proximity to the proposed second garage/ADU is evident by the story poles. An invasive Castor Bean is also present.

Aerial Photographs

Aerial photographs were obtained and reviewed to ascertain if the drainage channel was natural. The first photograph reviewed is from a large-scale survey in 1928 that photographed nearly the entire county of Los Angeles (for examples of the use of these images in historical ecology, see Longcore and Ethington 2023). It shows a landscape already significantly altered by agriculture, as indicated by the contrast between patches of remaining vegetation with smooth edgees and the relatively uniform color of the fields. The route of the stream is discernable on the map, but the resolution is relatively low (Figure 8). At this point it time, it shares visual characteristics with other stream courses that were subsequently mapped by the USGS as "blue line" streams. There is also an apparent tree or shrub located along the drainage course.



Figure 8. Aerial photograph of the vicinity of 30053 Harvester Road in Malibu in 1928. The green oval indicates the drainage between Harvester Road and Cuthbert Road. The next stream to the east (indicated in red) was mapped as a "blue line" stream in the 1932 1:24,000 scale topographic map of Point Dume (USGS). Source: UC Santa Barbara Library, Flight C-300, Frame H-71.

A higher resolution photograph is available from 1944 (Figure 9). In this image, the tilled area of the fields remains apparent, and it stops on either side of the stream, as one would expect, given the topography. The stream is in the same place, and a stream on the east of 30053 Harvester Road is also visible. I compared this image with the 1932 topographic map, which shows a "blue line" symbol for intermittent stream (Figure 9; inset), a blue line with three dots (see https://pubs.usgs.gov/gip/TopographicMapSymbols/topomapsymbols.pdf), for the stream to the east of 30053 Harvester Road. Although the USGS map is illustrative, researchers have concluded that they often do not accurately include blue lines for the streams highest in a watershed and should not be used for regulatory determinations (Colson et al. 2008). That is, the absence of a blue line to the west of 30053 Harvester Road is not evidence that a stream did not exist at that point in time, while the presence of a blue line to the east of 30053 Harvester Road is confirmatory evidence that it exists. This interpretation of the meaning of blue lines on early USGS topographic maps is consistent with published work and the decades of historical ecology research I have done in southern California (Mattoni and Longcore 1997, Beller et al. 2011, Dark et al. 2011, Beller et al. 2014, Longcore 2016, Safran et al. 2017, Ethington et al. 2020, Longcore and Ethington 2023).

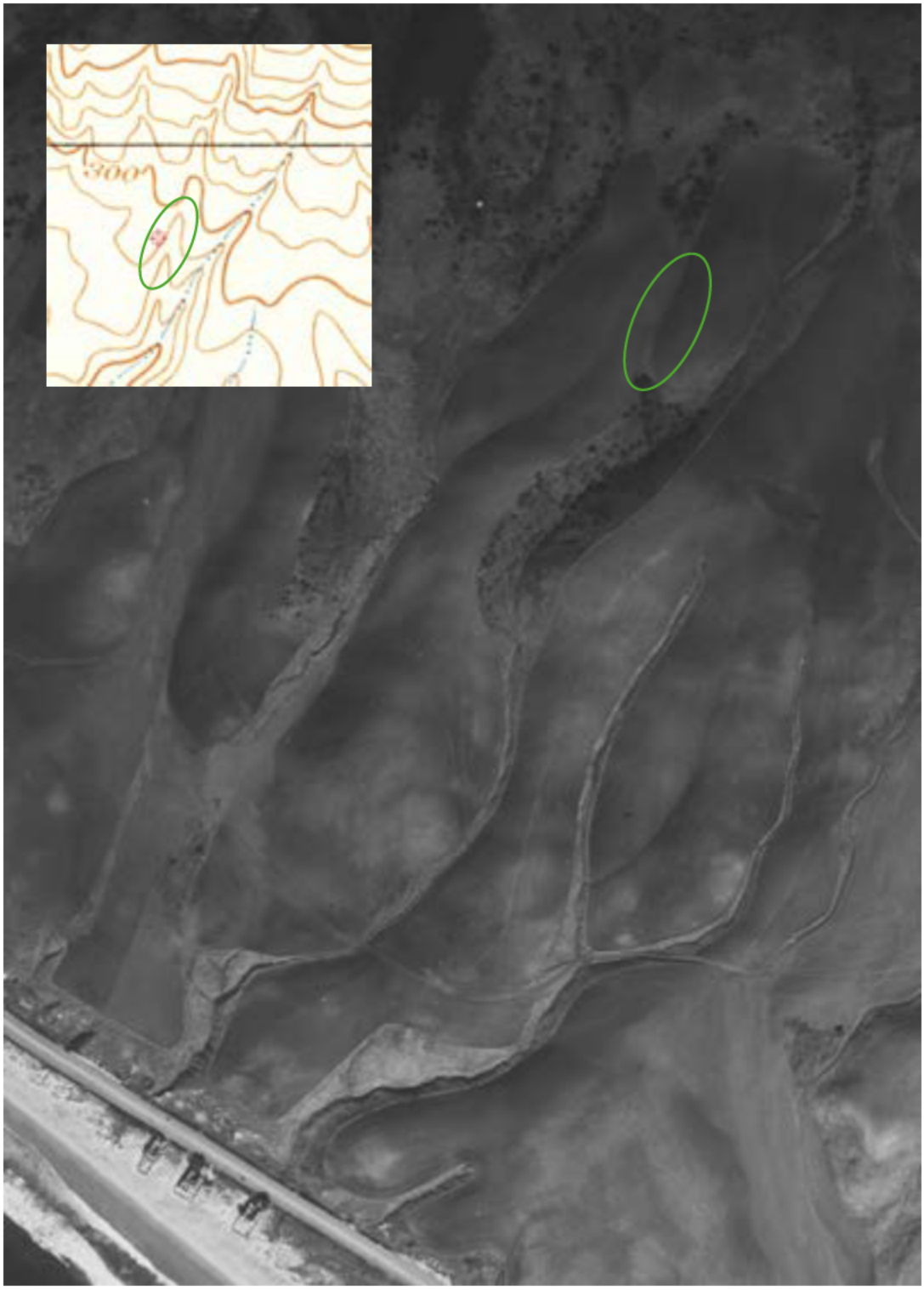


Figure 9. An orthogonal aerial photograph of the coastal drainage including the subject property, taken in January 1944. Inset: 1932 1:24,000 scale USGS topographic map of the project vicinity. Green outline indicates area of the boundary between 30053 and 30069 Harvester Road. Source: UC Santa Barbara Library, Flight C-8666X.

Analysis

Taking the evidence from the field visit, review of historical photographs, project proposal, and relevant scientific literature, I can address and answer two questions.

First, do the conditions on and adjacent to 30053 Harvester Road match the definition of a stream as provided in the LIP Plan and thereby qualify a portion of it as environmentally sensitive habitat area (ESHA) with the associated environmental protection requirements?

Second, is the project at 30053, as sited and designed, the "least environmentally damaging alternative" as required by Section 13.9 of the LIP? The next two sections address these questions.

Conditions Match Definition of a Stream

The LIP (Chapter 2) defines a stream as "a topographic feature that at least periodically conveys water through a bed or channel having banks. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." Textually, the only criteria required to define a stream are a) that it conveys water periodically and b) that it has either a bed or channel with banks. The presence of riparian vegetation is not necessary to define a topographic feature as a stream, but its presence would confirm that determination. That is, the determination is entirely geomorphological, having to do with the shape and function of the land, which then can be supported by an assessment of the plants.

Geomorphological Assessment

The first prong of the geomorphological assessment is that the topographic feature conveys water at least periodically. This condition is obviously met based on the surrounding topography, photographic and video evidence from the appellant, and the confirmation of the City Biologist (Courtney McCammon, memorandum dated March 26, 2024). That the drainage feature along the edge of 30069 conveys water periodically is not disputed.

The second prong of the definition is whether the feature has a bed or channel within banks. Importantly, this test does not require the bed, channel, or banks be of a particular size to be a stream. A "bed" is the relatively flat portion of a drainage feature over which water flows, and it is constrained on either side by a typically steeply sloping "bank" that flattens out at a higher elevation than the bed. Often one observes sorted sediments in a stream bed (sand, pebbles, gravel) depending on the speed of the water that flows in that area (Forman 1995). A "channel" is a concave feature within which water flow is concentrated, and contrasts with "sheet flow" in which water moves uniformly across the land surface without being concentrated (Allaby 2015). A channel may be sinuous, straight, or braided and may have a wide range of width-to-depth ratios (Allaby 2015). A stream bed is typically found within a channel, but not all channels have flat beds at the bottom.

During my April 21, 2025 survey at 30069 Harvester Road, I observed that the topographic feature that conveys water, for approximately 85% of its length had a defined channel with banks (Figure 1) and within those lengths there were well-defined beds with sorted sediments (Figure 2). There were sections where the channel was more V-shaped and others that were more U-

shaped with a bed. These segments met the definition of stream in the LIP and the generally accepted definition within ecology for a channel:

> channel: 1 The preferred linear route along which surface water and groundwater flow is usually concentrated (although water can flow across wide, flat surfaces as sheet flow). It is commonly a linear, concave-based depression (e.g., river channel, submarine fan channel). The geometry may be sinuous, anastomosing, or straight, and with a widely variable width-to-depth ratio (Allaby 2015).

The banks of the stream were in many locations nearly vertical, indicating that the concentrated flows had eroded down the bed to a position lower than the surrounding elevation. This condition meets the definition of being a bed or channel with banks. I have illustrated a cross-section of the stream with pebble-sized sediment and outlined the topography that I observed in the field (Figure 10). In this example, the bed was approximately 18 inches across, and the depth was around 6–9 inches. Either V-shaped or U-shaped channels were present through 85% of the property length, with one 40-foot stretch not exhibiting a defined channel, bed, or bank. This segment, about 40 feet north of Harvester Road, is a very flat section where the water appears to have spread out across a wide area rather than incising a channel. Channels are present south and north of this section.



Figure 10. Cross section of stream at 30069 Harvester Road, showing the sorted sediments in the bed and the change in elevation to the banks.

My professional assessment is that this is an ephemeral stream (sensu Allaby 2015), meaning that it only flows to convey runoff after a rain event and does not have groundwater "baseflow." Ephemeral streams differ from intermittent streams, which occasionally have baseflow from groundwater. Both ephemeral streams and intermittent streams are important parts of the function of watersheds in terms of water flow, recharge of groundwater, nutrient transport, habitat for flora and fauna, and removal of pollutants.

The size and shape of the stream is appropriate for the location in the landscape. It is a "first order" stream, meaning that no other streams flow into it (Forman 1995). First order streams in California riparian systems are typically 20 inches across (Bowler 1989), which is consistent with the size of the channel at 30069 Harvester Road. First order streams are also usually quite straight as they are located higher in watersheds where it is steeper and the topography does not allow for very sinuous or meandering routes (Forman 1995).

This evaluation relies on first-hand observation and detailed understanding of southern California landscape ecology to conclude that the necessary conditions are met to determine a stream is present near the eastern property line of 30069 Harvester Road. The floristic assessment in the next section provides confirmatory evidence of this determination.

Floristic Assessment

The LIP definition of a stream states that streams include "watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." It is already established that surface flows are present following rain conditions, as is expected for an ephemeral stream. Due to its location and the sandy substrates, water from those flows percolates into the ground and provides moisture for vegetation during the year. It is typical that ephemeral streams in southern California support both tree and shrub species that are present exclusively in the streamside (riparian) zone and those that are found there *and* in other nearby habitats. During my field reconnaissance, native species fitting both categories were observed.

California Sycamore (*Platanus racemosa*) is found within the streamside in the southern half of the property (Figure 3 and Figure 4). There are six healthy specimens. I asked the property owner about these six trees, and she confirmed that they were naturally occurring, and that there had been a larger sycamore in this stretch of the stream before the 2018 Woolsey Fire. California Sycamore, when found in an area without irrigation, indicates riparian habitat—this is a species that will "never grow on dry, upland slopes" (Griffin and Critchfield 1972). It is a typical riparian species of mid-drainage and floodplains in southern California riparian systems (Bowler 1989) and has been identified as a riparian "specialist" in the Santa Monica Mountains (Rundel and Sturmer 1998).

The City Biologist's previous assessment noted that the sycamores she saw were "saplings" and implied that they were planted. The size of the trees is irrelevant to whether they have the environmental conditions (soil moisture associated with a riparian setting) to survive, and I specifically confirmed that these six trees were not planted.

California Black Walnut (*Juglans californica*) is a tree species with thin, compound leaves that are green all summer and are dropped in the winter. Because it does not have waxy evergreen leaves like a Coast Live Oak, it needs a more water in the summer to keep its thin leaves

hydrated (Miller 1976, Quinn 1989). I counted five healthy specimens at the site, which would not be possible without the subsurface water associated with the stream. (Subsurface water associated with the stream would be present even though the groundwater table is not high enough to provide baseflow to the stream.) California Black Walnut has long been associated with water courses, especially when occurring on south-facing slopes such as the situation at Harvester Road. Early mentions of the species state that "The California Black Walnut inhabits the banks of streams or alluvial 'washes'" (Jepson 1910). Subsequent studies describe that, "The tree is naturally restricted to cool canyon bottoms, riparian woodlands, or summer-foggy coastal flatlands with deep, well-established soils" (Swanson 1967). It is an uncommon species of mid-drainage southern California riparian systems (Bowler 1989), and specifically associated with riparian woodlands in the Santa Monica Mountains (Rundel and Sturmer 1998, Tiszler and Rundel 2007). Finally, it is known to occur in dry washes and seasonally running washes (Anderson 2002).

I learned that two of the walnuts, which were saplings, had been planted by the owner in April 2024, leaving three naturally occurring walnuts, including one substantial (~15-ft) specimen along the fence line (Figure 5), and others at the northern end of the property.

In this topographic context, and with the sandy/loamy soils, the presence of California Black Walnut indicates riparian conditions with subsurface water available (Tiszler and Rundel 2007). Although California Black Walnuts are found outside of riparian conditions on north-facing slopes with deep soils and high clay content (Quinn 1989), that is not the condition at this site and its presence indicates riparian conditions.

Coast Live Oak (*Quercus agrifolia*) is a typical species in the headwaters of southern California riparian systems (Bowler 1989) and specifically in riparian areas in the Santa Monica Mountains (Tiszler and Rundel 2007). I located two specimens in the northeastern corner of 30069 Harvester Road, one mature tree (Figure 6) and one shrubby specimen (Figure 5). Although Coast Live Oak is not an obligate riparian species (meaning that it can be found outside of riparian zones), its location next to the stream an indicator of its riparian preference. It is known as a "facultative" riparian species (one that takes advantage of riparian conditions but does not require them), and as one of the most abundant and ecologically significant trees in riparian habitats in the Santa Monica Mountains (Rundel and Sturmer 1998).

Holly-leaf cherry (*Prunus ilicifolia*) is found along the streamside area of 30069 Harvester Road. Although it does not require riparian conditions, it is found in alluvial scrub associated with rivers in other southern California regions (Smith 1980) and the vigor of the five specimens on this site is attributable to the riparian conditions.

Lemonade Berry (*Rhus integrifolia*) is another evergreen shrub found within the riparian zone. It is not an obligate riparian species, but is found within alluvial scrub associated with rivers (Smith 1980) and is consistent with the environmental conditions of a first order riparian zone.

Toyon (*Heteromeles arbutifolia*) is present with 4 specimens. Toyon is not a riparian indicator species, but its presence is consistent with conditions near a first order ephemeral stream.

Based on the plant species including both strong riparian indicator species (California Sycamore, California Black Walnut) and facultative riparian species (Coast Live Oak), and a set of other species that are consistent with riparian conditions around a first order stream, my professional conclusion is that this watercourse has surface or subsurface flows that support riparian vegetation, thereby providing an additional confirmation of the geomorphological assessment that the watercourse is a stream under the LIP definition. Because the watercourse meets the definition of a stream, it is also by definition an environmentally sensitive habitat area (ESHA).

Project Siting and Design Is Not the "Least Environmentally Damaging Alternative"

The second question is whether the project at 30053 Harvester Road is the least environmentally damaging alternative. The answer is axiomatically *no*, once the presence of the stream and riparian vegetation along the western project site boundary is acknowledged. The proposed configuration of the second garage and accessory dwelling unit, along with the future leach field location are too close to the environmentally sensitive habitat area. Specifically, these structures are well within the LIP-mandated buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation; and they are substantially less than 100 feet from the outer edge of the bank of the subject stream. Setbacks from riparian zones are required in the LIP to protect the sensitive resources, including water quality and wildlife that are found in such areas.

Giving a proper buffer to the stream would involve removing the development of 30053 Harvester Road to the west of the proposed driveway, by moving the ADU/second garage and future leach field to the east of the driveway. Careful consideration should also be given to the location, configuration, and water quality impacts of the stormwater outfall (including the energy dissipater) proposed to be constructed on the property line to discharge into the stream. As is stenciled on both Harvester Road and Cuthbert Road where they intersect with the stream, the water drains directly to the ocean at Zuma Beach. Maintaining a proper setback is essential to allow overland runoff to be cleansed by infiltrating and flowing through vegetation before it reaches the stream and is conveyed more quickly downstream. This setback also slows water down and decreases the peak stormwater flows and future flooding potential (Marsh 2010).

Providing a buffer to the streamside habitat would reduce impacts on birds through active disturbance and risk of collision with glass windows (Loss et al. 2014). It would be essential to include deterrence to bird collisions through appropriate buffers and use of glass with a low threat rating as defined by the American Bird Conservancy (Sheppard and Phillips 2015) to be considered the least environmentally damaging alternative.

Removing the second garage/ADU from the streamside location would also mitigate the impacts of additional light on the riparian habitat from within the structure. The LIP regulated outdoor lighting, but indoor lighting can similarly be a significant influence on wildlife at night if it is allowed to escape the structure. Riparian zones are particularly vulnerable to this impact (Meyer and Sullivan 2013, Sullivan et al. 2019). The LIP measures light in Watts, which is a unit of energy, not light intensity. Because all new projects now use LEDs, which produce more light per Watt than previous light sources (e.g., incandescent), the conditions for the proposed project should be updated to reflect a maximum light output of 800 lumens (the equivalent of a 60-Watt incandescent bulb). For more details on the environmental issues with LEDs, see Longcore (2018) (attached).

Discussion of City Biologist Determination

The City Biologist, Courtney McCammon, wrote two memos, dated March 26, 2024, and August 6, 2024, evaluating whether a stream is found on the property at 30069 Harvester Road. The first memo contains the most detail and the second memo, written after having access to the 30069 Harvester Road property, purports to confirm the details of the first memo with no additional details. The March 26, 2024 memo contains the assessment that no stream is found on 30069 Harvester and discusses the reasons for this conclusion.

Ms. McCammon concedes that the area along the eastern boundary of 30069 Harvester Road, "likely 'periodically conveys water.'" This is an acknowledgment of a documented and irrefutable fact where there is ample photographic and visual evidence that water flows at the low point in the landscape.

Ms. McCammon goes on to point out that there do not appear to be streams northwest or southeast of 30069 Harvester Road. The presence of an adjacent stream segment is irrelevant to the determination of whether a stream is present at this parcel. Nevertheless, I was able to ascertain through conversations with the residents of 30069 Harvester Road and visual inspection of pipe inflow and outflow locations that the water flows are undergrounded into drainage pipes north and south of 30069 Harvester Road so they would not have been apparent to Ms. McCammon. The infrastructure for the water flows northwest and southeast of the site is present and located along the routes of historical stream flows (see historical aerials, Figure 8 and Figure 9.

Ms. McCammon then comes to the key to her analysis, which is that she claims she did not observe a bed or channel having banks. The presence of either a bed with banks or a channel with banks is the determinative factor in whether a stream is present according to the LIP definition. Her 2024 memos fail to identify the well-documented, clearly defined bed of an ephemeral watercourse and channel having banks. This stream has a clearly defined channel through approximately 85% of the length of the property and has a flat bed in multiple locations along that length in which there was sorted sediment in the form of sand or pebbles. The width varied from a foot across to several feet wide and the depth from 6 to 18 inches.

Ms. McCammon then turned to the vegetation conditions along the watercourse and noted the presence of species that she characterized as weedy and not associated with riparian conditions. I found the same weedy species during my visit. These species, however, are not proof that riparian conditions do not exist, because they are quite opportunistic. In contrast to Ms. McCammon, I observed and documented the presence of native riparian-associated species, as documented in detail above.

Ms. McCammon observed native riparian-associated trees on the site but expressed a belief that the native trees were planted, except for one oak (presumably the large oak at the north end of the property). She later notes the trees are "very young" and asserts, without evidence, that they would correspond to 2021–2022 landscaping.

As documented above, I interviewed the owner of 30069 Harvester Road and asked specifically whether the riparian indicator species — California Sycamore, California Black Walnut, and

Coast Live Oak — had been planted. She readily acknowledged that the two Valley Oaks (*Quercus lobata*) had been planted, that she had planted California Sycamores along Harvester Road and leading up to her driveway, and that she planted two California Black Walnuts that are still small saplings. She did not, however, plant or have planted the other native trees. Rather, she described the loss of trees during the 2018 Woolsey Fire and the subsequent regrowth of the sycamores after the fire. She also acknowledged placing stones in a circle around a sapling California Walnut that had volunteered near the northern end of the property. In the absence of any contrary documentary evidence, there is no reason to conclude that the riparian species now present were planted (the Valley Oaks and two planted California Black Walnuts obviously excluded). Furthermore, the LIP definition for a stream does not distinguish between planted and naturally occurring riparian vegetation — the ongoing survival of the native plants with riparian habitat associations are evidence of the presence of a stream, regardless of whether they were planted.

The City of Malibu Land Use Plan ESHA map update procedures explicitly state that "areas subject to habitat restoration projects shall also be considered for designation as ESHA" (Land Use Plan Section 30242). This provision means that contrary to Ms. McCammon's implication that planted riparian habitat would exclude a site from ESHA status, even if these trees had been planted (which they were not), their presence and recovery would trigger consideration for reclassification as ESHA.

Ms. McCammon then suggests that the stream could not be a stream because the ESHA area identified by the appellants was drawn "as a straight column down the center of the two properties, which is usually not how habitat or plants behave (in a straight line)."

There are two responses to this incorrect assertion. First, the documentary evidence in historical photographs (Figure 8 and Figure 9) shows that this stream course was straight and located in exactly this location since at least 1928. Second, streams that are in the steeper portions of watersheds, at or near headwaters, are always quite straight. These first order streams and their straight nature comes from the steepness of the terrain (Forman 1995). It is not unusual, given both the documentary evidence and known geomorphological attributes, for the stream to be quite straight along this stretch and for the riparian vegetation to follow that straight line.

About the Author

Travis Longcore is a principal of Land Protection Partners. Dr. Longcore is Adjunct Professor in the Institute of the Environment and Sustainability at UCLA, where he is Co-Chair of the professional doctoral program in Environmental Science and Engineering (D.Env.). He has taught, among other courses, Bioresource Management, Environmental Impact Analysis, Field Ecology, The Natural Landscape, and Ecological Factors in Design. He was graduated *summa cum laude* from the University of Delaware with an Honors B.A. in Geography, holds an M.A. and a Ph.D. in Geography from UCLA, and is professionally certified as a Senior Ecologist by the Ecological Society of America and as a GIS Professional by the Geographic Information System Certification Institute. He is a 28-year member of the Los Angeles County Environmental Review Board where he has evaluated hundreds of project proposals in the Coastal Zone for compliance with the Coastal Act and local implementing regulations. Longcore has authored or co-authored over 75 scientific papers in top peer-reviewed journals such as

Science, Applied Geography, Biological Conservation, *Conservation Biology*, *Environmental Management*, *Frontiers in Ecology and the Environment*, *Trends in Evolution and Ecology*, *Journal of Applied Ecology*, and *Basic and Applied Ecology*. Land Protection Partners provided scientific review of environmental compliance documents and analysis of complex environmental issues for local, regional, and national clients for 27 years.

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City of Malibu
MEMORANDUM

To: Yolanda Bundy, Community Development Director, City of Malibu

From: Courtney McCammon; Contract City Biologist

Date: September 15, 2025

Re: 4000 Corral Canyon Road; ECDP 25-017, Biology Site Inspection

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The purpose of this memo is to provide details following a Community Development Director-requested site inspection at 4000 Corral Canyon Road. Some caveats about this site visit include: no formal jurisdictional delineation was requested nor conducted; no formal biological assessment was requested nor conducted; no formal tree survey was requested nor conducted (i.e. tree DBH was not taken). The City Biologist visited the project site on the morning of Monday, September 15, 2025. The City Biologist was tasked with verifying in-field conditions as reported by the Applicants biological assessment dated July 2025.

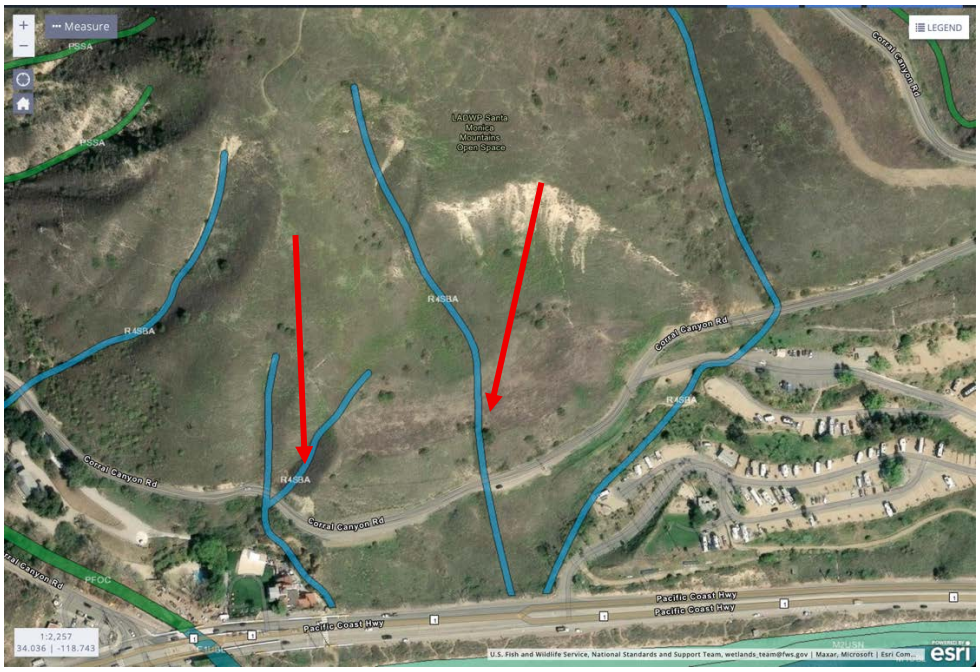
Stream Determination

The Applicant's biological assessment reports the following:

> The National Wetlands Inventory Wetlands Mapper documented riverine habitat (R4SBA) traveling through the center of the site for a span of approximately 50 feet (Figure 4). During the field survey conducted on May 26, 2025, a surveyor located the area of the mapped resources and documented a lack of features on site. Within the area where the feature is mapped, no characteristics were detected that indicate this area supports significant hydrology (i.e., permanent, intermittent, or relatively permanent waters), and no hydric soils were identified. The area lacked evidence of flow features or concavity. No hydric vegetation was detected within the mapped area, and the vegetation composition was consistent with the surrounding area and classified as "Upland." Aerial imagery reviewed for this study shows that this area has been disked on a nearly annual basis within the Project area. Therefore, although this site was historically mapped as riverine, the field survey verified that the area is not a water feature and therefore not jurisdictional.

While it is unclear which riverine feature the Applicant's biologist surveyed, it is assumed that it is the feature that bisects the site as depicted in the screenshot below.

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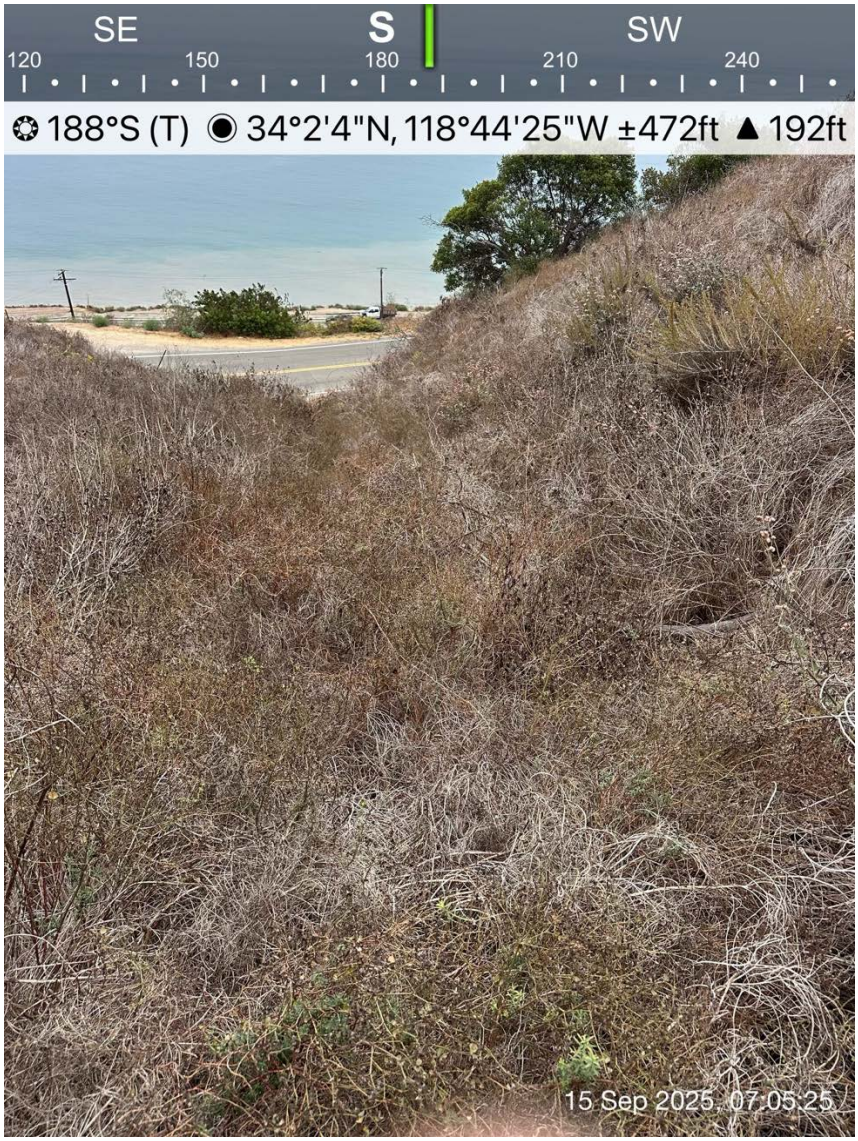


The City Biologist surveyed the two riverine features that are pointed out (red arrows) due to their proximity to the project site. A stream is defined in the LIP as "a topographic feature that at least periodically coveys water through a bed or channel having banks. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." The City Biologist concurs that there was a lack of flow features or concavity (bed or channel having banks). However, at Corral Canyon Road there is an existing culvert that was put in to presumably channel water. It is unclear the route that the water takes while on the project site but it likely travels down a ravine as outlined in the map below with the red arrow.



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The area with the red arrow likely conveys water at least periodically but, again, a defined channel was not observed on the site. Surface flow was not observed. The biologist was not tasked with looking for subsurface flow. There was no riparian vegetation observed either. Below are some photos taken on the site and where the red arrow is.



This picture was taken standing where the red arrow (riverine feature) is. Corral Canyon Road and the culvert is in the background.

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This picture was taken standing along the mapped riverine feature that bisects the property. Flow likely occurs in the middle of the photograph (red arrow) but a bed or channel having banks was not observed.

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ESHA Determination



The submitted biological assessment did not make any statements as to whether there is or is not ESHA on the project site. The above map was provided that shows the extent of ESHA as it is shown on the City of Malibu GIS. A corrected map post-field survey was not provided.

The submitted biological assessment stated that the site could support special status wildlife including but not limited to: San Diego desert woodrat, legless lizard, coastal whiptail, coast horned lizard, and monarch butterfly. The report specifically states:

> The special-status wildlife species identified during the habitat assessment have the potential to occur in the Project area within disturbed areas or within the undeveloped portions of the Santa Monica Mountains (i.e., associated with coastal sage scrub or chaparral habitat).

The City Biologist agrees with the species listed having potential to occur on site and that the habitat on site can support those species. Chapter 4 of the LIP states that ESHA is “Any habitat area that contributes to the viability of species that are designated "fully protected" or "species of special concern" under State law or regulations.” The habitat on site would be considered ESHA since it has the ability to support listed species. Below are photos from the site visit:

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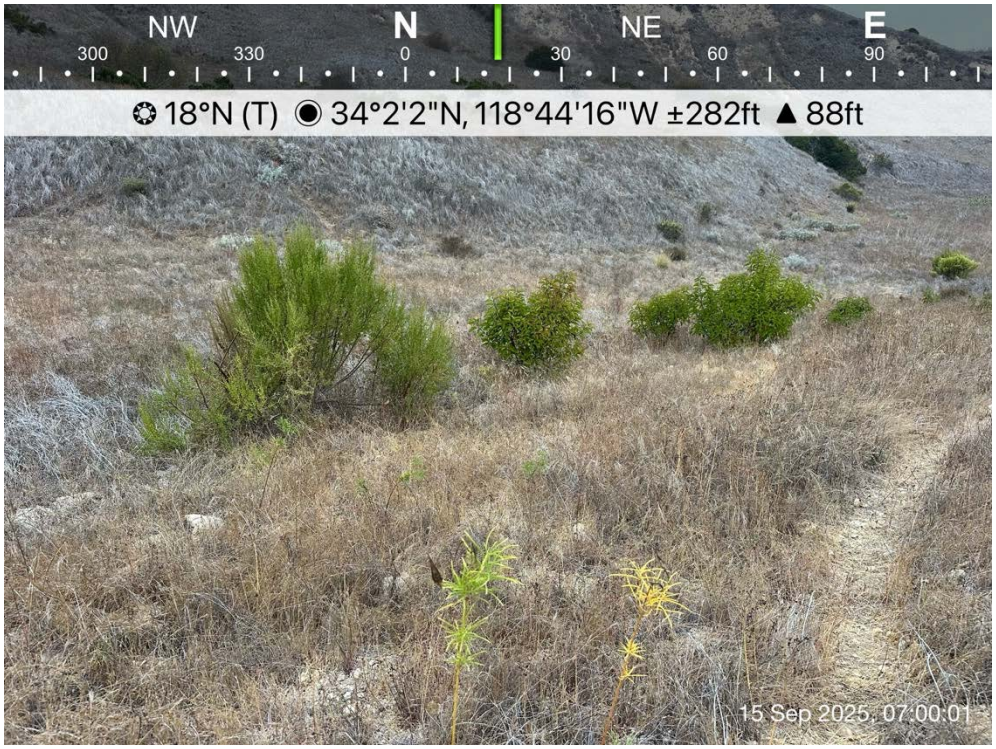


A woodrat midden immediately adjacent to the project site. It is unknown what species of woodrat.

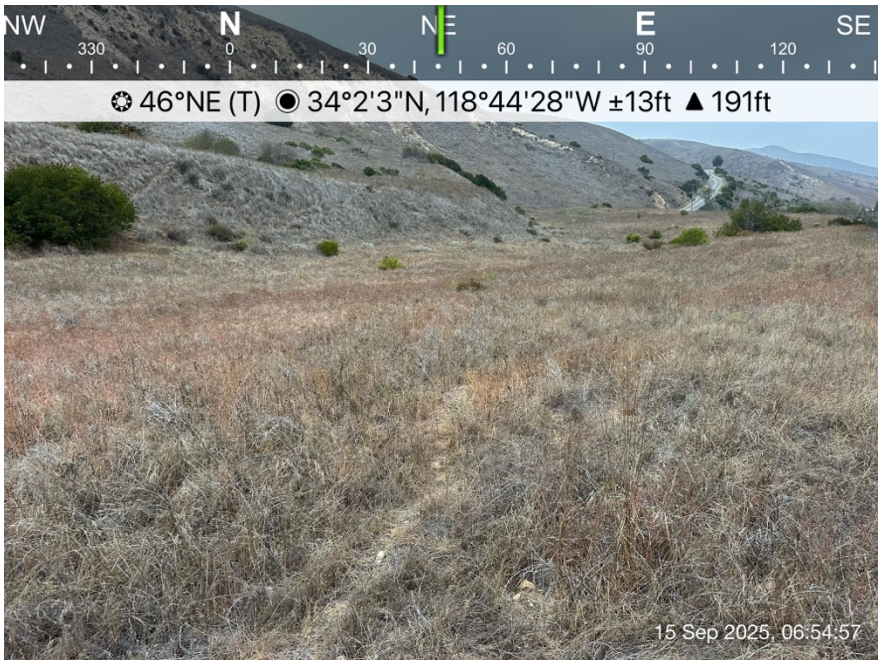


A photograph showing some of the native vegetation found on the project site.

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A photograph showing some of the vegetation on the project site with milkweed in the foreground (monarch butterfly host plant).



A photograph showing the vegetation found on the project site. Mostly non-natives with sporadic native plants.

Recycled Paper





The two above photographs are interesting observations from the project site. The top photograph is the leftovers of a deceased barn owl and the bottom photograph is a mammal skull.

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Native Protected Trees

Note: as stated previously, a formal tree survey was not conducted, and the DBH of native protected trees were not taken.

The biological assessment stated that there were no native protected trees on the project site. The City Biologist determined that statement was accurate and did not observe any native protected trees on the project site.

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