JULY 20, 2026 REGULAR MEETING

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

1. Item 3B1

   Administrative Coastal Development Permit No. 26-029 / 31810 Cottontail Lane

   Documents:

   PC260720_ITEM 3B1.PDF

2. Item 3B2

   Administrative Coastal Development Permit No. 22-055 / 5742 Busch Drive

   Documents:

   PC260720_ITEM 3B2.PDF

3. Item 3B3

   Formula Retail Clearance No. 26-007 / 23465 Civic Center Way, Suite 720 (Jenni Kayne)

   Documents:

   PC260720_ITEM 3B3.PDF

4. Item 3B4

   Formula Retail Clearance No. 26-009 / 23465 Civic Center Way, Suite 340 (LoveShackFancy)

   Documents:

   PC260720_ITEM 3B4.PDF

5. Item 3B5

   Formula Retail Clearance No. 26-010 / 23465 Civic Center Way, Suite 730 (Vuori)

   Documents:

   PC260720_ITEM 3B5.PDF

6. Item 3B6

Approval of Minutes / June 1, 2026 and June 15, 2026 Regular Planning Commission meetings

Documents:

PC260720_ITEM 3B6.PDF

7. Item 4A

   Coastal Development Permit No. 18-029 / 31618 Sea Level Drive

   Documents:

   PC260720_ITEM 4A.PDF

8. Item 5A

   Conditional Use Permit No. 26-003 / 23465 Civic Center Way, Parcel A, Building 4, Suites 480 & 490 (Madeo Mare)

   Documents:

   PC260720_ITEM 5A.PDF

9. Item 5B

   Coastal Development Permit No. 26-002 / 5716 Kanan Dume Road and within the Public Right-of-Way

   Documents:

   PC260720_ITEM 5B.PDF

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.1.

To: Chair Peak and Members of the Planning Commission

Prepared by: Analise Nash, Assistant Planner

Reviewed by: Didier Murillo, Principal Planner

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

Date prepared: July 9, 2026 Meeting date: July 20, 2026

Subject: 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

RECOMMENDED ACTION: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 26-029.

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 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 14, 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 15, 2026 and end on July 24, 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. 26-029

City of Malibu

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COMMUNITY DEVELOPMENT DEPARTMENT

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT

Administrative Coastal Development Permit No. 26-029
Categorical Exemption No. 26-050
31810 Cottontail Lane
APN 4470-020-019

NOTICE IS HEREBY GIVEN that the City of Malibu has APPROVED an application filed by Lori Miller on behalf of the property owner, Marjorie L. Weston Trust, for an administrative coastal development permit (ACDP) to allow for the abandonment of an existing conventional Onsite Wastewater Treatment System (OWTS) and the installation of a new Advanced OWTS (AOWTS) to serve the existing single-family residence. The subject parcel is zoned Single Family Medium Density (SFM) and is not located within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the City's Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development in LCP Local Implementation Plan (LIP) Section 2.1.

Proposed Project

1. Installation of an AOWTS, including a 2,000-gallon treatment tank with two new seepage pits; and
2. Abandonment of the existing OWTS.

Project Overview

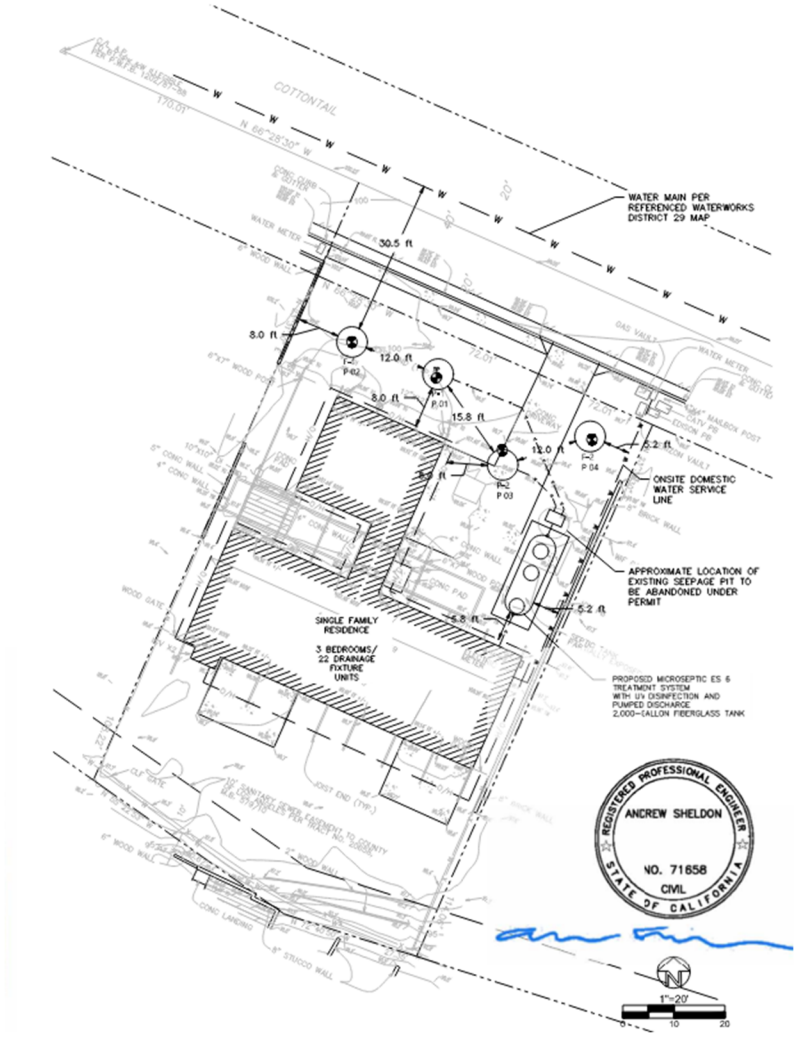
The subject parcel is a rectangular-shaped, non-beachfront lot located north of Broad Beach Road, and south of Pacific Coast Highway, on the ocean-side of Cottontail Lane at 31810 Cottontail Lane (see Figure 1).

Figure 1 – Project Area Aerial



Source: City of Malibu GIS 2026, with Staff Edits

Figure 2: OWTS Plan



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	114 feet (ft.)
Lot Width	72 ft.
Gross Lot Area	8,208 square feet (sf.)
Street Easements	0 sf.
1:1 Slopes	0 sf.
Net Lot Area*	8,208 sf.

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

The subject parcel is located in western Malibu within the Broad Beach neighborhood. The property is developed with a single-story, single-family residence and is situated within a neighborhood similarly developed with a mix of single- and two-story single-family residences. The subject parcel is identified as Lot 32 in the tract map and is

currently developed with a single-family residence built in 1961. Table 2 below provides a summary of the neighboring surrounding land uses.

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Size**	**Zone**	**Land Use**
Subject Parcel	31810 Cottontail Lane (Lot 32)	8,208 sf.	SFM	Single-family Residential
North	31811 Cottontail Lane (Lot 19)	7,200 sf.	SFM	Single-family Residential
East	31800 Cottontail Lane (Lot 35)	7,920 sf.	SFM	Single-family Residential
South	31777 Broad Beach Road (Lot 33)	7,728 sf.	SFM	Single-family Residential
West	31820 Cottontail Lane (Lot 29)	7,344 sf.	SFM	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 abandonment of an existing OWTS and installation of a replacement AOWTS on a parcel that is not located in the CCC 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: April 9, 2026
- Posting of Property: May 11, 2026
- Completeness Determination: May 7, 2026
- Notice of Application Mailer (Attachment 2): June 25, 2026
- Notice of Decision Mailer (Attachment 2): July 9, 2026
- Issuance of ACDP: July 14, 2026
- Planning Commission Reporting: July 20, 2026
- Local Appeal Period: July 15, 2026 through July 24, 2026

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Community Development Director has analyzed the proposed project. The Community Development Director has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Sections 15302(c) – Replacement or Reconstruction, 15303(d) – New Construction or Conversion of Small Structures, and 15304(f) – Minor Trenching and Backfilling. 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 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 geotechnical consultant reviewers, and City Environmental Health Administrator (Attachment 1 – 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 replacement AOWTS to support the single-family residence use is consistent with the SFM zoning district. The Planning Division, City Biologist, City Environmental Health Administrator, and City geotechnical staff have reviewed the proposed project and found it to meet the requirements of the Malibu Municipal Code (MMC) and LCP. The proposed project allows for the abandonment of an existing OWTS components and installation of a new AOWTS which consists of a new 2,000-gallon MicroSepTec septic tank that includes two primary seepage pits and two proposed future seepage pits. The applicant is required to record a covenant indicating the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included for the proposed project to require continued operation, maintenance and monitoring of the subject system. The new advanced system will be an overall improvement to the local environment as the advanced treatment will utilize the latest technology to treat effluent compared to the old conventional system that did not have advanced treatment capabilities.

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

The subject parcel property 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. Therefore, the replacement of the existing OWTS with a new AOWTS in conformance with current design standards promotes public health by minimizing potential contamination of the groundwater table in the area and nearby Pacific Ocean. The OWTS is sited on the parcel in the most landward feasible location, away from the Pacific Ocean to the south which is compliance with the LIP requirements. The AOWTS will be an upgrade from the conventional system currently onsite, improving environmental conditions in the area.

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 conditioned in accordance with the LCP.

APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 26-029

Based on the foregoing findings and evidence contained within the record, the Community Development Director hereby approves ACDP No. 26-029, 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 abandonment of the existing OWTS and the installation of a new AOWTS with a 2,000-gallon MicroSepTec tank that includes two primary seepage pits and two proposed future seepage pits. This approval does not involve any non-exempt grading or other development.

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 16, 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 of Malibu 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 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 13.29.3.

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

12. The 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 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.

Construction

15. 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.

16. 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 material, not within the public right of way unless otherwise approved. 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.

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

18. 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.

Biology

19. 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 ft. 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.

20. 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 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.

21. 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.

22. 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 ft. 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 ft. or more from a structure with no limitation on application area.

23. 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 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.

Environmental Health

24. Proposed OWTS Component Reconfiguration to Maintain Minimum Required Setbacks: The Sheldon Engineering OWTS plot plan dated 3-27-2025 depicts proposed future expansion seepage pits that do not appear to meet the minimum required setbacks from the existing single-family dwelling and neighboring property line per the MMC.
    a. Please revise the final OWTS plot plan to shift the OWTS future expansion seepage pits so that all minimum required setbacks are maintained or provide reduction in setback letters from the OWTS and Geotechnical consultants pertaining to the future expansion seepage pit (P 02) located near the existing residence. An additional Environmental Health review fee of $949 is required for reductions in setbacks. The proposed future expansion seepage pit (P 04) located near the neighboring property line must be shifted to maintain all required setbacks per the MMC - no reduction in setback will be approved for this pit.

25. OWTS on Project Plans: The final project site plans must show the proposed OWTS, including the treatment tank, present/future dispersal area(s), and all lines of connection to the residence.

26. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11-inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

27. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

    The final design report shall contain the following information (in addition to the items listed above):
    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (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 final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by the Environmental Health Administrator). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Division.

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. Proposed OWTS Components in Vehicular Traffic Areas: The proposed treatment tanka nd proposed seepage pit may potentially be in a vehicular traffic area. Please indicate on the OWTS plot plan whether the proposed treatment tank and/or seepage pit will be in a vehicular area and provide call outs on the plan to protect the proposed OWTS as appropriate.

31. Traffic-Rated Slab Plan(s): All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

32. Prior to final Environmental Health approval, the applicant shall provide engineer's certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Table 15.42.030(E)) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the Table 15.42.030(E) setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced. All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in Table 15.42.030(E)) also must be supported by a letter from the project architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California-licensed architect, then the required architect's certification may be supplied by an engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setbacks to the wastewater system. In this case, the engineer must include in his/her letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback, then the architect or engineer must provide associated construction documents for review and approval during Building Safety Division plan check. The wastewater plans and the construction plans must be specifically referenced in all certification letters.

33. Proof of Ownership: Proof of ownership of subject property shall be submitted to the Environmental Health Administrator.

34. 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.

35. 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 AOWTS after construction shall be submitted. Note only original "wet signature" documents are acceptable.

36. 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.

37. 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.

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

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

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

41. 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.

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

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

44. Environmental Health Final OTWS Plan Check Review and Reduction in Setback 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 Environmental Health review of the OWTS design and system specifications and reduction in setbacks.

45. 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.

46. 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.

47. Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. Approvable building plans will show an existing single-family residence with no more than 3 bedrooms and 22 drainage fixture units.

48. 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 and maintain conformance with MMC/LIP residential development standards. Planning Division approval shall be obtained prior to the installation of any wall or fencing.

Geology

49. 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.

50. 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 CDP.

Deed Restrictions

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

Prior to Final Inspection

52. Prior to a final Building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Community Development Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate all material that were land filled or recycled, and state the facilities where all materials were taken.

53. 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.

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

Fixed Conditions

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

56. 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 **July 24, 2026 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms 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 **July 20, 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 Analise Nash in the Planning Division at anash@malibucity.org and 310-456-2489, extension 294, for further information. Copies of all related documents can be reviewed by any interested person during regular business hours.

Date: July 14, 2026

Prepared by:

Analise Nash

Analise Nash
Assistant Planner

Approved by:

Tyler Eaton for

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

Attachments:

1. Department Review Sheets including OWTS Plot Plan
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. 26-029, dated July 14, 2026, for the project located at 31810 Cottontail Lane, 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

ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA } SS
County of Los Angeles

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

personally appeared _____

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

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

WITNESS my hand and official seal.

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

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 **DATE:** 04/09/2026

PROJECT NUMBER: ACDP 26-029

JOB ADDRESS: 31810 COTTONTAIL LN

APPLICANT / CONTACT: Marjorie L. Weston & Lori L. Miller, Marjorie L Wes

APPLICANT EMAIL: seeingeyek9@gmail.com

PLANNER: To Be Assigned

PROJECT DESCRIPTION: NOWTS

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 4/17/26

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)	Marjorie L. Weston & Lori L. Miller, Marjorie L Wes seeingeyek9@gmail.com		
Project Address:	**31810 COTTONTAIL LN** Malibu, CA 90265		
Planning Case No.:	ACDP 26-029		
Project Description:	NOWTS		
Date of Review:	April 17, 2026		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	4/9/26
Site Survey:	
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	4/9/26
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

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.

-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 **DATE:** 04/09/2026

PROJECT NUMBER: ACDP 26-029

JOB ADDRESS: 31810 COTTONTAIL LN

APPLICANT / CONTACT: Marjorie L. Weston & Lori L. Miller, Marjorie L West

APPLICANT EMAIL: seeingeyek9@gmail.com

PROJECT DESCRIPTION: NOWTS

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 Thomas — 4/16/2026

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)	Marjorie L. Weston & Lori L. Miller seeingeyek9@gmail.com		
Project Address:	**31810 Cottontail Lane** Malibu, California 90265		
Planning Case No.:	ACDP 26-029		
Project Description:	NOWTS		
Date of Review:	April 16, 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 3-27-2026
OWTS/Perc Report:	Sheldon Engineering: Report dated 3-27-2026
OWTS Geo. Report:	CalPacific Geology, Inc.: Report dated 3-4-2026
Miscellaneous:	Andrew Sheldon: Fixture Unit Worksheet dated 3-27(sic)-2026
Previous Reviews:	

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 Building Plan Check and 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) **Proposed OWTS Component Reconfiguration to Maintain Minimum Required Setbacks:** The Sheldon Engineering OWTS plot plan dated 3-27-2025 depicts proposed future expansion seepage pits that do not appear to meet the minimum required setbacks from the existing single-family dwelling and neighboring property line per the Malibu Municipal Code. (M.M.C.).

   Please revise the final OWTS plot plan to shift the OWTS future expansion seepage pits so that all minimum required setbacks are maintained or provide reduction in setback letters from the OWTS and Geotechnical consultants pertaining to the future expansion seepage pit (P 02) located near the existing residence. An additional Environmental Health review fee of $949 is required for reductions in setbacks. The proposed future expansion seepage pit (P 04) located near the neighboring property line must be shifted to maintain all required setbacks per the M.M.C. – no reduction in setback will be approved for this pit.

3) **OWTS on Project Plans:** The final project site plans must show the proposed onsite wastewater treatment system (OWTS), including the treatment tank, present/future dispersal area(s), and all lines of connection to the residence.

4) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend.

5) **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. 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.]

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

7) **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.*"

8) **Proposed OWTS Components in Vehicular Traffic Areas:** The proposed treatment tank and proposed seepage pit may potentially be in a vehicular traffic area. Please indicate on the OWTS plot plan whether the proposed treatment tank and/or seepage pit will be in a vehicular area and provide call outs on the plan to protect the proposed OWTS as appropriate.

9) **Traffic-Rated Slab Plan(s):** All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

10) **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.

11) **Engineer Certification for Reduction in Setbacks to Structures:** All proposed reductions in setbacks from the OWTS to structures or other features less than those shown in Malibu Municipal Code (MMC) Section 15.42 must be supported by letters from the project consultants. The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building Safety prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. All plans must show the location of OWTS components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

    - Structures – All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Section 15.42) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will not adversely affect the structural integrity of the structures for which the setback is reduced.

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

13) **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.

14) **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**.

15) **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.

16) **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.

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

18) **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.

19) **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.

20) **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

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

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

23) **Environmental Health Final OWTS Plan Check Review and Reduction in Setback 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 and reduction in setbacks.

24) **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

31810 COTTONTAIL LANE (ACDP 26-029)
MALIBU, CA 90265

S.F.D.:	3 Bedroom/22 Fixture Units (E)
TREATMENT TANK:	2,000 Gallon MicroSepTec ES6 w/UV Disinfection Unit (N)
ACTIVE:	2 - 6' x 25' BI w/10' Cap (N) (projected; P 01,P 03)
FUTURE:	2 - 6' x 25' BI w/10' Cap (F) (projected; P 02,P 04)
PERC RATE:	4,307 gpd/11.2 gpsf (proj; P 01)
	4,100 gpd/12.8 gpsf (proj; P 02)
	3,513 gpd/10.7 gpsf (proj; P 03)
	3,722 gpd/9.9 gpsf (proj; P 04)
DESIGNER:	Andrew Sheldon, CE 71658
REFERENCE:	Sheldon Engineering: OWTS design report dated 3-27-2026
	CalPacific Geology, Inc.: OWTS supporting geology report dated 3-4-2026

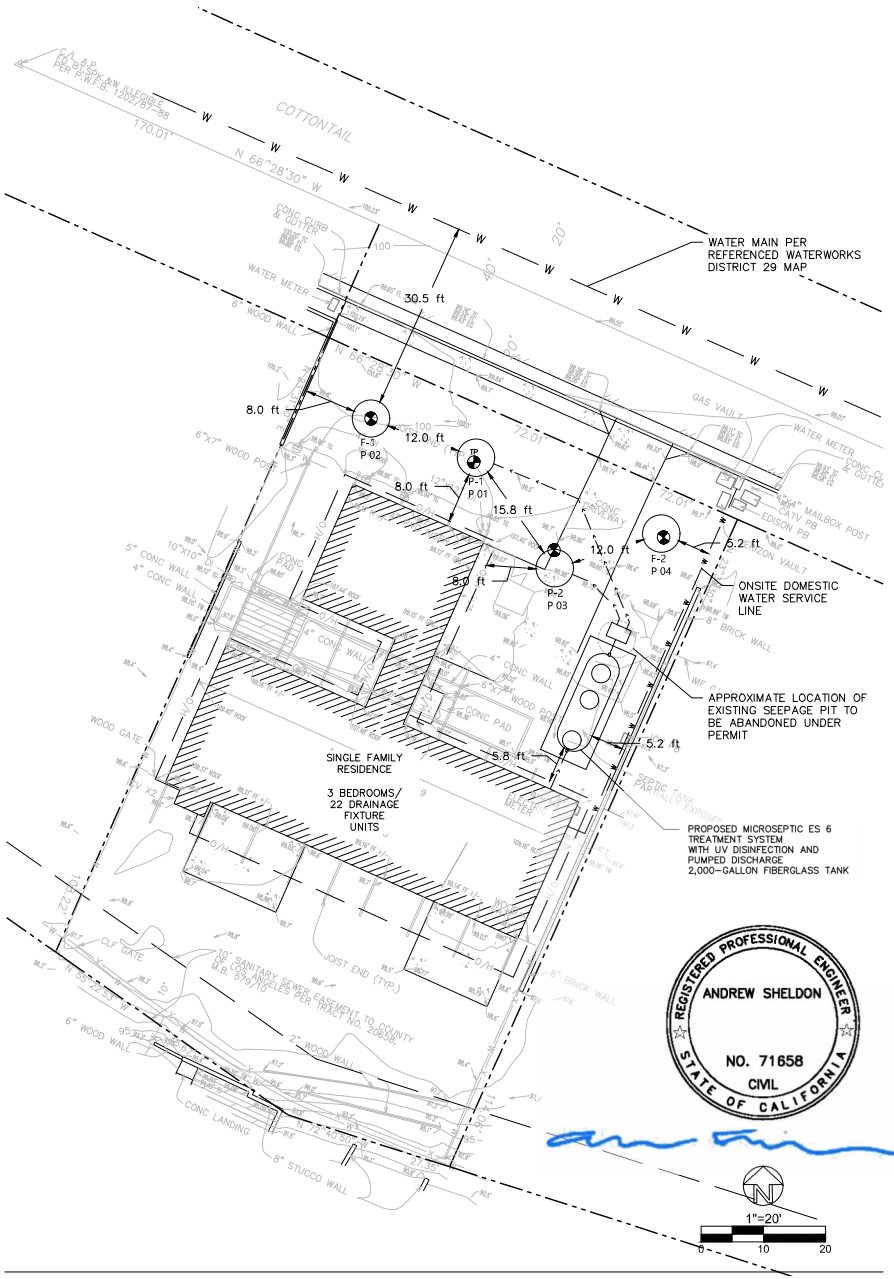
NOTES:

1. This conformance review is for a new advanced onsite wastewater treatment system (OWTS) only. 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 review treatment.

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

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW
SIGNATURE: DATE: 4/16/2026
THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS



1. ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM PLOT PLAN

SCOPE OF WORK

1. NEW ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM FOR EXISITING RESIDENCE (NO NEW WASTEWATER DISPOSAL).
2. ABANDON EXISTING SEPTIC TANK AND SEEPAGE PITS UNDER PERMIT.

LEGEND

- GROUNDWATER/PERCOLATION TEST BORING
- PERCOLATION TEST BORHOLE
- EDGE OF SEEPAGE PIT TO BE CONSTRUCTED
- PROPERTY LINE PER REFERENCED SURVEY
- EASEMENTS PER REFERENCED SURVEY
- GRAVITY BUILDING SEWER

OWTS DESIGN NOTES

SEEPAGE PITS DISPOSAL AREA:

1. DESIGN FLOW FORSINGLE FAMILY RESIDENCE EFFLUENT DISPOSAL CALCULATED AS FOLLOWS:
   3 BEDROOM @ 1,500 GALLON SEPTIC TANK CAPACITY (STC|br) or 33 DRAINAGE FIXTURE UNITS (DFU) @ 1,500 GALLON STC (STC|dfu)
   DAILY DISPOSAL CAPACITY REQUIRED (REQD. GPD) = 5x STC|br = 7,500 GALLONS (GAL) > 3x STCdfu = 3,600 GAL

2. PRESENT EFFLUENT DISPERSAL CAPACITY PROVIDED FOR AOWTS IS ESTABLISHED BY PERCOLATION TEST:
   PRESENT: TWO (2) 6' X 25' BI WITH 10' CAP:
   P-1 @ P 01: 4,307 GPD
   P-2 @ P 03: 3,513 GPD
   P-1 + P-2 = 7,820 GPD > 7,500 REQD. GPD => OK

3. FUTURE EFFLUENT DISPERSAL CAPACITY PROVIDED FOR AOWTS IS ESTABLISHED BY PERCOLATION TEST:
   FUTURE: ONE (1) 6' X 18' BI WITH 10' CAP:
   F-1 @ P 02: 4,100 GPD
   F-2 @ P 04: 3,722 GPD
   F-1 + F-2 = 7,822 GPD > 7,500 REQD. GPD => OK

DESIGN WASTEWATER GENERATION RATE FOR ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM:

3 BEDROOMS (MAXIMUM)

1 MASTER BEDROOMS @ 300 GAL PER DAY (GPD)..... 300 GPD
2 ADDITIONAL BEDROOMS @ 150 GPD..... 300 GPD

PEAK DAILY FLOW..... 600 GPD
AVG DAILY FLOW (65% OF PEAK)..... 400 GPD

TREATMENT:

MICROSEPTEC ES 6 2,000 GALLON WASTEWATER TREATMENT TANK WITH UV DISINFECTION BASIN
(SERVES UP TO 600 GPD WASTEWATER GENERATION).

REFERENCES AND TRACINGS

1. ARCHITECTURAL SURVEY BY CLEMONS LAND SURVEYING ISSUED 10-30-2025.
2. ARCHITECTURAL SITE PLAN FLOOR PLANS AND ELEVATIONS BY MALIBU DESIGN CENTER, ISSUED 3-21-2023.
3. GEOLOGIC REPORT - EVALUATION OF PERCOLATION TEST BORINGS BY CALPACIFIC GEOLOGY, INC., ISSUED 3-4-2026.
4. LOS ANGELES COUNTY SEPTIC SYSTEM APPROVAL ISSUED 11-22-1960.
5. LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29 MALIBU ZUMA ZONE WATER DISTRIBUTION SYSTEM BY LOS ANGELES COUNTY OF PUBLIC WORKS ISSUED NOVEMBER 2007.

Notes
First Issued Mar-27 2026

31810 Cottontail Lane
Malibu, California 90265

Advanced Onsite Wastewater Treatment System Plot Plan

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

March 2026

WW
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: April 17, 2026 **Review Log #:** **5426**

Site Address: 31810 Cottontail Lane
Lot/Tract/PM #: **Planning #:** **ACDP 26-029 P1**

Applicant/Contact: Marjorie L. Weston & Lori L. Miller, seeingeyek9@gmail.com **BPC/GPC #:**

Contact Phone #: 310-386-5120 **Fax #:** **Planner:** **Analise Nash**
Project Type: New Onsite Wastewater Treatment System (OWTS)

Submittal Information

Consultant(s) / Report Date(s):
*(Current submittal(s) in **Bold**.)*

CalPacific Geology, Inc. (Triebold, CEG 1796): **3-4-2026**
Sheldon Engineering, Inc. (Sheldon, RCE 71658, REHS # 7111): **3-27-2026**

1st Administrative Coastal Development Permit Submittal
Advanced OWTS Plot Plan prepared by Sheldon Engineering, Inc. dated March 2026.
Architectural Survey prepared by Clemons Land Surveying dated October 30, 2025.

Previous Reviews: None; Environmental Health Review Letter dated 4-16-2026

Review Findings

Administrative Coastal Development Permit Review

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

☐ The OWTS 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 OWTS 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 OWTS 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 report, OWTS design and percolation report, and OWTS plot plan were reviewed by the City's consultants from a geotechnical perspective. Based on the submitted information, the proposed project consists of installing a new onsite wastewater treatment system (OWTS) to replace the existing failed OWTS. The proposed OWTS consists of a 2,000-gallon MicroSepTec ES6 treatment tank system with UV disinfection and two new active 6' diameter x 25' BI seepage pits with 10' caps (P 01 and P 03) and two future 6' diameter x 25' BI seepage pits with 10' caps (P 02 and P 04). The existing septic tank and seepage pits will be properly abandoned.

Review Comments:

None.

Building Plan-Check Stage Review Comments:

1. Please clearly indicate on the OWTS plot plan the existing OWTS components to be properly abandoned based on the referenced Los Angeles County Septic System approval dated 11-22-1960.
2. Include a note on the OWTS plans stating, "*The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans*."
3. 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 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**.**

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

Engineering Geology Review by: _____ 4-17-2026

Christopher Dean, C.E.G. #1751, Exp. 9-30-26
Engineering Geology Reviewer (408-656-3210)
Email: cdean@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
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. 26-029 - An application for the abandonment of an existing onsite wastewater treatment system (OWTS) and to construct a new (replacement) OWTS

LOCATION / APN:	**31810 Cottontail Ln** / 4470-020-019
ZONING:	Single-Family Medium (SFM)
APPLICANT / OWNER:	Lori Miller / Marjorie L Weston Trust
APPEALABLE TO:	Planning Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15302(c), 15303(d), and 15304(f)
APPLICATION FILED:	April 9, 2026
CASE PLANNER:	Analise Nash, Assistant Planner, anash@malibucity.org / (310) 456-2489, ext. 294

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 14, 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 July 20, 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 14, 2026, the appeal period would expire on Friday, July 24, 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: June 25, 2026

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

COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF DECISION

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

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 26-029 - An application for the abandonment of an existing onsite wastewater treatment system (OWTS) and to construct a new (replacement) OWTS

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APPLICANT / OWNERS:	Lori Miller / Marjorie L Weston Trust
APPEALABLE TO:	Planning Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15302(c), 15303(d), and 15304(f)
APPLICATION FILED:	April 9, 2026
ISSUE DATE:	July 14, 2026
CASE PLANNER:	Analise Nash, Assistant Planner, anash@malibucity.org (310) 456-2489, ext. 294

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 July 20, 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.

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

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.2.

To: Chair Peak and Members of the Planning Commission

Prepared by: Alexander da Silva, Associate 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 14, 2026 Meeting date: July 20, 2026

Subject: Administrative Coastal Development Permit No. 22-055 – An application for the abandonment of an existing onsite wastewater treatment system (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

RECOMMENDED ACTION: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 22-055.

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 14, 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 15, 2026 and end on July 24, 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. 22-055

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. 22-055
Categorical Exemption No. 24-123
5742 Busch Drive
APN 4467-026-017

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application by JS Innovative Systems, on behalf of the property owners, Scott E. Weiss and Marla Y. Weiss, for an administrative coastal development permit (ACDP) to install a new onsite wastewater treatment system (OWTS) to replace the existing OWTS serving an existing single-family residence. The subject parcel is zoned Rural Residential, Two-Acre (RR-2) and is not located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the City's Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map and confirmed per the definition of Appealable Coastal Development in LCP Local Implementation Plan (LIP) Section 2.1.

Proposed Project

Proposed Development

- Installation of an OWTS including a 3,634-gallon treatment tank with a 4,000 square foot (sf.) dispersal field.

The project involves the removal and replacement of an existing OWTS with a new 3,634-gallon MicroSepTec Tank, Ultraviolet (UV) Disinfection Unit, and a 4,000 sf. dispersal field (Attachment 1 – OWTS Plot Plan). The new OWTS will be located to the rear of the residence away from Busch Drive. The proposed new system will not result in any non-exempt grading.

Project Overview

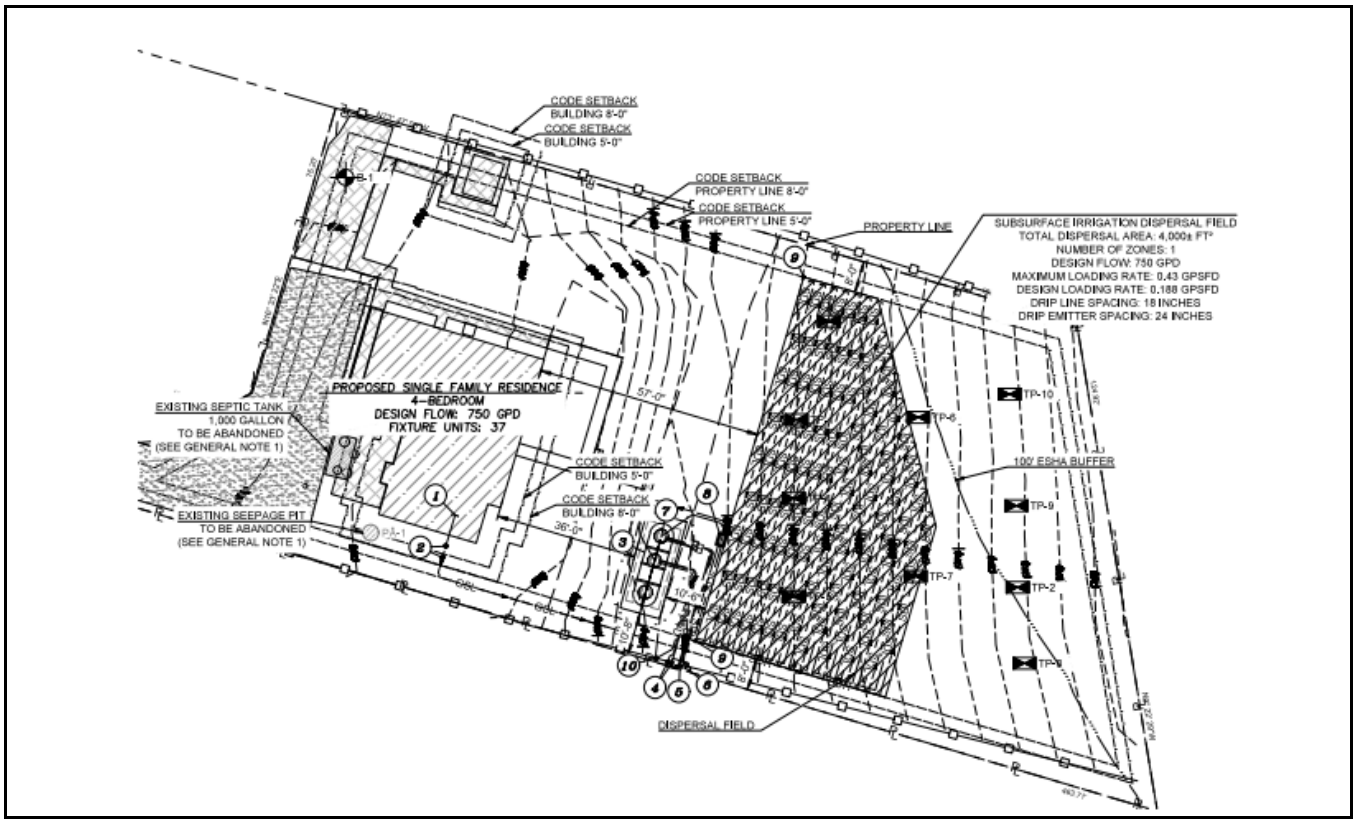
The subject parcel is an irregularly shaped, non-beachfront flag lot, located west of Calpine Drive, east and north of Harvester Road, south of Cuthbert Road, north of Merrit Drive, and north of the terminus of Harvester Road, at 5742 Busch Drive (see Figure 1), within the Malibu Park neighborhood. The subject parcel is characterized by a gradually ascending slope towards the intersection of Calpine and Busch Drives preceding the foothills of the Santa Monica Mountains.

Figure 1: Project Area Aerial



Source: City of Malibu GIS 2026 with Staff Edits

Figure 2: OWTS Plan



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	221 feet (ft.)
Lot Width	113 ft.
Gross Lot Area	28,560 sf.
Street Easements	0 sf.
1:1 Slopes	0 sf.
Net Lot Area*	28,560 sf.

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

The subject parcel is located along public street within a large community in western Malibu. Busch Drive is a residential neighborhood, comprising a mix of developed and undeveloped lots that are zoned RR-2. The subject parcel is identified as Lot 17 in the tract map and is currently developed with a single-family residence built in 1972. Per the City Biologist, the revised plans show that the proposed new OWTS and associated dispersal field is situated over 100 ft. from any nearby streams. Therefore, the project is in compliance with Chapter 4 of the Malibu LIP. As a result, the project was recommended for approval by the City Biologist.

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

Table 2 – Surrounding Land Uses				
Direction	**Address**	**Size**	**Zone**	**Land Use**
Subject Parcel	5742 Busch Drive (Lot 17)	28,560 sf.	RR-2	Single-family Residential
North	5730 Busch Drive (Lot 12)	44,840 sf.	RR-2	Single-family Residential
East	5725 Calpine Drive (Lot 19)	44,758 sf.	RR-2	Single-family Residential
South	5746 Busch Drive (Lot 7)	159,390 sf.	RR-2	Single-family Residential
West	5738 Busch Drive (Lot 16)	20,056 sf.	RR-2	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 installation of a new OWTS and associated dispersal field on a parcel that is not located in the CCC 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: September 14, 2022
- Posting of Property: June 24, 2026
- Completeness Determination: May 21, 2026
- Notice of Application Mailer (Attachment 2): June 25, 2026
- Notice of Decision Mailer (Attachment 2): July 9, 2026
- Issuance of ACDP: July 14, 2026
- Planning Commission Reporting: July 20, 2026
- Local Appeal Period to City Council: July 15, 2026 through July 24, 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, 15304(f) – Minor Trenching and Backfilling, 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 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 geotechnical consultant reviewers, and City Environmental Health Administrator (Attachment 1 – 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 geotechnical consultant reviewers, and City Environmental Health Administrator have reviewed the proposed project and found it to meet the requirements of the Malibu Municipal Code (MMC) and LCP. The proposed project is for the replacement of an existing OWTS with a 3,634-gallon MicroSepTec Tank, UV Disinfection Unit and 4,000 sf. dispersal field. The applicant is required to record a covenant indicating the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included for the proposed project to require continued operation, maintenance and monitoring of the subject system. The new OWTS will be an improvement to existing environmental conditions as the latest technology is being implemented, replacing the previous OWTS that served the existing residence for many years. The new OWTS will help clean the effluent and provide better water quality in line with current LCP requirements.

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, the replacement of the existing OWTS with a new OWTS in conformance with current design standards promotes public health by minimizing potential contamination of the groundwater table in the area and nearby Pacific Ocean.

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

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

APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 22-055

Based on the foregoing findings and evidence contained within the record, the Community Development Director hereby approves ACDP No. 22-055, 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 abandonment and demolition of components of the existing OWTS and the installation of a new OWTS with a 3,634-gallon MicroSepTec tank that includes a 4,000 sf. dispersal field. This approval does not involve any non-exempt grading.

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 21, 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 of Malibu Environmental Sustainability Division, 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 ACDP 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.

Biology

15. 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 ft. in height at full maturity for an area of 500 st. 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.

16. Any site preparation activities, including grading, excavation, and the removal of vegetation, 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.

17. 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.

18. 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 ft. 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 ft. or more from a structure with no limitation on application area.

19. 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

20. 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 Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend.

21. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).

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

22. 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.

23. 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."

24. Traffic-Rated Slab Plan/ Inspection Port Detail(s): All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

25. Proof of Ownership: Proof of ownership of subject property shall be submitted to the Environmental Health Administrator.

26. 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 OWTS.

27. Maintenance Contract: A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed onsite wastewater disposal system after construction shall be submitted. Note only original "wet signature" documents are acceptable.

28. Advanced OWTS Covenant: Prior to final Environmental Health approval, a covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real

property and recorded with the 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.

29. A covenant running with the land shall be executed by the property owner and recorded with the Office of the Los Angeles County Recorder. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Community Development Department.

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

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

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

33. 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.

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

35. 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.

36. 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.

37. 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.

38. Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. Approvable building plans will show an existing single-family residence with no more than 4 bedrooms and 35 drainage fixture units.

39. 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

40. 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.

41. 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 CDP.

Construction

42. Prior to the commencement of work, the applicant shall submit a copy of their Construction Management Plan. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.

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

44. 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.

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

Prior to Final Inspection

46. 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.

47. 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.

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

Deed Restriction

49. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or

failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to the Planning Division prior to final planning approval.

Fixed Conditions

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

51. 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 **July 24, 2026 at 4:30 p.m.** An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms 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 **July 20, 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 Alexander da Silva in the Planning Division at (310) 456-2489, extension 314, 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 14, 2026

Prepared by:

Alexander da Silva

Alexander da Silva
Associate Planner

Approved by:

Yolanda Bundy

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

Attachments:

1. Department Review Sheets including OWTS Plot Plan
2. 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. 22-055, dated July 14, 2026, for the project located at 5742 Busch Drive, Malibu, CA 90265**. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning 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 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)**

John N. Yaroslaski PE 60149
Ensitu Engineering Inc.
7475 Carmelita Ave.
Atascadero, CA 93422

May 7, 2026

Received
5/11/26
Planning Dept.

Zachary Adams
JS Innovative Systems, Inc.
1243 Flynn Rd. #502
Camarillo Ca, 93012

Engineering Inc
7475 Carmelita Ave.
Atascadero, CA
93422

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

Subject: 600-14, 5742 Busch Drive: Onsite Wastewater System Engineering Final Design Report and Calculations

Dear Mr. Adams,

PART 1 – SUMMARY TABLE

1) General Project information [1] [2] [3] [4] [5]

Table 1 General Project information

Project Title:	600-14.010 5742 Busch Drive
Project Number	600-14
Project Address:	5742 Busch Drive
Project Engineer:	John N Yaroslaski PE 60149
Description:	MicroSepTec and Subsurface Irrigation
Approving Agency:	City of Malibu

Geology and Percolation Testing [3]	
Company	LandPhases Inc.
Report Title	Report of Limited Engineering Geologic Study, Proposed Onsite Wastewater Treatment System (OWTS), 5742 Busch Drive, City of Malibu, California
Date	07/05/2022
Type of Test	Infiltration test
Number of tests	10

CITY OF MALIBU
PLANNING DIVISION
OK FOR PLAN CHECK
PLANNING REVIEW NO. ACDP 22-055
DATE: 5.21.26
SIGNATURE: ALEXANDER DA SILVA
PRINT NAME: Alexander da Silva
THE APPROVAL OF THIS PLAN AND SPECIFICATIONS SHALL NOT BE HELD TO PERMIT OR TO BE AN APPROVAL OF THE VIOLATION OF ANY FEDERAL, STATE, COUNTY OR CITY LAWS OR ORDINANCES.

Engineering Inc
7475 Carmelita Ave.
Atascadero, CA
93422

Tel: 805.772.0150
Fax: 805.772.0813

ensitu@ensitu.com

2) Project Design Parameters

a) Fixture Units and Bedrooms

Table 2 Fixture unit and Bedroom Worksheet [2]

Project: 600-14.020 5742 Busch Drive				**Designed By:** KCY				**Des Date:** March 25, 2024	
Address: 5742 Busch Drive				**Checked By** JNY				**Ch Date:** March 25, 2024	
Type of Plumbing Fixture	**Existing Fixtures** "A"	+	**Proposed Fixtures** "B"	=	**Total Fixtures** "(A + B)"	x	**Unit Value** "C"	=	**Total Existing Fixture Units** "A x C"	**Total Proposed (Future) Fixture Units** "(A + B) x C"
Bathtub or Combination Bath/Shower	2	+		=	2	x	2	=	4	4
Bidet(s)		+		=		x	2	=		
Bar Sink		+		=		x	1	=		
Clothes Washer	1	+		=	1	x	3	=	3	3
Dishwasher	1	+		=	1	x	2	=	2	2
Laundry Sink	1	+		=	1	x	2	=	2	2
Lavatory (Wash Basin)	4	+		=	4	x	1	=	4	4
Kitchen Sink	1	+		=	1	x	2	=	2	2
Shower (Single Head)	1	+		=	1	x	2	=	2	2
Water Closet (Flush Toilet)	3	+		=	3	x	6	=	18	18
Bedrooms			**Fixture Units Summary**							
			Total Existing Fixture Units						37	
			Total Fixture Units						37	
			Dwelling Units Summary							
			Number of Existing Dwelling Units						1	
			Existing Bedroom Summary							
			Number of Existing Bedrooms						4	bedrooms
			Number of Existing Master Bedrooms						1	bedrooms
			Number of Existing Standard Bedrooms						3	bedrooms

b) Flow

Table 3 Flow Calculation Summary [2]

Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Existing (Q_E)		
Peak Flow, Q_{EP}	750	gpd
Average Flow, Q_{EA}	500	gpd
Design Flow, Q_{EP}	750	gpd

c) Constituents

Table 4 Wastewater Characteristics

Influent Characteristics		
BOD5 (mg/l)	220	
TSS (mg/l)	220	
TN (mg/l)	35	
Effluent Characteristics		
BOD5 (mg/l)	20	
TSS (mg/l)	20	
TN (mg/l)	17.5	

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3) Project Design Summary

Table 5 Design Summary Table [1] [2]

OWTS Capacity (Design and Maximum)				
Component	**Description**	**Size/Capacity**	**Design Capacity**	**Max Capacity**
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd
Description		**Design Point**	**Pump Settings**	
MST Pumps		16gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle	

a) Tankage

Table 6 Equipment Summary Table Tankage

Manufacturer	MicroSepTec
Construction	Fiberglass
Required, gal	2,000
As-Designed, gal	3,634

b) Treatment System

Table 7 Equipment Summary Table Treatment Tank

Manufacturer	MicroSepTec
Model	ES12
Number of Units	1
Total Capacity, gpd	1,200

Table 8 MicroSepTec Design Table

MicroSepTec Design		
Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	

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c) Disinfection System

Table 9 Equipment Summary Table Disinfection System

Manufacturer	MicroSepTec
Model	ES12
Number of Units	1
Total Capacity, gpd	1,200

d) Dispersal

Table 10 Subsurface Irrigation Dispersal Design Calculations [2] [1]

Ryons T value to Subsurface Irrigation Conversion Calculations										
Test Pit Number	Test Depth		Percolation Rate from Ryon's Test Method Converted to Gal/day					Percolation Area	Infiltration rate	Safety Factor	Application Rate
			A	B=1/A	C=Bx1440	D=C/12	E=Dx7.481	F (SEE FIGURE)	G=E/F	H	I=G/H
	ft	Soil Type	min/inch	inch/min	in/day	ft/day	gal/day	ft²	gal/ft²-day		gal/ft²-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average	25.2						Application Rate Average		2.07
		T Max	58						Application Rate Max		8.31
		T Ryon (T_P)	**58**						Design Application Rate		**0.43**

OWTS Capacity (Design and Maximum)				
Component	**Description**	**Size/Capacity**	**Design Capacity**	**Max Capacity**
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd
Description		**Design Point**	**Pump Settings**	
MST Pumps		16gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle	

4) Percolation and Geology [3]

a) Test Results

Table 11 Subsurface Irrigation Test Data [2] [1]

Ryons T value to Subsurface Irrigation Conversion Calculations											
Test Pit Number	Test Depth		Percolation Rate from Ryon's Test Method Converted to Gal/day					Percolation Area	Infiltration rate	Safety Factor	Application Rate
			A	B=1/A	C=Bx1440	D=C/12	E=Dx7.481	F (SEE FIGURE)	G=E/F	H	I=G/H
	ft	Soil Type	min/inch	inch/min	in/day	ft/day	gal/day	ft²	gal/ft²-day		gal/ft²-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average	25.2						Application Rate Average		2.07
		T Max	58						Application Rate Max		8.31
		T Ryon (T_P)	**58**						Design Application Rate		**0.43**

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5) Maximum AOWTS Design Capacity

Table 12 Maximum AOWTS Design Capacity

OWTS Capacity (Design and Maximum)				
Component	**Description**	**Size/Capacity**	**Design Capacity**	**Max Capacity**
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd
Description		**Design Point**	**Pump Settings**	
MST Pumps		16gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle	

PART 2 – INTRODUCTION

This report summarizes the results of the geologic investigation and provides engineering design for the onsite wastewater treatment/disposal system for the above noted site. The following work is to be performed on the subject site:

An existing four (4) bedroom single family residence with 37 fixture units.

PART 3 – SCOPE OF WORK

We completed the following work for this study:

Prepared this written report summarizing the soils engineering investigation.

Provided engineering design criteria for the proposed onsite wastewater treatment/disposal system.

PART 4 – FINDINGS

1) Soils Testing [3]

According to the referenced geology/percolation report [3] percolation testing was performed on the subject site in the areas shown in the referenced report. Ten (10) percolation test holes were excavated on the subject site and testing was performed in ten (10) locations. This test was conducted in general compliance with City of Malibu [5]requirements.

2) Fixture Units [2] [4] [5]

A Fixture Count was performed in accordance with the City of Malibu Fixture Unit Worksheet [5, p. 44] and Drainage Fixture Unit values in the current edition of the California Plumbing Code for the subject site. The subject property has 37 total fixture units.

3) Wastewater Flow [2]

a) Design/Peak Flow

The design/peak flow for a single-family residence in the City of Malibu is estimated using 300 gallons per day (gpd) for the first bedroom and 150 gpd for each additional bedroom. The subject project has a total of four (4) bedrooms, including one (1) master bedroom, in an existing structure; therefore, the peak flow is 750 gpd and the design flow is 750 gpd.

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b) Average Flow

The average flow for a single-family residence in the City of Malibu is estimated using 200 gpd for the first bedroom and 100 gpd for each additional bedroom. The average flow for the proposed house is estimated at 500 gpd.

PART 5 – PROPOSED DESIGN [2] [1]

1) Septic Tank

Septic tank sizing shall be based on the fixture unit count. The subject residence has a fixture count of 37; therefore, the minimum septic tank capacity required is 2,000 gallons. A MicroSepTec ES12 treatment tank is proposed with a capacity of 3,634 gallons.

Table 13 Required and Design Septic Tank Capacity

Septic Tank (ST) Calculations		
Total Existing Fixture Units	37	
Total Proposed Fixture Units		
Total Fixture Units	37	
Minimum Septic Tank Size based on Fixtures	2000	gal
Number of Dwelling Units	1	
Number of Bedrooms	4	bedrooms
Minimum Septic Tank Size based on Bedrooms	1500	gal
Design Septic Tank Size	3634	gal

2) Treatment

A MicroSepTec ES12 treatment tank shall be used to treat the waste before being discharged to the disposal area. The proposed treatment tank has multiple compartments for primary settling, aerobic treatment, final clarification, and effluent storage.

Table 14 MicroSepTec Design

MicroSepTec Design		
Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	
MST Pump Design Settings		
Total Dynamic Head[2]	64	ftH_2O
Pump Flow Rate[2]	16	gpm
Design Pump Flow Rate 0.8x Pump Flow Rate	12.8	gpm
Total Pump Run Time (Design Flow/ Design Pump Flow Rate)	58.6	min
Pump Cycles in 12 Hour Period	12.00	
Minutes per pump cycle	60.00	min
Minutes on per Cycle	5.00	min
Pump Flow per Cycle	64.00	gal
Minutes off/cycle	55.00	min
Pump flow per 24 Hour period	1536.00	gal/day

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3) Disinfection

Disinfection shall be performed using a gravity flow ultraviolet (UV) disinfection unit integrated within the MicroSepTec unit. The treated effluent shall then be pumped from the effluent storage compartment of the treatment tank to the disposal area.

4) Disposal

Dispersal shall be performed using a subsurface drip dispersal system.

The subsurface drip dispersal system shall use Geoflow Wasteflow Subsurface Drip Systems. The Wasteflow drip system disperses of effluent below the ground surface through ½ inch pressure compensating tubing. The treated wastewater shall be pumped from the dosing compartment to the dispersal area shown on the site plan.

The subsurface drip dispersal area shall be a total of 4,000 square feet in one (1) zone. According to the feasibility report by LandPhases dated August 5, 2022, an infiltration rate of no more than 0.43 gallons per square foot per day (gpsfd) should be used for design of the OWTS. With a design flow of 750 gpd, the loading rate to the dispersal area shall be .188 gpsfd. Based on the geology report, groundwater is not expected to rise to an elevation that is permanently less than 5 feet from the bottom of the proposed micro-dosing lines of the evaporation dosing field.

Table 15 Dispersal Design Summary [2]

Drip Distribution Calculations		
Design Subsurface Irrigation Loading (Application) Rate, I	0.430	gpsfd
Minimum Square Feet of Leaching Area Required, Q/I	1745	ft^2
Design Square Feet of leaching Area from Site Plan,A	4000	ft^2
Actual Loading Rate (Application), $L_A = Q/A$	0.188	gpsfd
Maximum Effluent Capacity, $Q_{MAX} = AxI$	1720	gpsfd
Design Safetey Factor, H	12	

Table 16 Infiltration Test Data and Calculations Table

Ryons T value to Subsurface Irrigation Conversion Calculations											
Test Pit Number	Test Depth		Percolation Rate from Ryon's Test Method Converted to Gal/day					Percolation Area	Infiltration rate	Safety Factor	Application Rate
			A	B=1/A	C=Bx1440	D=C/12	E=Dx7.481	F (SEE FIGURE)	G=E/F	H	I=G/H
	ft	Soil Type	min/inch	inch/min	in/day	ft/day	gal/day	ft^2	gal/ft^2-day		gal/ft^2-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average	25.2						Application Rate Average		2.07
		T Max	58						Application Rate Max		8.31
		T Ryon (T_P)	**58**						Design Application Rate		**0.43**

PART 6 – EXISTING ONSITE SYSTEM [1]

1) Existing OWTS Components

a) Septic Tank: 1,000-gallon concrete to be abandoned.

b) Seepage Pit: 26' deep to be abandoned.

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2) Abandonment of Existing System

a) 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.

b) Existing OWTS components shall be abandoned in accordance with title 28 of the Los Angeles County Code, incorporating the most current California Plumbing Code, local plumbing code, and policies. Method of abandonment shall be determined by the engineer and/or the owner's representative.

PART 7 – DISTRIBUTION

This report should be sent to all the design consultants for the above project including: architect; structural engineer; geologist; geotechnical engineer; coastal engineer; civil engineer; and others.

PART 8 – LIST OF TABLES

Table 1 General Project information....1
Table 2 Fixture unit and Bedroom Worksheet [2]....2
Table 3 Flow Calculation Summary [2]....2
Table 4 Wastewater Characteristics....2
Table 5 Design Summary Table [1] [2]....3
Table 6 Equipment Summary Table Tankage....3
Table 7 Equipment Summary Table Treatment Tank....3
Table 8 MicroSepTec Design Table....3
Table 9 Equipment Summary Table Disinfection System....4
Table 10 Subsurface Irrigation Dispersal Design Calculations [2] [1]....4
Table 11 Subsurface Irrigation Test Data [2] [1]....4
Table 12 Maximum AOWTS Design Capacity....5
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Table 14 MicroSepTec Design....6
Table 15 Dispersal Design Summary [2]....7
Table 16 Infiltration Test Data and Calculations Table....7

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PART 9 – WORK CITED

[1] Ensitu Engineering Inc, "600-14.020 5742 Busch Drive PWFD-03-FD-SITE PLANS AND TABLES 11x17," Ensitu Engineering Inc, Atascadero, CA, 07/24/2024.

[2] Ensitu Engineering Inc, "600-14.020 5742 Busch Drive Base Calculations ECFD-03," Ensitu Engineering Inc, Atascadero, CA, 07/24/2024.

[3] Land Phases Inc, "Report of Limited Engineering Geologic Study, Proposed Onsite Wastewater Treatment System (OWTS), 5742 Busch Drive, City of Malibu, California," LandPhases Inc, Simi Valley, CA, 07/05/2022.

[4] City of Malibu Environmental Sustainability Department, "Chapter 15.40, Regulation of Onsite Wastewater Treatment Systems, Chapter 15.42, Technical Standards For Onsite Wastewater Treatment Systems, And Chapter 15.44 Operating Permits for Onsite Wastewater Treatment Systems," City of Malibu, Malibu, CA, August 27, 2018.

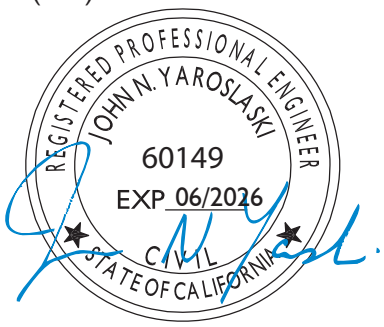
[5] City of Malibu Environmental Sustainability Department, "Onsite Wastewater Treatment System Manual; Siting, Design, Installation, and Operation Guidelines," City of Malibu Environmental Sustainability Department, Malibu, CA, 06/23/2018.

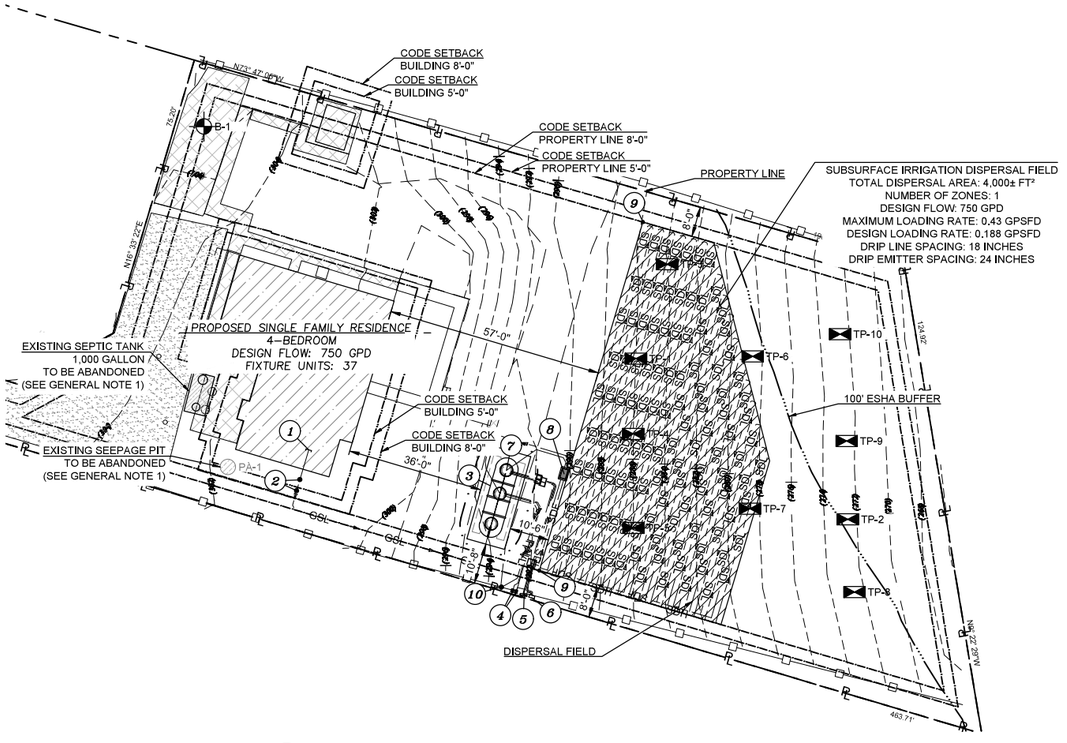
Any persons concerned with this project who observe conditions or features of the site or its surroundings that are different from those described in this report should notify EEI immediately for evaluation.

Thank you for the opportunity to have been of service. If you have any questions, or require additional assistance please feel free to contact me at (805) 772-0150.

Sincerely,

John N. Yaroslaski PE 60149
Ensitu Engineering Inc.
Project Engineer





1/1 *OVERALL SITE PLAN*

0 40' 80'

SCALE: 1" =40'-0"

N

ENSITU

GENERAL NOTES:

1. EXISTING OWTS COMPONENTS LOCATION AND ABANDONMENT:
   - 1.1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS. THE LOCATIONS ON THE ENGINEERING PLANS ARE INFORMATIONAL AND MAY NOT INCLUDE ALL COMPONENTS OF THE OWTS. MANY ITEMS, SUCH AS TANKS, PIPING, DISTRIBUTION DEVICES, SEEPAGE PITS, DISPERSAL FIELDS, AND OTHER APPURTENANCES ARE BURIED AND NOT LOCATABLE BY THE SURVEYOR OR UTILITIES LOCATOR .
   - 1.2. 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.
   - 1.3. THE EXISTING OWTS COMPONENTS INCLUDING: SEPTIC TANK(S), PIPING, CLEANOUT(S) SEEPAGE PIT(S), DISPERSAL FIELD(S), AND ALL OTHER APPURTENANCES SHALL BE PROPERLY ABANDONED PURSUANT TO CITY OF MALIBU ORDINANCE 435, SECTION 15.40.170 C. AND SECTION 15.40.170 D. TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES. METHOD OF ABANDONMENT SHALL BE DETERMINED BY THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS, VENTS, BACKWATER VALVES, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC. IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE INSTALLATION OF THE TANK AND DISPERSAL SYSTEM COMPONENTS OF THE AOWTS (INCLUDING BUT NOT LIMITED TO: (A) TANK EXCAVATION, BEDDING, AND BACKFILL (B) SEEPAGE PITS EXCAVATION, CONSTRUCTION, AND BACKFILL (C) SUBSURFACE DISPERSAL SYSTEM BEDDING, FILL MATERIAL, CONSTRUCTION, AND BACKFILL) AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE TANK AND DISPERSAL SYSTEM COMPONENTS WERE INSTALLED PER APPROVED AOWTS PLANS.
7. LEACH FIELDS AND DISPERSAL SYSTEMS DESIGNATED AS SAND CATEGORY: ANY REMAINING FILL MATERIAL AND ANY BEACH SAND SEDIMENT THAT MIGHT HAVE REDUCED PERMEABILITY FROM EXISTING LEACH FIELD OPERATIONS ENCOUNTERED BELOW THE BOTTOM OF THE PROPOSED LEACH FIELD OR ANY MATERIAL ENCOUNTERED IN THE CONSTRUCTION OF THE LEACH FIELD THAT IS NOT CATEGORIZED AS BEACH SAND DEPOSITS SHALL BE EXCAVATED TO THE LEVEL OF THE NATIVE BEACH SAND DEPOSITS AND REPLACED WITH DOUBLE-WASHED SAND, THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE EXCAVATION OF THE LEACH FIELD AND CONFIRM IN WRITING THAT ALL THE DELETERIOUS FILL AND NON-BEACH SAND MATERIALS BELOW THE LEACH FIELD HAVE BEEN REMOVED AND REPLACED WITH CLEAN SAND AND THE LEACH FIELD WAS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED OWTS PLANS.
8. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS RIPPED AND TILLED A MINIMUM OF 18 INCHES. SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE OR LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. DISPERSAL FIELD SHALL BE PLANTED AND ESTABLISHED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
9. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
10. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION. MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
11. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
PAL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC
PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
RCRC	RECIRCULATION RETURN LINE	1½" SCH80 PVC
SDH	SUBSURFACE DISPERSAL HEADER	1½" SCH80 PVC
SDF	SUBSURFACE DISPERSAL FLUSH	1½" SCH80 PVC
SDL	SUBSURFACE DRIP LINE	½ GPH GEOFLOW WFPC16-24-24

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1		CONNECTION TO BUILDING SEWER[1]	
2		GRAVITY CLEAN-OUT AND BACKWATER VALVE[1]	INDUSTRIAL BACKWATER VALVE (SPEARS MODEL S475P FOR 4") 8" I.D. VALVE BOX (CHRISTY MODEL F08)
3		TREATMENT TANK[1][2]	MICROSEPTEC
4		AIR COMPRESSOR[1][2]	MICROSEPTEC
5		REMOTE TELEMETRY CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	MICROSEPTEC
6		CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	GEOFLOW
7		DUPLEX PUMP SYSTEM[1][2]	VARIES
8		DISPERSAL FIELD HEADWORKS[1][2]	GEOFLOW HEADWORKS ASSEMBLY WHW 1.5" DISKFILTER AUTOMATIC FLUSH
9		AIR VENT/VACUUM RELIEF ASSEMBLY[1][2]	GEOFLOW PART NUMBER APVBK
10		VENT ASSEMBLY[1][2]	MICROSEPTEC
[1]		ALL PLUMBING APPURTENANCES AND WORK SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE PLUMBING CODES, APPURTENANCES AND WORK INCLUDE, BUT ARE NOT LIMITED TO: CONNECTION TO BUILDING PLUMBING, VENTILATION, ISOLATION, BACKWATER VALVES, CLEANOUTS, AND FITTINGS.	
[2]		ALL ELECTRICAL APPURTENANCES INCLUDING BUT NOT LIMITED TO: CONDUIT, CONDUCTOR, CONTROL PANELS, CONTACTORS, FLOATS, PUMPS, DISCONNECTS, AND COMMUNICATION DEVICES SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE ELECTRICAL CODE AND CURRENT NATIONAL ELECTRIC CODE, CONDUIT AND CONDUCTOR RUNS AND SIZING SHOWN ON PLAN ARE FOR ALIGNMENT AND COST ESTIMATION. ELECTRICAL CONTRACTOR SHALL SPECIFY ALL ELECTRICAL APPURTENANCES. CONTROL AND POWER CONDUCTORS SHALL BE PLACED IN SEPARATE CONDUIT	

Ryons T value to Subsurface Irrigation Conversion Calculations

Percolation Rate from Ryons Test Method Converted to Gal/day

Test Pit Number	Test Depth	Soil Type	A	B=1/A	C=B×1440	D=C/12	E=D×7.481	Percolation Area F (SEE FIGURE)	Infiltration rate G=E/F	Safety Factor H	Application Rate I=G/H
	ft		min/inch	inch/min	in/day	ft/day	gal/day	ft²	gal/ft²-day		gal/ft²-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average	25.2							Application Rate Average	2.07
		T Max	58							Application Rate Max	8.31
		T Ryon (T_R)	58							Design Application Rate	0.43

OWTS Capacity (Design and Maximum)

Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1,200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd
Description		**Design Point**	**Pump Settings**	
MST Pumps		16 gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle	

Septic Tank (ST) Calculations

Total Existing Fixture Units	37	
Total Proposed Fixture Units		
Total Fixture Units	37	
Minimum Septic Tank Size based on Fixtures	2000	gal
Number of Dwelling Units	1	
Number of Bedrooms	4	bedrooms
Minimum Septic Tank Size based on Bedrooms	1500	gal
Design Septic Tank Size	3634	gal

Fixture Units Summary

Total Existing Fixture Units	37	
Total Fixture Units	37	
Dwelling Units Summary		
Number of Existing Dwelling Units	1	
Existing Bedroom Summary		
Number of Existing Bedrooms	4	bedrooms
Number of Existing Master Bedrooms	1	bedrooms
Number of Existing Standard Bedrooms	3	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Existing (Q_D)		
Peak Flow, Q_{PA}	750	gpd
Average Flow, Q_{AA}	500	gpd
Design Flow, Q_A	750	gpd

MicroSepTec Design

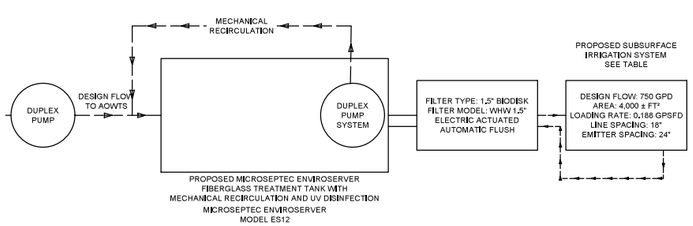
Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Rated Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	

Drip Distribution Calculations

Design Subsurface Irrigation Loading (Application) Rate, I	0.430	gpsfd
Minimum Square Feet of Leaching Area Required, QI	1745	ft²
Design Square Feet of leaching Area from Site Plan, A	4000	ft²
Actual Loading Rate (Application), $L_A = Q/A$	0.188	gpsfd
Maximum Effluent Capacity, Q_{MAX}=Axl	1720	gpsfd
Design Safety Factor, H	12	

LEGEND

B-XX	BORING LOCATION
TP-XX	TEST PIT LOCATION
PA-XX	EXISTING SEEPAGE PIT TO BE ABANDONED (SEE GENERAL NOTE 1)
	PROPOSED DISPERSAL FIELD
	EXISTING OWTS TO BE ABANDONED (SEE GENERAL NOTE 1)
	BUILDINGS AND STRUCTURES
	DRIVEWAY
	HARDSCAPE



CITY OF MALIBU
PLANNING DIVISION
OK FOR PLAN CHECK
PLANNING REVIEW NO. ACDP 22-055
DATE: 5.21.26
SIGNATURE: ALEXANDER DA SILVA
PRINT NAME: Alexander da Silva
THE APPROVAL OF THIS PLAN AND SPECIFICATIONS SHALL NOT BE HELD TO PERMIT OR TO BE AN APPROVAL OF THE VIOLATION OF ANY FEDERAL, STATE, COUNTY OR CITY LAWS OR ORDINANCES.

FINAL FOR APPROVAL
ISSUED
05/07/2026

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU
7479 CAMELITA AVE.
ATASCADERO, CA 93422
Tel: 805.772.0150
Fax: 805.772.0813
ENSITU@ensitu.com

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

NO.	REVISIONS	DATE	BY

DESIGN

5742 BUSCH DRIVE AOWTS FINAL DESIGN PLANS
FD-SITE PLANS AND TABLES 11x17
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP 06-2026
CIVIL
STATE OF CALIFORNIA

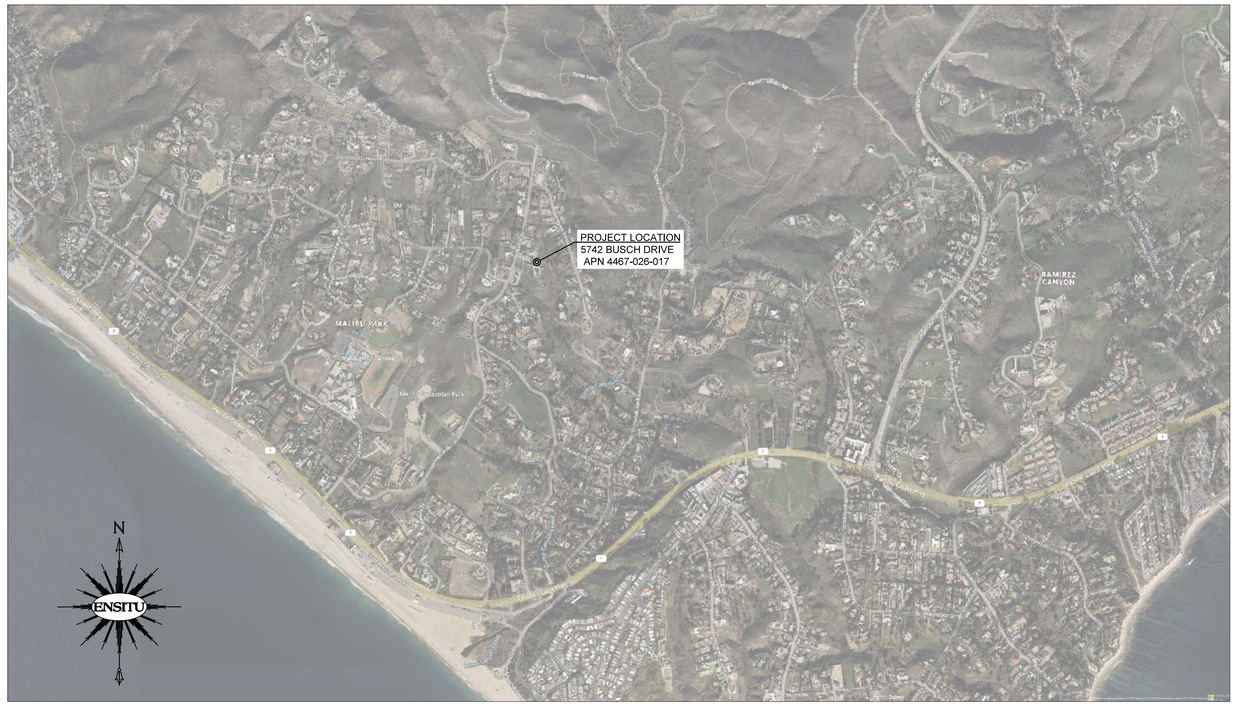
DATE: 05/07/2026
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JOB NO.
600-14

SHEET
1 OF 1

Project Engineer: John N. Yaroslaski, PE # 60149
Drawing Name: 14 42 Dwg Building\Cad Design\600-14.020 5742 Busch Drive PWP\600-14.020 5742 Busch Drive PWP-04.dwg
CREATION TIME: Thursday, May 7, 2026 08:37:30 AM
MOD. TIME: Thursday, May 7, 2026 08:37:30 AM
PLOT TIME: Thursday, May 7, 2026 08:41:21 AM

5742 BUSCH DRIVE
ONSITE WASTEWATER TREATMENT SYSTEM
MALIBU, CALIFORNIA



PROJECT INFORMATION	
APPLICANT	JS INNOVATIVE SYSTEMS INC. ZACH ADAMS
PROJECT DESCRIPTION	INSTALLATION OF ADVANCED ONSITE WASTEWATER TREATMENT SYSTEM
LCP ZONING DESIGNATION	RURAL RESIDENTIAL - 1 DU/2 ACRES (RR-2)
GENERAL PLAN LAND USE DESIGNATION	RURAL RESIDENTIAL - 1 DU/2 ACRES (RR-2)

CITY OF MALIBU
PLANNING DIVISION
OK FOR PLAN CHECK
PLANNING REVIEW NO: ACDP 22-055
DATE: 5-21-26
SIGNATURE: ALEXANDER DA SILVA
PRINT NAME: Alexander da Silva
THE APPROVAL OF THIS PLAN AND SPECIFICATIONS SHALL NOT BE HELD TO PERMIT OR TO BE AN APPROVAL OF THE VIOLATION OF ANY FEDERAL, STATE, COUNTY OR CITY LAWS OR ORDINANCES.

SHEET INDEX

FD-COVER SHEET	1
FD-SITE PLAN AND TABLES	2
FD-PIPING AND EQUIPMENT DETAILS	3
FD-NOTES AND EQUIPMENT DETAILS	4

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

REVISIONS

NO.	DATE	BY

5742 BUSCH DRIVE AOWTS FINAL DESIGN DESIGN PLANS
FD-COVER SHEET
MALIBU, CALIFORNIA

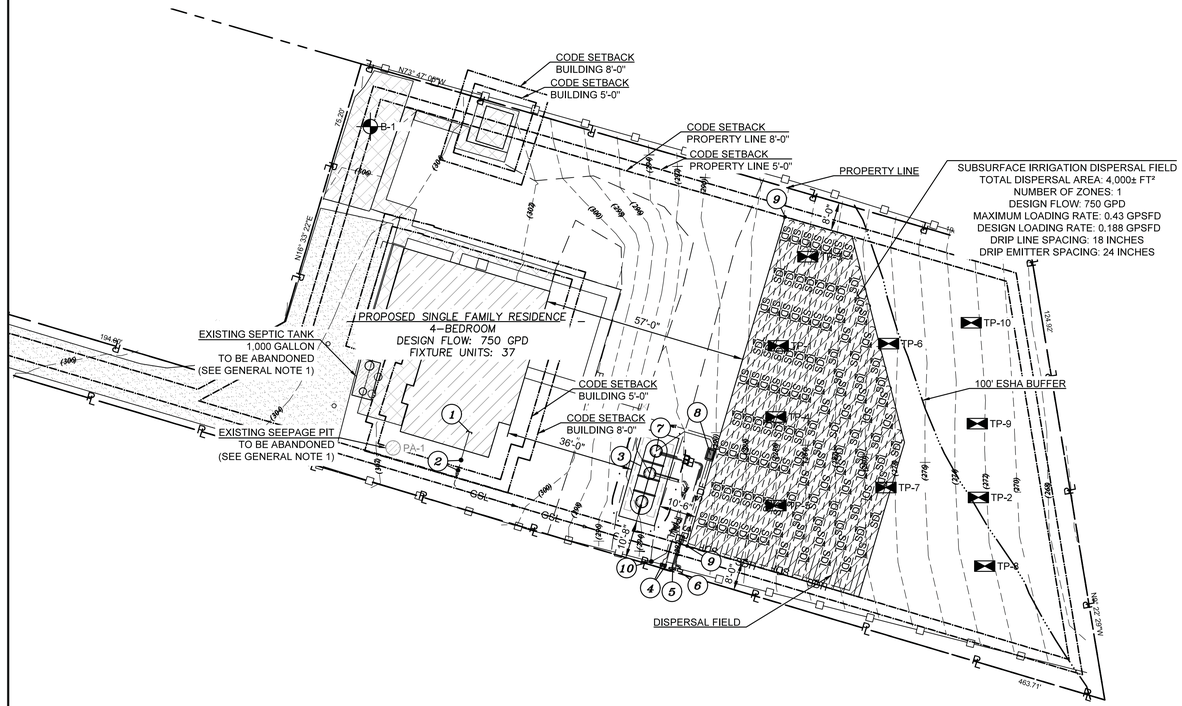
REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLAVSKI
60149
EXP 06-2026
CIVIL
STATE OF CALIFORNIA

DATE: 05/07/2026
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DRAWN BY: KCY
CHECKED BY: JNY

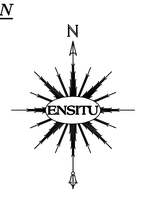
JOB NO. 600-14

SHEET 1 OF 4

Project Engineer: John N Yaroslavski PE # 60149
Drawing Name: C:\Users\Ensitu Engineering\Cad Design\600-14.020 5742 Busch Drive PWTP\600-14.020 5742 Busch Drive PWTP-04.dwg
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1/2 *OVERALL SITE PLAN*



LAND PHASES, INC.
PLAN REVIEW AND APPROVAL

THIS PLAN HAS BEEN REVIEWED AND APPEARS TO BE IN GENERAL CONFORMANCE WITH THE RECOMMENDATIONS OF OUR ENGINEERING GEOLOGIC REPORT(S) REGARDING THE SUBJECT PROPERTY AND THE PROPOSED PROJECT.

FOR GEOLOGIC SITE OBSERVATIONS REQUIRED DURING GRADING AND/OR CONSTRUCTION, PLEASE NOTIFY LAND PHASES, INC. 48 HOURS IN ADVANCE AT (805) 522-5174.

PROJECT NO.: _____ DATE: _____

PROFESSIONAL GEOLOGIST
JACOB W. HOLT
No. 2282
CERTIFIED ENGINEERING GEOLOGIST
STATE OF CALIFORNIA

GENERAL NOTES:

1. EXISTING OWTS COMPONENTS LOCATION AND ABANDONMENT:
   - 1.1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS. THE LOCATIONS ON THE ENGINEERING PLANS ARE INFORMATIONAL AND MAY NOT INCLUDE ALL COMPONENTS OF THE OWTS, MANY ITEMS, SUCH AS TANKS, PIPING, DISTRIBUTION DEVICES, SEEPAGE PITS, DISPERSAL FIELDS, AND OTHER APPURTENANCES ARE BURIED AND NOT LOCATABLE BY THE SURVEYOR OR UTILITIES LOCATOR ,
   - 1.2. 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,
   - 1.3. THE EXISTING OWTS COMPONENTS INCLUDING: SEPTIC TANK(S), PIPING, CLEANOUT(S) SEEPAGE PIT(S), DISPERSAL FIELD(S), AND ALL OTHER APPURTENANCES SHALL BE PROPERLY ABANDONED PURSUANT TO CITY OF MALIBU ORDINANCE 435, SECTION 15.40.170 C, AND SECTION 15.40.170 D, TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES. METHOD OF ABANDONMENT SHALL BE DETERMINED BY THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS, VENTS, BACKWATER VALVES, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE INSTALLATION OF THE TANK AND DISPERSAL SYSTEM COMPONENTS OF THE AOWTS (INCLUDING BUT NOT LIMITED TO: (A) TANK EXCAVATION, BEDDING, AND BACKFILL (B) SEEPAGE PITS EXCAVATION, CONSTRUCTION, AND BACKFILL (C) SUBSURFACE DISPERSAL SYSTEM BEDDING, FILL MATERIAL, CONSTRUCTION, AND BACKFILL) AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE TANK AND DISPERSAL SYSTEM COMPONENTS WERE INSTALLED PER APPROVED AOWTS PLANS,
7. LEACH FIELDS AND DISPERSAL SYSTEMS DESIGNATED AS SAND CATEGORY: ANY REMAINING FILL MATERIAL AND ANY BEACH SAND SEDIMENT THAT MIGHT HAVE REDUCED PERMEABILITY FROM EXISTING LEACH FIELD OPERATIONS ENCOUNTERED BELOW THE BOTTOM OF THE PROPOSED LEACH FIELD OR ANY MATERIAL ENCOUNTERED IN THE CONSTRUCTION OF THE LEACH FIELD THAT IS NOT CATEGORIZED AS BEACH SAND DEPOSITS SHALL BE EXCAVATED TO THE LEVEL OF THE NATIVE BEACH SAND DEPOSITS AND REPLACED WITH DOUBLE- WASHED SAND. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE EXCAVATION OF THE LEACH FIELD AND CONFIRM IN WRITING THAT ALL THE DELETERIOUS FILL AND NON-BEACH SAND MATERIALS BELOW THE LEACH FIELD HAVE BEEN REMOVED AND REPLACED WITH CLEAN SAND AND THE LEACH FIELD WAS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED OWTS PLANS,
8. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS RIPPED AND TILLED A MINIMUM OF 18 INCHES. SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE OR LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. DISPERSAL FIELD SHALL BE PLANTED AND ESTABLISHED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
9. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
10. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION. MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
11. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
PAL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC
PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
RCRC	RECIRCULATION RETURN LINE	1½" SCH80 PVC
SDH	SUBSURFACE DISPERSAL HEADER	1½" SCH80 PVC
SDF	SUBSURFACE DISPERSAL FLUSH	1½" SCH80 PVC
SDL	SUBSURFACE DRIP LINE	½ GPH GEOFLOW WFPC16-2-24

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1		CONNECTION TO BUILDING SEWER[1]	
2		GRAVITY CLEAN-OUT AND BACKWATER VALVE[1]	INDUSTRIAL BACKWATER VALVE (SPEARS MODEL S475P FOR 4") 8" I.D, VALVE BOX (CHRISTY MODEL F08)
3		TREATMENT TANK[1][2]	MICROSEPTEC
4		AIR COMPRESSOR[1][2]	MICROSEPTEC
5		REMOTE TELEMETRY CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	MICROSEPTEC
6		CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	GEOFLOW
7		DUPLEX PUMP SYSTEM[1][2]	VARIES
8		DISPERSAL FIELD HEADWORKS[1][2]	GEOFLOW HEADWORKS ASSEMBLY WHW 1.5" DISKFILTER AUTOMATIC FLUSH
9		AIR VENT/VACUUM RELIEF ASSEMBLY[1][2]	GEOFLOW PART NUMBER APVBK
10		VENT ASSEMBLY[1][2]	MICROSEPTEC
[1]		ALL PLUMBING APPURTENANCES AND WORK SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE PLUMBING CODES. APPURTENANCES AND WORK INCLUDE, BUT ARE NOT LIMITED TO; CONNECTION TO BUILDING PLUMBING, VENTILATION, ISOLATION, BACKWATER VALVES, CLEANOUTS, AND FITTINGS.	
[2]		ALL ELECTRICAL APPURTENANCES INCLUDING BUT NOT LIMITED TO; CONDUIT, CONDUCTOR, CONTROL PANELS, CONTACTORS, FLOATS, PUMPS, DISCONNECTS, AND COMMUNICATION DEVICES SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE ELECTRICAL CODE AND CURRENT NATIONAL ELECTRIC CODE. CONDUIT AND CONDUCTOR RUNS AND SIZING SHOWN ON PLAN ARE FOR ALIGNMENT AND COST ESTIMATION. ELECTRICAL CONTRACTOR SHALL SPECIFY ALL ELECTRICAL APPURTENANCES. CONTROL AND POWER CONDUCTORS SHALL BE PLACED IN SEPARATE CONDUIT	

Ryons T value to Subsurface Irrigation Conversion Calculations

Test Pit Number	Test Depth	Soil Type	Percolation Rate from Ryon's Test Method Converted to Gal/day A	B=1/A	Percolation C=8x1440/	D=C/12	E=Dx7.481	Percolation Area F (SEE FIGURE)	Infiltration rate G=E/F	Safety Factor H	Application Rate I=G/H
	ft		min/inch	inch/min	in/day	ft/day	gal/day	ft²	gal/ft²-day		gal/ft²-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average	25.2							Application Rate Average	2.07
		T Max	58							Application Rate Max	8.31
		T Ryon (T_R)	**58**							Design Application Rate	**0.43**

OWTS Capacity (Design and Maximum)

Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd
Description		**Design Point**	**Pump Settings**	
MST Pumps		16gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle	

Septic Tank (ST) Calculations

Total Existing Fixture Units	37	
Total Proposed Fixture Units		
Total Fixture Units	37	
Minimum Septic Tank Size based on Fixtures	2000	gal
Number of Dwelling Units	1	
Number of Bedrooms	4	bedrooms
Minimum Septic Tank Size based on Bedrooms	1500	gal
Design Septic Tank Size	3634	gal

Fixture Units Summary

Total Existing Fixture Units	37	
Total Fixture Units	37	
Dwelling Units Summary		
Number of Existing Dwelling Units	1	
Existing Bedroom Summary		
Number of Existing Bedrooms	4	bedrooms
Number of Existing Master Bedrooms	1	bedrooms
Number of Existing Standard Bedrooms	3	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Existing (Qx)		
Peak Flow, Qpx	750	gpd
Average Flow, Qax	500	gpd
Design Flow, Qdx	750	gpd

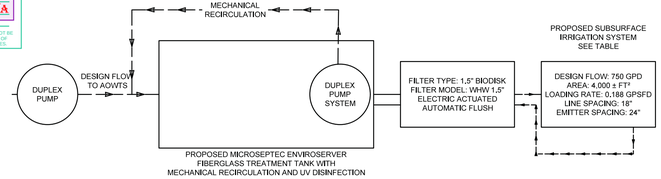
MicroSepTec Design

Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	

Drip Distribution Calculations

Design Subsurface Irrigation Loading (Application) Rate, I	0.430	gpsfd
Minimum Square Feet of Leaching Area Required, Qd/I	1745	ft²
Design Square Feet of leaching Area from Site Plan,A	4000	ft²
Actual Loading Rate (Application), L_A=Q/A	0.188	gpsfd
Maximum Effluent Capacity, Q_{MAX}=AxI	1720	gpsfd
Design Safetey Factor, H	12	

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LEGEND

B-XX	BORING LOCATION
TP-XX	TEST PIT LOCATION
PA-XX	EXISTING SEEPAGE PIT TO BE ABANDONED (SEE GENERAL NOTE 1)
	PROPOSED DISPERSAL FIELD
	EXISTING OWTS TO BE ABANDONED (SEE GENERAL NOTE 1)
	BUILDINGS AND STRUCTURES
	DRIVEWAY
	HARDSCAPE

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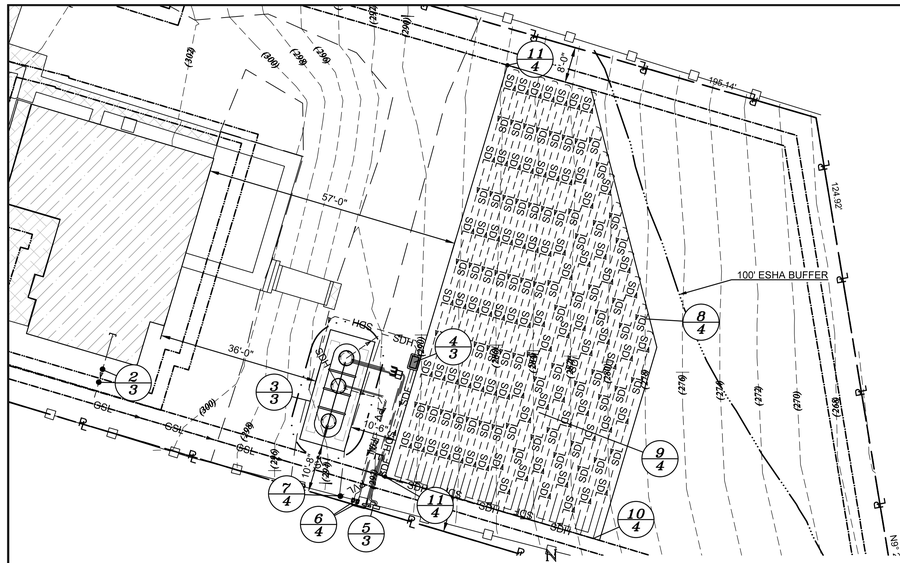
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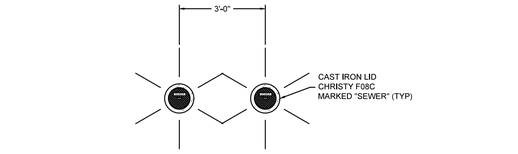
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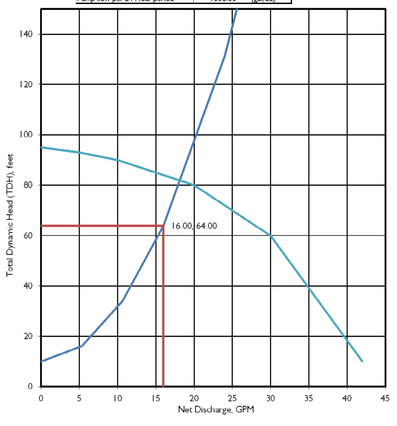
1/3 OVERALL SITE PLAN

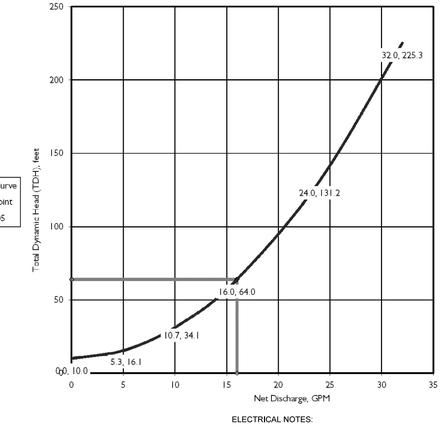
IPTION	MFG PART NUMBER	
"PER DR NOTE PVC	GEOFLOW LTSLIP-600	
LINE	1. BACKWATER VALVES SHALL BE REQUIRED AS INDICATED IN CURRENT PLUMBING CODE	
	2. EACH RUN OF PIPING WHICH IS MORE THAN 100' IN TOTAL DEVELOPED LENGTH, SHALL BE PROVIDED WITH A CLEANOUT	
0 PVC AND	FOR EACH ADDITIONAL ONE HUNDRED FEET THEREOF. IN LENGTH OF SUCH PIPING OR AS INDICATED IN CURRENT PLUMBING CODE	
NGS	3. BACKWATER VALVES AND CLEANOUT ASSEMBLIES SHALL BE CONSTRUCTED SO THAT THE SURFACE LOAD WILL NOT BE	
REATER THAN	TRANSFERRED TO THE DRAIN LINE	
IETER	4. CONCRETE PAD SHALL BE INSTALLED SO THAT THE WATER WILL RUN AWAY FROM THE INSTALLATION.	

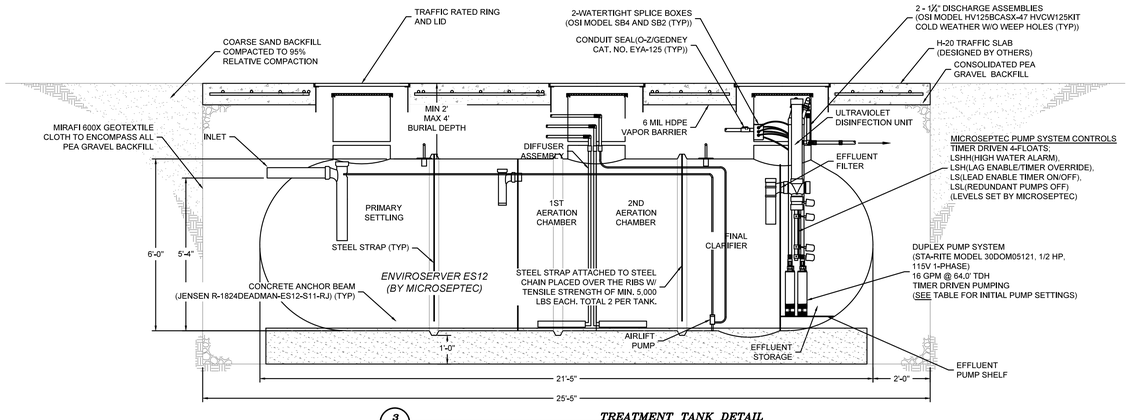
MST Pump Design Settings		
Total Dynamic Head[2]	64	ft-H_2O
Pump Flow Rate[2]	16	gpm
Design Pump Flow Rate 0.8x Pump Flow Rate	12.8	gpm
Total Pump Run Time (Design Flow/ Design Pump Flow Rate)	58.6	min
Pumps Cycles in 12 Hour Period	12.00	
Minutes per pump cycle	60.00	min
Minutes on per Cycle	5.00	min
Pump Flow per Cycle	64.00	gal
Minutes off/cycle	55.00	min
Pump flow per 24 Hour period	1536.00	gal/day



2/3 BACKWATER VALVE AND GRAVITY CLEANOUT
GRAVITY NOT TRAFFIC RATED







3/3 TREATMENT TANK DETAIL
MICROSEPTEC ES12 TRAFFIC RATED, AIRLIFT RECIRCULATION PUMPED EFFLUENT, UV DISINFECTION

FIBERGLASS TANK PRIMARY BACKFILL NOTES (SEE MANUFACTURER'S "INSTALLATION MANUAL AND OPERATING GUIDELINES"):

1. GENERAL
 1.1. THE BACKFILL MATERIAL SURROUNDING AN UNDERGROUND STORAGE TANK (UST) IS A CRITICAL PART OF A PROPER TANK INSTALLATION. THIS SPECIFICATION GIVES GUIDELINES FOR CHOOSING THE PRIMARY BACKFILL MATERIAL TO USE WHEN INSTALLING XERXES FIBERGLASS TANKS.
 1.2. SELECT ROUNDED STONES OR CRUSHED STONES ARE TO BE USED AS PRIMARY BACKFILL MATERIAL.
 1.3. PRIMARY BACKFILL MATERIAL IS TO BE CLEAN, FREE-FLOWING, AND FREE OF DIRT, SAND, LARGE ROCKS, ROOTS, ORGANIC MATERIALS, DEBRIS, ICE AND SNOW.
 1.4. NO BACKFILL MATERIAL SHALL BE FROZEN OR CONTAIN LUMPS OF FROZEN MATERIAL AT ANY TIME DURING PLACEMENT.
 1.5. MATERIALS LIKE SOFT LIMESTONE, SANDSTONE, SEA SHELLS OR SHALE SHOULD NOT BE USED AS BACKFILL BECAUSE THEY BREAK DOWN OVER TIME.
2. ACCEPTABLE BACKFILL MATERIALS
 2.0. COARSE AGGREGATE IS A TECHNICAL TERM FOR THE MATERIAL (ROUNDED STONES AND CRUSHED STONES) THAT MEETS XERXES' BACKFILL SIZE REQUIREMENTS.
 2.1. ASTM INTERNATIONAL AND THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) HAVE SPECIFICATIONS FOR STANDARD SIZES OF COARSE AGGREGATE.
 2.2. TABLE B1-1 GIVES THE STANDARD SIZES OF COARSE AGGREGATE THAT MEET XERXES' BACKFILL MATERIAL SPECIFICATIONS FOR ROUNDED STONES AND CRUSHED STONES. IT IDENTIFIES STANDARD SIEVE SIZES USED TO GRADE AGGREGATE MATERIAL. FOR EACH AGGREGATE SIZE, THE AMOUNT OF MATERIAL FINER THAN EACH LABORATORY SIEVE (SQUARE OPENINGS) IS GIVEN AS A PERCENTAGE OF THE TOTAL WEIGHT OF THE SAMPLE. (NOTE: ASTM USES SIZE NUMBERS 6, 67, 7 AND 8 TO DESCRIBE SPECIFIC GRADATION PROFILES FOR MATERIALS THAT PASS THROUGH A SERIES OF SIEVES. DO NOT CONFUSE THESE GRADATION PROFILES WITH SIEVE SIZES.)
  2.2.1. THE PERCENTAGES GIVE AN INDICATION OF THE PARTICLE SIZE DISTRIBUTION OR GRADATION WITHIN A GIVEN AGGREGATE SIZE. WITH AGGREGATE SIZE NUMBER 6 OF ROUNDED STONES, FOR EXAMPLE, 20-55 PERCENT OF THE SAMPLE (MEASURED BY WEIGHT) SHOULD PASS THROUGH A 1/2-INCH SIEVE, AND, WITH AGGREGATE SIZE NUMBER 7 OF CRUSHED STONES, 0-15 PERCENT OF THE SAMPLE (MEASURED BY WEIGHT) SHOULD PASS THROUGH A NO. 4 SIEVE.
 2.3. SOME MATERIAL SUPPLIERS MAY PRODUCE MATERIALS THAT MEET MANUFACTURER'S REQUIREMENTS BUT ARE NOT IDENTIFIED BY A STANDARD COARSE AGGREGATE SIZE NUMBER. THE SUPPLIER SHOULD BE ABLE TO PROVIDE A SPECIFICATION THAT IDENTIFIES THE SIZE OR GRADATION OF THE MATERIAL.
  2.3.1. IF THE MATERIAL SUPPLIER IS UNABLE TO SUPPLY A GRADATION REPORT, AN INDEPENDENT TESTING LABORATORY CAN PERFORM A SIEVE ANALYSIS ON A SAMPLE OF THE MATERIAL ACCORDING TO THE ASTM C 136 TESTING SPECIFICATIONS. THE TEST RESULTS CAN THEN BE COMPARED AGAINST THE SIZE REQUIREMENTS FOR ROUNDED OR CRUSHED STONES SHOWN IN TABLE B1-1.
 2.4. ROUNDED STONES
  2.4.1. WHEN USING SELECT ROUNDED STONES, THE MATERIAL IS TO BE A MIX OF ROUNDED PARTICLES, SIZES BETWEEN .094 INCH [2.36 MM] AND 1/2 INCH [12.55 MM].
  2.4.2. THE ROUNDED STONES MUST CONFORM TO THE SPECIFICATIONS OF ASTM C 33, SIZES 6, 67 OR 7.
  2.4.3. NO MORE THAN 5 PERCENT (BY WEIGHT) OF THE BACKFILL MAY PASS THROUGH A #8 SIEVE. SEE TABLE C1-1 FOR ADDITIONAL INFORMATION ABOUT SPECIFICATIONS.
  2.4.4. GENERALLY, ROUNDED STONES THAT MEET THE GRADATION REQUIREMENTS ARE LARGER THAN ALLOWABLE CRUSHED STONES.
 2.5. CRUSHED STONES
  2.5.1. WHEN USING CRUSHED STONES, THE MATERIAL IS TO BE A MIX OF ANGULAR PARTICLES. SIZES BETWEEN .094 INCH [2.36 MM] AND 1/2 INCH [12.55 MM].
  2.5.2. THE CRUSHED STONES MUST CONFORM TO THE SPECIFICATIONS OF ASTM C 33, SIZES 7 OR 8.
  2.5.3. NO MORE THAN 5 PERCENT (BY WEIGHT) OF THE BACKFILL MAY PASS THROUGH A #8 SIEVE. SEE TABLE B1-1 FOR ADDITIONAL INFORMATION ABOUT SPECIFICATIONS.

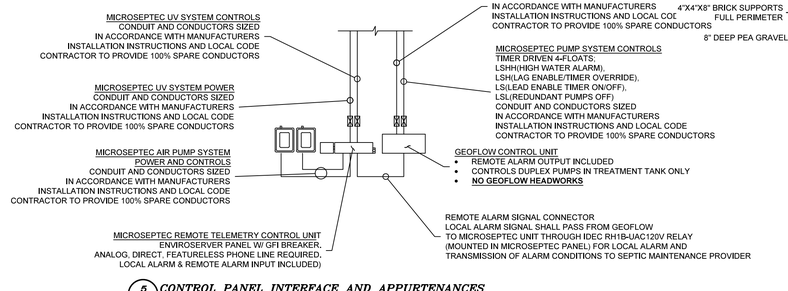
TABLE B1-1 PRIMARY TANK BACKFILL MATERIAL

ASTM C33 SIZE #	ROUND STONES			CRUSHED STONE	
	1 #6 STONE	2 #67 STONE	3 #7 STONE	4 #7 STONE	5 #7 STONE
1 INCH [25 MM]	100%	100%	---	---	---
3/4 INCH [19 MM]	90-100%	90-100%	100%	100%	---
1/2 INCH [12.5 MM]	10-55%	---	90-100%	90-100%	100%
3/8 INCH [9.5 MM]	0-15%	20-55%	40-70%	47-70%	85-100%
NO. 4 ,187 INCH [4.75 MM]	0-5%	0-10%	0-15%	0-15%	10-30%
NO. 8 ,094 INCH [2.36 MM]	---	0-5%	0-5%	0-5%	0-10%

ELECTRICAL NOTES:

1. LICENSED ELECTRICIAN SHALL VERIFY CONDUCTOR AND CONDUIT SIZES PRIOR TO SYSTEM INSTALLATION USING MANUFACTURER'S PUBLISHED FULL LOAD AMPS (FLA) FOR THE ACTUAL EQUIPMENT DELIVERED. CONDUIT AND CONDUCTOR SHALL BE SIZED PER TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL UTILITY COMPANY REGULATIONS AND ALL STATE AND MUNICIPAL CODES AND ORDINANCES..
2. ALL ELECTRICAL EQUIPMENT AND APPURTENANCES RELATED TO ELECTRICAL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, LOCAL UTILITY COMPANY REGULATIONS AND ALL STATE AND MUNICIPAL CODES AND ORDINANCES; ALL EQUIPMENT SHALL BE UNDERWRITER LABORATORY (UL) LISTED.

CONDUIT SEAL



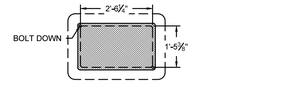
5/3 CONTROL PANEL INTERFACE AND APPURTENANCES
MICROSEPTEC PUMPED TO DISPOSAL

MICROSEPTEC TANK INSTALLATION GENERAL NOTES FOR REFERENCE ONLY
SEE MOST CURRENT XERXES "INSTALLATION MANUAL AND OPERATING GUIDELINES"

1. GENERAL NOTES
 1.1. MINIMUM DEPTH OF COVER
  1.1.1. NO TRAFFIC OPTIONS
   1.1.1.1. 2' BACKFILL.
  1.1.2. TRAFFIC OPTIONS
   1.1.2.1. 2' BACKFILL + REINFORCED CONCRETE TRAFFIC SLAB
 1.2. THE MAXIMUM BURIAL DEPTH IS 4 FEET OF COVER OVER THE TOP OF THE TANK. DEVIATION FROM THIS MAY BE PERMISSIBLE WITH PRIOR WRITTEN AUTHORIZATION FROM MANUFACTURER.
 1.3. CONCRETE TRAFFIC SLAB (IF UTILIZED) MUST EXTEND A MINIMUM OF 24 INCHES BEYOND THE TANK IN ALL DIRECTIONS.
 1.4. IF THERE IS AN UNATTACHED RISER OVER AN ACCESS OPENING, IT MUST NOT TRANSMIT LOAD FROM THE CONCRETE SLAB TO THE TANK. A MINIMUM SPACE OF 6 INCHES MUST EXIST BETWEEN THE BOTTOM OF THE RISER AND THE TOP OF THE TANK.
 1.5. IF THERE IS AN ATTACHED RISER ON AN ACCESS OPENING. IT MUST NOT TRANSMIT LOAD FROM THE CONCRETE SLAB TO THE TANK. A MINIMUM SPACE OF 3 INCHES MUST EXIST BETWEEN THE RISER OR SUMP AND THE SLAB.
 1.6. IF THE SOIL HAS LESS THAN 750 LBS./SQ. FT. COHESION AS CALCULATED FROM AN UNCONFINED COMPRESSION TEST, OR IN SOILS HAVING AN ULTIMATE BEARING CAPACITY OF LESS THAN 3,500 LBS./SQ. FT., OR WHERE SOIL WILL NOT MAINTAIN A VERTICAL WALL, THE EXCAVATION MUST ALLOW A MINIMUM SPACE EQUAL TO HALF THE DIAMETER OF THE TANK BETWEEN THE SIDE AND THE ENDCAP OF THE TANK, AND THE EXCAVATION WALL TO ENHANCE LATERAL RESISTANCE.
 1.7. A REINFORCED CONCRETE SLAB MAY BE REQUIRED UNDER THE TANK AS A FOUNDATION IN THE EXCAVATION WHERE THE BOTTOM IS UNSTABLE.
 1.8. TANKS SHALL BE ANCHORED IN INSTALLATIONS IN WHICH THE TANK COULD BE EXPOSED TO WATER. SITES SHALL BE THOROUGHLY EVALUATED FOR THE POTENTIAL OF A RISE IN THE LOCAL WATER TABLE OR OF TRAPPED WATER, CONTRACTOR SHALL PROVIDE EVALUATION TO ENGINEER FOR REVIEW
2. PRIMARY BACKFILL
 2.1. GENERAL
  2.1.1. THE BACKFILL MATERIAL SURROUNDING AN UNDERGROUND STORAGE TANK (UST) IS A CRITICAL PART OF A PROPER TANK INSTALLATION. THIS SPECIFICATION GIVES GUIDELINES FOR CHOOSING THE PRIMARY BACKFILL MATERIAL TO USE WHEN INSTALLING XERXES FIBERGLASS TANKS.
  2.1.2. SELECT ROUNDED STONES OR CRUSHED STONES ARE TO BE USED AS PRIMARY BACKFILL MATERIAL.
  2.1.3. PRIMARY BACKFILL MATERIAL IS TO BE CLEAN, FREE-FLOWING, AND FREE OF DIRT, SAND, LARGE ROCKS, ROOTS, ORGANIC MATERIALS, DEBRIS, ICE AND SNOW.
  2.1.4. NO BACKFILL MATERIAL SHALL BE FROZEN OR CONTAIN LUMPS OF FROZEN MATERIAL AT ANY TIME DURING PLACEMENT.
  2.1.5. MATERIALS LIKE SOFT LIMESTONE, SANDSTONE, SEA SHELLS OR SHALE SHOULD NOT BE USED AS BACKFILL BECAUSE THEY BREAK DOWN OVER TIME.
 2.2. ACCEPTABLE BACKFILL MATERIALS
  2.2.1. COARSE AGGREGATE IS A TECHNICAL TERM FOR THE MATERIAL (ROUNDED STONES AND CRUSHED STONES) THAT MEETS XERXES' BACKFILL SIZE REQUIREMENTS.
  2.2.2. ASTM INTERNATIONAL AND THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) HAVE SPECIFICATIONS FOR STANDARD SIZES OF COARSE AGGREGATE.
  2.2.3. TABLE B1-1 GIVES THE STANDARD SIZES OF COARSE AGGREGATE THAT MEET XERXES' BACKFILL MATERIAL SPECIFICATIONS FOR ROUNDED STONES AND CRUSHED STONES. IT IDENTIFIES STANDARD SIEVE SIZES USED TO GRADE AGGREGATE MATERIAL. FOR EACH AGGREGATE SIZE, THE AMOUNT OF MATERIAL FINER THAN EACH LABORATORY SIEVE (SQUARE OPENINGS) IS GIVEN AS A PERCENTAGE OF THE TOTAL WEIGHT OF THE SAMPLE. (NOTE: ASTM USES SIZE NUMBERS 6, 67, 7 AND 8 TO DESCRIBE SPECIFIC GRADATION PROFILES FOR MATERIALS THAT PASS THROUGH A SERIES OF SIEVES. DO NOT CONFUSE THESE GRADATION PROFILES WITH SIEVE SIZES.)
   2.2.3.1. THE PERCENTAGES GIVE AN INDICATION OF THE PARTICLE SIZE DISTRIBUTION OR GRADATION WITHIN A GIVEN AGGREGATE SIZE. WITH AGGREGATE SIZE NUMBER 6 OF ROUNDED STONES, FOR EXAMPLE, 20-55 PERCENT OF THE SAMPLE (MEASURED BY WEIGHT) SHOULD PASS THROUGH A 1/2-INCH SIEVE, AND, WITH AGGREGATE SIZE NUMBER 7 OF CRUSHED STONES, 0-15 PERCENT OF THE SAMPLE (MEASURED BY WEIGHT) SHOULD PASS THROUGH A NO. 4 SIEVE.
  2.2.4. SOME MATERIAL SUPPLIERS MAY PRODUCE MATERIALS THAT MEET MANUFACTURER'S REQUIREMENTS BUT ARE NOT IDENTIFIED BY A STANDARD COARSE AGGREGATE SIZE NUMBER. THE SUPPLIER SHOULD BE ABLE TO PROVIDE A SPECIFICATION THAT IDENTIFIES THE SIZE OR GRADATION OF THE MATERIAL.
   2.2.4.1. IF THE MATERIAL SUPPLIER IS UNABLE TO SUPPLY A GRADATION REPORT, AN INDEPENDENT TESTING LABORATORY CAN PERFORM A SIEVE ANALYSIS ON A SAMPLE OF THE MATERIAL ACCORDING TO THE ASTM C 136 TESTING SPECIFICATIONS. THE TEST RESULTS CAN THEN BE COMPARED AGAINST THE SIZE REQUIREMENTS FOR ROUNDED OR CRUSHED STONES SHOWN IN TABLE B1-1.
  2.2.5. ROUNDED STONES
   2.2.5.1. WHEN USING SELECT ROUNDED STONES, THE MATERIAL IS TO BE A MIX OF ROUNDED PARTICLES, SIZES BETWEEN .094 INCH [2.36 MM] AND 1/2 INCH [12.55 MM].
   2.2.5.2. THE ROUNDED STONES MUST CONFORM TO THE SPECIFICATIONS OF ASTM C 33, SIZES 6, 67 OR 7.
   2.2.5.3. NO MORE THAN 5 PERCENT (BY WEIGHT) OF THE BACKFILL MAY PASS THROUGH A #8 SIEVE, SEE TABLE C1-1 FOR ADDITIONAL INFORMATION ABOUT SPECIFICATIONS.
   2.2.5.4. GENERALLY, ROUNDED STONES THAT MEET THE GRADATION REQUIREMENTS ARE LARGER THAN ALLOWABLE CRUSHED STONES.
  2.2.6. CRUSHED STONES
   2.2.6.1. WHEN USING CRUSHED STONES, THE MATERIAL IS TO BE A MIX OF ANGULAR PARTICLES. SIZES BETWEEN .094 INCH [2.36 MM] AND 1/2 INCH [12.55 MM].
   2.2.6.2. THE CRUSHED STONES MUST CONFORM TO THE SPECIFICATIONS OF ASTM C 33, SIZES 7 OR 8.
   2.2.6.3. NO MORE THAN 5 PERCENT (BY WEIGHT) OF THE BACKFILL MAY PASS THROUGH A #8 SIEVE. SEE TABLE B1-1 FOR ADDITIONAL INFORMATION ABOUT SPECIFICATIONS.
3. TRAFFIC LOADING:
 3.1. TRAFFIC LOADING: AASHTO H20-44 WITH 14,000 REPETITIONS OVER 20 YEARS.
 3.2. ALL CONCRETE WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AMERICAN CONCRETE INSTITUTE (ACI) BUILDING CODE (ACI 318) AND THE ACI MANUAL OF PRACTICE.
 3.3. CONTRACTOR SHALL SUBMIT SPECIFICATIONS FOR BACKFILL, CONCRETE MATERIAL, AND TESTING FOR APPROVAL.
 3.4. CONCRETE MATERIAL SHALL BE TYPE V (SEVERE) CATEGORY FOR SULFATE EXPOSURE WITH A MINIMUM COMPRESSIVE STRENGTH 3000 PSI @ 28 DAYS.
 3.5. STEEL REINFORCEMENT SHALL HAVE A YIELD STRENGTH OF 60 KSI.
 3.6. CONCRETE SLAB TO EXTEND AT LEAST 2'-0" BEYOND VERTICAL EXTENT OF TANK IN ALL DIRECTIONS.
 3.7. CUT TYPICAL REINFORCING 2" CLEAR FROM ALL OPENINGS AND EDGES.
 3.8. SLOPE CONCRETE TO DRAIN AWAY FROM OPENINGS.
 3.9. ALL EDGES ROUNDED WITH 2" RADIUS MINIMUM
 3.10. THE MAXIMUM BURIAL DEPTH IS 4 FEET OF COVER OVER THE TOP OF THE TANK. DEVIATION FROM THIS MAY BE PERMISSIBLE WITH PRIOR WRITTEN AUTHORIZATION FROM MANUFACTURER.
 3.11. IF THERE IS AN UNATTACHED RISER OVER AN ACCESS OPENING. IT MUST NOT TRANSMIT LOAD FROM THE CONCRETE SLAB TO THE TANK. A MINIMUM SPACE OF 6 INCHES MUST EXIST BETWEEN THE BOTTOM OF THE RISER AND THE TOP OF THE TANK.
 3.12. IF THERE IS AN ATTACHED RISER ON AN ACCESS OPENING. IT MUST NOT TRANSMIT LOAD FROM THE CONCRETE SLAB TO THE TANK. A MINIMUM SPACE OF 3 INCHES MUST EXIST BETWEEN THE RISER OR SUMP AND THE SLAB.
 3.13. IF THE SOIL HAS LESS THAN 750 LBS./SQ. FT. COHESION AS CALCULATED FROM AN UNCONFINED COMPRESSION TEST; OR IN SOILS HAVING AN ULTIMATE BEARING CAPACITY OF LESS THAN 3,500 LBS./SQ. FT.; OR WHERE SOIL WILL NOT MAINTAIN A VERTICAL WALL, THE EXCAVATION MUST ALLOW A MINIMUM SPACE EQUAL TO HALF THE DIAMETER OF THE TANK BETWEEN THE SIDE AND THE ENDCAP OF THE TANK, AND THE EXCAVATION VALL TO ENHANCE LATERAL RESISTANCE.
 3.14. A REINFORCED CONCRETE SLAB MAY BE REQUIRED UNDER THE TANK AS A FOUNDATION IN THE EXCAVATION WHERE THE BOTTOM IS UNSTABLE.
 3.15. TANKS SHALL BE ANCHORED IN INSTALLATIONS IN WHICH THE TANK COULD BE EXPOSED TO WATER. SITES SHALL BE THOROUGHLY EVALUATED FOR THE POTENTIAL OF A RISE IN THE LOCAL WATER TABLE OR OF TRAPPED WATER, CONTRACTOR SHALL PROVIDE EVALUATION TO ENGINEER FOR REVIEW

TABLE B1-1 PRIMARY TANK BACKFILL MATERIAL

ASTM C33 SIZE #	ROUND STONES			CRUSHED STONE	
	1 #6 STONE	2 #67 STONE	3 #7 STONE	4 #7 STONE	5 #7 STONE
1 INCH [25 MM]	100%	100%	---	---	---
3/4 INCH [19 MM]	90-100%	90-100%	100%	100%	---
1/2 INCH [12.5 MM]	10-55%	---	90-100%	90-100%	100%
3/8 INCH [9.5 MM]	0-15%	20-55%	40-70%	47-70%	85-100%
NO. 4 ,187 INCH [4.75 MM]	0-5%	0-10%	0-15%	0-15%	10-30%
NO. 8 ,094 INCH [2.36 MM]	---	0-5%	0-5%	0-5%	0-10%



4/3 GEOFLOW HEADWORKS ASSEMBLY
WHW 1.5" DISKFILTER AUTOMATIC FLUSH

ENSITU
7475 CARMELITA AVE.
ATASCADERO, CA. 93422
Phone: 805.772.1100
Fax: 805.772.0813
ENSITU@easitu.com

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

NO.	REVISIONS	DATE	BY

5742 BUSCH DRIVE AOWTS FINAL DESIGN DESIGN
PLANS
FD-PIPING AND EQUIPMENT DETAILS
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER JOHN N. YAROSLASKI 60149 EXP 06-2026 CIVIL STATE OF CALIFORNIA

DATE: 05/07/2026
DESIGNED BY: KCY
DRAWN BY: KCY
CHECKED BY: JNY

JOB NO. 600-14

SHEET 3 OF 4

Project Engineer: John N Yaroslaski PE # 60149
JOB TITLE: 600-14 5742 Busch Drive Wastewater
DRAWING FILE: C:\Users\Kevin\Desktop\Cad Design\600-14.020 5742 Busch Drive PWPD\600-14.020 5742 Busch Drive PWPD-04.dwg
PLOT DATE: Thursday, May 7, 2026 08:37:30 AM
MOD. TIME: Thursday, May 7, 2026 08:37:30 AM
PLOT TIME: Thursday, May 7, 2026 08:41:25 AM

GENERAL NOTES

1. General Notes are not intended to replace the Construction Specifications. Please refer to Construction Specifications for this project for detailed instructions and specifications.

2. IDENTIFICATION SYSTEMS

All valves and equipment shall be identified in accordance with CONSTRUCTION SPECIFICATIONS Section 01080 – Identification Systems.

3. SITE CONDITIONS

In accordance with CONSTRUCTION SPECIFICATIONS Section 01160 – Site Conditions:

The Contractor acknowledges that he has satisfied himself as to the nature and location of the work, the general and local conditions, particularly those bearing upon access to the site; handling, storage, and disposal of materials; availability of water, electricity and roads; uncertainties of weather, river stages, or similar physical conditions at the site; the conformation and conditions of the ground; the equipment and facilities needed preliminary to and during the execution of the work; and all other matters which can in any way affect the work or the cost thereof under this Contract.

The Contractor further acknowledges that he has satisfied himself as to the character, quality and quantity of surface and subsurface materials to be encountered from his inspection of the site and from reviewing any available records of exploratory work furnished by the Owner or included in these Documents. Failure by the Contractor to acquaint himself with the physical conditions of the site and all the available information will not relieve him from responsibility for properly estimating the difficulty or cost of successfully performing the work.

The Contractor warrants that as a result of his examination and investigation of all the aforesaid data that he can perform the work in a good and workmanlike manner and to the satisfaction of the Owner. The Owner assumes no responsibility for any representations made by any of its officers or agents during or prior to the execution of this Contract, unless (1) such representations are expressly stated in the Contract, and (2) the Contract expressly provides that the responsibility therefore is assumed by the Owner.

Any information obtained by the Engineer regarding site conditions, subsurface information, groundwater elevations, existing construction of site facilities, and similar data will be available for inspection, as applicable, at the office of the Engineer upon request. Such information is offered as supplementary information only. Neither the Engineer nor the Owner assumes any responsibility for the completeness or interpretation of such supplementary information.

In the event that the subsurface or latent physical conditions are found materially different from those indicated in these Documents, and differing materially from those ordinarily encountered and generally recognized as inherent in the character of work covered in these Contract Documents, the Contractor shall promptly, and before such conditions are disturbed, notify the Engineer in writing of such changed conditions.

The Engineer will investigate such conditions promptly and following this investigation, the Contractor shall proceed with the work, unless otherwise instructed by the Engineer. If the Engineer finds that such conditions do so materially differ and cause an increase or decrease in the cost of or in the time required for performing the work, the Engineer will recommend to the Owner the amount of adjustment in cost and time he considers reasonable. The Owner will make the final decision on all Change Orders to the Contract regarding any adjustment in cost or time for completion.

4. UNDERGROUND UTILITIES

In accordance with CONSTRUCTION SPECIFICATIONS Section 01160 – Site Conditions:

GENERAL – The Contractor shall be responsible for contacting all utility companies and/or utility districts as to location and/or relocation of existing utilities prior to construction. The Contractor shall contact Underground Service Alert [USA], Telephone 1–800–642–2444, a minimum of three (3) days prior to any excavation.

A reasonable effort has been made to locate and delineate all known underground utilities. The Contractor is cautioned that only excavation will reveal the types, extent, sizes, locations, and depths of such underground utilities. However, the Owner and Engineer assume no responsibility for the completeness or accuracy of the delineation of such underground utilities, or for the existence of other buried objects or utilities which are not shown on these drawings.

The Contractor is hereby notified that, prior to commencing construction, he is responsible for contacting the utility companies involved, and requesting a visual verification of the locations of their underground facilities. Where such facilities may possibly conflict with the placement of improvements as shown on these improvement plans, the Contractor shall be notified by the Engineer of the scheduled time and place of such visual verification to enable the Engineer to have a representative present. Should a conflict become apparent, the Engineer will contact the parties responsible for the relocation of the conflicting facility.

The Contractor is responsible for any damage to underground or above ground utilities which may be incurred as a result of any work performed by him under this contract, regardless of the fact that the utilities= existence was known and unknown.

5. LAND MONUMENTS

In accordance with CONSTRUCTION SPECIFICATIONS Section 01160 – Site Conditions:

The Contractor shall notify the Engineer of any existing Federal, State, Town, County, and private land monuments encountered. Private monuments shall be preserved, or replaced by a licensed surveyor at the Contractor's expense. When Government monuments are encountered, the Contractor shall notify the Engineer at least two (2) weeks in advance of the proposed construction in order that the Engineer will have ample opportunity to notify the proper authority and reference these monuments for later replacement.

6. SUBMITTALS

In accordance with CONSTRUCTION SPECIFICATIONS Section 01345 – Submittals:

Contractor shall furnish, process, deliver, reproduce and perform other necessary functions incidental to scheduling and handling of shop drawings, project data and samples, operation and maintenance manuals, equipment record sheets, manufacturers' certificate of proper installation, and record drawings, as indicated on Drawings or as specified, and in accordance with provisions of the CONSTRUCTION SPECIFICATIONS.

Review or acceptance of substitutions, schedules, shop drawings, lists of materials, and procedures submitted or requested by the Contractor shall not add to the Contract Price, and all additional costs which may result therefrom shall be solely the obligation of the Contractor. It shall not be the responsibility of the Owner to provide engineering or other services to protect the Contractor from additional costs accruing from such review or acceptance.

No equipment or material for which listings, drawings, or descriptive material is required shall be installed until the Engineer has on hand copies of such accepted lists and the appropriately stamped final shop drawings. The review of drawings by the Engineer will be limited to general design requirements only, and shall in no way relieve the Contractor from responsibility for errors or omissions contained therein. Submittals will be acted upon by the Engineer as promptly as possible. Delays caused by the need for resubmittals shall not constitute reason for an extension of Contract Time. The Engineer will perform only two (2) reviews on a specific submittal. If additional review by the Engineer is required, all costs associated with the additional review will be borne by the General Contractor.

Operation and Maintenance Manual information and Equipment Record Sheets specific to one piece of equipment or material shall be submitted to the Engineer for acceptance.

7. CONSTRUCTION FACILITIES TEMPORARY CONTROLS

In accordance with CONSTRUCTION SPECIFICATIONS Section 01500 – Construction Facilities Temporary Controls:

The Contractor shall take reasonable measures to avoid unnecessary noise when work is being performed in populated areas.

The Contractor shall equip construction machinery and vehicles with practical sound and muffling devices and operate in a manner to minimize noise consistent with efficient performance of the work. The Contractor shall take reasonable measures to prevent unnecessary dust;

8. MATERIAL AND EQUIPMENT

In accordance with CONSTRUCTION SPECIFICATIONS Section 01600 – Material And Equipment Section:

The Bidder may substitute and include in his bid price a material or product other than those specified by name or brand, provided that requests are submitted and accepted in writing by the Engineer prior to the bid.

Specifying of proprietary products is not meant to exclude competition, but is intended to set a minimum standard. The words "or accepted substitute" are implied after any proprietary name. Substitutions will be considered according to specified substitution procedures.

9. CONTRACTORS'/MANUFACTURERS' SPECIAL SERVICES

In accordance with CONSTRUCTION SPECIFICATIONS Section 01650 – Contractors'/Manufacturers' Special Services:

The Contractor shall provide, at no additional cost to the Owner, the services of competent and experienced technical personnel who shall represent the manufacturers of all equipment and systems as may be necessary to resolve assembly or installation problems at the work site which are attributable to, or associated with, the equipment furnished.

Where startup services are called for in the Specifications, or when technical assistance is necessary due to any malfunction of the equipment or system furnished, the Contractor shall provide the services of a manufacturer's representative who shall provide such services as necessary to provide the Owner with an acceptable operating facility.

10. MOVE IN AND SITE PREPARATION

In accordance with CONSTRUCTION SPECIFICATIONS Section 02100 – Move In And Site Preparation:

The Contractor shall stake out the construction, establish temporary benchmarks, lines, levels, batterboards, reference points, centerlines, and verify all dimensions in relation to connection with existing facilities. The Contractor shall be solely responsible for all errors in connection with this work. Prior to commencement of the work, the Contractor shall report to the Engineer any inconsistencies in the proposed lines, levels, grades, dimensions, or locations shown on the Drawings.

The location of some utilities and obstructions may not be shown. Bidders are advised to carefully inspect the existing facilities before preparing their proposals. The removal and replacement of minor obstructions such as electrical conduits, air, water, and waste piping, and similar items shall be anticipated and accomplished, even though not shown or specifically mentioned. Major obstructions encountered that are not shown on the Contract Drawings or could not have been foreseen by visual inspection of the site prior to bidding should immediately be brought to the attention of the Engineer. The Engineer will make a determination for proceeding with the work. If the Engineer finds that the obstruction adversely affects the Contractor's costs or schedule for completion, a proper adjustment to the Contract will be made in accordance with the General Conditions.

GENERAL NOTES

11. EARTHWORK

In accordance with CONSTRUCTION SPECIFICATIONS Section 02200 – Earthwork:

A geotechnical investigation may have been performed for the Owner in order to obtain relative data concerning the character of material in and upon which the project is to be built. If an investigation has been performed, the information will be available to the Contractor for information purposes only, and is not to be considered a part of the Contract Documents. The Contractor shall satisfy himself as to the kind and type of soil to be encountered and any water conditions which might affect the construction of the project.

The location of existing utilities are shown in an approximate way only and not all utilities may be shown. The Contractor shall determine the exact location of all existing utilities prior to commencing work. The Contractor shall be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all utilities. If utilities are to remain in place, the Contractor shall provide adequate means of support and protection during construction.

Should drawn, or incorrectly drawn piping or other utilities be encountered during excavation, the Contractor shall advise the Engineer within thirty (30) minutes of encountering the utility. The Contractor shall cooperate the with Engineer and utility companies in keeping respective services and facilities in operation to the satisfaction of the respective owners. The owners reserve the right to perform any and all work required should the Contractor fail to cooperate with the respective companies, and back charge the Contractor for any and all expenses.

12. TANK CLEANING, TESTING, & DISINFECTION

In accordance with CONSTRUCTION SPECIFICATIONS Section 01662 – Tank Cleaning, Testing, & Disinfection:

The work to be performed includes the cleaning, testing, and disinfection of all liquid holding vessels and tanks. All appurtenant operations involving cleaning, testing, and disinfecting the tanks shall be done in strict conformance with the Drawings and other terms and conditions of the Contract. All standard specifications made a portion of these Specifications by reference shall be the latest edition and revision thereof.

It is the intent of this Specification to be in conformance with AWWA C 652 and all local, state, and federal standards. In the event a conflict occurs between this Specification and AWWA C 652 and/or the local, state or federal regulation, AWWA C 652 or the local, state or federal regulation shall in all cases prevail.

WATERTIGHTNESS TEST

Mild Steel Reinforced Vessels and Pre–Cast Vessels

The backfill surrounding a buried vessel shall not be placed until after an acceptable watertightness test.

The vessel shall be filled at a rate as approved by the Engineer to a minimum of six (6) inches above the top of the tank. The test shall commence five (5) days after the vessel is filled; the watertightness test shall then commence for a period of forty–eight (48) hours. The maximum acceptable loss of water during the forty–eight (48) hours time period shall be four hundredths of one percent (0.04%). This loss of water shall be determined by measuring the drop in the water surface over the test period.

If the loss of water exceeds the acceptable volume loss during the test period the vessel shall be tested after five days for an additional forty–eight (48) hours. The total acceptable loss of water during the forty–eight (48) hours time period shall be less than eight hundredths of one percent (0.08%) of the volume measured by a drop in the water surface

If after both tests the loss of water exceeds the acceptable volume the Contractor shall be responsible for determining and remediating the cause of test failure. The Engineer shall review and approve the proposed remediation methods prior to the remediation work.

If the loss of water is less than that permitted, but visible water loss occurs in the walls or joints, the test shall not be considered acceptable until all visible signs of water loss are corrected.

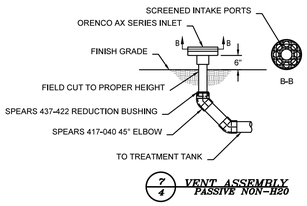
RE–TESTING

If the vessel is drained to remedy the cause of water loss, the Contractor shall be responsible for cleaning and disinfecting (if required) the vessel prior to refilling and re–testing. The method and point of discharge as well as allowable water quality to drain the vessel shall be as approved by the Engineer.

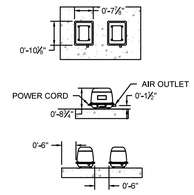
The Contractor shall be charged the current rate for water consumed to perform all testing.

13. TOXIC MATERIALS DISCHARGED INTO WASTEWATER SYSTEM.

The wastewater treatment system processes are biological and highly sensitive to all substances that enter the septic tank. Industrial wastes, toxic chemicals, hazardous materials, or other substances that are not considered domestic wastes are not allowed in the wastewater treatment system. These materials may cause catastrophic failure of the system. Minimize discarding high organic wastes such as kitchen scraps or garbage disposal wastes. Never dispose of solids such as kitty litter, feminine hygiene products, paper towels, diaper, cigarettes, or other non–biodegradable materials. All areas with drainage fixtures shall have a written notice stating the facility's waste disposal policy.

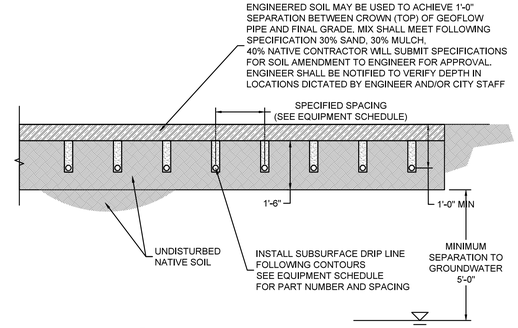


7/4 VENT ASSEMBLY
PASSIVE NON–H2O

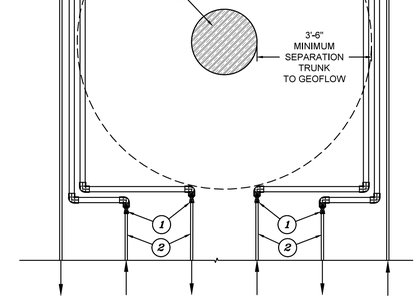


1. COMPRESSORS SHOULD BE LOCATED IN A WELL-VENTILATED SHADY PLACE. AN INDOOR LOCATION LIKE A SHED OR GARAGE IS IDEAL.
2. COMPRESSORS MUST BE ELEVATED OFF THE GROUND SO THAT SURFACE WATER CANNOT ENTER THE ELECTRICAL TERMINALS WITHIN THE COMPRESSOR.
3. COMPRESSORS SHOULD BE LOCATED AS CLOSE TO THE TANK AS POSSIBLE, DO NOT EXCEED 50' DISTANCE FROM TANK.
4. 1" SCH 80 PVC PIPE IS REQUIRED FOR PLUMBING THE COMPRESSOR(S) TO THE MIDDLE RISER; ONE PIPE PER COMPRESSOR.
5. THE PIPE MUST FALL TOWARD THE TANK WITH NO LOW POINTS.
6. COMPRESSORS MUST BE LOCATED AT THE SAME ELEVATION OR HIGHER THAN THE LID OF THE MIDDLE RISER.
7. A NEMA 4X FIBERGLASS ENCLOSURE IS RECOMMENDED.

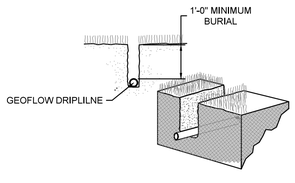
6/4 TYPICAL AIR COMPRESSOR DETAIL
MICROSEPTEC



9/4 STANDARD GEOFLOW FIELD SECTION
TRENCH INSTALLATION SYSTEM

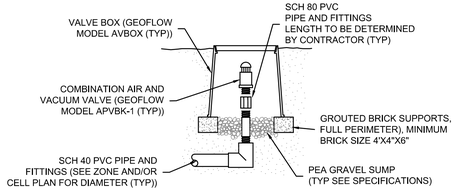


GEOFLOW TREE BYPASS
TREE TRUNK DIAMETER GREATER THAN 2 FEET

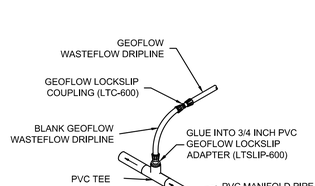


NOTE:
1. INSTALLATION OPTIONS:
 1.1. TRENCH INSTALLATION SYSTEM:
  1.1.1. SUBSURFACE DRIP LINE SHALL BE PLACED IN TRENCH CUT A MINIMUM OF 13" INTO NATIVE SOIL.
 1.2. SOIL REPLACEMENT SYSTEM:
  1.2.1. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS SCARIFIED A MINIMUM OF 18 INCHES.
 1.3. AT GRADE FILL SYSTEM
  1.3.1. IF SUBSURFACE DRIP LINE IS PLACED AT GRADE IT SHALL BE PLACED ON UNCOMPACTED NATIVE SOILS SCARIFIED A MINIMUM OF 18 INCHES. LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. SUBSURFACE DRIP SHALL ONLY BE PLACED IN THIS MANNER UNDER TURF OR AS APPROVED BY ENGINEER.
2. AREA PREPARATION ON SLOPES LESS THAN 3:1
 2.1. DISPERSAL FIELD SHALL BE RIPPED AND TILLED A MINIMUM OF 18 INCHES, SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE. DISPERSAL FIELD SHALL BE PLANTED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
2. AREA PREPARATION ON SLOPES GREATER THAN 3:1
 2.1. DISPERSAL FIELD SHALL BE COVERED WITH EROSION PROTECTION FABRIC AND PLANTED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)

8/4 GEOFLOW TYPICAL TRENCH
NO SCALE



11/4 GEOFLOW AIR/VACUUM BREAKER
FIELD LOCATION NON TRAFFIC



10/4 GEOFLOW HEADER TO DRIPLINE
TYPICAL PIPING CONNECTIONS

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Fax: 805.772.0613
ENSITU@easitu.com

REVISIONS

NO.	DATE	BY

5742 BUSCH DRIVE AOWTS FINAL DESIGN DETAILS
PLANS
FD–NOTES AND EQUIPMENT DETAILS
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP 06-2026
CIVIL
STATE OF CALIFORNIA

DATE: 05/07/2026
DESIGNED BY: KCY
DRAWN BY: KCY
CHECKED BY: JNY

JOB NO. 600–14

SHEET 4 OF 4

Project Engineer: John N Yaroslaski PE # 60149
DRAWING: 600–14.020 5742 Busch Drive PWFD–04.dwg
CREATION TIME: Thursday, May 7, 2026 08:37:30 AM
MOD. TIME: Thursday, May 7, 2026 08:41:36 AM
PLOT TIME: Thursday, May 7, 2026 08:41:36 AM
C:\Users\Ensitu\Dropbox\Ensitu\Cad Design\600–14.020 5742 Busch Drive PWFD\600–14.020 5742 Busch Drive PWFD–04.dwg

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7475 Carmelita Ave
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Fixture Units and WW Flow Worksheet

Project: 600-14.020 5742 Busch Drive
Address: 5742 Busch Drive

Designed By: KCY
Checked By JNY

Des Date: July 24, 2024
Ch Date: July 24, 2024

Type of Plumbing Fixture	Existing Fixtures "A"	+	Proposed Fixtures "B"	=	Total Fixtures "(A + B)"	x	Unit Value "C"	=	Total Existing Fixture Units "A x C"	Total Proposed (Future) Fixture Units "(A + B) x C"
Bathtub or Combination Bath/Shower	2	+		=	2	x	2	=	4	4
Bidet(s)		+		=		x	2	=		
Bar Sink		+		=		x	1	=		
Clothes Washer	1	+		=	1	x	3	=	3	3
Dishwasher	1	+		=	1	x	2	=	2	2
Laundry Sink	1	+		=	1	x	2	=	2	2
Lavatory (Wash Basin)	4	+		=	4	x	1	=	4	4
Kitchen Sink	1	+		=	1	x	2	=	2	2
Shower (Single Head)	1	+		=	1	x	2	=	2	2
Water Closet (Flush Toilet)	3	+		=	3	x	6	=	18	18

Bedrooms



Fixture Units Summary		
Total Existing Fixture Units	37	
Total Fixture Units	37	
Dwelling Units Summary		
Number of Existing Dwelling Units	1	
Existing Bedroom Summary		
Number of Existing Bedrooms	4	bedrooms
Number of Existing Master Bedrooms	1	bedrooms
Number of Existing Standard Bedrooms	3	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Existing (Q_E)		
Peak Flow, Q_{EP}	750	gpd
Average Flow, Q_{EA}	500	gpd
Design Flow, Q_{EP}	750	gpd
Influent Characteristics		
BOD5 (mg/l)	220	
TSS (mg/l)	220	
TN (mg/l)	35	
Effluent Characteristics		
BOD5 (mg/l)	20	
TSS (mg/l)	20	
TN (mg/l)	17.5	

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MicroSepTec Tank Size and Fixtures

Project: 600-14.020 5742 Busch Drive
Address: 5742 Busch Drive

Designed By: KCY Design Date: July 24, 2024
Checked By: JNY Check Date: July 24, 2024

Description	Tank Size Gallons	Max Fixture Units	Min Tank Size Based on Fixtures Gallons
MicroSepTec ES6	2493	60	2500
MicroSepTec ES12	3634	105	3625
MicroSepTec ES25	7540	261	7525

Table 1: Tank Size Malibu Plumbing Code

Total Bedrooms	Total Fixture Units	Minimum Septic Tank Size (gal)
1 to 6	26 to 33	1500
	34 to 45	2000
	46 to 55	2250
	56 to 60	2500
	61 to 70	2750
	71 to 80	3000
	81 to 90	3250
	91 to 100	3500
For every one (1) FU greater than 100 total FUs, increase septic tank capacity by 25 gallons (Based on Table K-2, Malibu Plumbing Code)		

Iterations			
Treatment Unit	ES6	ES12	ES25
Fixture Units	60	105	261
Row 1			
Row 2			
Row 3			
Row 4			
Row 5			
Row 6			
Row 7	2500		
Row 8			
Row 9			
Row 10			
Row 11			
Tank Size	2500	3625	7525

REGISTERED PROFESSIONAL ENGINEER JOHN YARBROUGH SYSTEMS
EXP 06/2026
CIVIL
STATE OF CALIFORNIA

Table 2: MicroSepTec MST Brocure downloaded August 28, 2015

Hydraulic Volume (gal)

Model	Primary Clarifier	1st Aeration Chamber	2nd Aeration Chamber	Final Clarifier	Effluent Chamber	Total Gallons
ES6	990	364	364	409	367	2493
ES12	1553	500	500	667	414	3634
ES25	3026	931	931	1432	1221	7540

Sizing

	ES6	ES12	ES25
Treatment Capacity* (gpd)	600	1,200	2,500
Length	180"	257"	298"
Diameter	72"	72"	96"

* based on typical household waste

Daily Power Consumption (kWh)

	ES6	ES12	ES25
Gravity Output	3.6	7.2	9.8
Low Pressure Discharge	4.0	7.9	11.2
High Pressure Discharge	4.9	9.7	15.2

115V / 15A service required for gravity discharge
115V / 30A service required for pumped discharge

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Atascadero, CA 93422
tel: 805.772.0150

MicroSepTec Design

Project: 600-14.020 5742 Busch Drive
Address: 5742 Busch Drive

Designed By: KCY
Checked By: JNY

Design Date: July 24, 2024
Check Date: July 24, 2024

MicroSepTec Design		
Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD_5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD_5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD_5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	
MST Pump Design Settings		
Total Dynamic Head[2]	64	ftH_2O
Pump Flow Rate[2]	16	gpm
Design Pump Flow Rate 0.8x Pump Flow Rate	12.8	gpm
Total Pump Run Time (Design Flow/ Design Pump Flow Rate)	58.6	min
Pump Cycles in 12 Hour Period	12.00	
Minutes per pump cycle	60.00	min
Minutes on per Cycle	5.00	min
Pump Flow per Cycle	64.00	gal
Minutes off/cycle	55.00	min
Pump flow per 24 Hour period	1536.00	gal/day

REGISTERED PROFESSIONAL ENGINEER JOHN N. YAROSZ 60149 EXP 06/2026 CIVIL STATE OF CALIFORNIA

[2] See Pump Design Sheet

(1) MST Organic Removal Base				
Model	Waste Flow (gpd)	Waste Strength (mg/L BOD_5)		Organic Removal ($lbBOD_5$)
		influent	Effluent	
MicroSepTec ES6	600	220	20	1.00
MicroSepTec ES12	1200	220	20	2.00
MicroSepTec ES25	2500	220	20	4.17

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Drip Distribution Design Calculations Using Ryon's Method Percolation Testing

Project: 600-14.020 5742 Busch Drive
Address: 5742 Busch Drive

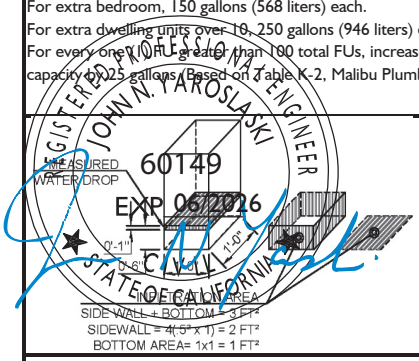
Designed By: KCY Design Date: July 24, 2024
Checked By: JNY Check Date: July 24, 2024

Type of Plumbing Fixture	Existing Fixtures	+	Proposed Fixtures	=	Total Fixtures	Unit Value	=	Total Existing Fixture Units	Total Proposed (Future) Fixture Units
	"A"	+	"B"	=	"(A + B)"	"C"	=	"A x C"	"(A + B) x C"
Bathtub or Combination Bath/Shower		+		=		2	=		
Bidet(s)		+		=		2	=		
Bar Sink		+		=		1	=		
Clothes Washer		+		=		3	=		
Dishwasher		+		=		2	=		
Laundry Sink		+		=		2	=		
Lavatory (Wash Basin)		+		=		1	=		
Kitchen Sink		+		=		2	=		
Shower (Single Head)		+		=		2	=		
Water Closet (Flush Toilet)		+		=		6	=		
Other Table 702.1 CPC)		+		=			=		
Other Table 702.1 CPC)		+		=			=		
Other Table 702.1 CPC)		+		=			=		
Other Table 702.1 CPC)		+		=			=		
Other Table 702.1 CPC)		+		=			=		

Total Bedrooms	Total Fixture Units	Minimum Septic Tank Size (gal)
1 to 6		750
		1000
		1200
	33	1500
	34 to 45	2000
	46 to 55	2250
	56 to 60	2500
	61 to 70	2750
	71 to 80	3000
	81 to 90	3250
	91 to 100	3500

For extra bedroom, 150 gallons (568 liters) each.
For extra dwelling units over 10, 250 gallons (946 liters) each
For every one FU greater than 100 total FUs, increase septic tank capacity by 25 gallons (Based on Table K-2, Malibu Plumbing Code)

Septic Tank (ST) Calculations		
Total Existing Fixture Units	37	
Total Proposed Fixture Units		
Total Fixture Units	37	
Minimum Septic Tank Size based on Fixtures	2000	gal
Number of Dwelling Units	1	
Number of Bedrooms	4	bedrooms
Minimum Septic Tank Size based on Bedrooms	1500	gal
Design Septic Tank Size	3634	gal
Flow Calculations (Q)		
Peak Flow, Q_P	750	gpd
Average Flow, Q_A	500	gpd
Leaching Field Design Flow, Q	750	gpd
Drip Distribution Calculations		
Design Subsurface Irrigation Loading (Application) Rate,	0.430	gpsfd
Minimum Square Feet of Leaching Area Required, Q/I	1745	ft^2
Design Square Feet of leaching Area from Site Plan,A	4000	ft^2
Actual Loading Rate (Application), L_A=Q/A	0.188	gpsfd
Maximum Effluent Capacity, Q_{MAX}=AxI	1720	gpsfd
Design Safetey Factor, H	12	



Ryons T value to Subsurface Irrigation Conversion Calculations

Test Pit Number	Test Depth	Soil Type	Percolation Rate from Ryon's Test Method Converted to Gal/day: A	B=1/A	C=Bx1440	D=C/12	E=Dx7.481	Percolation Area F (SEE FIGURE)	Infiltration rate G=E/F	Safety Factor H	Application Rate I=G/H
	ft		min/inch	inch/min	in/day	ft/day	gal/day	ft^2	gal/ft^2-day		gal/ft^2-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247

T Average	25.2
T Max	58
T Ryon (T_P)	**58**

Application Rate Average	2.07
Application Rate Max	8.31
Design Application Rate	**0.43**

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Design Summary

Project: 600-14.020 5742 Busch Drive
Address: 5742 Busch Drive

Designed By: KCY Design Date: July 24, 2024
Checked By: JNY Check Date: July 24, 2024

OWTS Capacity (Design and Maximum)

Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES12	1,200 gpd	750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4000 square feet at 0.188 gallons per square foot per day	750 gpd	1,720 gpd

Description	Design Point	Pump Settings
MST Pumps	16gpm @ 64 ft (TDH)	12 cycles per day, 5 min on, and 55 min off per cycle. Total discharge 64 gallons per cycle



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** 05/11/2026

PROJECT NUMBER: ACDP 22-055

JOB ADDRESS: 5742 BUSCH DR

APPLICANT / CONTACT: Zach Adams, J S INNOVATIVE SYSTEMS INC

APPLICANT EMAIL: z.adams@jsinnovative.net

PLANNER: Alexander da Silva

PROJECT DESCRIPTION: New OWTS

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 5/21/26

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)	Zach Adams, J S INNOVATIVE SYSTEMS INC z.adams@jsinnovative.net		
Project Address:	**5742 BUSCH DR** Malibu, CA 90265		
Planning Case No.:	ACDP 22-055		
Project Description:	New OWTS		
Date of Review:	May 21, 2026		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	5/11/26
Site Survey:	5/11/26
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	5/11/26
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	10/10/22 (Incomplete), 2/23/23 (Incomplete), 7/2/24 (Incomplete), 12/20/24 (Incomplete), 7/15/25 (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 revised plans show that the proposed new OWTS and associated dispersal field is situated over 100 feet from the nearby blue-line stream. Therefore, the project is in compliance with Chapter 4 of the Malibu LIP.

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 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 01/18/2023

PROJECT NUMBER:	ACDP 22-055
JOB ADDRESS:	5742 BUSCH DR
APPLICANT / CONTACT:	Zach Adams, J S INNOVATIVE SYSTEMS INC
APPLICANT ADDRESS:	1243 FLYNN RD #502 CAMARILLO, CA 93012
APPLICANT PHONE #:	(805) 987-7747
APPLICANT FAX #:	
APPLICANT EMAIL:	z.adams@jsinnovative.net
PROJECT DESCRIPTION:	New OWTS

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

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

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

OWTS Plot Plan: ☐ **NOT REQUIRED**

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

Matthew Stewart — **Signature**

1-26-2023 — **Date**

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

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

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Zach Adams z.adams@jsinnovative.net		
Project Address:	**5742 Busch Drive** Malibu, California 90265		
Planning Case No.:	ACDP 22-055		
Project Description:	New AOWTS		
Date of Review:	January 26, 2023		
Reviewer:	Solishia Andico/ Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	sandico@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	
Grading Plans:	
OWTS Plan:	Ensitu Engineering Inc.: OWTS plan dated 9-8-2022 and 10-26-2022 (received 1-18-2023)
OWTS Report:	Ensitu Engineering Inc.: OWTS report dated 9-9-2022 and 10-27-2022 (received 1-18-2023)
Geology Report:	Land Phases, Inc.: Limited engineering geology report dated 8-5-2022 and 10-31-2022 (received 1-18-2023)
Miscellaneous:	
Previous Reviews:	10-6-2022

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	☐	**CONFORMANCE REVIEW INCOMPLETE** for the City of Malibu LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code and the City of Malibu Local Coastal Program (LCP)/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

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

Conditions of Planning Conformance Review for Building Plan Check Approval:

1) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS.
All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

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

   a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture units, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

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

   c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.

   d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system's geometric dimensions and basic construction

features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All OWTS design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

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

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

5) **Notice of Decision:** The final onsite wastewater treatment system plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department.

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

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

8) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

9) **Advanced Onsite Wastewater Treatment System (OWTS) Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of

Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder**.

10) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. ***Please submit a certified copy issued by* the City of Malibu Recorder.**

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

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

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

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

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

16) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

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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

5742 BUSCH DRIVE (FIRE REBUILD)
MALIBU, CA 90265 (ACDP 22-055)

S.F.D.:	4 Bedroom/35 Fixture Units (E)
TREATMENT	1,000 Gallon (E) to be abandoned;
TANK:	3,634 Gallon MicroSepTec ES12 with UV Disinfection Unit (N)
ACTIVE:	4,800-sf Drip Dispersal Field (N)
FUTURE:	n/a
LOADING RATE:	0.157 gpsf
DESIGNER:	John Yaroslaski, PE (60149)
REFERENCE:	Ensitu: OWTS reports dated 9-9-2022 and 10-26-2022
	Land Phases: Limited engineering geology report dated 8-5-2022 and 10-27-2022

NOTES:

1. This conformance review is for a new advanced onsite wastewater treatment system (OWTS) to serve the existing 4 bedroom (35 fixture units) single family residence. 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 review treatment.

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

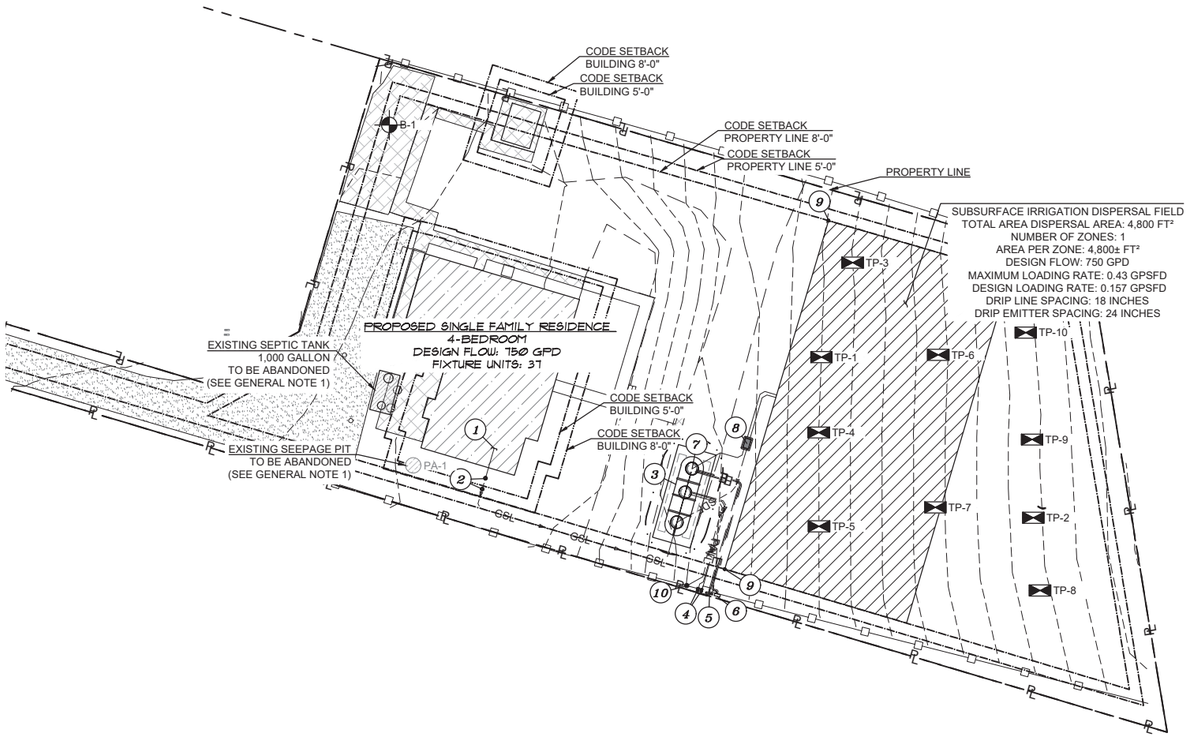
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CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: _____ DATE: 1/26/23

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



1/1 OVERALL SITE PLAN

0 40' 80'

SCALE: 1" =40'-0"

GENERAL NOTES:

1. EXISTING OWTS COMPONENTS LOCATION AND ABANDONMENT:
   - 1.1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS. THE LOCATIONS ON THE ENGINEERING PLANS ARE INFORMATIONAL AND MAY NOT INCLUDE ALL COMPONENTS OF THE OWTS. MANY ITEMS, SUCH AS TANKS, PIPING, DISTRIBUTION DEVICES, SEEPAGE PITS, DISPERSAL FIELDS, AND OTHER APPURTENANCES ARE BURIED AND NOT LOCATABLE BY THE SURVEYOR OR UTILITIES LOCATOR .
   - 1.2. 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.
   - 1.3. THE EXISTING OWTS COMPONENTS INCLUDING; SEPTIC TANK(S), PIPING, CLEANOUT(S) SEEPAGE PIT(S), DISPERSAL FIELD(S), AND ALL OTHER APPURTENANCES SHALL BE PROPERLY ABANDONED PURSUANT TO CITY OF MALIBU ORDINANCE 435, SECTION 15.40.170 C. AND SECTION 15.40.170 D. TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES. METHOD OF ABANDONMENT SHALL BE DETERMINED BY THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS, VENTS, BACKWATER VALVES, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE INSTALLATION OF THE TANK AND DISPERSAL SYSTEM COMPONENTS OF THE AOWTS (INCLUDING BUT NOT LIMITED TO; (A) TANK EXCAVATION, BEDDING, AND BACKFILL (B) SEEPAGE PITS EXCAVATION, CONSTRUCTION, AND BACKFILL (C) SUBSURFACE DISPERSAL SYSTEM BEDDING, FILL MATERIAL, CONSTRUCTION, AND BACKFILL) AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE TANK AND DISPERSAL SYSTEM COMPONENTS WERE INSTALLED PER APPROVED AOWTS PLANS.
7. LEACH FIELDS AND DISPERSAL SYSTEMS DESIGNATED AS SAND CATEGORY: ANY REMAINING FILL MATERIAL AND ANY BEACH SAND SEDIMENT THAT MIGHT HAVE REDUCED PERMEABILITY FROM EXISTING LEACH FIELD OPERATIONS ENCOUNTERED BELOW THE BOTTOM OF THE PROPOSED LEACH FIELD OR ANY MATERIAL ENCOUNTERED IN THE CONSTRUCTION OF THE LEACH FIELD THAT IS NOT CATEGORIZED AS BEACH SAND DEPOSITS SHALL BE EXCAVATED TO THE LEVEL OF THE NATIVE BEACH SAND DEPOSITS AND REPLACED WITH DOUBLE- WASHED SAND. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE EXCAVATION OF THE LEACH FIELD AND CONFIRM IN WRITING THAT ALL THE DELETERIOUS FILL AND NON-BEACH SAND MATERIALS BELOW THE LEACH FIELD HAVE BEEN REMOVED AND REPLACED WITH CLEAN SAND AND THE LEACH FIELD WAS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED OWTS PLANS.
8. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS RIPPED AND TILLED A MINIMUM OF 18 INCHES. SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE OR LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. DISPERSAL FIELD SHALL BE PLANTED AND ESTABLISHED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
9. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
10. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION, MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
11. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.

Ryons T value to Subsurface Irrigation Conversion Calculations

Test Pit Number	Test Depth	Soil Type	Percolation Rate from Ryon's Test Method Converted to Gal/day A	B=1/A	C=Bx1440	D=C/12	E=Dx7.481	Percolation Area F (SEE FIGURE)	Infiltration rate G=E/F	Safety Factor H	Application Rate I=GH
	ft		min/inch	inch/min	in/day	ft/day	gal/day	ft²	gal/ft²-day		gal/ft²-day
1	7	Siltstone	58	0.017	24.83	2.07	15.48	3	5.16	12	0.430
2	7	Siltstone	52	0.019	27.69	2.31	17.26	3	5.75	12	0.480
3	2	Sandy Silty Clay	22	0.045	65.45	5.45	40.81	3	13.60	12	1.133
4	2	Sandy Silty Clay	10	0.100	144.00	12.00	89.77	3	29.92	12	2.494
5	2	Sandy Silty Clay	18	0.056	80.00	6.67	49.87	3	16.62	12	1.385
6	2	Sandy Silty Clay	17	0.059	84.71	7.06	52.81	3	17.60	12	1.467
7	2	Sandy Silty Clay	3	0.333	480.00	40.00	299.24	3	99.75	12	8.312
8	2	Silty Clayey Sand	8	0.125	180.00	15.00	112.22	3	37.41	12	3.117
9	2	Sandy Silty Clay	44	0.023	32.73	2.73	20.40	3	6.80	12	0.567
10	2	Sandy Clayey Silt	20	0.050	72.00	6.00	44.89	3	14.96	12	1.247
		T Average:	25.2							Application Rate Average:	2.07
		T Max:	58							Application Rate Max:	8.31
		T Ryon (T75):	58							Design Application Rate:	0.43

Septic Tank (ST) Calculations

Total Existing Fixture Units	37	
Total Proposed Fixture Units		
Total Fixture Units	37	
Minimum Septic Tank Size based on Fixtures	2000	gal
Number of Dwelling Units	1	
Number of Bedrooms	4	bedrooms
Minimum Septic Tank Size based on Bedrooms	1500	gal
Design Septic Tank Size	3634	gal

Fixture Units Summary

Total Existing Fixture Units	37	
Total Fixture Units	37	
Dwelling Units Summary		
Number of Existing Dwelling Units	1	
Existing Bedroom Summary		
Number of Existing Bedrooms	4	bedrooms
Number of Existing Master Bedrooms	1	bedrooms
Number of Existing Standard Bedrooms	3	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Existing (Qe)		
Peak Flow, Qpf	750	gpd
Average Flow, Qta	500	gpd
Design Flow, Qpf	750	gpd

OWTS Capacity (Design and Maximum)

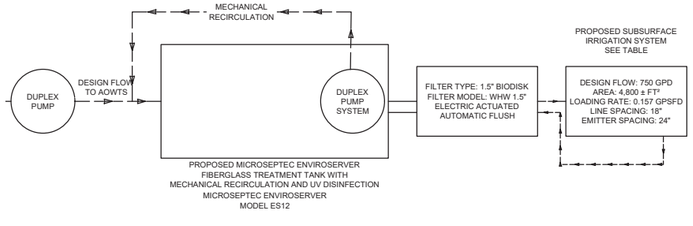
Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	I-MicroSepTec ES12	3,634 gallons	37 fixture units	105 fixture units
Treatment (Organic Capacity)	I-MicroSepTec ES12	2.00 lb BOD5/day	750 gpd at 220 mg/L BOD5	1200 gpd at 220 mg/L BOD5
Disinfection	I-MicroSepTec ES12		750 gpd	1,200 gpd
Subsurface Irrigation Dispersal	Subsurface Irrigation	4800 square feet at 0.157 gallons per square foot per day	750 gpd	2,064 gpd

MicroSepTec Design

Design Flow	750	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	1.25	lb BOD5
MicroSepTec Model Specified	ES12	
MicroSepTec Tank Volume	3634	gal
MicroSepTec ES12 Base Organic Removal (1)	2.00	lb BOD5
Minimum Number of MicroSepTec ES12 Required	1	units
Design Organic Removal	2.00	lb BOD5
Design Tank Volume	3634	gal
Maximum Effluent Flow Based on Organic loading	1200	gpd
Maximum Effluent Flow Based on Hydraulic Loading	1200	gpd
Maximum Fixtures Based on Design Tank Volume	105	

Drip Distribution Calculations

Design Subsurface Irrigation Loading (Application) Rate, I	0.430	gpsfd
Minimum Square Feet of Leaching Area Required, Q/I	1745	s.f.
Design Square Feet of leaching Area from Site Plan, A	4800	s.f.
Actual Loading Rate (Application), $L_A = Q/A$	0.157	gpsfd
Maximum Effluent Capacity, $Q_{MAX} = AxI$	2064	gpsfd
Design Safetey Factor, H	12	



PROPOSED MICROSEPTEC ENVIROSERVER
FIBERGLASS TREATMENT TANK WITH
MECHANICAL RECIRCULATION AND UV DISINFECTION
MICROSEPTEC ENVIROSERVER
MODEL ES12

PIPING SCHEDULE

TAG	DESCRIPTION	SPECIFICATION
GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
PAL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC
PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
RCRC	RECIRCULATION RETURN LINE	1½" SCH80 PVC
SDH	SUBSURFACE DISPERSAL HEADER	1½" SCH80 PVC
SDF	SUBSURFACE DISPERSAL FLUSH	1½" SCH80 PVC
SDL	SUBSURFACE DRIP LINE	½ GPH GEOFLOW WFPC16-2-24

EQUIPMENT SCHEDULE

ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1		CONNECTION TO BUILDING SEWER[1]	
2		GRAVITY CLEAN-OUT AND BACKWATER VALVE[1]	INDUSTRIAL BACKWATER VALVE (SPEARS MODEL S475P FOR 4") 8" I.D. VALVE BOX (CHRISTY MODEL F08)
3		TREATMENT TANK[1][2]	MICROSEPTEC
4		AIR COMPRESSOR[1][2]	MICROSEPTEC
5		REMOTE TELEMETRY CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES[1][2]	MICROSEPTEC
6		CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES[1][2]	GEOFLOW
7		DUPLEX PUMP SYSTEM[1][2]	VARIES
8		DISPERSAL FIELD HEADWORKS[1][2]	GEOFLOW HEADWORKS ASSEMBLY WHW 1.5" DISKFILTER AUTOMATIC FLUSH
9		AIR VENT/VACUUM RELIEF ASSEMBLY[1][2]	GEOFLOW PART NUMBER APVBK
10		VENT ASSEMBLY[1][2]	MICROSEPTEC
[1]		ALL PLUMBING APPURTENANCES AND WORK SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE PLUMBING CODES. APPURTENANCES AND WORK INCLUDE, BUT ARE NOT LIMITED TO; CONNECTION TO BUILDING PLUMBING, VENTILATION, ISOLATION, BACKWATER VALVES, CLEANOUTS, AND FITTINGS.	
[2]		ALL ELECTRICAL APPURTENANCES INCLUDING BUT NOT LIMITED TO; CONDUIT, CONDUCTOR, CONTROL PANELS, CONTACTORS, FLOATS, PUMPS, DISCONNECTS, AND COMMUNICATION DEVICES SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE ELECTRICAL CODE AND CURRENT NATIONAL ELECTRIC CODE. CONDUIT AND CONDUCTOR RUNS AND SIZING SHOWN ON PLAN ARE FOR ALIGNMENT AND COST ESTIMATION. ELECTRICAL CONTRACTOR SHALL SPECIFY ALL ELECTRICAL APPURTENANCES. CONTROL AND POWER CONDUCTORS SHALL BE PLACED IN SEPARATE CONDUIT	

LEGEND

B-XX	BORING LOCATION
TP-XX	TEST PIT LOCATION
PA-XX	EXISTING SEEPAGE PIT TO BE ABANDONED (SEE GENERAL NOTE 1)
	PROPOSED DISPERSAL FIELD
	EXISTING OWTS TO BE ABANDONED (SEE GENERAL NOTE 1)
	BUILDINGS AND STRUCTURES
	DRIVEWAY
	HARDSCAPE

FINAL FOR APPROVAL
ISSUED
10/26/2022

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU
7479 CAMELITA AVE.
ATASCADERO, CA 93422
Tel: 805.772.0150
Fax: 805.772.0813
ENSITU@ensitu.com

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

REVISIONS

NO.	DATE	BY

5742 BUSCH DRIVE AOWTS CONFORMANCE REVIEW
DESIGN PLANS
CR-SITE PLANS AND TABLES 11x17
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP. 06.2024
CIVIL
STATE OF CALIFORNIA

DATE: 10/26/2022
DESIGNED BY: KCY
DRAWN BY: KCY
CHECKED BY: JNY

JOB NO. 600-14

SHEET 1 OF 1

Project Engineer: John N Yaroslaski PE# 60149
Project Name: Busch Drive 600-14 5742 Busch Drive\Engineering\Cad Design\600-14.010 5742 Busch Drive PWCR-01.dwg
CREATION TIME: Thursday, October 27, 2022 1:06:08 PM
MOD. TIME: Thursday, October 27, 2022 1:06:08 PM
PLOT TIME: Thursday, October 27, 2022 1:10:08 PM

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:	January 25, 2023	**Review Log #:**	**4983**
Site Address:	5742 Busch Drive		
Lot/Tract/PM #:		**Planning #:**	**ACDP 22-055**
Applicant/Contact:	Zach Adams, z.adams@jsinnovative.net	**BPC/GPC #:**	
Contact Phone #:	805-987-7747 **Fax #:**	**Planner:**	**Coli Turner**
Project Type:	New Onsite Wastewater Treatment System (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	Land Phases, Inc. (Holt, CEG 2282, CHG 816): 8-5-2022, **10-31-2022** EnSitu Engineering, Inc. (Yaroslaski, RCE 60149): 9-9-2022, **10-27-2022** OWTS Conformance Review Design Plan prepared by EnSitu Engineering dated **October 26, 2022**
Previous Reviews:	10-17-2022; Ref: Environmental Health Review Sheet dated 10-6-2022

Review Findings

Administrative Coastal Development Permit Review

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

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

OWTS Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

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

☐ The OWTS plans are **NOT COMPLETE** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage completion.

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.

Remarks:

The referenced OWTS design report, supporting geologic report, and OWTS conformance review design plan was reviewed by the City's consultants from a geotechnical perspective. Based on the submitted information, the single-family residence will be serviced by a new advanced onsite wastewater treatment system (OWTS) consisting of a 3,634-gallon MicroSepTec EnviroServer ES12 treatment tank system with UV disinfection and a subsurface irrigation dispersal field totaling 4,800 square feet in one zone. The design flow is 750 gpd and the the loading rate to the dispersal area shall be 0.157 gpsf/d. The maximum design loading rate is 0.43 gpsf/d. Groundwater was encountered in boring B-1 at 9.5 feet below grade (approximate elevation of 296.5 feet).

The existing septic tank and seepage pits will be properly abandoned upon their location on the property.

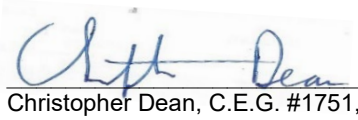
Review Comments:

No additional comments

Building Plan-Check Stage Review Comments:

1. Please submit a fee of $696.00 to City geotechnical staff for final building plan check review.
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 e-stamped and e-signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall.

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

Engineering Geology Review by: 

Christopher Dean, C.E.G. #1751, Exp. 9-30-2024
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

1-25-2023
Date

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

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

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

City Of Malibu
23825 Stuart Ranch Road
Malibu, 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. 22-055 - An application for the abandonment of an existing onsite wastewater treatment system (OWTS) and to construct a new (replacement) OWTS

LOCATION / APN:	**5742 Busch Dr** / 4467-026-017
ZONING:	Rural Residential, Two-Acre (RR-2)
APPLICANT / OWNERS:	JS Innovative Systems Inc / Scott E. & Marla Y. Weiss
APPEALABLE TO:	Planning Commission
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(d), 15304(f), and 15302(c)
APPLICATION FILED:	September 14, 2022
CASE PLANNER:	Alexander da Silva, Associate Planner, adasilva@malibucity.org (310) 456-2489, ext. 314

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 14, 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 July 20, 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 14, 2026, the appeal period would expire on Friday, July 24, 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: June 25, 2026

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

COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF DECISION



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

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.3.

To: Chair Peak and Members of the Planning Commission

Prepared by: Adriana Grogan, Assistant Planner

Reviewed by: Fletcher Allen, Senior Planner

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

Date prepared: July 9, 2026 Meeting date: July 20, 2026

Subject: 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

RECOMMENDED ACTION: Receive and file the Community Development Director's report on Formula Retail Clearance (FRC) No. 26-007 (Attachment 1).

DISCUSSION: This agenda item is for informational and reporting purposes only. In March 2018, the City Council adopted Ordinance No. 431(a) regulating formula retail in commercial shopping centers. The Ordinance went into effect on April 12, 2018, establishing Malibu Municipal Code (MMC) Chapter 17.61 (Formula Retail Clearance).

The ordinance sets forth a ministerial[1] process by which a tenant with a non-exempt formula retail business receives approval from the Community Development Director to locate within a shopping center. MMC Section 17.61.030(C) states that all FRCs approved by the Community Development Director shall be noticed and reported to the Planning Commission within 30 days of issuance, and that the approval shall become final two days after the clearance is reported to the Commission, unless rescinded by the Director.

[1] A ministerial process is one in which there is no discretion on the part of the decision-maker in the application of the standards.

MMC Section 17.61.020 – Applicability

An FRC is required for new Formula Retail establishments or existing Formula Retail establishments that relocate to a new tenant space or expand by 200 square feet or more of gross floor area[2] (GFA), except for the following which are exempt:

1. Grocery
2. Drug stores/pharmacies
3. Gas stations
4. Banks and financial services
5. Real estate offices
6. Movie theaters
7. Postal services offices
8. Medical offices

The subject FRC is for Jenni Kayne, a retail clothing store, which is a non-exempt use. Furthermore, Jenni Kayne currently has 31 locations worldwide. These aspects qualify Jenni Kayne as Formula Retail under the MMC.

MMC Section 17.61.030(B) – FRC Criteria for Issuance

The Community Development Director shall issue an FRC if the Formula Retail use complies with the following requirements:

1. *The location does not exceed 4,000 square feet of gross floor area.* The proposed tenant space is 2,467 square feet of gross floor area, which complies with this requirement.

2. *Issuing the FRC will not result in (a) non-exempt formula retail establishments occupying more than 30 percent of the total gross floor area of a shopping center excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8) only; or (b) where the shopping center is more than one floor, non-exempt Formula Retail establishments occupying more than 40 percent of the total gross floor area of the ground floor of the shopping center, excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8).*

   The ordinance provides the following formula:

(Gross floor area - floor area of exempt formula retail)	X 0.30 =	Allowable non-exempt formula retail
	X 0.70 =	Required non-formula retail

[2] Gross floor area (GFA) means the sum of the gross horizontal areas of the several floors of a building measured from the interior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet.

The Cross Creek Ranch shopping center has 10 buildings comprised of both one- and two-stories, and over 37 units, totaling 111,489 square feet of total gross floor area (GFA). The calculations shown below in Table 1 demonstrate that the proposed Formula Retail Use complies with all appropriate criteria:

Table 1
Cross Creek Ranch Shopping Center – Compliance Table
Proposed 2,467 sq. ft. Non-exempt Tenant (Unit 720)

Overall Shopping Center		
Total GFA of existing shopping center	1st floor: 90,303 sq. ft. 2nd floor: 21,186 sq. ft. Total: 111,489 sq. ft.	
Total exempt formula retail	0 sq. ft.	
30% Calculation	Total: 111,489 sq. ft. Exempt: - 0 sq. ft. 111,489 sq. ft. Allowable: 111,489 sq. ft. x .30 = **33,446.70 sq. ft.**	
Non-exempt formula retail GFA		
Proposed Formula Retail		
Tenant (Suite No.)	Square Footage	Comments
Jenni Kayne (720)	**---- SUBJECT APPLICATION ---2,467**	***Proposed on 7/20/2026***
Vuori (730)	3,866	*Proposed on 7/20/2026*
LoveShackFancy (340)	1,850	*Proposed on 7/20/2026*
Existing Formula Retail		
Brandy Melville (350)	1,525	*Approved on 4/20/2026*
Malbon (470)	1,573	*Approved on 4/20/2026*
Restoration Hardware (610-630)	2,613	*Approved on 4/20/2026*
Birkenstock (850)	2,528	*Approved on 4/20/2026*
KITH (110)	3,996	*Approved on 2/20/2024*
KITH Treats (120)	719	*Approved on 2/13/2024*
Frankies Bikinis (330)	863	**Grown into FRC*
Le Labo (360)	1,354	*Approved on 2/14/2024*
Ray-Ban (395)	1,190	*Approved on 2/14/2024*
Zadig & Voltaire (450)	1,805	*Approved on 9/10/2024*
Frame 460)	1,808	*Approved on 9/10/2024*
Pura Vida Miami (705)	2,469	*Approved on 4/15/2024*
Jenni Kayne (710)	1,857	*Approved on 4/15/2024*
TOTAL Existing FR	**23,950**	
TOTAL FR with subject application	26,417	*Complies (less than 33,447 sq. ft)*
TOTAL FR with all proposed tenants on 7/20/2026	32,133	*Complies (less than 33,447 sq. ft)*

**By June 2026, Frankies Bikinis has grown to at least 11 locations worldwide.*

"Grown Into Formula Retail"

As shown in the table above, the Cross Creek Ranch shopping center, along with other shopping centers in Malibu, will experience existing stores that "grow into Formula Retail" as is the case with Frankies Bikinis. When Frankies Bikinis came to Malibu it was approved under a regular Planning Clearance because they did not meet the criteria for Formula Retail under the MMC, specifically because they did not have more than 10 locations worldwide. Frankies Bikinis is now being counted as Formula Retail for the purposes of this application.

The Formula Retail Ordinance is not based on new businesses that obtain a Formula Retail Clearance per se, it is a snapshot of existing conditions of the shopping center's businesses at the time an application is processed by the City (See Formula Retail Definition MMC Section 17.02). Although this application complies with the Formula Retail Ordinance for the shopping center based on existing conditions, there may be instances where the shopping center has stores that grow into (and out of) Formula Retail based on stores constantly opening and closing worldwide. As a result, the number of existing Formula Retail stores within any given shopping center in Malibu will fluctuate over time even if the existing businesses remain in their current spaces within the shopping center.

PUBLIC NOTICE: This item was posted on the July 20, 2026, Regular Planning Commission Meeting agenda.

ATTACHMENTS:

1. FRC No. 26-007 Application
2. Tenant List
3. Site Plan

FRC No. 26-007

City of Malibu

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

FORMULA RETAIL CLEARANCE APPLICATION

The City of Malibu will not accept incomplete applications

General Information

PROPERTY ADDRESS: 23465 Civic Center Way, Malibu CA 90265 **Unit #** Suite 720

BUSINESS NAME: Jenni Kayne

APPLICANT / CONTACT [redacted] **Last:** Mauge

APPLICANT ADDRESS: [redacted] **TY:** Santa Monica **STATE:** CA **ZIP:** 90401

APPLICANT PHONE #: [redacted] **APPLICANT EMAIL:** tmauge@pacequity.com

PROPERTY OWNER: Cross Creek Ranch Malibu, LLC

Fees

❑ **Formula Retail Clearance** $_____

Formula Retail

1. **DOES THE PROPOSED RETAIL SERVICE CURRENTLY HAVE 1O OR MORE OPERATIONAL RETAIL ESTABLISHMENTS WORLDWIDE AND MAINTAIN TWO OR MORE OF THE FOLLOWING FEATURES LISTED BELOW?** ☑ YES ☐ NO

   If yes, circle the applicable feature below.

   a. Standardized array of merchandise or menu
   b. Standardized color scheme
   c. Standardized décor
   d. Standardized signage
   e. Standardized layout
   f. Standardized signage, service mark or trademark
   g. Uniform apparel

2. **WILL THE PROPOSED LOCATION EXCEED 4,000 SQUARE FEET OF GROSS FLOOR AREA?**

   ❒ YES ■ NO

3. **PROPOSED BUSINESS:** ■ NEW BUSINESS ❒ OTHER: _____

4. **BUSINESS DESCRIPTION (PROVIDE ADDITIONAL PAGES IF NECESSARY):**
   See attached.

ATTACHMENT 1

5. **TOTAL GROSS FLOOR AREA OF SHOPPING CENTER:** 111,489 sf

6. **PROPOSED FLOOR AREA:** 2,467 sf

***ISSUING THE FRC WILL *NOT RESULT IN (A)* NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPYING MORE THAN 30 PERCENT OF THE TOTAL GROSS FLOOR ARE OF A SHOPPING CENTER EXCLUDING THE FLOOR AREA OCCUPIED BY EXEMPT FORMULA RETAIL DEFINED IN 17.66.020(A)(1)-(8) ONLY, OR (B), WHERE THE SHOPPING CENTER IS MORE THAN ONE FLOOR, NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPY MORE THAN 40 PERCENT OF TOTAL GROSS FLOOR AREA OF THE GROUND FLOOR OF THE SHOPPING CENTER.**

REPORT TO PLANNING COMMISSION

All formula retail clearances approved by the Planning Director shall be noticed and reported to the Planning Commission within 30 days of issuance. Such report shall include all calculations and descriptions of businesses used in making the determination. The approval shall become final two days after the clearance is reported to the Planning Commission, unless rescinded by the Planning Director.

ADDITIONAL PERMITS

Approval of this Formula Retail Clearance is to clear the tenant space to be occupied by a formula retail establishment. It does not eliminate the need for other permits, licenses, or certificates required. Additional permits may be required (e.g., Health Permit, Certificate of Occupancy, Sign Permit, Tenant Improvement Permit, Temporary Use Permit, Conditional Use Permit, etc.). See the Department of Environmental Sustainability to verify which construction permits may be required.

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
		6/15/26

APPLICANT STATEMENT

I hereby certify under penalty of perjury that I have read and understand all of the sections above and that the information provided on this form is true and correct to the best of my knowledge. I also state that I have read and familiarized myself with the portions of the Malibu Municipal Code which apply to my business in this location. I agree to comply with these regulations and any other local, state, and federal regulation that my relation to this proposed business.

Property Owner, or Applicant Signature: _____ Date: 6/15/26

Staff Use Only

FORMULA RETAIL CALCULATION

PROPOSED FORMULA RETAIL FLOOR AREA: 2,467

EXEMPT FORMULA RETAIL FLOOR AREA: 0

SHOPPING CENTER **TOTAL** GROSS FLOOR AREA: **1st FLOOR:** 30,303 **2nd FLOOR:** 21,186 **TOTAL:** 111,489

TOTAL GFA: 111,489 - 0 **EXEMPT FORMULA RETAIL =** 111,489

111,489 **x 30% =** 33,446 **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): 26,417 **COMPLIES** ■ YES ❒ NO

SHOPPING CENTER - GROSS FLOOR AREA OF **FIRST FLOOR**:

TOTAL GFA FIRST FLOOR: _____ - _____ **EXEMPT FORMULA RETAIL =** _____

_____ **x 40% =** _____ **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): _____ **COMPLIES** ■ YES ❒ NO

Approved FRC: *Fletcher Allen for* Adriana Grogan — **Date:** 7/8/2026
Planning Staff

NOT Approved for FRC: _____ — **Date:** _____
Planning Staff

Reason not approved or additional information required:

_____

_____

_____

Cross Creek Ranch

23465 Civic Center Way, Malibu, CA 90265

111,489 SF Total

July 1, 2026

Tenant Space	Business Name	# of other stores World***	Operational at CCR	Leasable SF	Exempt Retail	Settlement Agreement Formula Retail - 20%	Settlement Agreement Formula RSF	Settlement Agreement Formula as GLA %	Formula Retail Ordinance - 30%	Formula Retail Ordinance RSF	Formula Retail Ordinance as GLA %
110	KITH	10+	1	3,996		Yes	3,996	3.58%	No	-	0.00%
120	KITH Treats	10+	1	719		Yes	719	0.64%	No	-	0.00%
210	Clark's Oyster Bar	5	1	3,016		No	-	0.00%	No	-	0.00%
220				1,476			-	0.00%		-	0.00%
230	WGACA	3	0	1,441		No	-	0.00%	No	-	0.00%
240	Bomane	1	0	1,606		No	-	0.00%	No	-	0.00%
310	Sunroom	0	1	870		No	-	0.00%	No	-	0.00%
320				714			-	0.00%		-	0.00%
330	Frankies Bikinis**	10	1	863		No	-	0.00%	Yes	863	0.77%
340	LoveShackFancy	10+	0	1,850		No	-	0.00%	Yes	1,850	1.66%
350	Brandy Melville	10+	1	1,525		No	-	0.00%	Yes	1,525	1.37%
360	Le Labo	10+	1	1,354		Yes	1,354	1.21%	No	-	0.00%
370	The Shop by Wheat***	9	1	1,520		No	-	0.00%	No	-	0.00%
380	Guest in Residence	2	0	1,293		No	-	0.00%	No	-	0.00%
390				1,294			-	0.00%		-	0.00%
395	Ray-Ban	10+	1	1,190		Yes	1,190	1.07%	No	-	0.00%
410	Chit Chat Coffee + Matcha	2	0	510		No	-	0.00%	No	-	0.00%
420	The Great	8	1	1,587			-	0.00%	No	-	0.00%
430	California Incline	0	1	581		No	-	0.00%	No	-	0.00%
440				593			-	0.00%		-	0.00%
450	Zadig & Voltaire	10+	1	1,805		Yes	1,805	1.62%	No	-	0.00%
460	Frame	10+	1	1,808		Yes	1,808	1.62%	No	-	0.00%
470	Malbon	10+	0	1,573		No	-	0.00%	Yes	1,573	1.41%
480 - 490	Madeo Mare	0	0	3,308		No	-	0.00%	No	-	0.00%
610 - 630	RH	10+	0	2,613		No	-	0.00%	Yes	2,613	2.34%
705	Pura Vida Miami	10+	1	2,469		Yes	2,469	2.21%	No	-	0.00%
710	Jenni Kayne	10+	0	1,507		Yes	1,507	1.35%	No	-	0.00%
720	Jenni Kayne	10+	0	2,467		No	-	0.00%	Yes	2,467	2.21%
730	Vuori	10+	0	3,866		No	-	0.00%	Yes	3,866	3.47%
740				3,897			-	0.00%		-	0.00%
750 - 760	Wally's	3	1	2,580		No	-	0.00%	No	-	0.00%
810 - 820	Velvet	9	1	1,816		No	-	0.00%	No	-	0.00%
830	Be Kind Studios	2	1	1,994		No	-	0.00%	No	-	0.00%
840	O2 Aspen	1	0	982		No	-	0.00%	No	-	0.00%
850	Birkenstock	10+	0	2,528		No	-	0.00%	Yes	2,528	2.27%
860	Madhappy	6	1	2,382		No	-	0.00%	No	-	0.00%
870	Alexander Design Workshop	0	0	1,501		No	-	0.00%	No	-	0.00%
Building 9	Industrious*	n/a	1	15,590		No	-	0.00%	No	-	0.00%
Building 10				15,598			-	0.00%		-	0.00%
Building 11				10,524			-	0.00%		-	0.00%
Storage, Restrooms, etc				2,683			-	0.00%		-	0.00%
				111,489			14,848	13.32%		17,285	15.50%

Total SF	**111,489**
Exempt SF	-
Non-Exempt SF	111,489
Percent Settlement Agreement Formula Retail Allowed	20%
Allowed Settlement Agreement Formula Retail	22,298
Current Settlement Agreement Formula Retail	14,848
Percent Formula Retail Ordinance Allowed	30%
Allowed Formula Retail Ordinance	33,447
Current Formula Retail Ordinance	17,285
TOTAL Formula Retail SqFt	32,133

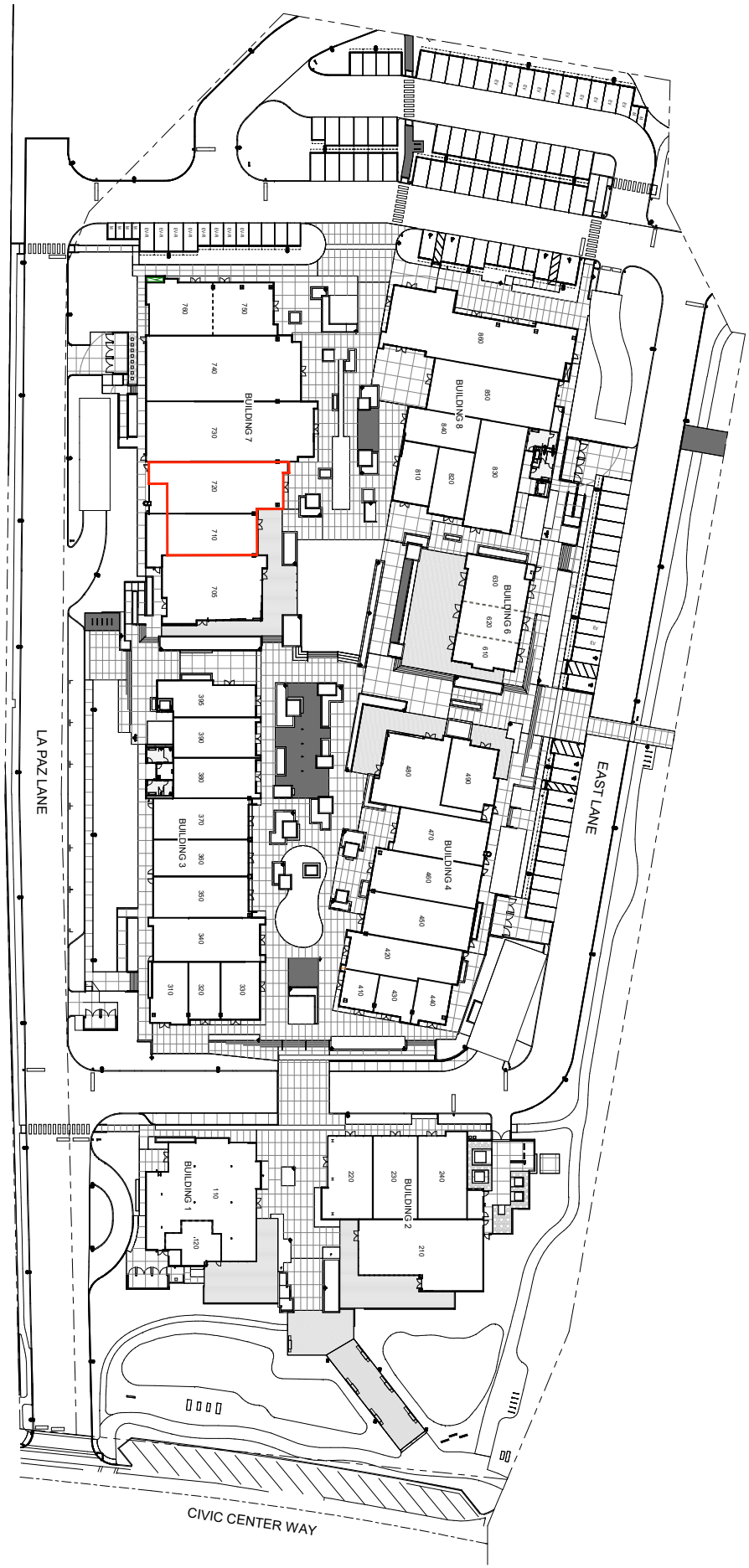
*Industrious is a coworking space leasing to small offices. None of the offices users are formula retail.

**When Frankies Bikinis opened they had less than 10 stores and were not Formula Retail. Frankies now has 10 stores and is being accounted for as Formula Retail in the 30% category.

***The Shop by Wheat was issued Formula Retail Clearance 26-005, however, they are not currently considered formula retail.

Per MMC § 17.02.060, the definition of formula retail includes "a retail establishment which, along with ten or more other existing, operational retail establishments in the world." This Column C includes the number of other existing, operational retail establishments in the world.

ATTACHMENT 2



ATTACHMENT 3

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.4.

To: Chair Peak and Members of the Planning Commission

Prepared by: Adriana Grogan, Assistant Planner

Reviewed by: Fletcher Allen, Senior Planner

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

Date prepared: July 9, 2026 Meeting date: July 20, 2026

Subject: 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

RECOMMENDED ACTION: Receive and file the Community Development Director's report on Formula Retail Clearance (FRC) No. 26-009 (Attachment 1).

DISCUSSION: This agenda item is for informational and reporting purposes only. In March 2018, the City Council adopted Ordinance No. 431(a) regulating formula retail in commercial shopping centers. The Ordinance went into effect on April 12, 2018, establishing Malibu Municipal Code (MMC) Chapter 17.61 (Formula Retail Clearance).

The ordinance sets forth a ministerial[1] process by which a tenant with a non-exempt formula retail business receives approval from the Community Development Director to locate within a shopping center. MMC Section 17.61.030(C) states that all FRCs approved by the Community Development Director shall be noticed and reported to the Planning Commission within 30 days of issuance, and that the approval shall become final two days after the clearance is reported to the Commission, unless rescinded by the Director.

MMC Section 17.61.020 – Applicability

[1] A ministerial process is one in which there is no discretion on the part of the decision-maker in the application of the standards.

An FRC is required for new Formula Retail establishments or existing Formula Retail establishments that relocate to a new tenant space or expand by 200 square feet or more of gross floor area[2] (GFA), except for the following which are exempt:

1. Grocery
2. Drug stores/pharmacies
3. Gas stations
4. Banks and financial services
5. Real estate offices
6. Movie theaters
7. Postal services offices
8. Medical offices

The subject FRC is for LoveShackFancy, a retail store, which is a non-exempt use. Furthermore, LoveShackFancy currently has 30 locations worldwide. These aspects qualify LoveShackFancy as Formula Retail under the MMC.

MMC Section 17.61.030(B) – FRC Criteria for Issuance

The Community Development Director shall issue an FRC if the Formula Retail use complies with the following requirements:

1. *The location does not exceed 4,000 square feet of gross floor area.* The proposed tenant space is 1,850 square feet of gross floor area, which complies with this requirement.

2. *Issuing the FRC will not result in (a) non-exempt formula retail establishments occupying more than 30 percent of the total gross floor area of a shopping center excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8) only; or (b) where the shopping center is more than one floor, non-exempt Formula Retail establishments occupying more than 40 percent of the total gross floor area of the ground floor of the shopping center, excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8).*

   The ordinance provides the following formula:

(Gross floor area - floor area of exempt formula retail)	X 0.30 =	Allowable non-exempt formula retail
	X 0.70 =	Required non-formula retail

[2] Gross floor area (GFA) means the sum of the gross horizontal areas of the several floors of a building measured from the interior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet.

The Cross Creek Ranch shopping center has 10 buildings comprised of both one- and two-stories, and over 37 units, totaling 111,489 square feet of total gross floor area (GFA). The calculations shown below in Table 1 demonstrate that the proposed Formula Retail Use complies with the all appropriate criteria:

Table 1 **Cross Creek Ranch Shopping Center – Compliance Table** **Proposed 1,850 sq. ft. Non-exempt Tenant (Unit 340)**		
Overall Shopping Center		
Total GFA of existing shopping center	1st floor: 90,303 sq. ft. 2nd floor: 21,186 sq. ft. Total: 111,489 sq. ft.	
Total exempt formula retail	0 sq. ft.	
30% Calculation	Total: 111,489 sq. ft. Exempt: - 0 sq. ft. 111,489 sq. ft. Allowable: 111,489 sq. ft. x .30 = **33,446.70 sq. ft.**	
Non-exempt formula retail GFA		
Proposed Formula Retail		
Tenant (Suite No.)	Square Footage	
LoveShackFancy (340)	**---- SUBJECT APPLICATION ---1,850**	***Proposed on 7/20/2026***
Jenni Kayne (720)	2,467	*Proposed on 7/20/2026*
Vuori (730)	3,866	*Proposed on 7/20/2026*
Existing Formula Retail		
Brandy Melville (350)	1,525	*Approved on 4/20/2026*
Malbon (470)	1,573	*Approved on 4/20/2026*
Restoration Hardware (610-630)	2,613	*Approved on 4/20/2026*
Birkenstock (850)	2,528	*Approved on 4/20/2026*
KITH (110)	3,996	*Approved on 2/20/2024*
KITH Treats (120)	719	*Approved on 2/13/2024*
Frankies Bikinis (330)	863	**Grown into FRC*
Le Labo (360)	1,354	*Approved on 2/14/2024*
Ray-Ban (395)	1,190	*Approved on 2/14/2024*
Zadig & Voltaire (450)	1,805	*Approved on 9/10/2024*
Frame 460)	1,808	*Approved on 9/10/2024*
Pura Vida Miami (705)	2,469	*Approved on 4/15/2024*
Jenni Kayne (710)	1,507	*Approved on 4/15/2024*
TOTAL Existing FR	**23,950**	
TOTAL FR with subject application	25,800	*Complies (less than 33,447 sq. ft)*
TOTAL FR with all proposed tenants on 7/20/2026	32,133	*Complies (less than 33,447 sq. ft)*
**By June 2026, Frankies Bikinis has grown to at least 11 locations worldwide.*		

"Grown Into Formula Retail"

As shown in the table above, the Cross Creek Ranch shopping center, along with other shopping centers in Malibu, will experience existing stores that "grow into Formula Retail" as is the case with Frankies Bikinis. When Frankies Bikinis came to Malibu it was approved under a regular Planning Clearance because they did not meet the criteria for Formula Retail under the MMC, specifically because they did not have more than 10 locations worldwide. Frankies Bikinis is now being counted as Formula Retail for the purposes of this application.

The Formula Retail Ordinance is not based on new businesses that obtain a Formula Retail Clearance per se, it is a snapshot of existing conditions of the shopping center's businesses at the time an application is processed by the City (Formula Retail Definition MMC Section 17.02). Although this application complies with the Formula Retail Ordinance for the shopping center based on existing conditions, there may be instances where the shopping center has stores that grow into (and out of) Formula Retail based on stores constantly opening and closing worldwide. As a result, the number of existing Formula Retail stores within any given shopping center in Malibu will fluctuate over time even if the existing businesses remain in their current spaces within the shopping center.

PUBLIC NOTICE: This item was posted on the July 20, 2026 Regular Planning Commission Meeting agenda.

ATTACHMENTS:

1. FRC No. 26-009 Application
2. Tenant List
3. Site Plan

FRC No. 26-009

City of Malibu

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

FORMULA RETAIL CLEARANCE APPLICATION

The City of Malibu will not accept incomplete applications

General Information

PROPERTY ADDRESS: 23465 Civic Center Way, Malibu CA 90265 **Unit #** Suite 340

BUSINESS NAME: LoveShackFancy

APPLICANT / CONTACT: First: [redacted] **Last:** Mauge

APPLICANT ADDRESS [redacted] **TY:** Santa Monica **STATE:** CA **ZIP:** 90401

APPLICANT PHONE # [redacted] **APPLICANT EMAIL:** tmauge@pacequity.com

PROPERTY OWNER: Cross Creek Ranch Malibu, LLC

Fees

❑ **Formula Retail Clearance** $_____

Formula Retail

1. **DOES THE PROPOSED RETAIL SERVICE CURRENTLY HAVE 1O OR MORE OPERATIONAL RETAIL ESTABLISHMENTS WORLDWIDE AND MAINTAIN TWO OR MORE OF THE FOLLOWING FEATURES LISTED BELOW?** ☑ YES ☐ NO

   If yes, circle the applicable feature below.

   a. Standardized array of merchandise or menu
   b. Standardized color scheme
   c. Standardized décor
   d. Standardized signage
   e. Standardized layout
   f. Standardized signage, service mark or trademark
   g. Uniform apparel

2. **WILL THE PROPOSED LOCATION EXCEED 4,000 SQUARE FEET OF GROSS FLOOR AREA?**

   ❒ YES ■ NO

3. **PROPOSED BUSINESS:** ■ NEW BUSINESS ❒ OTHER: _____

4. **BUSINESS DESCRIPTION (PROVIDE ADDITIONAL PAGES IF NECESSARY):**
   Retail Sales of Apparel, Home, Beauty, and Accessories.

ATTACHMENT 1

5. **TOTAL GROSS FLOOR AREA OF SHOPPING CENTER:** 111,489 sf

6. **PROPOSED FLOOR AREA:** 1,850 sf

***ISSUING THE FRC WILL *NOT RESULT IN (A)* NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPYING MORE THAN 30 PERCENT OF THE TOTAL GROSS FLOOR ARE OF A SHOPPING CENTER EXCLUDING THE FLOOR AREA OCCUPIED BY EXEMPT FORMULA RETAIL DEFINED IN 17.66.020(A)(1)-(8) ONLY, OR (B), WHERE THE SHOPPING CENTER IS MORE THAN ONE FLOOR, NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPY MORE THAN 40 PERCENT OF TOTAL GROSS FLOOR AREA OF THE GROUND FLOOR OF THE SHOPPING CENTER.**

REPORT TO PLANNING COMMISSION

All formula retail clearances approved by the Planning Director shall be noticed and reported to the Planning Commission within 30 days of issuance. Such report shall include all calculations and descriptions of businesses used in making the determination. The approval shall become final two days after the clearance is reported to the Planning Commission, unless rescinded by the Planning Director.

ADDITIONAL PERMITS

Approval of this Formula Retail Clearance is to clear the tenant space to be occupied by a formula retail establishment. It does not eliminate the need for other permits, licenses, or certificates required. Additional permits may be required (e.g., Health Permit, Certificate of Occupancy, Sign Permit, Tenant Improvement Permit, Temporary Use Permit, Conditional Use Permit, etc.). See the Department of Environmental Sustainability to verify which construction permits may be required.

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
		6/15/26

APPLICANT STATEMENT

I hereby certify under penalty of perjury that I have read and understand all of the sections above and that the information provided on this form is true and correct to the best of my knowledge. I also state that I have read and familiarized myself with the portions of the Malibu Municipal Code which apply to my business in this location. I agree to comply with these regulations and any other local, state, and federal regulation that my relation to this proposed business.

Property Owner, or Applicant Signature: _____ Date: 6/15/26

Staff Use Only

FORMULA RETAIL CALCULATION

PROPOSED FORMULA RETAIL FLOOR AREA: 1,850

EXEMPT FORMULA RETAIL FLOOR AREA: 0

SHOPPING CENTER **TOTAL** GROSS FLOOR AREA: **1st FLOOR:** 30,303 **2nd FLOOR:** 21,186 **TOTAL:** 111,489

TOTAL GFA: 111,489 - 0 **EXEMPT FORMULA RETAIL =** 111,489

111,489 **x 30% =** 33,446 **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): 25,800 **COMPLIES** ■ YES ❒ NO

SHOPPING CENTER - GROSS FLOOR AREA OF **FIRST FLOOR:**

TOTAL GFA FIRST FLOOR: _____ - _____ **EXEMPT FORMULA RETAIL =** _____

_____ **x 40% =** _____ **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): _____ **COMPLIES** ■ YES ❒ NO

Approved FRC: *Fletcher Allen for* Adriana Grogan — **Date:** 7/8/2026
Planning Staff

NOT Approved for FRC: _____ — **Date:** _____
Planning Staff

Reason not approved or additional information required:

_____

_____

_____

Cross Creek Ranch

23465 Civic Center Way, Malibu, CA 90265

111,489 SF Total

July 1, 2026

Tenant Space	Business Name	# of other stores World***	Operational at CCR	Leasable SF	Exempt Retail	Settlement Agreement Formula Retail - 20%	Settlement Agreement Formula RSF	Settlement Agreement Formula as GLA %	Formula Retail Ordinance - 30%	Formula Retail Ordinance RSF	Formula Retail Ordinance as GLA %
110	KITH	10+	1	3,996		Yes	3,996	3.58%	No	-	0.00%
120	KITH Treats	10+	1	719		Yes	719	0.64%	No	-	0.00%
210	Clark's Oyster Bar	5	1	3,016		No	-	0.00%	No	-	0.00%
220				1,476			-	0.00%		-	0.00%
230	WGACA	3	0	1,441		No	-	0.00%	No	-	0.00%
240	Bomane	1	0	1,606		No	-	0.00%	No	-	0.00%
310	Sunroom	0	1	870		No	-	0.00%	No	-	0.00%
320				714			-	0.00%		-	0.00%
330	Frankies Bikinis**	10	1	863		No	-	0.00%	Yes	863	0.77%
340	LoveShackFancy	10+	0	1,850		No	-	0.00%	Yes	1,850	1.66%
350	Brandy Melville	10+	1	1,525		No	-	0.00%	Yes	1,525	1.37%
360	Le Labo	10+	1	1,354		Yes	1,354	1.21%	No	-	0.00%
370	The Shop by Wheat***	9	1	1,520		No	-	0.00%	No	-	0.00%
380	Guest in Residence	2	0	1,293		No	-	0.00%	No	-	0.00%
390				1,294			-	0.00%		-	0.00%
395	Ray-Ban	10+	1	1,190		Yes	1,190	1.07%	No	-	0.00%
410	Chit Chat Coffee + Matcha	2	0	510		No	-	0.00%	No	-	0.00%
420	The Great	8	1	1,587			-	0.00%	No	-	0.00%
430	California Incline	0	1	581		No	-	0.00%	No	-	0.00%
440				593			-	0.00%		-	0.00%
450	Zadig & Voltaire	10+	1	1,805		Yes	1,805	1.62%	No	-	0.00%
460	Frame	10+	1	1,808		Yes	1,808	1.62%	No	-	0.00%
470	Malbon	10+	0	1,573		No	-	0.00%	Yes	1,573	1.41%
480 - 490	Madeo Mare	0	0	3,308		No	-	0.00%	No	-	0.00%
610 - 630	RH	10+	0	2,613		No	-	0.00%	Yes	2,613	2.34%
705	Pura Vida Miami	10+	1	2,469		Yes	2,469	2.21%	No	-	0.00%
710	Jenni Kayne	10+	0	1,507		Yes	1,507	1.35%	No	-	0.00%
720	Jenni Kayne	10+	0	2,467		No	-	0.00%	Yes	2,467	2.21%
730	Vuori	10+	0	3,866		No	-	0.00%	Yes	3,866	3.47%
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Building 9	Industrious*	n/a	1	15,590		No	-	0.00%	No	-	0.00%
Building 10				15,598			-	0.00%		-	0.00%
Building 11				10,524			-	0.00%		-	0.00%
Storage, Restrooms, etc				2,683			-	0.00%		-	0.00%
				111,489			14,848	13.32%		17,285	15.50%

Total SF	**111,489**
Exempt SF	-
Non-Exempt SF	111,489
Percent Settlement Agreement Formula Retail Allowed	20%
Allowed Settlement Agreement Formula Retail	22,298
Current Settlement Agreement Formula Retail	14,848
Percent Formula Retail Ordinance Allowed	30%
Allowed Formula Retail Ordinance	33,447
Current Formula Retail Ordinance	17,285
TOTAL Formula Retail SqFt	32,133

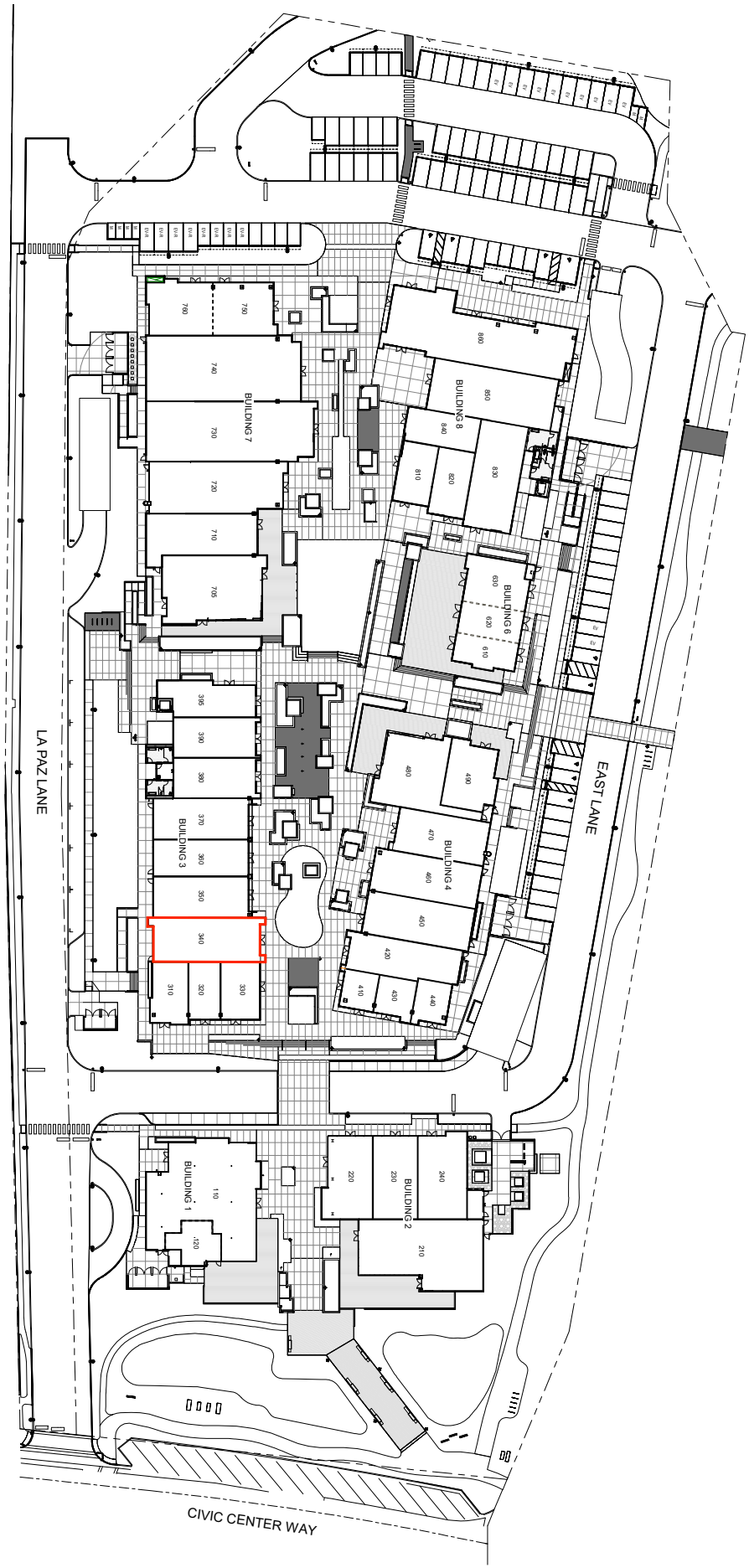
*Industrious is a coworking space leasing to small offices. None of the offices users are formula retail.

**When Frankies Bikinis opened they had less than 10 stores and were not Formula Retail. Frankies now has 10 stores and is being accounted for as Formula Retail in the 30% category.

***The Shop by Wheat was issued Formula Retail Clearance 26-005, however, they are not currently considered formula retail.

Per MMC § 17.02.060, the definition of formula retail includes "a retail establishment which, along with ten or more other existing, operational retail establishments in the world." This Column C includes the number of other existing, operational retail establishments in the world.

ATTACHMENT 2



ATTACHMENT 3

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.5.

To: Chair Peak and Members of the Planning Commission

Prepared by: Adriana Grogan, Assistant Planner

Reviewed by: Fletcher Allen, Senior Planner

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

Date prepared: July 9, 2026 Meeting date: July 20, 2026

Subject: 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

RECOMMENDED ACTION: Receive and file the Community Development Director's report on Formula Retail Clearance (FRC) No. 26-010 (Attachment 1).

DISCUSSION: This agenda item is for informational and reporting purposes only. In March 2018, the City Council adopted Ordinance No. 431(a) regulating formula retail in commercial shopping centers. The Ordinance went into effect on April 12, 2018, establishing Malibu Municipal Code (MMC) Chapter 17.61 (Formula Retail Clearance).

The ordinance sets forth a ministerial[1] process by which a tenant with a non-exempt formula retail business receives approval from the Community Development Director to locate within a shopping center. MMC Section 17.61.030(C) states that all FRCs approved by the Community Development Director shall be noticed and reported to the Planning Commission within 30 days of issuance, and that the approval shall become final two days after the clearance is reported to the Commission, unless rescinded by the Director.

[1] A ministerial process is one in which there is no discretion on the part of the decision-maker in the application of the standards.

MMC Section 17.61.020 – Applicability

An FRC is required for new Formula Retail establishments or existing Formula Retail establishments that relocate to a new tenant space or expand by 200 square feet or more of gross floor area[2] (GFA), except for the following which are exempt:

1. Grocery
2. Drug stores/pharmacies
3. Gas stations
4. Banks and financial services
5. Real estate offices
6. Movie theaters
7. Postal services offices
8. Medical offices

The subject FRC is for Vuori, a retail athleticwear store, which is a non-exempt use. Furthermore, Vuori currently has over 100 locations worldwide. These aspects qualify Vuori as Formula Retail under the MMC.

MMC Section 17.61.030(B) – FRC Criteria for Issuance

The Community Development Director shall issue an FRC if the Formula Retail use complies with the following requirements:

1. *The location does not exceed 4,000 square feet of gross floor area.* The proposed tenant space is 3,866 square feet of gross floor area, which complies with this requirement.

2. *Issuing the FRC will not result in (a) non-exempt formula retail establishments occupying more than 30 percent of the total gross floor area of a shopping center excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8) only; or (b) where the shopping center is more than one floor, non-exempt Formula Retail establishments occupying more than 40 percent of the total gross floor area of the ground floor of the shopping center, excluding the floor area occupied by exempt formula retail defined in MMC Section 17.61.020(A)(1-8).*

   The ordinance provides the following formula:

(Gross floor area - floor area of exempt formula retail)	X 0.30 =	Allowable non-exempt formula retail
	X 0.70 =	Required non-formula retail

[2] Gross floor area (GFA) means the sum of the gross horizontal areas of the several floors of a building measured from the interior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet.

The Cross Creek Ranch shopping center has 10 buildings comprised of both one- and two-stories, and over 37 units, totaling 111,489 square feet of total gross floor area (GFA). The calculations shown below in Table 1 demonstrate that the proposed Formula Retail Use complies with all appropriate criteria:

Table 1
Cross Creek Ranch Shopping Center – Compliance Table
Proposed 3,866 sq. ft. Non-exempt Tenant (Unit 730)

Overall Shopping Center		
Total GFA of existing shopping center	1st floor: 90,303 sq. ft. 2nd floor: 21,186 sq. ft. Total: 111,489 sq. ft.	
Total exempt formula retail	0 sq. ft.	
30% Calculation	Total: 111,489 sq. ft. Exempt: - 0 sq. ft. 111,489 sq. ft. Allowable: 111,489 sq. ft. x .30 = **33,446.70 sq. ft.**	
Non-exempt formula retail GFA		
Proposed Formula Retail		
Tenant (Suite No.)	Square Footage	Comments
Vuori (730)	**---- SUBJECT APPLICATION --- 3,866**	***Proposed on 7/20/2026***
Jenni Kayne (720)	2,467	*Proposed on 7/20/2026*
LoveShackFancy (340)	1,850	*Proposed on 7/20/2026*
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KITH (110)	3,996	*Approved on 2/20/2024*
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Frankies Bikinis (330)	863	**Grown into FRC*
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TOTAL Existing FR	**23,950**	
TOTAL FR with subject application	27,816	*Complies (less than 33,447 sq. ft)*
TOTAL FR with all proposed tenants on 7/20/2026	32,133	*Complies (less than 33,447 sq. ft)*

**By June 2026, Frankies Bikinis has grown to at least 11 locations worldwide.*

"Grown Into Formula Retail"

As shown in the table above, the Cross Creek Ranch shopping center, along with other shopping centers in Malibu, will experience existing stores that "grow into Formula Retail" as is the case with Frankies Bikinis. When Frankies Bikinis came to Malibu it was approved under a regular Planning Clearance because they did not meet the criteria for Formula Retail under the MMC, specifically because they did not have more than 10 locations worldwide. Frankies Bikinis is now being counted as Formula Retail for the purposes of this application.

The Formula Retail Ordinance is not based on new businesses that obtain a Formula Retail Clearance per se, it is a snapshot of existing conditions of the shopping center's businesses at the time an application is processed by the City (See Formula Retail Definition MMC Section 17.02). Although this application complies with the Formula Retail Ordinance for the shopping center based on existing conditions, there may be instances where the shopping center has stores that grow into (and out of) Formula Retail based on stores constantly opening and closing worldwide. As a result, the number of existing Formula Retail stores within any given shopping center in Malibu will fluctuate over time even if the existing businesses remain in their current spaces within the shopping center.

PUBLIC NOTICE: This item was posted on the July 20, 2026, Regular Planning Commission Meeting agenda.

ATTACHMENTS:

1. FRC No. 26-010 Application
2. Tenant List
3. Site Plan

FRC No. 26-010

City of Malibu

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

FORMULA RETAIL CLEARANCE APPLICATION

The City of Malibu will not accept incomplete applications

General Information

PROPERTY ADDRESS: 23465 Civic Center Way, Malibu CA 90265 **Unit #** Suite 730

BUSINESS NAME: Vuori

APPLICANT / CONTACT: First: Tierney **Last:** Mauge

APPLICANT ADDRESS: [redacted] **ITY:** Santa Monica **STATE:** CA **ZIP:** 90401

APPLICANT PHONE #: [redacted] **APPLICANT EMAIL:** tmauge@pacequity.com

PROPERTY OWNER: Cross Creek Ranch Malibu, LLC

Fees

❑ **Formula Retail Clearance** $_____

Formula Retail

1. **DOES THE PROPOSED RETAIL SERVICE CURRENTLY HAVE 1O OR MORE OPERATIONAL RETAIL ESTABLISHMENTS WORLDWIDE AND MAINTAIN TWO OR MORE OF THE FOLLOWING FEATURES LISTED BELOW?** ☑ YES ☐ NO

   If yes, circle the applicable feature below.

   a. Standardized array of merchandise or menu
   b. Standardized color scheme
   c. Standardized décor
   d. Standardized signage
   e. Standardized layout
   f. Standardized signage, service mark or trademark
   g. Uniform apparel

2. **WILL THE PROPOSED LOCATION EXCEED 4,000 SQUARE FEET OF GROSS FLOOR AREA?**

   ❒ YES ■ NO

3. **PROPOSED BUSINESS:** ■ NEW BUSINESS ❒ OTHER: _____

4. **BUSINESS DESCRIPTION (PROVIDE ADDITIONAL PAGES IF NECESSARY):**
   Vuori is a premium activewear and athleisure company that develops performance-driven app
   fitness, travel, and everyday wear, blending functionality, comfort, and modern style.

   *Vuori has 134 locations globally and 9 in Los Angeles County.

ATTACHMENT 1

5. **TOTAL GROSS FLOOR AREA OF SHOPPING CENTER:** 111,489 sf

6. **PROPOSED FLOOR AREA:** 3,866 sf

***ISSUING THE FRC WILL *NOT RESULT IN (A)* NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPYING MORE THAN 30 PERCENT OF THE TOTAL GROSS FLOOR ARE OF A SHOPPING CENTER EXCLUDING THE FLOOR AREA OCCUPIED BY EXEMPT FORMULA RETAIL DEFINED IN 17.66.020(A)(1)-(8) ONLY, OR (B), WHERE THE SHOPPING CENTER IS MORE THAN ONE FLOOR, NON-EXEMPT FORMULA RETAIL ESTABLISHMENTS OCCUPY MORE THAN 40 PERCENT OF TOTAL GROSS FLOOR AREA OF THE GROUND FLOOR OF THE SHOPPING CENTER.**

REPORT TO PLANNING COMMISSION

All formula retail clearances approved by the Planning Director shall be noticed and reported to the Planning Commission within 30 days of issuance. Such report shall include all calculations and descriptions of businesses used in making the determination. The approval shall become final two days after the clearance is reported to the Planning Commission, unless rescinded by the Planning Director.

ADDITIONAL PERMITS

Approval of this Formula Retail Clearance is to clear the tenant space to be occupied by a formula retail establishment. It does not eliminate the need for other permits, licenses, or certificates required. Additional permits may be required (e.g., Health Permit, Certificate of Occupancy, Sign Permit, Tenant Improvement Permit, Temporary Use Permit, Conditional Use Permit, etc.). See the Department of Environmental Sustainability to verify which construction permits may be required.

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
		6/15/26

APPLICANT STATEMENT

I hereby certify under penalty of perjury that I have read and understand all of the sections above and that the information provided on this form is true and correct to the best of my knowledge. I also state that I have read and familiarized myself with the portions of the Malibu Municipal Code which apply to my business in this location. I agree to comply with these regulations and any other local, state, and federal regulation that my relation to this proposed business.

Property Owner, or Applicant Signature: _____ Date: 6/15/26

Staff Use Only

FORMULA RETAIL CALCULATION

PROPOSED FORMULA RETAIL FLOOR AREA: 3,866

EXEMPT FORMULA RETAIL FLOOR AREA: 0

SHOPPING CENTER **TOTAL** GROSS FLOOR AREA: **1st FLOOR:** 90,303 **2nd FLOOR:** 21,186 **TOTAL:** 111,489

TOTAL GFA: 111,489 - 0 **EXEMPT FORMULA RETAIL =** 111,489

111,489 **x 30% =** 33,446 **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): 27,816 **COMPLIES** ■ YES ❒ NO

SHOPPING CENTER - GROSS FLOOR AREA OF **FIRST FLOOR**:

TOTAL GFA FIRST FLOOR: _____ - _____ **EXEMPT FORMULA RETAIL =** _____

_____ **x 40% =** _____ **ALLOWABLE FORMULA RETAIL**

NON-EXEMPT FORMULA RETAIL GFA (including applicant): _____ **COMPLIES** ■ YES ❒ NO

Approved FRC: *Fletcher Allen for* Adriana Grogan — Planning Staff — Date: 7/8/2026

NOT Approved for FRC: _____ — Planning Staff — Date: _____

Reason not approved or additional information required:

Cross Creek Ranch

23465 Civic Center Way, Malibu, CA 90265

111,489 SF Total

July 1, 2026

Tenant Space	Business Name	# of other stores World***	Operational at CCR	Leasable SF	Exempt Retail	Settlement Agreement Formula Retail - 20%	Settlement Agreement Formula RSF	Settlement Agreement Formula as GLA %	Formula Retail Ordinance - 30%	Formula Retail Ordinance RSF	Formula Retail Ordinance as GLA %
110	KITH	10+	1	3,996		Yes	3,996	3.58%	No	-	0.00%
120	KITH Treats	10+	1	719		Yes	719	0.64%	No	-	0.00%
210	Clark's Oyster Bar	5	1	3,016		No	-	0.00%	No	-	0.00%
220				1,476			-	0.00%		-	0.00%
230	WGACA	3	0	1,441		No	-	0.00%	No	-	0.00%
240	Bomane	1	0	1,606		No	-	0.00%	No	-	0.00%
310	Sunroom	0	1	870		No	-	0.00%	No	-	0.00%
320				714			-	0.00%		-	0.00%
330	Frankies Bikinis**	10	1	863		No	-	0.00%	Yes	863	0.77%
340	LoveShackFancy	10+	0	1,850		No	-	0.00%	Yes	1,850	1.66%
350	Brandy Melville	10+	1	1,525		No	-	0.00%	Yes	1,525	1.37%
360	Le Labo	10+	1	1,354		Yes	1,354	1.21%	No	-	0.00%
370	The Shop by Wheat***	9	1	1,520		No	-	0.00%	No	-	0.00%
380	Guest in Residence	2	0	1,293		No	-	0.00%	No	-	0.00%
390				1,294			-	0.00%		-	0.00%
395	Ray-Ban	10+	1	1,190		Yes	1,190	1.07%	No	-	0.00%
410	Chit Chat Coffee + Matcha	2	0	510		No	-	0.00%	No	-	0.00%
420	The Great	8	1	1,587			-	0.00%	No	-	0.00%
430	California Incline	0	1	581		No	-	0.00%	No	-	0.00%
440				593			-	0.00%		-	0.00%
450	Zadig & Voltaire	10+	1	1,805		Yes	1,805	1.62%	No	-	0.00%
460	Frame	10+	1	1,808		Yes	1,808	1.62%	No	-	0.00%
470	Malbon	10+	0	1,573		No	-	0.00%	Yes	1,573	1.41%
480 - 490	Madeo Mare	0	0	3,308		No	-	0.00%	No	-	0.00%
610 - 630	RH	10+	0	2,613		No	-	0.00%	Yes	2,613	2.34%
705	Pura Vida Miami	10+	1	2,469		Yes	2,469	2.21%	No	-	0.00%
710	Jenni Kayne	10+	0	1,507		Yes	1,507	1.35%	No	-	0.00%
720	Jenni Kayne	10+	0	2,467		No	-	0.00%	Yes	2,467	2.21%
730	Vuori	10+	0	3,866		No	-	0.00%	Yes	3,866	3.47%
740				3,897			-	0.00%		-	0.00%
750 - 760	Wally's	3	1	2,580		No	-	0.00%	No	-	0.00%
810 - 820	Velvet	9	1	1,816		No	-	0.00%	No	-	0.00%
830	Be Kind Studios	2	1	1,994		No	-	0.00%	No	-	0.00%
840	O2 Aspen	1	0	982		No	-	0.00%	No	-	0.00%
850	Birkenstock	10+	0	2,528		No	-	0.00%	Yes	2,528	2.27%
860	Madhappy	6	1	2,382		No	-	0.00%	No	-	0.00%
870	Alexander Design Workshop	0	0	1,501		No	-	0.00%	No	-	0.00%
Building 9	Industrious*	n/a	1	15,590		No	-	0.00%	No	-	0.00%
Building 10				15,598			-	0.00%		-	0.00%
Building 11				10,524			-	0.00%		-	0.00%
Storage, Restrooms, etc				2,683			-	0.00%		-	0.00%
				111,489			14,848	13.32%		17,285	15.50%

Total SF	**111,489**
Exempt SF	-
Non-Exempt SF	111,489
Percent Settlement Agreement Formula Retail Allowed	20%
Allowed Settlement Agreement Formula Retail	22,298
Current Settlement Agreement Formula Retail	14,848
Percent Formula Retail Ordinance Allowed	30%
Allowed Formula Retail Ordinance	33,447
Current Formula Retail Ordinance	17,285
TOTAL Formula Retail SqFt	32,133

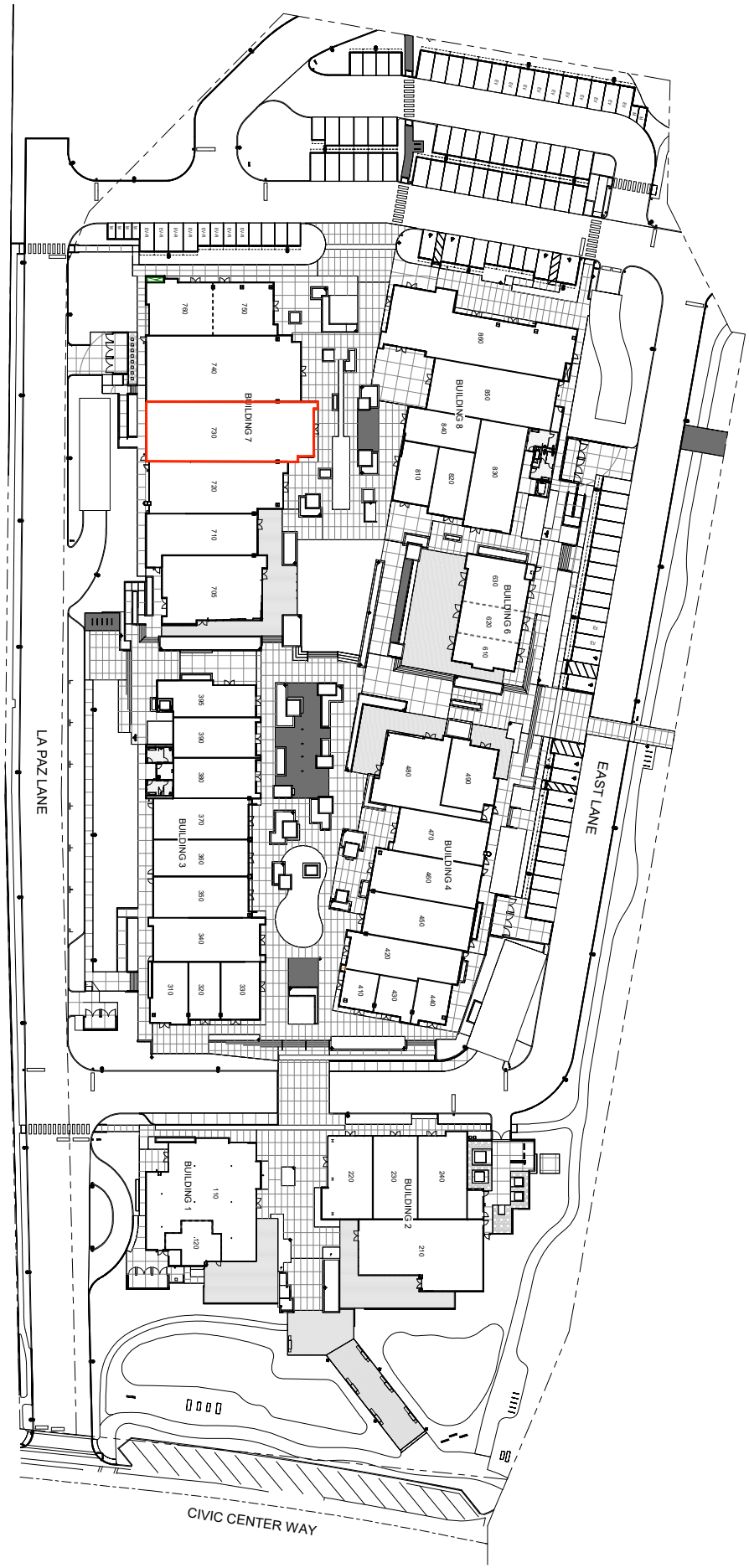
*Industrious is a coworking space leasing to small offices. None of the offices users are formula retail.

**When Frankies Bikinis opened they had less than 10 stores and were not Formula Retail. Frankies now has 10 stores and is being accounted for as Formula Retail in the 30% category.

***The Shop by Wheat was issued Formula Retail Clearance 26-005, however, they are not currently considered formula retail.

Per MMC § 17.02.060, the definition of formula retail includes "a retail establishment which, along with ten or more other existing, operational retail establishments in the world." This Column C includes the number of other existing, operational retail establishments in the world.

ATTACHMENT 2



ATTACHMENT 3

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 3.B.6.

To: Chair Peak and Members of the Planning Commission

Prepared by: Rebecca Evans, MS, Senior Management Analyst

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

Date prepared: July 9, 2026 Meeting date: July 20, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the June 1, 2026 and the June 15, 2026 Regular Planning Commission meetings.

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

ATTACHMENTS:

1. June 1, 2026 Regular Planning Commission Meeting Minutes
2. June 15, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JUNE 1, 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 6:30 p.m.

ROLL CALL

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

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

ALSO PRESENT: Kellan Martz, Assistant City Attorney; Tyler Eaton, Assistant Community Development Director; Alexander da Silva, Associate Planner; Michelle Santiago, Assistant Planner; Rick Casswell, Magda Gonzalez, Contract Planner; Gina Paolini, Contract Planner; Parker Davis, Media Production Technician; Rebecca Nelson-Brown, Senior Management Analyst and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Rabbi Cunin led the Pledge of Allegiance.

APPROVAL OF AGENDA

CONSENSUS Commissioner Mazza moved and Chair Peak seconded a motion to approve the agenda.

The question was called and the motion carried by unanimous consensus.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on May 22, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Anne Komarovsk encouraged the public to vote in the primary election and noted there were a record number of candidates for Governor of California on the ballot.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton announced that Community Development Director Bundy would be at the Rebuild Center every morning that week and it would be advisable to schedule an appointment. The Accessory Dwelling Unit Ordinance amendment was presented to City Council on June 8th. On June 11th the California Coastal Commission would decide on the appeal of Coastal Development Permit No. 25-041, Pacific Coast Highway Temporary Roundabouts.

ITEM 3 CONSENT CALENDAR

The following item was pulled: Item No. 3.B.1.

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to approve the balance of the Consent Calendar.

The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 25-022 – An application to construct a new single-family residence, install a new onsite wastewater treatment system, and associated development
   Location: 6270 Sea Star Drive, not within the appealable coastal zone
   APN: 4469-047-009
   Owner: Sea Slug LLC
   Case Planner: Contract Planner Paolini, 650-522-2500

Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 25-022.

The item was pulled for further discussion.

The Commission directed questions to staff.

MOTION Commissioner Mazza moved and Vice Chair Kamins seconded a motion to request the item be brought back to the Planning Commission as a full coastal development permit.

SUBSTITUTE MOTION

Commissioner Riddick moved and Commissioner Leonard seconded a motion to receive and file the Community Development Director's report on the approval of ACDP No. 25-022.

The substitute motion was called and the item was received and filed 4-1, Commissioner Mazza dissenting.

2. De Minimis Waiver No. 26-004 – An application for the relocation of a structure damaged in the 2025 Palisades Fire
Location: 3651 McAnany Way, not within the appealable coastal zone
APN: 4449-016-007
Owners: Jacob Benjamin and Michelle Sendowski
Case Planner: Associate Planner da Silva, 456-2489, ext. 314
Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 26-004 for the relocation of a 10 foot, 9 inch tall, 225 square foot structure used as an office associated with a residence that was damaged in the 2025 Palisades Fire.

This item was received and filed upon approval of the balance of the Consent Calendar.

3. Approval of Minutes
Recommended Action: Approve the minutes of the May 18, 2026 Regular Planning Commission meeting.
Staff Contact: Senior Management Analyst Evans, 456-2489, ext. 246

The Commission approved the minutes of the May 18, 2026 Regular Planning Commission meeting upon approval of the balance of the Consent Calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 21-045 and Variance 26-003 – An application to construct a detached accessory dwelling unit/second unit and associated development on a second building pad (Continued from April 20, 2026)

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust
Case Planner: Contract Planner Gonzalez, 456-2489, ext. 247
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-02 determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit No. 21-045 to grade and construct a new 594 square foot, approximately 11 foot 2 inch tall, detached Accessory Dwelling Unit/Second Unit; including Variance No. 26-003 for relief from Malibu Country Estates Overlay District standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust); or 2) adopt Planning Commission Resolution No. 26-02 determining that the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-045 to grade and construct a new 594 square foot, 11 foot, 2 inch tall, detached Accessory Dwelling Unit/Second Unit; including Variance No. 26-003 for relief from Malibu Country Estates Overlay District Standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

Contract Planner Gonzalez presented the staff report.

Disclosures: Commissioners Riddick, Mazza, Leonard, Kamins, Peak

The Commission directed questions to staff.

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

Speakers: Oona Khan 5 minutes (1 minute donated by Robbie Manderostan and 1 minute donated by Derin D'Amico); Delaney Doney; Brendan Doney; Matt Jewett, Helmut Meissner, Mark Baute

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

The Commission directed questions to staff, the applicant team and members of the public.

RECESS Chair Peak recessed the meeting at 7:53 p.m. The meeting resumed at 8:05 p.m. with all Commissioners present.

MOTION Commissioner Mazza moved and Vice Chair Kamins seconded a motion to adopt Planning Commission Resolution No. 26-02 determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit No. 21-045 to grade and construct a new 594 square foot, approximately 11 foot 2 inch tall, detached Accessory Dwelling Unit/Second Unit; including Variance No. 26-003 for relief from Malibu Country Estates Overlay District standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust)

SUBSTITUTE MOTION

Commissioner Leonard moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-02 determining that the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 21-045 to grade and construct a new 594 square foot, 11 foot, 2 inch tall, detached Accessory Dwelling Unit/Second Unit; including Variance No. 26-003 for relief from Malibu Country Estates Overlay District Standards associated with a proposed second building pad, reduced rear yard setback, wall heights, and allowances for impermeable coverage, structure height, and grading outside the existing building pad on a parcel located in the Malibu Country Estates Overlay and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

The question was called and the substitute motion failed 2-3, Commissioners Mazza, Kamins and Peak dissenting.

The question was called and the original motion carried 3-2, Commissioners Leonard and Riddick dissenting.

RECUSAL Chair Peak recused himself from hearing Item No. 5.A. and left the dais at 8:24 p.m.

ITEM 5 NEW PUBLIC HEARINGS

A. Conditional Use Permit No 26-001 – An application to establish the use of an existing restaurant and to allow the catering of alcoholic beverages offsite of the subject property (Alcohol Beverage Control [ABC] License Type 58) and to allow the onsite sale and consumption of beer and wine (ABC License Type 41) to patrons of a bona fide eating place (Pita Bu)

Location: 22935 Pacific Coast Highway
APN: 4452-019-010
Owner: Chabad of Malibu, Inc.
Tenant: Pita Bu LLC
Case Planner: Assistant Planner Santiago, 456-2489, ext. 382
Recommended Action: Adopt Planning Commission Resolution No. 26-22 determining the project is categorically exempt from the California Environmental Quality Act and exempt from a Coastal Development Permit, and approving Conditional Use Permit No. 26-001 to establish the use of an existing restaurant and to allow the catering of alcoholic beverages offsite of the subject property (ABC License Type 58) and onsite sale and consumption of beer and wine (ABC License Type 41) to patrons of a bona fide eating place (Pita Bu) in the Commercial Visitor Serving-One zoning district at 22935 Pacific Coast Highway (Chabad of Malibu, Inc.).

Assistant Planner Santiago presented the staff report.

Disclosures: Commissioners Mazza, Leonard, Kamins

The Commission directed questions to staff.

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

Speaker: Wil Nieves

As there were no other speakers present, Vice Chair Kamins closed the public comment portion of the public hearing and returned the matter to the table for discussion

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Leonard moved and Vice Chair Kamins seconded a motion to adopt Planning Commission Resolution No. 26-22, as amended, 1) adding Condition No. 2.a. to state, "Memorialize the use of the existing restaurant through this CUP"; 2) modifying Condition No. 2.c. hours of operation for Friday to "11:00 a.m. to 6:00

p.m."; 3) adding Condition No. 2.e. to state, "Establish the service area to be 524 square feet"; 4) adding a condition of approval to state, "A review of the conditional use permit and compliance with the conditions of approval shall be conducted by Planning Division staff and reported to the Planning Commission following the first anniversary and again following the third anniversary of the commencement of business operations, and upon any transfer of ownership of the business. Staff will report whether the restaurant is operating in compliance with the Planning Commission's findings and all approved conditions. Staff's report to the Planning Commission may include any recommendations to modify or revoke the permit."; 5) adding a condition of approval to state, "The applicant shall maintain a food-to-alcohol sales ratio in compliance with all applicable California Department of Alcoholic Beverage Control requirements for a Type 41 license." and 6) determining the project is categorically exempt from the California Environmental Quality Act and exempt from a Coastal Development Permit, and approving Conditional Use Permit No. 26-001 to establish the use of an existing restaurant and to allow the catering of alcoholic beverages offsite of the subject property (ABC License Type 58) and onsite sale and consumption of beer and wine (ABC License Type 41) to patrons of a bona fide eating place (Pita Bu) in the Commercial Visitor Serving-One zoning district at 22935 Pacific Coast Highway (Chabad of Malibu, Inc.).

The question was called and the motion carried 3-1, Commissioner Mazza dissenting and Chair Peak absent.

RECESS Vice Chair Kamins recessed the meeting at 9:00 p.m. The meeting resumed at 9:07 p.m. with all Commissioners present.

B. Coastal Development Permit No. 21-036 and Site Plan Review No. 25-016 – An application to construct a single-family residence, install a new onsite wastewater treatment system, and associated development

Location: 27357 Pacific Coast Highway, not within the appealable coastal zone
APN: 4460-008-023
Owner: Zad Ranch, LLC
Case Planner: Contract Planner Casswell, 619-483-3950
Recommended Action: Adopt Planning Commission Resolution No. 26-21 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 21-036 to construct a new 8,250 square foot, one-story, single-family residence with an enclosed, vaulted stairway providing rooftop access, rooftop deck, basement, attached two-car garage, landscaping, hardscaping, new onsite wastewater treatment system, swimming pool, and associated site improvements; including Site Plan Review No. 25-016 for construction above 18 feet in height up to a maximum of 23 feet, 9

inches for a flat roof, located in the Rural Residential, Two-Acre zoning district at 27357 Pacific Coast Highway (Zad Ranch, LLC).

RECUSAL Commissioner Leonard recused himself from hearing Item No. 5.B. and left the dais at 9:08 p.m.

Contract Planner Casswell presented the staff report.

Disclosures: Commissioners Riddick, Mazza, Kamins, Peak

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

Speakers: Carlos Rocha, Drew Leonard, Josh Zad

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

MOTION Chair Peak moved and Commissioner Mazza seconded a motion to continue the item to August 17, 2026 Regular Planning Commission meeting.

The question was called and the motion carried 4-0, Commissioner Leonard 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

MOTION At 9:56 p.m., Chair Peak moved and Commissioner Mazza seconded a motion to adjourn the meeting. The motion carried 4-0, Commissioner Leonard absent.

Approved and adopted by the Planning Commission of the City of Malibu on July 20, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JUNE 15, 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 6:43 p.m. following a delay caused by technical difficulties.

ROLL CALL

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

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

ALSO PRESENT: Tyler Eaton, Assistant Community Development Director; Kellan Martz, Assistant City Attorney; Didier Murillo, Principal Planner; Courtney Brown, Senior Planner; Larbi Azzaz, Associate Planner; Alexander da Silva, Associate Planner; Michelle Santiago, Assistant Planner; Parker Davis, Media Production Technician; Gail Duncan, Management Analyst and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Kenneth Ehrlich 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 the July 20, 2026 Regular Planning Commission meeting.

The question was called and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on June 5, 2026. The amended agenda for this meeting was properly posted on June 10, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Norm Haynie was called but noted he had intended to speak on a continued item.

Anne Komarovsk stated the temporary tow yard should have been located in central Malibu rather than at Malibu Middle and High School. She expressed concerns regarding the potential for conflicts between angry drivers who would enter the campus to reclaim vehicles and area youth and the public. Ms. Komarovsk noted that while phone records were often considered to be private, court orders had the potential to require their disclosure.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton announced the City Council initiation of a consistency update of the code, which would likely be brought to the Planning Commission before the end of the year. He noted the ADU Ordinance was adopted by City Council at their last meeting to bring it up to date with State law. Community Development Director Bundy had been working from the Rebuild Center each morning and the rebuild team had issued permits for sixteen properties the prior week. He also expressed appreciation for City Manager Irvin who coordinated a Kaizen staff session focused on streamlined rebuild processes, which had already produced results.

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

Commissioner Leonard commended staff for their efforts to expedite rebuilds and asked for the status of beachfront rebuilds.

In response to Commissioner Leonard, Associate Planner da Silva noted there were currently fourteen Palisades Fire impacted beachfront parcels which had been issued building permits.

Commissioner Leonard asked whether there would be a moratorium during the winter for earthmoving activities for rebuild properties.

In response to Commissioner Leonard, Assistant Community Development Director Eaton noted that would be handled on a case-by-case basis.

Chair Peak asked whether Caltrans had been supportive or resistant to that type of work.

In response to Chair Peak, Assistant Community Development Director Eaton noted that Caltrans had been generally supportive of all rebuild activity.

ITEM 3 CONSENT CALENDAR

The following Item was pulled: Item No. 3.B.1.

CONSENSUS The Commission approved the balance of the Consent Calendar by unanimous consensus.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 24-037 and Site Plan Review No. 25-038 – An application to construct a new detached second unit, install a new onsite wastewater treatment system, and associated development
Location: 31201 Bailard Road, not within the appealable coastal zone
APN: 4470-011-035
Owner: Bailard Malibu LLC
Case Planner: Associate Planner Azzaz, 456-2489, ext. 302
Recommended Action: Receive and file the Community Development Director's report on the approval of Administrative Coastal Development Permit No. 24-037 and Site Plan Review No. 25-038.

This item was pulled for discussion.

The Commission directed questions to staff.

CONSENSUS The Commission received and filed the Community Development Director's report on the approval of Administrative Coastal Development

Permit No. 24-037 and Site Plan Review No. 25-038 by unanimous consensus.

2. De Minimis Waiver No. 24-009 – An application for a replacement onsite wastewater treatment system for a parcel damaged by the Woolsey Fire
   Location: 30099 Harvester Road, not within the appealable coastal zone
   APN: 4469-044-010
   Owner: H Greg Investments, Inc.
   Case Planner: Assistant Planner Turner, 456-2489, ext. 295
   Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 24-009 for a new replacement onsite wastewater treatment system for a parcel damaged by the Woolsey Fire.

   The Commission received and filed the Community Development Director's report on the issuance of De Minimis Waiver No. 24-009 upon approval of the balance of the Consent Calendar.

3. De Minimis Waiver No. 25-001 – An application for a replacement onsite wastewater treatment system for a parcel damaged by the Woolsey Fire
   Location: 6973 Birdview Avenue, appealable coastal zone
   APN: 4468-015-002
   Owner: Bradshaw Family Trust
   Case Planner: Contract Planner Shah, 456-2489, ext. 385
   Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 25-001 for a replacement onsite wastewater treatment system damaged by the Woolsey Fire.

   The Commission received and filed the Community Development Director's report on the issuance of De Minimis Waiver No. 25-001 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 May 18, 2026)
   Locations: 31618 Sea Level Drive, within the appealable coastal zone

APNs: 4470-017-009, 4470-001-014 through 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.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC
Case Planner: Associate Planner da Silva, 456-2489, ext. 314
Recommended Action: Adopt Planning Commission Resolution No. 26-18 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-029 for 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 a new shoreline protection device including two revetments on the ocean side of a private street located in the Single-Family Medium Density zoning district at 31618 Sea Level Drive and APNs 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, 4470-001-023, 4470-001-024, 4470-001-025 and 4470-001-026 (Malibu Encinal Homeowners Association Inc.; 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.; Fusco Family Trust; Steve Supowitz; Fusco Family Trust; Crowley and Summers; P and C Partners LP; BJGL Holdings I LLC).

This item was continued to the July 20, 2026 Regular Planning Commission meeting upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

A. Administrative Plan Review No. 24-053 and Variance No. 26-009 – An application for a new detached garage with basement and associated site improvements
Location: 4764 Latigo Canyon Road
APN: 4459-002-020
Owner: James Rowton and Susan Rowton Trust
Case Planner: Principal Planner Murillo, 456-2489, ext. 342
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-24 determining the project is exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 24-053 to construct a 12 foot (ft), 6 inch tall, detached 768 sf. garage with a flat roof and 768 sf. basement, and associated site improvements; including Variance No. 26-009 for a 66.7 percent (40 ft.) reduction in the front yard setback from 60 ft. (required) to 20 ft. (proposed) on a parcel located in the Rural Residential, Two-Acre zoning district at 4764

Latigo Canyon Road (James Rowton and Susan Rowton Trust); or 2) deny the project as proposed and direct staff to return with a resolution of denial.

Principal Planner Murillo presented the staff report.

Disclosures: Commissioners Mazza, Kamins

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

Speakers: James Rowton, Susan Rowton

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

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Mazza moved and Vice Chair Kamins seconded a motion to continue the item to a date uncertain.

SUBSTITUTE MOTION

Chair Peak moved and Commissioner Riddick seconded a motion to adopt Planning Commission Resolution No. 26-24, as amended, 1) adding a condition of approval to require the addition of a lightwell to serve as a second means of egress; and 2) determining the project is exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 24-053 to construct a 12 foot (ft.), 6 inch tall, detached 768 sf. garage with a flat roof and 768 sf. basement, and associated site improvements; including Variance No. 26-009 for a 66.7 percent (40 ft.) reduction in the front yard setback from 60 ft. (required) to 20 ft. (proposed) on a parcel located in the Rural Residential, Two-Acre zoning district at 4764 Latigo Canyon Road (James Rowton and Susan Rowton Trust).

The question was called and the substitute motion carried 4-1, Commissioner Mazza dissenting.

B. <u>Coastal Development Permit No. 23-052, Variance No. 23-034 and Site Plan Review No. 23-033 – An application for a new single-family residence and associated site improvements</u>

Location: 21373 Rambla Vista, not within the appealable coastal zone
APN: 4451-022-010
Owner: Zeta Stone Development LLC
Case Planner: Senior Planner Brown, 456-2489, ext. 268

Recommended Action: Adopt Planning Commission Resolution No. 26-25 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-052 to construct a new 1,796 square foot (sf.), two-story single-family residence, with a basement and subterranean garage, advanced onsite wastewater treatment system and associated site improvements; including Variance No. 23-034 for development on slopes steeper than 2.5 to 1 and Site Plan Review No. 23-033 for construction above 18 feet (ft.) in height, up to 24 ft. for flat roof, located in the Single-Family Medium zoning district at 21373 Rambla Vista (Zeta Stone Development LLC).

Senior Planner Brown presented the staff report.

Disclosures: Commissioners Mazza, Kamins

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

Speakers: Anthony Stark, Wayne Lu, James Green

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

The Commission directed questions to staff and the applicant team.

MOTION Commissioner Mazza moved and Commissioner Leonard seconded a motion to adopt Planning Commission Resolution No. 26-25, as amended, modifying page 10, paragraph 1, line 6 to delete "horizon line"; and 2) determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 23-052 to construct a new 1,796 square foot (sf.), two-story single-family residence, with a basement and subterranean garage, advanced onsite wastewater treatment system and associated site improvements; including Variance No. 23-034 for development on slopes steeper than 2.5 to 1 and Site Plan Review No. 23-033 for construction above 18 feet (ft.) in height, up to 24 ft. for flat roof, located in the Single-Family Medium zoning district at 21373 Rambla Vista (Zeta Stone Development LLC).

The question was called and the motion carried unanimously.

RECESS Chair Peak recessed the meeting at 8:20 p.m. The meeting resumed at 8:31 p.m. with all Commissioners present.

C. <u>Coastal Development Permit No. 26-031 and Temporary Use Permit No. 26-003 – An application for the Annual Chili Cook-Off and Carnival, a four-day event, Labor Day weekend, and a one-day private fundraising event</u>

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 Locations:	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)
Case Planner:	Assistant Planner Santiago, 456-2489, ext. 382

Recommended Action: Adopt Planning Commission Resolution No. 26-26 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.

Assistant Planner Santiago presented the staff report.

Disclosures: Commissioners Riddick, Mazza, Leonard, Kamins, Peak

The Commission directed questions to staff.

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

Speakers: Molly Scott, Kasey Earnest

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

The Commission directed questions to staff and the applicant team.

MOTION Chair Peak moved and Commissioner Leonard seconded a motion to adopt Planning Commission Resolution No. 26-26, as amended, 1) modifying Condition No. 1, line 1 to replace "property owners" with "applicants"; 2) Condition No. 2, paragraph 3, adding a bullet to state, "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"; 3) modifying Condition No. 8 to replace "property owner" with "applicant"; 4) Condition No. 39, modifying the final sentence to state, "In addition, all carnival lighting shall be turned off no later than 11:00 p.m."; 5) adding to Condition No. 62, "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."; and 6) 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 question was called and the motion carried unanimously.

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 9:59 p.m. the meeting was adjourned by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on July 20, 2026.

_____
SKYLAR PEAK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 4.A.

To: Chair Peak and Members of the Planning Commission

Prepared by: Alexander da Silva, 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 9, 2026 Meeting date: July 20, 2026

Subject: 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)

Location: 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

RECOMMENDED ACTION: Continue the item to a date uncertain.

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 5.A.

To: Chair Peak and Members of the Planning Commission

Prepared by: Adriana Grogan, 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 9, 2026 Meeting date: July 20, 2026

Subject: 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

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-27 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Conditional Use Permit (CUP) 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 (ABC) 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 (CC) zoning district within the Town Center Overlay located at 23465 Civic Center Way, Suites 480 & 490 (Cross Creek Ranch Malibu, LLC).

DISCUSSION: This agenda report provides a project overview, project siting, 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), Malibu Municipal Code (MMC) and environmental review pursuant to CEQA. The analysis and findings discussed herein demonstrate that the project is consistent with the MMC and CEQA.

Coastal Development Permit (CDP) Exemption

The subject parcel is not located within the Appealable Jurisdiction Area of the California Coastal Commission as depicted on the Post LCP Certification Permit and Appeal Jurisdiction Map for the City of Malibu. Section 13.4 of LCP Local Implementation Plan (LIP) provides exemptions from a CDP for projects with no risk of adverse environmental impacts. The proposed CUP does not include any development that would qualify for a CDP nor involve a risk of adverse environmental impacts, adversely affect public access, or involve a change in use contrary to the policy of the LIP. The project is exempt from the requirements of a CDP pursuant to LIP Section 13.4.3.

Project Overview and Background

The proposed restaurant (Madeo Mare) will be located in the Cross Creek Ranch shopping center. The proposed CUP would allow the operation of the restaurant, a non-formula retail[1] business, with 76 indoor seats and 48 outdoor seats and onsite sale and consumption of beer, wine, and distilled spirits to restaurant patrons. No sale of offsite alcohol sales is proposed nor allowed under this application and and conditions of approval included in the draft Resolution. No new square footage is proposed, as this is an existing tenant space.

On November 10, 2008, the City Council adopted Resolution No. 08-52, approving the Cross Creek Ranch project (then called La Paz), which included among other entitlements, CUP No. 05-004 to allow 10,000 square feet of restaurant space within Buildings 5, 6, and 7 on Parcel A, with operating hours specified for 8:00 a.m. to 12:00 a.m. Sundays through Thursdays, and 8:00 a.m. to 1:00 a.m. Fridays and Saturdays.

On January 21, 2020, the Planning Commission adopted Resolution No. 20-17, amending CUP No. 05-004 and approving CUPA No. 17-010, which included provisions to allow a maximum of 4,000 square feet of the allowable 10,000 square foot restaurant cap to be used for outdoor dining and a maximum of 40 percent of the seating for any individual restaurant to be outdoors. CUPA No. 17-010 clarified the definition of “outdoor dining area” as the entire area contained within the exterior perimeter of the seating area. CUPA No. 17-010 also revised conditions to allow restaurant space anywhere within Parcel A and revised restaurant operating hours to allow restaurants serving coffee and juice to open at 6:00 a.m. and those serving breakfast to open at 7:00 a.m. seven days per week. All other

[1] ”Formula Retail” Means any type of retail sales activity and/or retail service activity conducted within a **retail establishment** which, along with 10 or more other existing, operational retail establishments in the world, maintains two or more of the following features: (1) standardized array of merchandise or menu; (2) standardized color scheme; (3) standardized décor; (4) standardized façade; (5) standardized layout; (6) standardized signage, a servicemark, or a trademark; (7) uniform apparel (MMC 17.02 Introductory Provisions And Definitions).

restaurants continue to be subject to the 8:00 a.m. opening time pursuant to CUP No. 05-004. CUPA No. 17-010 also established that individual CUPs must be obtained for all restaurants and detail any outdoor seating area and all service areas. [2] This application is for an independent CUP for a new restaurant, Madeo Mare consistent with the requirements set forth in CUPA 17-010.

Project Setting and Surrounding Uses

The Cross Creek Ranch (formerly known as La Paz) project site comprises approximately 15.2 acres located at 23465 Civic Center Way (formerly addressed as 3700 La Paz Lane) in the Civic Center as illustrated in Figure 1 and consist of Parcel A, B, and C (Figure 2). The project site is situated immediately north of Civic Center Way, east of the Malibu Library and the Civic Center parcel, and west of the Park at Cross Creek commercial center. Malibu Country Mart and other commercial uses are located across Civic Center Way south of the site. Vacant land and single-family residential properties are located to the north, northeast, and northwest of the site.

Figure 1 – Project Location



Source: Visualization IPA for LARIAC

[2] The Development Agreement, Settlement Agreement, and all previous approvals and staff reports related to the La Paz Ranch project are available on the City's website at malibucity.org/lapaz.

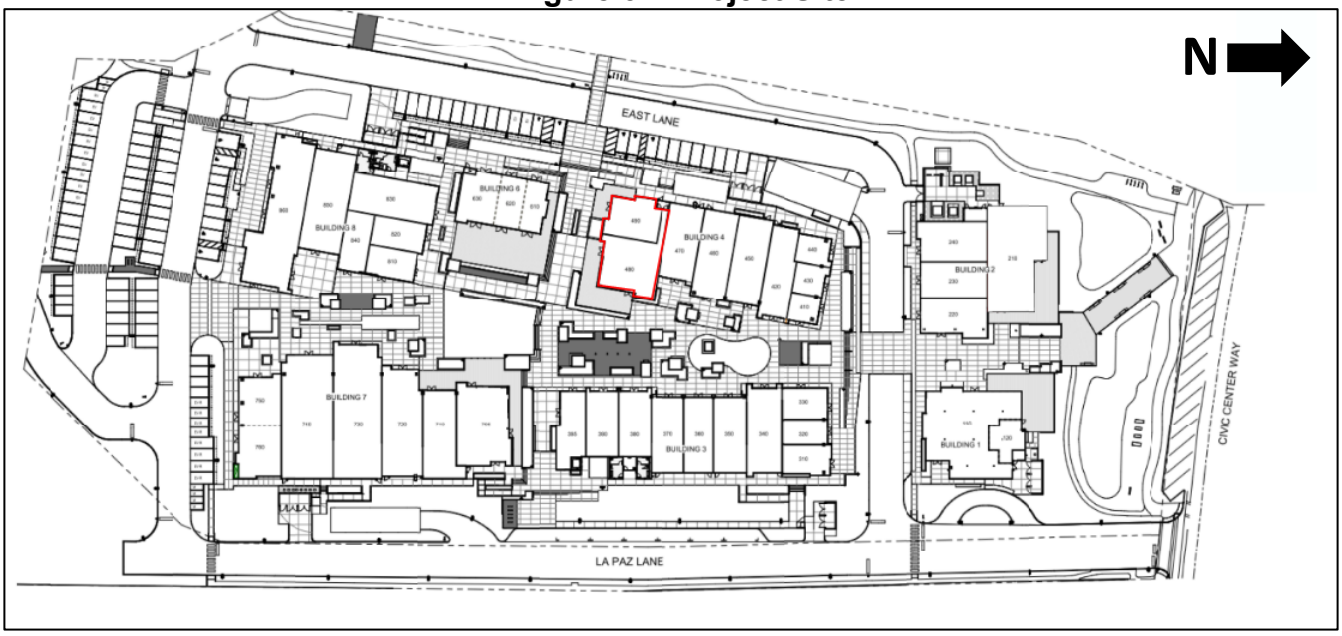
Figure 2 – Illustrative Site Plan



Planning Commissioner Briefing Book, 2020

The proposed restaurant would be located on Parcel A, within Building 4, specifically Suites 480 & 490 of the shopping center, in the southeastern area of the site, as shown in Figure 3.

Figure 3 – Project Site



Source: Madeo Mare CUP Plan Set, 2026

The project site is designated Community Commercial (CC) by the Malibu General Plan, the LCP, and the MMC Title 17 (Zoning Ordinance). In addition, the property is within the Town Center Overlay District (MMC Section 17.42.020J), which establishes custom development criteria for the project site.

Project Description

The proposed project would allow the operation of a full-service dining restaurant with 76 indoor and 48 outdoor seating serving food and beer, wine, and distilled spirits for onsite consumption only, with no offsite alcohol proposed or permitted. The restaurant includes 1,300 square feet of indoor space and a 740 square foot outdoor patio (Attachment 2 – Project Plans). The outdoor patio would be only open to restaurant patrons. Per ABC regulations, the patio exit will be controlled during alcohol service hours to ensure that no open containers are taken off-site. Food service would be offered daily from 10 a.m. to 11 p.m. Monday through Sunday. Alcohol service will be for the consumption of beer, wine, and distilled spirits on the premises only, including the outdoor patio. Off-site sales of alcohol associated with to-go orders would not be allowed and a condition of approval stating this has been included in the draft Resolution. As proposed and conditioned, the restaurant does not include amplified or live music[3]. The application does not propose any new development or other operational modifications that would intensify or otherwise

[3] Condition No. 5 within Planning Commission Resolution No. 20-17 prohibits amplified music on the project site, unless authorized by a CUP. MMC Section 17.42.020(J)(1)(c) states that live entertainment scheduled to occur after 7:00 p.m. requires a CUP and live entertainment schedule prior to 7:00 p.m. requires a TUP.

change the development or use of the approved plaza plan, including parking requirements. Lighting and landscaping will be processed under a separate application. Signage will be processed according to Master Sign Program 22-001.

Table 1 provides a summary of the proposed project.

Table 1 – Madeo Mare Restaurant	
Total Area	3,308 sf.
Service Area	2,040 sf.
Indoor Service Area	1,300 sf. (64%)
Outdoor Service Area	740 sf. (36%)
Seating Capacity	124 seats total
Interior	76 seats
Exterior	48 seats
Hours of Operation	10:00 a.m. to 11:00 p.m. Monday through Sunday
Alcohol Sales	ABC License Type 47 – On-Sale General – Eating Place
Noise	No live or amplified music

Analysis

Compliance with CUP No. 05-004 and CUPA No. 17-010

The proposed project is subject to the conditions of approval of CDP No. 05-004, as amended by CUPA No. 17-010. Table 2 provides a summary of the conditions of approval and indicates the proposed project complies with those conditions.

Table 2 – CUP Conformance			
	Allowed	**Proposed**	**Comments**
Maximum restaurant space	10,000 sq. ft.	7,625 sq. ft. existing 2,040 sq. ft. proposed	Complies; 335 sq. ft. remaining upon approval
Outdoor dining area	4,000 sq. ft.	1,764 sq. ft. existing 740 sq. ft.	Complies; 1,496 sq. ft. remaining upon approval
Percentage of outdoor seating	40 percent	36 percent	Complies
Hours of Operation	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	10:00 a.m. to 11:00 p.m. Monday through Sunday	Complies with approved hours of operation for restaurants.

Restaurant Use

Based on Planning Commission direction on similar CUP applications, staff added a condition of approval that requires the Planning Division to conduct a review of restaurant operations and compliance with conditions of approval to be presented to the Planning Commission five years after CUP approval. The pertinent conditions for onsite alcohol, and the disallowance of offsite sales, have been included in the attached Resolution No. 26-27.

ABC License

The applicant submitted a Type 47 License application to ABC to permit the sale of beer, wine, and distilled spirits for onsite consumption. ABC will not issue the license until the proposed CUP is approved. Therefore, a condition of approval has been included in the draft resolution stating that the tenant must submit a copy of the ABC license to the Planning Division prior to alcohol sales. A Letter of Public Convenience or Necessity will be provided by the applicant. Pursuant to ABC website the Type 47 On-Sale General – Eating Place is defined as follows:

> *Issued to restaurants. Authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. Authorizes the sale of beer and wine for consumption off the licensed premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable*

kitchen facilities and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises. This license type is subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified.

Landscaping/Lighting/Signage

No new landscaping is proposed with this project and signage must be consistent pursuant to the shopping center's Master Sign Program No. 22-001.

Parking

Parking spaces for the restaurant would be provided in the common parking area for the Cross Creek Ranch shopping center. The shopping center is designed to provide parking for all tenants, including the spaces with outdoor patio seating, pursuant to Resolution No. 20-17. The shopping center is also subject to development standards set forth in LIP Section 3.4.3(E) (Town Center Overlay District), which require one parking space per every 200 square feet of retail/restaurant space and one parking space per every 250 square feet of office space within a shopping center. Cross Creek Ranch consists of 69,502 square feet of retail/restaurant space and 42,556 square feet of office space. As such, 348 parking spaces were required for the retail/restaurant uses and 171 parking spaces were required for the office uses, or 519 parking spaces total. The shopping center provides 519 parking spaces, including 32 electric vehicle (EV) and EV-ready parking spaces, 54 bicycle spaces, and 8 motorcycle spaces. Valet service will also be available for a fee.[4] The parking for the restaurant use proposed under this CUP application was already accounted for in prior CUPs as this restaurant's floor area is within the maximum 10,000 square feet allowed for the shopping center. Madeo Mare would not exacerbate the approved parking plan nor would the restaurant generate a greater demand for parking than was previously anticipated. As such, existing parking is adequate to serve the proposed restaurant and outdoor seating area.

Conditional Use Permit Findings (MMC Section 17.66.080)

The Planning Commission may approve, deny, and/or modify a CUP application in whole or in part , with or without conditions, provided it makes all the findings of fact required by MMC Section 17.66.080. Staff recommends that the Planning Commission approve CUP No. 26-003 based on the draft findings provided within the resolution (Attachment 1) for the Commission's consideration.

ENVIRONMENTAL REVIEW: The 2008 EIR was prepared and certified on November 10, 2008 in accordance with CEQA to examine the potential environmental effects of the La Paz Development Agreement Project. Addendum No. 1 for the Cross Creek Ranch Pacific Coast Highway Improvements was prepared and certified in April 2015. Addendum No. 2 for Resolution 17-010 was prepared and certified in December 2019.

Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project. The Community Development Director found that the proposed project will not create any new significant impacts or increase the severity of impacts as compared to those that were identified in the 2008 EIR. No new information of substantial importance has been identified that shows that mitigation measures or alternatives previously found not to be feasible in the 2008 EIR will in fact be feasible and will substantially reduce one or more significant effects of the project.

Additionally, since this project has come after the initial Project reviewed under CEQA in 2008,it was reviewed independently under CEQA law. The proposed project is categorically exempt from the provisions of CEQA pursuant to Section 15301 – Existing Facilities. 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).

PUBLIC NOTICE: On June 25, 2026, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu, and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

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

SUMMARY: The required findings can be made that the proposed project complies with the MMC. Further, the Planning Division's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 26-27. The proposed project has been reviewed and conditionally approved for conformance with the MMC by Planning Division staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-27
2. Project Plans
3. Detailed Project Description Prepared by Applicant
4. Written Statement Justifying the Issuance of a Letter of Public Convenience or Necessity Prepared by Applicant
5. Department Review Sheets
6. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING CONDITIONAL USE PERMIT NO. 26-003 TO ALLOW THE OPERATION OF A NEW RESTAURANT (MADEO MARE), 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, PARCEL A, BUILDING 4, SUITES 480 AND 490 (CROSS CREEK RANCH MALIBU, LLC)

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

SECTION 1. Recitals.

A. On November 10, 2008, the City adopted Resolution No. 08-051, certifying the Final La Paz Development Agreement Project Environmental Impact Report (2008 EIR) and adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. In addition, the City Council adopted Resolution No. 08-52, approving Coastal Development Permit (CUP) No. 05-004 approving 112,058 square feet of development, allowing up to 10,000 square feet of restaurant use with Parcel A within Buildings 5, 6, and 7.

B. In 2010, the California Coastal Commission certified the City's Local Coastal Program Amendment (LCPA) and Development Agreement, and the City's corollary code amendments and entitlements became effective.

C. On January 21, 2020, the Planning Commission adopted Resolution No. 20-17, approving CUP Amendment (CUPA) No. 17-010 to amend CUP 05-004 to allow restaurants to be sited anywhere within Parcel A and established that individual CUPs are required for restaurants. CUPA 17-010 clarifies the definition of "outdoor dining area" as the entire area contained within the exterior perimeter of the outdoor dining area.

D. On April 21, 2026, an application was submitted for CUP 26-003 to the Planning Division to allow the operation of a restaurant, Madeo Mare, including indoor and outdoor dining area serving food and alcohol service for onsite consumption through a California Department of Alcoholic Beverage Control (ABC) License Type 47 (On-Sale General – Eating Place) to allow the onsite service of beer, wine, and distilled spirits located within the Cross Creek Ranch shopping center in Building 4, Suites 480 and 490.

E. On June 15, 206, the application was deemed complete for processing.

F. On June 25, 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 500-foot radius of the subject property.

G. On July 20, 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.

The 2008 EIR was prepared and certified on November 10, 2008 in accordance with CEQA to examine the potential environmental effects of the La Paz Development Agreement Project. Addendum No. 1 for the Cross Creek Ranch Pacific Coast Highway Improvements was prepared and certified in April 2015. Addendum No. 2 for Resolution 17-010 was prepared and certified in December 2019.

Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project. The Community Development Director found that the proposed project will not create any new significant impacts or increase the severity of impacts as compared to those that were identified in the 2008 EIR. No new information of substantial importance has been identified that shows that mitigation measures or alternatives previously found not to be feasible in the 2008 EIR will in fact be feasible and will substantially reduce one or more significant effects of the project.

Additionally, since this project has come after the initial Project reviewed under CEQA in 2008, it was reviewed independently under CEQA law. The proposed project is categorically exempt from the provisions of CEQA pursuant to Section 15301 – Existing Facilities. 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).

SECTION 3. Conditional Use Permit Findings of Fact.

The applicant is requesting a CUP to establish the use of a new restaurant and to allow the onsite sale and consumption of beer, wine, and distilled spirits through an ABC License Type 47. Pursuant to Malibu Municipal Code (MMC) Section 17.66.080, the Planning Commission may approve, deny, and or modify an application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. Based on evidence in the record, including all written and oral testimony and pursuant to MMC Section 17.66.080, the Planning Commission hereby makes the following findings of fact and approves CUP No. 26-003.

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

The proposed restaurant is a conditionally permitted use in Parcel A of the Town Center Overlay District. The Community Commercial (CC) district is intended to provide for resident-serving needs of the community on parcels of land more suitable for concentrated commercial activity. The sale of alcoholic beverages in association with the ABC License Type 47 would be for restaurant patrons only. The project, as proposed and conditioned, is consistent with the conditionally permitted uses of the CC zone and Town Center Overlay District. In addition, the

project would be conditioned accordingly to meet the intent of the CC zone by providing resident-serving needs of the community with appropriate noise restrictions and limited hours of operations in a vacant commercial tenant space in a developed shopping center. Therefore, the proposed use complies with the intent of all of the applicable provisions of MMC Title 17. Lasty, the restaurant is in line with previous CUP established for the shopping center in that it is within the 10,000 square foot maximum cap allowed for the center.

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

The proposed restaurant use, outdoor seating, and onsite alcohol consumption is a commercial use in the CC zoning district and Town Center Overlay District. The restaurant use is compatible with the surrounding commercial and residential land uses as it contributes to the high concentration of shopping and dining in the area, being one of Malibu's most highly concentrated commercial corridors surrounded by other shopping centers with similar uses. The sale of alcohol for onsite consumption by restaurant patrons pursuant to a new ABC License Type 47 is incidental to the operation of the restaurant, which is the primary use established for purposes of this application and a "bonafide eating place" under the ABC license. Therefore, the proposed use would not impair the integrity and character of the CC zone or Town Center Overlay District.

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

The shopping center is approved to have a mix of retail, commercial, and eating establishments. The proposed restaurant with onsite alcohol sales would be suitable for the project site. No offsite sales of alcohol are proposed nor permitted and the applicant is required to ensure no sales leave the premises under this permit's conditions of approval. The proposed restaurant would not propose any changes to the structure or generate a greater demand for parking than the shopping center is designed to accommodate. The use is compatible with surrounding land uses consisting of other commercial shopping centers with dining and retail. Therefore, the subject site is physically suitable for the proposed project.

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

The approved Cross Creek Ranch Shopping Center project (under CUP No. 05-004 and CUPA No. 17-010) allowed a maximum of 10,000 square feet of restaurant use on Parcel A of the Cross Creek Ranch project site was found to be compatible with the uses in the surrounding area. The proposed project under CUP No. 26-003 includes a 2,040 square-foot restaurant, 1,300 square-foot indoor dining area (76 seats), and 740 square-foot outdoor dining area (48 seats) would be compatible with the other approved uses in the shopping center that include retail stores, commercial stores, and restaurants. The restaurant would offer food services to surrounding residents and therefore is complimentary to the surrounding area. The onsite sale and consumption of alcoholic beverages is compatible with the resident-serving land uses approved on the site. Furthermore, conditions of approval have been added to restrict live music and amplified sound on the property. Therefore, the proposed restaurant would be compatible with the land uses presently on the subject property and 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 proposed restaurant use is compatible with existing and future land uses allowed in the CC zone and the Town Center Overlay. The CC zone is intended to provide resident-serving uses, such as dining and retail. The proposed use will be compatible with other business operations surrounding the site. This shopping center is surrounded by other shopping centers, a community college, public library and public park. The area is one of Malibu's most concentrated commercial corridors for this activity and the proposed use will contribute to the experience for patrons visiting this site.

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 sale of alcoholic beverages has been determined to not adversely affect public utilities, water, or sanitation services because the use would not generate a greater demand for service. The sale of alcoholic beverages on the premises will not affect solar access or adversely impact existing public or private views as no new development is proposed. The restaurant and ancillary alcohol sales will be accommodated by adequate utilities as demonstrated by its ongoing compliance with City building permits. Adequate water, sanitation and public utilities have been provided for this shopping center by the applicable utility companies and the proposed use will not impact allocations already allowed for this site under the original project.

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

The project is near and accessible to Legacy Park, a centralized public park in Malibu that has connections to Pacific Coast Highway. Walkability is also provided to the nearby Malibu Beach and Surfrider Beach through sidewalk extensions and crosswalks along public roads. The site is accessible to beach patrons along with general park goers and does not inhibit access to said public recreation areas. The new restaurant use may even contribute to public access amenities by adding additional food options for visitors.

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

Pursuant to General Plan Section 1.5.5. (Community Commercial), the CC designation is intended to provide for resident-serving needs of the community on parcels of land more suitable for concentrated commercial activity. Uses permitted and conditionally permitted typically include retail, food markets, and restaurants. The approved shopping center, in the CC designation, envisioned restaurant spaces and food markets proposing to serve beer, wine, and liquor, which are conditionally permitted uses in a commercial zone. The restaurant also does not contribute to an undue concentration of offsite alcohol sales since sales will be limited to onsite only (General Plan Land Use Policy No. 4.1.5). As such, the proposed uses are consistent with the General Plan and previous findings made by the Planning Commission. Furthermore, the Los Angeles County Sheriff Department (LASD) reviewed and approved the application. In addition, the LASD has implemented a new program "Café Card" to collect statistics on alcohol-related stops to track venues serving alcohol. The CUP includes a condition where the Planning Division shall conduct a review of restaurant operations and compliance with conditions of approval including LASD statistics and report its findings to the Planning Commission five years after the CUP approval.

The General Plan includes the following policy measures related to the sale of alcohol:

> **Land Use (LU) Policy 4.1.5**: The City shall prohibit undue concentration of businesses which sell alcohol for off-site consumption.
>
> **LU Implementation Measure 73**: Require a conditional use permit for sale of alcohol for off-site consumption and permit no more than 1 off-site sale license per 2,500 residents.

Moreover, according to ABC, the project site is located within a census tract that has an overconcentration of licenses; therefore, a Letter of Public Convenience or Necessity is required. As discussed in the CUP findings, the Planning Commission finds that the proposed use will not be detrimental to the public health, safety, or general welfare and is compatible with the land uses presently on the subject property and in the surrounding neighborhood. The project has been conditioned to require the Community Development Director to prepare and submit a Letter of Public Convenience or Necessity for the proposed use to ABC.

The project is also consistent with the following land use policies of the General Plan:

> **LU Policy 3.1.1**: The City shall ensure visitor serving and recreational uses are compatible with the natural resources and aesthetic values of the area.
>
> **LU Policy 3.2.1**: The City shall permit the development of commercial recreational and visitor servicing facilities at suitable locations which provide convenient public access, adequate infrastructure, convenient parking and, when feasible, are located where existing low cost recreational uses will be enhanced.

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

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

The proposed use 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, such as ABC. Conditions of approval have been added to require the restaurant to comply with all state licensing regulations and to maintain a valid ABC License Type 47 for the onsite sale and consumption of alcoholic beverages.

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

Restaurants are conditionally permitted uses in the CC zoning district and Parcel A of the Town Center Overlay District. Furthermore, CUP No. 05-004 and CUPA No. 17-010 allow a maximum of 10,000 square feet of restaurant use on Parcel A of the Cross Creek Ranch project site. All conditions of approval of CUP No. 05-004, as amended by CUPA No. 17-010, would remain in place. Conditions of approval for the subject application are included herein, including limits on alcohol service hours and hours of operation, requiring a TUP or CUP for live entertainment, and implementing a "good neighbor" policy. Additionally, as demonstrated through an ABC license

query the property owner maintains a valid ABC license and has not been subject to any disciplinary infractions. As conditioned, the proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

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*

According to the 2008 La Paz Ranch Certified Final EIR, the project site is affected by various geologic hazards and is located within the floodplain. The approved Cross Creek Ranch project has been designed to meet all development regulations of the Town Center Overlay District and is subject to previously adopted conditions of approval imposed by City geotechnical staff, Public Works, and the Los Angeles County Fire Department (LACFD). The subject CUP will establish the use of the proposed restaurant and allow for the onsite sale and consumption of alcoholic beverages onsite pursuant to a new ABC License Type 47. No new development or changes to the existing building footprint are proposed. Therefore, no new impacts related to earth movement, flooding, or liquefaction would occur.

SECTION 4. Planning Commission Approval.

Based on the foregoing findings and evidence contained within the record, including the agenda report for the project, the Planning Commission hereby approves CUP No. 26-003 subject to the conditions listed below. All conditions contained in City Council Resolution Nos. 08-51 and 08-52, and Planning Commission Resolution No. 20-17 are incorporated by reference and remain in full force and effect, except as modified by this resolution.

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. This approval is for operation of Madeo Mare, a restaurant with indoor and outdoor seating and the service of alcohol for onsite consumption described in detail in Table 1 below.

Table 1 – Madeo Mare Restaurant	
Total Area	3,308 sf.
Service Area	2,040 sf.
Indoor Service Area	1,300 sf. (64%)
Outdoor Service Area	740 sf. (36%)
Seating Capacity	124 seats total
Interior	76 seats
Exterior	48 seats
Hours of Operation	10:00 a.m. to 11:00 p.m. Monday through Sunday
Alcohol Sales	ABC License Type 47 – On-Sale General – Eating Place
Noise	No live or amplified music

3. Except as specifically changed by conditions of approval, the restaurant 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 **April 15, 2026**. The restaurant 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. 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.

5. This CUP 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. 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.

7. The project shall conform to the requirements of the City Public Works Department, Los Angeles County Sheriff's Department, and the California Department of ABC, as applicable. Notwithstanding this review, all required permits shall be secured.

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

9. The property owner shall comply with all provisions of the MMC and Local Implementation Plan.

Operations

10. This CUP permits the sale and consumption of alcoholic beverages with an ABC Type 47 License. The property owner / tenant shall obtain all necessary approvals from ABC. Once obtained, the applicant is required to provide the Planning Division a copy of the issued ABC license.

11. A copy of the current ABC license shall be kept on the premises of the establishment and be presented to City staff, including the City's Community Development Director and Code Enforcement staff, law enforcement officers or their duly authorized representatives, upon request.

12. At all times during the conduct of the permitted use, the permittee shall maintain and keep in effect valid licensing approval from ABC. Should such licensing be denied, expire or lapse at any time in the future, the approval of alcohol sale pursuant to this permit is subject to modification or revocation of this CUP pursuant to MMC Section 17.66.100(C).

13. The alcohol service is secondary to the meal service and food shall be available for purchase in these areas when alcohol is served. No portion of the restaurant service area may serve as a separate bar only establishment where food is not available.

14. The tenant shall maintain suitable kitchen facilities and operate and maintain the premises as a bona fide eating place. Full food service shall be provided during all hours of operation of the establishment.

15. No off-site sale of alcohol shall be permitted. Alcohol shall only be served within the approved service areas, as demonstrated on the project floor plan dated **April 15, 2026**.

16. The sale of alcoholic beverages shall be limited to restaurant patrons only.

17. No live entertainment or amplified sound is permitted on the property except in compliance with an approved temporary use permit or CUPA.

18. The height of the barrier surrounding the outdoor patio shall comply with any requirements by the ABC.

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

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

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

22. Prior to the commencement of alcohol service, the property owner / operator shall install small signs in the interior of the business, as depicted on the project plans, requesting that patrons be courteous and quiet when occupying outdoor areas and stating that alcohol may only be consumed in compliance with the restaurant's ABC license.

23. The property owner / tenant shall comply with the requirements set forth in MMC Chapter 9.28 (Plastic Bag Ban). No retail establishment, restaurant, vendor or nonprofit vendor shall provide plastic bags or compostable bags to customers. This requirement applies to plastic or compostable bags provided at the point of sale for the purpose of carrying away goods.

24. No restaurant, food packager, retail food vendor, vendor or nonprofit food provider shall provide prepared food to its customers in any food packaging that utilizes expanded polystyrene. "Expanded polystyrene" means and includes blown polystyrene and expanded and extruded foams (sometimes incorrectly called Styrofoam, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene). Expanded polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

25. The property owner / tenant shall comply with the requirements set forth in MMC Chapter 9.24 (Ban on Plastic Food Packaging and Other Plasticware). No retail establishment, restaurant, vendor or nonprofit vendor shall provide plastic beverage straws, plastic stirrers, or plastic cutlery to customers.

26. All noise shall be subject to the MMC Section 8.24 Noise Ordinance. Violation of the Noise Ordinance shall be cause for revocation of the permit. If any agent of the City requests that the noise level be reduced, applicant shall ensure immediate compliance.

27. 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

Lighting

28. Exterior lighting must comply with 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.

29. 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.

30. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. Lighting of the shore or the beach in excess of one foot-candle is prohibited.

31. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

32. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

33. 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.

Sheriff Department

34. The tenant must adhere to all laws related to the sale of alcohol. Violations of such laws may be cause for modification or revocation of this CUP pursuant to MMC Section 17.66.100(C).

35. "No alcohol past this point" or similar signage shall be placed on the patio entrance/ exit to prevent alcohol consumption in public / parking lot.

Fixed Conditions

36. The conditions under which this CUP was approved may be modified by the City without the consent of the property owner, tenant or operator if the Planning Commission finds that the use is creating a nuisance.

37. 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 lawfully existing structure.

38. A review of the CUP and compliance with the conditions of approval shall be conducted by Planning Division staff and reported to the Planning Commission following the first anniversary and again following the fifth anniversary of the commencement of business operations. Staff will report whether the restaurant is operating in compliance with the Planning Commission's findings and all approved conditions. Staff's report to the Planning Commission may include any recommendations to modify or revoke the permit.

39. Violation of any of the conditions of approval shall be cause for revocation of the CUP and termination of all rights contained therein.

40. This CUP shall become subject to revocation should the use for which the CUP was granted cease for six successive calendar months after the start of operations, except in the case of natural disaster.

41. 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 CUP 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 conditional use permit was obtained in a fraudulent manner.
    b. The use for which the conditional use permit was granted has ceased or was suspended for at least six successive calendar months, except in the case of natural disaster.
    c. One or more of the conditions found within this resolution have not been substantially met.

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

PASSED, APPROVED AND ADOPTED this 20th day of July 2026.

SKYLAR PEAK, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms 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. 26-27 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 20th day of July 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

SYMBOLS, LEGEND & ABBREVIATIONS

GRAPHIC SYMBOLS



COLUMN GRID LINE

MATCH LINE DESIGNATION



BUILDING SECTION

WALL SECTION



SECTION DETAIL REFERENCE

PLAN DETAIL REFERENCE



EXTERIOR ELEVATION



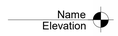
INTERIOR ELEVATION



KEYNOTE IDENTIFIER


BREAK LINE


REVISION CLOUD AND DELTA



DATUM ELEVATION



OCCUPANCY TAG



ROOM TAG

CONSTRUCTION LEGEND


EARTH


WOOD-BLOCKING


CONCRETE


WOOD-ROUGH


WOOD-FINISHED


PLYWOOD


IRON, STEEL


ALUMINUM


BATT INSULATION


GLASS


GYPBD WALL


GYPBD CEILING


FIREPROOFING (SECTION)


RIGID INSULATION

WATERPROOFING


MILLWORK



FIRE EXTINGUISHER CABINET

A.C.T.

DOOR TAG


CARPET & PAD

WINDOW TAG



WALL TAG


CHANGE IN ELEVATION

ABBREVIATIONS

&	AND	LAM.	LAMINATE
L	ANGLE	LT.	LIGHT
@	AT	MACH.	MACHINE(D)
CL	CENTERLINE	MAX.	MAXIMUM
Ø	DIAMETER	M.E.P.	MECHANICAL, ELECTRICAL AND PLUMBING
°	DEGREE		
#	POUND		
ABV.	ABOVE	MANU.	MANUFACTURER
ACOUST.	ACOUSTIC	MIN.	MINIMUM
A.C.T.	ACOUSTIC CEILING TILE	MISC.	MISCELLANEOUS
A.F.F.	ABOVE FINISHED FLOOR	MTD.	MOUNTED
AD	AREA DRAIN	MTL.	METAL
ADJ.	ADJUSTABLE	MHC.	MAN HOLE COVER
APPROX.	APPROXIMATE(LY)	N	NORTH
ARCH.	ARCHITECTUR(AL)	N.E.C.	NATIONAL ELECTRICAL CODE
ALUM.	ALUMINUM		
BLDG.	BUILDING	N.I.C.	NOT IN CONTRACT
BLKG.	BLOCKING	NO.	NUMBER
BM.	BEAM	NOM.	NOMINAL
B.O.	BOTTOM OF	N.T.S.	NOT TO SCALE
BOT.	BOTTOM	O.C.	ON CENTER
CAB.	CABINET	O.D.	OUTSIDE DIAMETER
C.C.R.	CALIFORNIA CODE OF REGULATIONS	O.H.	OPPOSITE HAND
		OLF OPNG.	OCCUPANT LOAD FACTOR OPENING
CB	CATCH BASIN		
C.B.C.	CALIF. BUILDING CODE	OPP.	OPPOSITE
CEM	CEMENT	PTD.	PAINT(ED)
CLG.	CEILING	P.D.	PLANTER DRAIN
CLO.	CLOSET	PL.	PLATE
C.O.	CLEAN OUT	P.LAM.	PLASTIC LAMINATE
COL.	COLUMN	PLYWD.	PLYWOOD
CLR.	CLEAR	PNL.	PANEL
CONC.	CONCRETE	PR.	PAIR
CONT.	CONTINUOUS	PT.	POINT
CPT.	CARPET	PART.	PARTITION
CTR.	CENTER	R	RISER
DET.	DETAIL	RAD.	RADIUS
DTL.	DETAIL	RE:	REFER TO
DIA.	DIAMETER	REINF.	REINFORCING
DIAG.	DIAGONAL	REQ'D	REQUIRED
DIM.	DIMENSION	RM.	ROOM
D.O.	DO OVER	R.O.	ROUGH OPENING
DN.	DOWN	SCHED.	SCHEDULE(D)
DR.	DOOR	SEC(T)	SECTION
D.S.	DOWNSPOUT	SHF	SHELF
DWG.	DRAWING	SHT.	SHEET
E	EAST	SD.	SIDE
(E)	EXISTING	SIM.	SIMILAR
EA.	EACH	SPEC.	SPECIFICATION(S)
E.J.	EXPANSION JOINT	S.C.	SOLID CORE
EL(EV)	ELEVATION	S.T.C.	SOUND TRANSMISSION CLASSIFICATION
ELEC.	ELECTRIC(AL)		
EMER.	EMERGENCY	S.	SOUTH
E.O.S.	EDGE OF SLAB	STD.	STANDARD
EQ.	EQUAL	STL.	STEEL
EQUIP.	EQUIPMENT	STR(UCT)	STRUCTURE
EXIST.	EXISTING	SUSP.	SUSPENDED
EXP.	EXPOSED OR EXPANSION EXTERIOR	T	TREAD
		T&G	TONGUE & GROOVE
EXT.	FIRE ALARM	T.G.	TOP OF GRATE
F.A.	FACTORY	THK.	THICK
FACT.	FIRE EXTINGUISHER CABINET	T.O.	TOP OF
F.E.C.	FINISHED FLOOR	T.O.C.	TOP OF CONCRETE
		T.O.S.	TOP OF SLAB
F.F.	FINISH FLOOR	T.O.STL.	TOP OF STEEL
F.F.E.	ELEVATION	T.O.W.	TOP OF WALL
F.G.	FINISHED GRADE	TYP.	TYPICAL
FIN.	FINISH(ED)	U.B.C.	UNIFORM BUILDING CODE
FLR.	FLOOR		
FLUOR.	FLUORESCENT	U.L.	UNDERWRITERS LABORATORY
F.O.	FACE OF		
F.O.F.	FACE OF FINISH	UNF.	UNFINISHED
F.O.S.	FACE OF STUDS	U.N.O.	UNLESS NOTED OTHERWISE
F.O.W.	FACE OF WALL		
F.R.	FIRE RATED	U.O.N.	UNLESS OTHERWISE NOTED
F.S.	FINISHED SURFACE		
FT.	FOOT OR FEET	U.P.C.	UNIFORM PLUMBING CODE
FURR.	FURRING		
F.V.	FIELD VERIFY	V.C.T.	VINYL COMPOSITION TILE
GA.	GAUGE		
GALV.	GALVANIZED	VER.	VERIFY
G.C.	GENERAL CONTRACTOR	V.I.F.	VERIFY IN FIELD
G.I.	GALVANIZED IRON	W.P.	WATER PROOFING
GL.	GLASS	W	WEST
GWB.	GYPSUM WALLBOARD	W/	WITH
H.C.	HOLLOW CORE	WD.	WOOD
HC.	HANDICAPPED	W/O	WITHOUT
HDWD.	HARDWOOD		
H.M.	HOLLOW METAL		
H.O.	HOLD OPEN		
HR.	HOUR OR HANDRAIL		
HT.	HEIGHT		
H.V.A.C.	HEATING VENTILATION AND AIR CONDITIONING		
H.W.	HOT WATER		
H.B.	HOSE BIB		
I.D.	INSIDE DIAMETER		
I.E.	PIPE INVERT ELEVATION		
INSUL.	INSULATION		
JT.	JOINT		
KIT.	KITCHEN		

PRESCRIPTIVE CODE ANALYSIS

PROTECTION

FIRE RESISTANCE RATINGS FOR TYPE VB
PER 2025 CBC TABLE 601
- PRIMARY STRUCTURAL FRAME – 0 HOURS
- EXTERIOR BEARING WALLS – 0 HOURS
- INTERIOR BEARING WALLS – 0 HOURS
- NON-BEARING WALLS & PARTITIONS – 0 HOURS
- FLOOR CONSTRUCTION & SECONDARY MEMBERS – 0 HOURS
- ROOF CONSTRUCTION & SECONDARY MEMBERS – 0 HOURS

EXTERIOR NON BEARING WALLS
PER 2025 CBC TABLE 705.5
- 0-5' – 1 HOUR
- 5'-10' – 1 HOUR
- 10'-30' – 0 HOURS
- > 30' - 0 HOURS

LIFE SAFETY

COMMON PATH OF TRAVEL DISTANCE W/ SPRINKLERS
PER 2025 CBC
- A2 OCC – 75' MAX

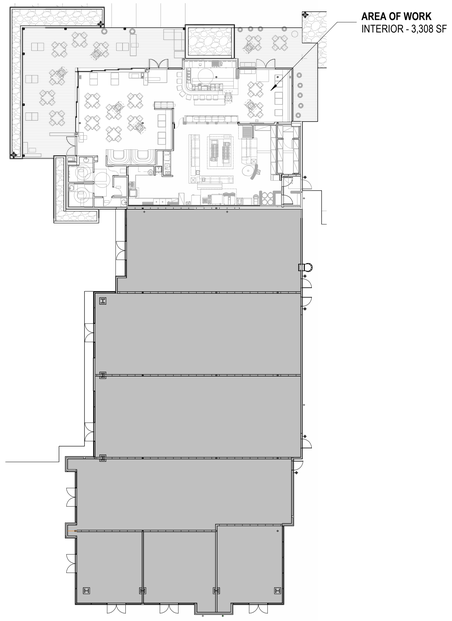
EXIT ACCESS TRAVEL DISTANCE W/ SPRINKLERS
PER 2025 CBC TABLE 1017.2
- A2 OCC – 250' MAX W/ (2) EXITS MIN.

HORIZONTAL EXITS
PER 2025 CBC 1026
- HALF THE TOTAL NUMBER OF EXITS WHERE (2) OR MORE ARE REQUIRED.

PROJECT CODE ANALYSIS

AREA SUMMARY

EXISTING GROSS BUILDING AREA
FIRST FLOOR -3,308 SF OF 11,765 SF
NO CHANGE IN SQUARE FOOTAGE



PARKING SUMMARY

NO CHANGES TO EXISTING PARKING REQUIRED

EXISTING PARKING TOTALS

VEHICLE SPACES
STANDARD: 472
ACCESSIBLE: 16
EV: 4
EV READY: 28
MOTORCYCLE: 8

BICYCLE PARKING
SHORT TERM: 27
LONG TERM: 27

APPLICABLE CODES

2025 CALIFORNIA BUILDING CODE
2025 CALIFORNIA MECHANICAL CODE
2025 CALIFORNIA PLUMBING CODE
2025 CALIFORNIA ELECTRICAL CODE
2025 CALIFORNIA FIRE CODE
2025 CALIFORNIA ENERGY CODE
2025 CALIFORNIA GREEN BUILDING STANDARDS CODE
APPLICABLE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT
NFPA STANDARDS

DEFERRED SUBMITTALS

FIRE SPRINKLERS
FIRE ALARM

PROJECT SUMMARY

SCOPE OF WORK

EXISTING BUILDING AND SITE

THE NEW WORK IS PROPOSED WITHIN A NEWLY CONSTRUCTED SINGLE STORY BUILDING (BLDG 4) AT THE CROSS CREEK RANCH DEVELOPMENT. THE EXISTING BUILDING IS PROVIDED WITH THE FOLLOWING:
- ACCESSIBLE PATH OF TRAVEL
- PARKING
- COMPLIANT RESTROOMS (ON SITE)
- DOMESTIC WATER & SEWER STUBS
- (1) 7.5 TON PACKAGED ROOFTOP UNIT
- 800A ELECTRICAL SERVICE

NEW SCOPE

THE PROPOSED SCOPE OF WORK INCLUDES TENANT IMPROVEMENTS AND THE CHANGE OF USE FROM M-OCC TO A-2 FOR RESTAURANT USE. THE FOLLOWING LISTS THE SPECIFIC IMPROVEMENTS:

INTERIOR:
- NEW NON STRUCTURAL SLAB
- NEW RESTROOMS
- NEW MILLWORK
- NEW INTERIOR FINISHES
- NEW KITCHEN INCLUDING FOOD SERVICE EQUIPMENT AND BACK OF HOUSE SPACE
- NEW HVAC AND ELECTRICAL DISTRIBUTION

EXTERIOR:
- NEW EXTERIOR LIGHTING
- NEW EXTERIOR FENESTRATION IN PLACE OF EXISTING
- NEW PATIO PERGOLA AND AWNING

PROJECT INFORMATION

PROJECT ADDRESS:
- 23465 CIVIC CENTER WAY, MALIBU, CA 90265

EXISTING BUILDING:
- TOTAL AREA: 11,765 SF
- STORIES: 1
- HEIGHT: 28'-0" MAX
- CONSTRUCTION TYPE: V-B
- YEAR BUILT: 2022

LEGAL DESCRIPTION:
- ASSESSOR'S PARCEL NUMBER: 4458022032

ZONING:
- CC / TCO -TOWN OVERLAY DISTRICT

SPRINKLERS:
- EXISTING FULLY SPRINKLERED TO BE MODIFIED AS REQUIRED PER NFPA 13

OCCUPANCY & USE

EXISTING
• EXISTING M-OCCUPANCY. NO EXISTING USE.

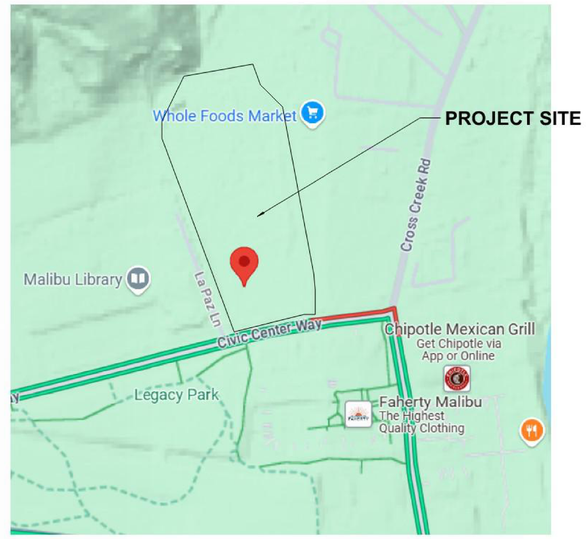
NEW
• CHANGE FROM M-OCCUPANCY TO A2 OCCUPANCY
• PROPOSED USE: RESTAURANT
PER DEVELOPMENT AGREEMENT, THE PROPERTY IS ALLOWED 10,000 SF OF RESTAURANT AREA

OCCUPANT LOAD

SEAT COUNT:
EXTERIOR: 48
INTERIOR: 76
TOTAL: 124

PROJECT LOCATION

VICINITY MAP



Terrain

353 S. Broadway, Suite 300, Los Angeles CA 90013

Madeo Mare
23465 CIVIC CENTER WAY ST, 480 & 490
MALIBU, CA 90265
2616

01 Client Information

MADEO MARE
8490 Sunset Blvd. West Hollywood, CA 90069

Preliminary Not For Construction

02 Issues & Revisions

1	CUPA SET	04/15/2026

The drawings and specifications and designs represented hereby are and shall remain the property of the Architect, and no part thereof shall be used or reproduced for any purpose other than the specified project for which they have been prepared and developed without the written consent of the Architect. Written dimensions shall have precedence over scaled dimensions. The Contractor shall verify and be responsible for all dimensions and conditions on the jobsite and report any discrepancies to the Architect. The drawings and specifications indicate the general scope of work, but are not intended to be complete in every detail. Drawings and do not necessarily indicate or describe all the work required for full performance and completion of the construction contract. Based on the scope of work indicated Contractor shall furnish all items required for the proper execution of the project.

03 Key Plan



Scale at Arch E1 (30 X 42):
As indicated

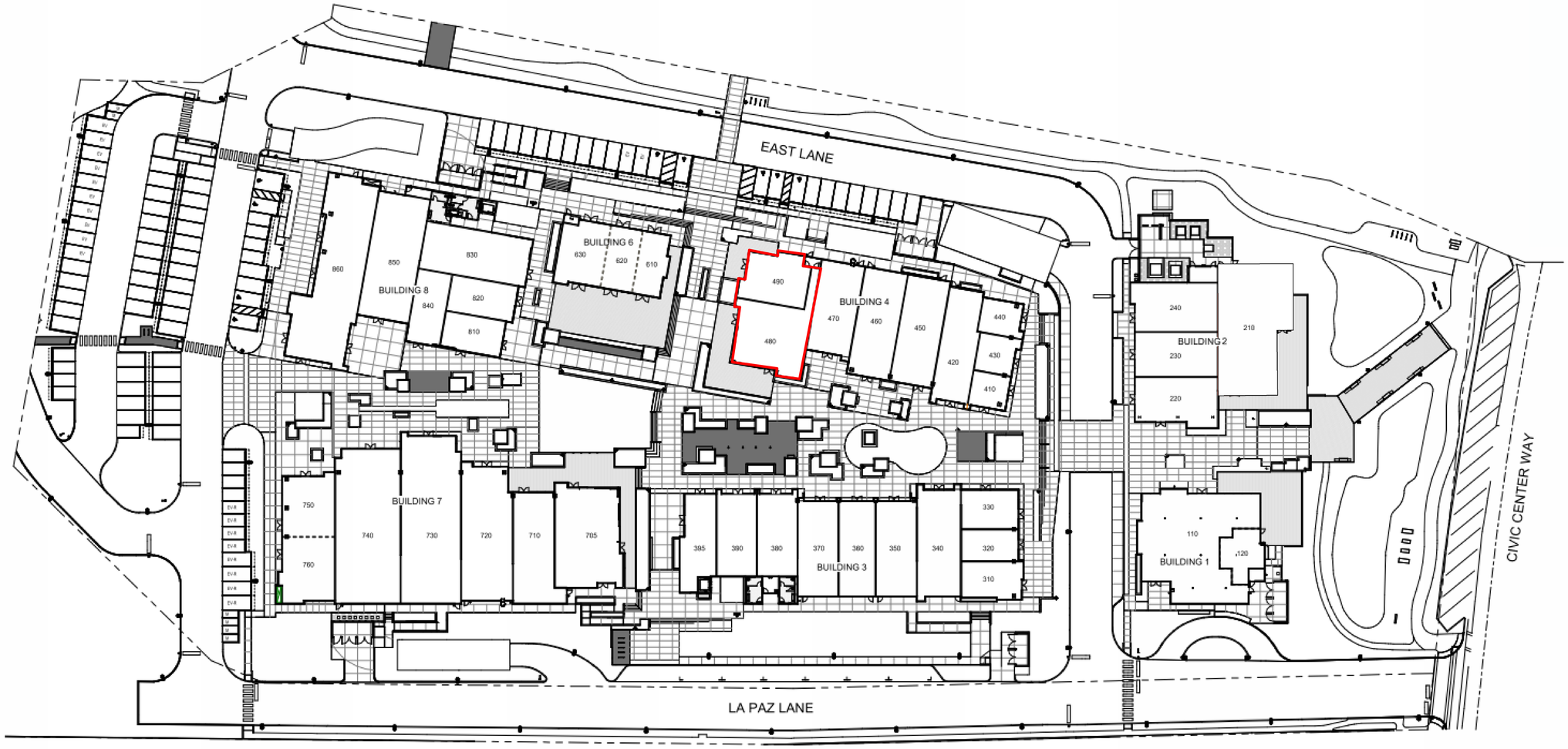
PROJECT INFORMATION

G001

ATTACHMENT 2

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N

For Reference Only

Terrain

353 S. Broadway, Suite 300, Los Angeles CA 90013

Madeo Mare
23465 CIVIC CENTER WAY ST, 480 & 490 MALIBU, CA 90265
2616

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03 Key Plan



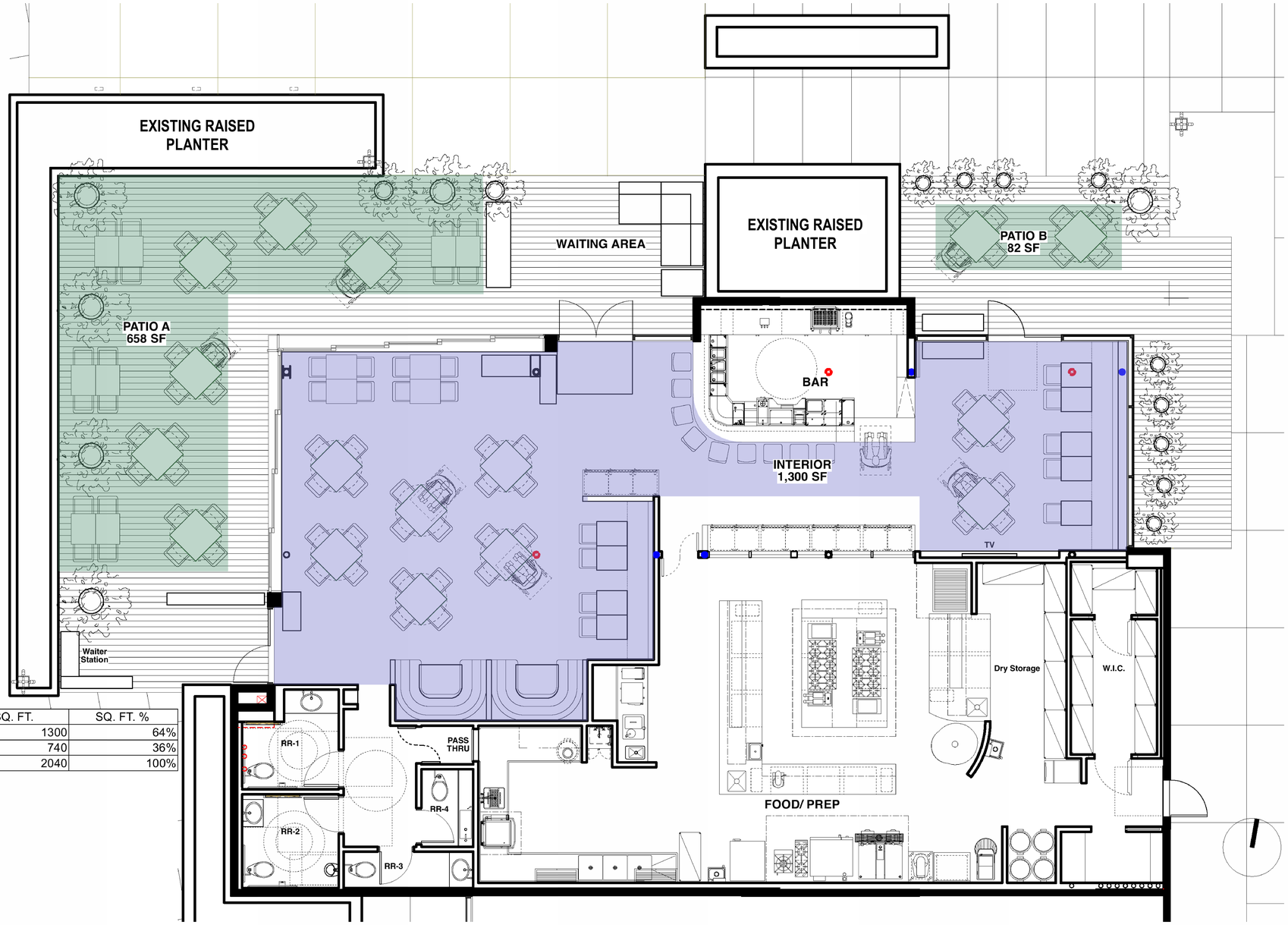
Scale at Arch E1 (30 X 42):
1" = 80'-0"

REFERENCE SITE PLAN

G040

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ZONE	SQ. FT.	SQ. FT. %
INTERIOR DINING	1300	64%
EXTERIOR DINING	740	36%
TOTAL	2040	100%

Madeo™ mare

CUP CALCS

Scale: 1/8" = 1'-0"
Date: February 27, 2026

RED STUDIO ARCHITECTURE + DESIGN
924 Milwood Ave, Venice, CA 90291
Telephone: 310.625.0654
e-mail: daniela@redstudio.la

01

SEAT COUNT:
EXTERIOR: 48
INTERIOR: 76
TOTAL: 124

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Terrain

353 S. Broadway, Suite 300, Los Angeles CA 90013

Madeo Mare
23465 CIVIC CENTER WAY ST, 480 & 490
MALIBU, CA 90265
2616

01 Client Information

MADEO MARE
8490 Sunset Blvd. West Hollywood, CA 90069

Preliminary Not For Construction

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03 Key Plan



Scale at Arch E1 (30 X 42):
1" = 80'-0"

PROPOSED FLOOR PLAN

A01

© 2026 Terrain

Madeo Mare
Description of Proposed Business

Resolution Nos. 08-52 and 20-17

In 2008, the City of Malibu adopted Resolution No. 08-52, which approved the La Paz Ranch project (now referred to as the Cross Creek Ranch shopping center and development) (the "Project") located at 23465 Civic Center Way in the City of Malibu (the "Property). On January 21, 2020, the City of Malibu Planning Commission unanimously passed and adopted Resolution No. 20-17 approving Project Modifications to the City's 2008 approval of the Project. Resolution Nos. 08-52 and 20-17 included approving a Conditional Use Permit and a Conditional Use Permit Amendment, respectively, for Restaurant Use.

The Project permits 10,000 square feet of restaurant use with outdoor seating within Parcel A, to be sited anywhere within Parcel A. Pursuant to Resolution No. 20-17 Condition No. 6, coffee and juice establishments can open at 6:00 a.m., while breakfast establishments can open at 7:00 a.m. and the remainder of restaurant uses could open at 8:00 a.m., seven days per week. All restaurants must close at 12:00 a.m., Sunday through Thursday, and at 1:00 a.m., Friday through Sunday. For all restaurants, no outdoor restaurant service is allowed after 11:00 p.m. The Resolution 08-52 Conditions of Approval prohibit restaurants from having live entertainment or amplified sound without a Conditional Use Permit, do not allow the use of an outdoor speaker / pager system, and prohibit trash or recycling pick-up between the hours of 10:00 p.m. and 8:00 a.m. In addition, the Conditions of Approval require the applicant to provide Planning with a copy of the California Department of Alcohol Beverage Control issue On-Premise Consumption License, and provide that the City Planning Manager shall have the authority to conduct an annual review of compliance with the CUP conditions. As stated in Resolution No. 20-17, the Project has been designed to be sensitive to the existing residential development by its siting (respecting privacy through vegetative screening, shielding lighting to eliminate glow and night lighting) and overall site landscaping to soften the visual impact of new development and change of use at the site. The Project will remain compatible with the surrounding neighborhood.

Resolution No. 20-17 Condition No. 7 addresses the outdoor dining area for the Cross Creek Ranch restaurants and provides that:

> Restaurant use shall not exceed a total of 10,000 square feet of service area, whether inside or outside. No more than 4,000 square feet in the aggregate can be outdoor dining. No more than 40% of the seating for any individual restaurant shall be outdoors. Outdoor dining area shall include the entire area contained within the exterior perimeter of the seating area. Individual CUPs must be obtained for all restaurants which shall detail any outdoor seating area and all service areas.

Madeo Mare

Madeo Madre is an Italian seaside dining restaurant serving lunch and dinner daily and weekend brunch. Rooted in Tuscan flavors, the menu celebrates classic dishes refined though a modern sensibility. Carrying forward the legacy of Madeo Ristorante, Madeo Mare introduces a new

unique, relaxed concept, where heartfelt hospitality meets the laid-back spirit of Malibu in an easygoing, seaside setting.

Madeo Mare has leased Suites 480 and 490 at Cross Creek Ranch. Consistent with Resolution No. 20-17, Madeo Mare's hours of operation would be 10:00 a.m. to 11:00 p.m. daily. Consistent with Resolution No. 20-17, Madeo Mare will not allow outdoor restaurant service after 11:00 p.m. Madeo Mare anticipates hiring 50 employees. Full alcohol service is proposed.

The square footage of the leased area is 3,308 square feet, which includes 2,040 square feet of service area. Consistent with Resolution No. 20-17, 64% percent of the seating / service area (or 1,300 square feet) will be indoors and 36% percent of the seating / service area (or 740 square feet) will be outdoors. The outdoor dining patio will be used by restaurant patrons only. Madeo Mare will provide Planning with a copy of the California Department of Alcohol Beverage Control issue On-Premise Consumption License upon issuance.

As provided for in Resolution No. 20-17, parking for Madeo Mare would be shared with the other uses on the Property. The Project provides 519 parking spaces within a single subterranean garage and at grade. The Project will also have valet service for a fee. In addition, the Project includes 54 shared bicycle parking spaces and 8 shared motorcycle parking spaces. Lighting and signage would be in compliance with the Malibu Municipal Code. Cross Creek Ranch would implement on-site security patrol sufficient to secure all areas of the Project.

Restaurant Use as Cross Creek Ranch

Resolution No. 20-17 Condition No. 2.H permits 10,000 square feet of restaurant use with outdoor seating within Parcel A, to be sited anywhere within Parcel A. Resolution No. 20-17 Condition No. 7 addresses the outdoor dining area for the Cross Creek Ranch restaurants and provides that:

> Restaurant use shall not exceed a total of 10,000 square feet of service area, whether inside or outside. No more than 4,000 square feet in the aggregate can be outdoor dining. No more than 40% of the seating for any individual restaurant shall be outdoors. Outdoor dining area shall include the entire area contained within the exterior perimeter of the seating area. Individual CUPs must be obtained for all restaurants which shall detail any outdoor seating area and all service areas.

The Planning Commission previously approved three restaurants at Cross Creek Ranch: Clark's Oyster Bar, Pura Vida Miami, and Wally's. These three restaurants and Madeo Mare comply with Resolution No. 20-17 Condition Nos. 2.H and 7.

Clark's Oyster Bar, Pura Vida Miami, Wally's, and Madeo Mare have a combined 9,665 square feet of building floor area of restaurant use of the 10,000 square feet allowed under Condition No. 2.H.

Clark's Oyster Bar, Pura Vida Miami, Wally's, and Madeo Mare have a combined 6,485 square feet of service area of restaurant use of the 10,000 square feet allowed under Condition No. 7.

Clark's Oyster Bar, Pura Vida Miami, Wally's, and Madeo Mare have a combined 2,504 square feet of outdoor service area of restaurant use of the 4,000 square feet allowed under Condition No. 7.

Madeo Mare
Written Statement Justifying the Issuance of a Letter of Public Convenience or Necessity

In 2008, the City of Malibu adopted Resolution No. 08-52, which approved the La Paz Ranch project (now referred to as the Cross Creek Ranch shopping center and development) (the "Project") located at 23465 Civic Center Way in the City of Malibu (the "Property"). On January 21, 2020, the City of Malibu Planning Commission unanimously passed and adopted Resolution No. 20-17 approving Project Modifications to the City's 2008 approval of the Project. Resolution Nos. 08-52 and 20-17 included approving a Conditional Use Permit and a Conditional Use Permit Amendment, respectively, for Restaurant Use.

Madeo Mare is an Italian seaside dining restaurant serving lunch and dinner daily and weekend brunch. Rooted in Tuscan flavors, the menu celebrates classic dishes refined through a modern sensibility and introduces a new unique, relaxed concept, where heartfelt hospitality meets the laid-back spirit of Malibu in an easygoing, seaside setting. Madeo Mare also plans to serve a full-line of alcohol beverages to patrons, including beer, wine, and spirits. Food service establishments typically include alcohol service to provide patrons with the option to enjoy beer, wine, or spirits while they eat.

Madeo Mare is located within the Project, along with a variety of eateries, coffee and juice shops, retail stores, and personal service establishments. Consistent with other high-quality shopping centers in the region, the Project provides a range of goods and services catering to the local community and visitors to the area. By providing full-service restaurants, in addition to grab-and-go and casual dining establishments, the Project would provide employees and patrons the opportunity to grab a meal on the Property, rather than having to make a separate trip. The Project's dining service establishments would provide employees the opportunity to eat breakfast, lunch, or dinner near their office, give shoppers the option to take a break and purchase a meal, and offer visitors to the office park and City's use on Parcel C takeaway and on-site food choices. The provision of these food service options would enhance the user experience of the Project by complementing the proposed retail and office uses. In addition, the on-site retail and restaurant options would be within walking distance of off-site retail, office, and visitor-serving uses, providing additional amenities within a pedestrian-friendly neighborhood.

As stated in Resolution No. 20-17, the Project has been designed to be sensitive to the existing residential development by its siting (respecting privacy through vegetative screening, shielding lighting to eliminate glow and night lighting) and overall site landscaping to soften the visual impact of new development and change of use at the site. Outdoor dining areas are similarly screened from nearby development and enveloped within the shopping center, creating a vibrant al fresco dining experience. The Project is and will remain compatible with the surrounding neighborhood.

The square footage of the leased area is 3,308 square feet, which includes 2,040 square feet of service area. Consistent with Resolution No. 20-17, 64% percent of the seating / service area (or 1,300 square feet) will be indoors and 36% percent of the seating / service area (or 740 square feet) will be outdoors. Consistent with Resolution No. 20-17, Madeo Mare's hours of operation would be 10:00 am to 11:00 p.m. daily. Consistent with Resolution No. 20-17, Madeo Mare will

not allow outdoor restaurant service after 11:00 p.m. Madeo Mare anticipates hiring 50 employees and will ensure that employees participating in alcohol service are appropriately trained.

The Project includes appropriate security measures to maintain a safe environment for patrons and employees of the Project. Areas including pedestrian corridors and common spaces would include lighting and signage in compliance with the Malibu Municipal Code. Cross Creek Ranch would implement on-site security patrol sufficient to secure all areas of the Project and maintain a safe environment for patrons and employees.

Madeo Mare will not detrimentally impact the surrounding neighborhood or otherwise contribute to an undue concentration of establishments serving alcohol. As described above, Madeo Mare will provide patrons and employees of the Project a high-quality, sit-down dining experience located amongst retail, service, office, and municipal uses. Because the service of alcohol at such establishments is customary, the City should authorize alcohol sales at Madeo Mare.

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:** 04/21/2026

PROJECT NUMBER:	CUP 26-003
JOB ADDRESS:	23465 CIVIC CENTER WAY, 480
APPLICANT / CONTACT:	Tierney Mauge, Cross Creek Ranch Malibu LLC
APPLICANT EMAIL:	tmauge@pacequity.com
PROJECT DESCRIPTION:	Conditional Use Permit application for Madeo Mare

---

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

5/21/2026
DATE

Please note this review was only in relation to the wastewater allocation flow rates. No building plan check required.

ATTACHMENT 5

City of Malibu

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

CONDITIONAL USE PERMIT
REFERRAL SHEET

TO: Los Angeles County Sheriff - Malibu Lost Hills Station

FROM: City of Malibu Planning Department **DATE:** 04/21/2026

PROJECT NUMBER:	CUP 26-003
JOB ADDRESS:	23465 CIVIC CENTER WAY, 480
APPLICANT / CONTACT:	Tierney Mauge, Cross Creek Ranch Malibu LLC
APPLICANT ADDRESS:	1460 Fourth Street #308 Santa Monica, CA 90401
APPLICANT PHONE #:	(310) 255-0050
APPLICANT FAX #:	
PROJECT DESCRIPTION:	Conditional Use Permit application for Madeo Mare

This Approval Form (including detailed project description and plans) will be forwarded to:

Sergeant Chris Soderlund
27050 Agoura Road, Calabasas, CA 91302
(323) 365-2293 Fax (818) 880-5209
Hours: Monday – Thursday 9:00 a.m. – 5:00 p.m.

Planning Staff to send review packet to casoderl@lasd.org.

Separate applications and fees may be required by the Sheriff's Department. A CUP will not be issued until this form, signed by an authorized member of this agency, has been returned to the City of Malibu. Any conditions imposed by this agency will be included in the CUP.

☒ Approved ☐ Denied (reasons below) Conditions imposed: ☒ No ☐ Yes (see below)

CHRISTOPHER SODERLUND — 4/30/26
NAME — DATE

SERGEANT
SIGNATURE — TITLE

Rev 110707 sld

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, July 20, 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.

CONDITIONAL USE PERMIT NO. 26-003 - An application to allow for the operation of a new restaurant known as Madeo Mare. The restaurant consists of indoor and outdoor seating, including a California Department of Alcoholic Beverage Control (ABC) License Type 47 (On-Sale General – Eating Place) to allow the sale of beer, wine, and distilled spirits for consumption on the licensed premises during business hours Monday through Sunday from 10:00 am to 11:00 pm

LOCATION / APN:	**23465 Civic Center Way, Units 480 and 490** / 4458-022-032
ZONING:	Community Commercial (CC)
APPLICANT / OWNER:	Cross Creek Ranch Malibu LLC
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Section 15301
APPLICATION FILED:	April 21, 2026
CASE PLANNER:	Adriana Grogan, Assistant Planner, agrogan@malibucity.org / (310) 456-2489, ext. 315

A written staff report will be available at or before the hearing for the projects. All persons wishing to address the Commission regarding these matters 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: June 25, 2026

ATTACHMENT 6

Commission Agenda Report

Planning Commission Meeting
07-20-26
Item 5.B.

To: Chair Peak and Members of the Planning Commission

Prepared by: Didier Murillo, Principal 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 9, 2026 Meeting date: July 20, 2026

Subject: 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.

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-28 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 26-002 to extend the height of an existing Southern California Edison (SCE) wooden utility power pole (Pole No. 2171513E) from 24 feet (ft.) to 28 ft. tall located in the Rural Residential, Five-Acre (RR-5) zoning district at 5716 Kanan Dume Road and within the adjacent Public Right-of-Way (PROW) (Fordson Inc. and City of Malibu).

DISCUSSION: This agenda report provides a background and project overview, project setting and surrounding land uses, description of the proposed project, and an analysis of the project's consistency with applicable provisions of the Malibu Local Coastal Program (LCP), the Malibu Municipal Code (MMC) and environmental review pursuant to CEQA.

Background and Project Overview

The applicant for previously approved CDP No. 15-009[1], Fordson, Inc., for a new single-family residence (SFR) located at 5716 Kanan Dume Road (adjacent parcel) is required to increase the height of an existing SCE wooden utility power pole within the PROW by extending it by 4 ft. vertically to accommodate the additional electrical service for the SFR. The extension would increase the pole's height from 24 ft. to 28 ft. As Kanan Dume Road is a designated scenic road in the LCP, the 4 ft. height increase would not impede upon any public view of the ocean due to the existing height of the pole. Additionally, the height extension would not result in any necessary road improvements or grading. Power utility wires would be installed on the 4 ft. extension with a segment undergrounded from the pole to the SFR (under construction) on the adjacent parcel through conduit. The applicant noted that SCE requirements have changed throughout the years and the requirements triggering the extended pole height were not an issue during the approval of the CDP in 2017, which approved the SFR development on site.

The applicant has considered all alternatives to extending the pole height that might have been available to provide electricity to the SFR but found the extension to be the most feasible option. One option considered but unable to proceed was to request an underground utility easement from their southerly neighbor located at 5740 Kanan Dume Road as that service route could potentially be pulled from an existing pole further south. The neighbor has declined to grant the easement request, as the neighbor wants to avoid trenching within their yard and fencing removal. The neighbor has not expressed any concern with the pole extension in lieu.

The applicant states that SCE verified no other pole in the area could be used to provide underground service nor are there any other above ground options. All options have been considered but rejected by the SCE Engineering team. SCE will not install a replacement power pole of sufficient height but has required the applicant to increase the height of the existing pole to safely manage electrical service to the development on the adjacent parcel. The additional height requirement is the result of existing services distributed from the existing pole as it has become too crowded with existing power lines and additional pole height has been deemed necessary by SCE.

As shown in Figures 1 and 2 below, the area of development is primarily proposed within the PROW just outside of the adjacent parcel located near the northern city limit, with ancillary development on the adjacent parcel, in the form of a segment of power utility wires underground from the pole to the SFR through conduit. Figure 3 below is the applicant-provided visual demonstration exhibits displaying the existing SCE wooden

[1] The SFR was approved by Planning Commission Resolution No. 17-57, granting CDP No. 15-009. CDP No. 15-009 allowed the construction of a new two-story SFR with a basement, detached garage, detached second residential unit, new onsite wastewater treatment system (OWTS) and associated improvements, including a Site Plan Review for construction in excess of 18 ft. in height but not to exceed 28 ft. for a pitched roof.

utility power pole on the left and on the right displaying the SCE wooden utility power pole with the proposed 4 ft. height extension (within a red circle for ease of reference).

Figure 1 – Project Location



Source: City of Malibu GIS 2026

Figure 2 – Adjacent Parcel (Under Construction)



Source: Google Earth 2026

Figure 3 – Existing & Proposed Power Pole



Source: Applicant Exhibits (Attachment 3)

Project Setting and Surrounding Land Uses

Parcels around this section of the PROW, as well as the subject parcel are zoned RR-5.

Table 1 provides a summary of the surrounding land uses:

Table 1 – Surrounding Land Uses				
Direction	**Address**	**Lot Size**	**Zoning**	**Land Use**
North	28350 Via Acero St	90,819 sf.	RR-5	Single-Family Residential
North	28296 Via Acero St	89,522 sf.	RR-5	Single-Family Residential
North	28283 Via Acero St	97,800 sf.	RR-5	Single-Family Residential
East	5812 Zumirez Dr	58,880 sf.	RR-5	Single-Family Residential
East	5810 Zumirez Dr	40,997 sf.	RR-5	Single-Family Residential
Adjacent Parcel	5716 Kanan Dume Rd	191,547 sf.	RR-5	Single-Family Residential
South	5740 Kanan Dume Rd	104,677 sf.	RR-5	Single-Family Residential
West	5755 Kanan Dume Rd	131,762 sf.	RR-5	Single-Family Residential

Sources: Malibu City GIS and LA County Tax Assessor

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. As shown on the LCP Environmentally Sensitive Habitat Area (ESHA) Overlay Map, the project site is not located in an ESHA or ESHA buffer, and is located over 300 ft. from the nearest mapped ESHA. As shown on the LCP Park Lands Map, the project site does not contain any mapped trails or recreational areas; however, a short segment of the Zuma Ridge Trail orients on the opposite (west) side of Kanan Dume Road from the project site which is located on the east side of Kanan Dume Road. Additionally, Kanan Dume Road is designated as a scenic road in the LCP. Due to the location and height of the existing power pole, a 4 ft. extension to the top of a 24 ft. pole would not impede upon public recreation along the Zuma Ridge Trail or disrupt public blue water views of the ocean or inland hills from the Zuma Ridge Trail or Kanan Dume Road.

Project Description

The proposed scope of work is as follows (Attachment 2 – Project Plans):

Construction

a. Addition of a 4 ft. extension to an existing 24 ft. SCE wooden utility power pole; and
b. Ancillary development on the adjacent parcel, in the form of a segment of power utility wires underground from the pole to the SFR through conduit.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the Local Implementation Plan (LIP). The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP

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) OWTS. These chapters are discussed in the LIP Conformance Analysis section 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 Resource Protection, and Hazards. These findings are made in the resolution for the Commission's consideration.

The proposed project has been reviewed by the Planning Division and the City Public Works Division (Attachment 4 – Department Review Sheet). 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 PROW is not designated as a zoning district and, with the exception for wireless facilities, neither the LCP or MMC have development standards for proposed utilities within the PROW. Therefore, objective standards regulating criteria such as height and setbacks are not evaluated via typical zoning regulations. However, consideration for other LCP and MMC related topics could be applicable such as scenic and visual resources and ESHA. The location of the existing SCE wooden utility power pole is within the PROW and the project would add a 4 ft. extension, from 24 ft. to 28 ft., to provide electrical service to the adjacent parcel. For context, the maximum height of the residence under construction on the adjacent parcel is 28 ft. Due to the project site's location, the provisions of LIP Chapter 3 do not apply to this project.

Grading (LIP Chapter 8)

The project does not include any grading and will utilize an existing power pole. Therefore, the provisions of LIP Chapter 8 do not apply to this project.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. The majority of the proposed work is isolated to the top of an existing power pole and entirely within a PROW with ancillary development on the adjacent parcel, in the form of a segment of power utility wires underground from the pole to the SFR through conduit. The project includes minimal landform alteration within the adjacent parcel which is currently under construction.. As part of the previously approved CDP No. 15-009 Robert Wlodarski of H.E.A.R.T prepared a Phase I and Archaeological Report, dated October 2006, and an extended Phase I Archaeological study dated 2007, and conducted an Archaeological Monitoring Report for monitoring that took place between December 9, 2014, and December 12, 2014[2]. As standard practice, conditions of approval are included which state that in the event that any potentially important cultural resources are found in the course of construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Community Development Director can review this information.

Water Quality (LIP Chapter 17)

The project does not pose any changes to water quality and the project complies with LIP Chapter 17 requirements for water quality protection. Additionally, the project has been reviewed by the City's Public Works Department who have determined the proposed project is consistent with the Chapter's water quality protections.

Onsite Wastewater Treatment System (OWTS) (LIP Chapter 18)

The proposed project does not include any plumbing fixtures and will not conflict with any existing wastewater facilities. Therefore, the provisions of LIP Chapter 18 do not apply to this project.

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 project is categorically exempt from the provisions of CEQA pursuant to Section 15303(d) – New Construction or Conversion of Small Structures, including water

[2] The studies and monitoring concluded that an archaeological site identified to be partially within the subject property had been previously mitigated and destroyed by surrounding residential development confirming the findings of other archaeologists who had previously studied the area. Prior disking to comply with the required fuel modification areas of surrounding residences was the likely culprit for spreading small shellfish over the subject property. The cultural resources found on the subject parcel consisted of scattered flakes, shellfish, shell bead and a fragmented stone tool. No human remains or buried deposits were found. The depth of the site is limited to the upper 11 inches of soil consistent with the depth of the top loose soil. The monitoring report concluded that no additional archaeological work is required and that the proposed improvements should have no adverse impacts to known cultural resources.

main, sewage, electrical, gas, and other utility extensions. 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 publication of this report, no correspondence has been received by the Planning Division.

PUBLIC NOTICE: On June 25, 2026, staff published a Notice of Public Hearing in a newspaper of general circulation within the City and mailed the notice to all property owners and occupants within a 500 ft. radius of the subject parcel (Attachment 5) [3].

SUMMARY: The required findings can be made that the proposed project complies with the LCP and MMC. Further, the staff's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project, subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 26-28. The proposed project has been reviewed and conditionally approved for conformance with the LCP by staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-28
2. Project Plans
3. Applicant-Provided Visual Demonstration Exhibits
4. Department Review Sheet
5. Public Hearing Notice

[3] The subject project was inadvertently noticed including a Variance for height. However, as noted on the Zoning section of staff report, the PROW is not designated as a zoning district and, with the exception for wireless facilities, neither the LCP or MMC have development standards for proposed utilities within the PROW. Objective standards regulating criteria such as height are not evaluated via typical zoning regulations therefore a variance for the height increase is not required. The project did not require continuance as the item was over noticed.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-28

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. 26-002 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 Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On January 16, 2026, an application for Coastal Development Permit (CDP) No. 26-002 and Variance (VAR) No. 26-001 for a height increase to an existing Southern California Edison (SCE) wooden utility power pole within the Public Right-of-Way (PROW) from 24 foot (ft.) up to 28 ft. tall, was submitted to the Planning Division by the applicant, Vitus Matare and Associates, Inc. on behalf of Fordson Inc. The application was routed to the City Public Works Department for review.

B. On April 10, 2026, Planning Division staff conducted a site visit to document site conditions, the property and surrounding area.

C. On June 25, 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 500 ft. radius of the subject parcel and to all interested parties.

D. On June 30, 2026, VAR No. 26-001 was removed from the project.

E. On July 20, 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 proposed project is categorically exempt from the provisions of CEQA pursuant to Section 15303(d) – New Construction or Conversion of Small Structures, including water main, sewer, electrical, gas, and other utility extensions. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

SECTION 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record, including the agenda report for the project and the hearing on July 20, 2026, and pursuant to the Local Coastal Program (LCP) Local Implementation Plan (LIP) including section 13.7(B) and 13.9 and the Malibu Municipal Code (MMC), the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 26-002 to allow a height increase to an existing SCE wooden utility power pole (Pole No. 2171513E) within the PROW, adjacent to a parcel located in the Rural Residential, Five-Acre (RR-5) zoning district at 5716 Kanan Dume Road.

The project, as proposed, has been determined to be consistent with all applicable LCP's zoning, grading, cultural resources, water quality, and wastewater treatment requirements. The project, as conditioned, had 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 the certified City of Malibu Local Coastal Program.*

The project has been reviewed by the Planning Division and City Public Works Department for conformance with the LCP. As discussed herein, based on the submitted project plans, visual demonstration exhibits, and recommended conditions, the proposed project conforms to the LCP in that it meets all applicable codes and other standards.

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

The project is not located between the first public road and the sea. Therefore, this finding is not applicable.

3. *The project is the least environmentally damaging alternative.*

The project proposes to increase the height of an existing SCE wooden utility power pole within the PROW by extending it by 4 ft. vertically to accommodate the additional service for the Single-Family Residence (SFR). Power utility wires will be installed on the 4 ft. extension with a segment underground from the pole to the SFR (under construction) on the adjacent parcel through conduit at 5716 Kanan Dume Road (pursuant to CDP 15-009, Resolution No. 17-57). The applicant has considered all alternatives to extending the pole height that might have been available to provide electricity to the SFR but found the extension to be the most feasible option. One option considered but unable to proceed was to request an underground utility easement from their southerly neighbor located at 5740 Kanan Dume Road as that service route could potentially be pulled from an existing pole further south. The neighbor has declined to grant the easement request, as the neighbor wants to avoid trenching within their yard and fencing removal. The neighbor has not expressed any concern with the

pole extension in lieu. The applicant states that SCE verified that no other pole in the area could be used to provide underground service nor are there any other above ground options. All options have been considered but rejected by the SCE Engineering team. SCE will not install a replacement power pole of sufficient height but has required the applicant to increase the height of the existing pole to safely manage electrical service to the development on the adjacent parcel. The additional height requirement is the result of existing services distributed from the existing pole as it has become too crowded with existing power lines and additional pole height has been deemed necessary by SCE. Therefore, the project is the least environmentally damaging alternative when compared to excavating a new hole in a different location. The existing pole with the inclusion of the proposed 4 ft. extension is not anticipated to have impacts to scenic views of the Pacific Ocean as seen from Kanan Dume Road.

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 rear portion of the adjacent parcel contains Environmentally Sensitive Habitat Area (ESHA), as shown on the LCP ESHA Overlay Map, which is located approximately 340 ft. north of the existing location of the SCE wooden utility power pole. The proposed 4 ft. height extension to the existing SCE power pole would maintain this distance and was not found to result in impacts to ESHA or ESHA buffer. Therefore, Environmental Review Board review was not required, and this finding is not applicable.

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

The rear portion of the adjacent parcel contains ESHA, as shown on the LCP ESHA Overlay Map, which is located approximately 340 ft. north of the existing location of the SCE wooden utility power pole. The proposed 4 ft. height extension to the existing SCE power pole would maintain this distance and was not found to result in impacts to ESHA or ESHA buffer. Therefore, the findings of LIP Section 4.7.6 are not applicable and the project is not subject to the additional development standards and provisions of LIP Chapter 4.

C. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the project site within the PROW or the adjacent parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those CDP applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The proposed project is visible from Kanan Dume Road, an LCP designated scenic road, and a short segment of the Zuma Ridge Trail located on the opposite site (west) of Kanan Dume Road from the project site. The findings for the chapter are made herein.

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

The 4 ft. extension to the existing 24 ft. SCE wooden utility pole is not anticipated to affect any scenic views of the Pacific Ocean and Santa Monica Mountains as it is located in the same location of an existing utility pole and the added height is not in the line-of-sight of impressive scenes for travelers on Kanan Dume Road or along the short segment of the Zuma Ridge Trail. The existing pole would remain in its current location and the increase in height from 24 ft. to 28 ft. is not anticipated to impact public views of the ocean or inland hills.

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

As conditioned, no significant adverse scenic or visual impacts are anticipated as the project would remain as proposed. When applied, conditions of approval are intended to ensure conformance with the applicable provisions of the LCP.

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

As described in Finding A.3, the proposed location is the least environmentally damaging alternative in that the SCE wooden utility power pole will be extended 4 ft. vertically in the same location as the existing SCE wooden utility power pole and the additional height will enable service to a single-family residence currently under construction on the adjacent parcel. The 4 ft. increase in height will not impact scenic views for motorists traveling on Kanan Dume Road or users of the Zuma Ridge Trail.

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

As described in Finding A.3, there are no feasible alternatives that would avoid or lessen the scenic impact. The applicant has considered all alternatives to extending the pole height that might have been available to provide electricity to the SFR but found the extension to be the most feasible option. One option considered but unable to proceed was to request an underground utility easement from their southerly neighbor located at 5740 Kanan Dume Road as that service route could potentially be pulled from an existing pole further south. The neighbor has declined to grant the easement request, as the neighbor wants to avoid trenching within their yard and fencing removal. The neighbor has not expressed any concern with the pole extension in lieu.. All other options have been considered but rejected by the SCE Engineering team. SCE will not install a replacement power pole of sufficient height but has required the applicant to increase the height of the existing pole to safely manage electrical service to the development on the Adjacent Parcel. The additional height requirement is the result of existing services distributed from the existing pole as it has become too crowded with existing power lines and additional pole height has been deemed necessary by SCE. For the record, the applicant has stated that SCE requirements have changed throughout the years and this was not an issue during the approval of CDP No. 15-009 in 2017, which approved the SFR development on site.

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 site is not located in an ESHA or ESHA buffer, and is located over 300 ft. from the nearest mapped ESHA. As designed and located, the project ensures compliance with the sensitive resource protection policies in the LCP.

E. Transfer of Development Credit (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

F. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project has the potential to adversely impact site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Division and City Public Works Department. The required findings are made as follows:

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

The proposed project is required to comply with all applicable requirements of State and local laws. The proposed project is also required to comply with all applicable regulations and standards promulgated or imposed by any State or Federal agency. As designed and conditioned, the proposed project will not increase instability of the site or structural integrity resulting from 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 proposed project, as designed, will not have a significant effect on the site's stability or structural integrity.

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

As described 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 project, as designed, will not have adverse impacts on site stability. Compliance with standard engineering techniques and other feasible available solutions to address hazard issues will ensure that the structural integrity of the proposed height increase to the existing SCE wooden utility power pole will not result in any hazardous conditions. Furthermore, the proposed 4 ft., extension will be reviewed and approved during plan check conducted by SCE.

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.*

The proposed project, as designed and conditioned, will not have significant adverse impacts on sensitive resources, including but not limited to hazards.

G. Shoreline and Bluff Development (LIP Chapter 10)

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

H. Public Access (LIP Chapter 12)

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 PCH and is not located on or adjacent to a shoreline.
B. Blufftop Access – The subject parcel is located inland from PCH and is not located on a coastal blufftop nor connected to an existing or planned public blufftop public accessway.
C. Trail Access – The subject parcel does not include or is adjacent to any existing or planned public trails. A short segment of the Zuma Ridge Trail orients on the opposite (west) side of Kanan Dume Road from the project site which is located on the east side of Kanan Dume Road. Development is associate with the pole extension and no condition for additional or expanded trail access is warranted.
D. Recreational Access – The subject parcel does not include or is adjacent to any existing or planned public recreational areas. No condition for recreational access is warranted.

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.

I. 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. 26-002 subject to the following conditions.

SECTION 5. Conditions of Approval.

Standard Conditions

1. The applicant, 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. Addition of a 4 ft. extension to an existing 24 ft. SCE wooden utility power pole; and
   b. Ancillary development on the adjacent parcel, in the form of a segment of power utility wires underground from the pole to the SFR through conduit.

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 **January 16, 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 applicant 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 CDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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

8. All development shall conform to the requirements of the City Community Development Department and City Public Works Department, 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 LCP and MMC. Revised plans reflecting the minor changes and additional fees shall be required.

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

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

Cultural Resources

12. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the 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.

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

Construction

14. The applicant shall submit a copy of a Construction Management Plan to the Planning Division. The Construction Management Plan shall include a dedicated parking location for construction workers and storage of construction material. 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.

15. A construction staging plan shall be reviewed and approved by the Building Official upon approval of SCE plan check and prior to commencement of construction.

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

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. A site survey shall be prepared by a licensed civil engineer or architect that states the highest pole feature elevation from adjacent grade. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Division for review and sign off.

19. 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.

Public Works

20. Prior to construction, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City' s right-of-way.

Prior to Final Inspection

21. 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.

Site Specific Conditions

22. Permittee shall at all times maintain compliance with all applicable federal, State and local laws, regulations, ordinances and other rules, including Americans with Disabilities Act (ADA) requirements.

23. Permittee shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address and email address for at least one natural person. All such contact information for responsible parties shall be provided to the Planning Division prior to construction and within one business day of permittee's receipt of City staff's written request.

24. The site must be maintained in a neat and clean manner and in accordance with all approved plans and conditions of approval.

25. The applicant shall request a final Planning Division inspection.

Fixed Conditions

26. This CDP shall run with the location of the development (SCE power pole) within the PROW and with the development within the adjacent parcel located at 5716 Kanan Dume and bind all future owners of the property.

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

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

PASSED, APPROVED AND ADOPTED this 20th day of July 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. 26-28 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 20th day of July 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

PSPEC/CREW NOTES:
- RESIDENTIAL LINE EXTENSION – NEW M&S – –400A
- W/W TD2427889 TO UPGRADE POLE SIZE
- SITE CONTACT – JESSE @ 909.855.8130
- W/W OH TPP RM TD2428407
- TRUCK ACCESSIBLE; YES

CUSTOMER NOTES:
- RISER INSTALLATIONS MUST BE BACKFILLED AND COMPACTED THE SAME DAY OF THE EXCAVATION CUSTOMER/CONTRACTOR WILL COORDINATE RISER INSTALLATIONS WITH THE SCE INSPECTOR BEFORE DIGGING
- INSTALL TWO 3'X5'X4' PULLBOXES
- TRENCH AND LAY 1–5" PVC CONDUIT FROM POLE 2171513E TO X3436
- TRENCH AND LAY 1–5" PVC CONDUIT FROM X3436 TO X3437
- TRENCH AND LAY 1–5" PVC CONDUIT FROM P0150 TO PANEL
- CONTACT SCE INSPECTOR TO SIGN OFF ON UNDERGROUND CONSTRUCTION BEFORE BACKFILLING

UNDERGROUND SERVICE ALERT
Contact USA
Dial 811 or 800-422-4133
www.digalert.org/contact
FOR UNDERGROUND LOCATING TWO WORKING DAYS BEFORE YOU DIG

D16: 03/22/24

NOTE:
ALL ELECTRICAL DUCTS AND STRUCTURES WILL CONFORM TO GENERAL ORDER #128 (RULES FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL SUPPLY AND COMMUNICATION PRESCRIBED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, JANUARY 2006).

D06: 03/22/24

T.L.M. DATA: P6100150

	SIZE	KVA	CUST	% LOAD
EXIST.	0	0	0	0 %
PROP.	50	49	1	97 %

VOLTAGE DROP: 0.36%
FLICKER FACTOR: 1.58%
PRI. CIRCUIT: LATIGO 16KV

D27: 03/22/24

PROJECT REQUIREMENTS (Y/N)

EDISON EASEMENT REQUIRED	Y
PWRD 88 REQUIRED UG	N
CIVIL ONLY WORK ORDER	N
PERMIT REQUIRED	Y
PERMIT TYPE: T/C	
OUTAGE REQUIRED	Y
OUTAGE DATE: ____ TIME: ____	
TRAFFIC CONTROL REQUIRED	Y
PED. TRAFFIC CONTROL REQ'D	N
CONVEYANCE LETTER REQ'D	N
ENVIRONMENTAL REQUIREMENTS DOCUMENT (ERD) REQUIRED	Y
CSD 140 (TLM) REQ'D	N
CIRCUIT MAP CHANGE REQ'D (TD 203)	Y
DIG ALERT APP	N
VERIFIED ACTIVE AND CONFIRMED USA TICKETS	N
UTILIQUEST NOTIFIED	N
FAA MARKING REQ'D	N
FAA TYPE:	
ACTUAL COST WORK ORDER	N

STANDARD ADHERENCE: 3 Q/ 2025 Y

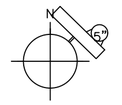
D124: 12/12/24

LINE DEVICE ID# FD00359

TO BE PROVIDED BY DISTRICT AT THE TIME OF INSTALL

D19: 03/22/24

RISER DETAIL



RUN: 72'
RISER: 36'
TOTAL: 108'

FINAL DESIGN
APPROVED FOR CONSTRUCTION

Received
1/16/2026
Planning Division

1 TD2425943 EXTREME
EX: 2171513E POLE
50' CLASS H3
IN: 4 – AV PH–LA SGL ARM BRKT COVER
IN: 1 – RISER SUPPORT KIT FOR CMP LWS WD POLES
IN: 1 – XA SNGL VB 12' COMP W/BRKT STEEL PINS
IN: 2 – FE FH SMD20 17" BLF 200A 16KV 1P
IN: 2 – FE FUSE X–LIMITER 17KV 12A
IN: 2 – SA HFA POLY NON XFMR 16KV
IN: 1 – RSR 5" EXTENSION
CF: 72' – CM DUCT 5" (1513E TO X3436)
CF: 72' – CM DUCT FOR EXCAVATION (1513E TO X3436)
IN: 108' – CBL 1/0 AL 2/C 17KV CLP 220 MIL (1513E TO X3436)

CF 1 5" / 1 72'
1513E TO X3436
IN: 108' 2–1/0 JCN 16KV
TENSION 2–1/0 JCN 5" DUCT
1513E TO X3436 – 65 LBS
X3436 TO 1513E – 83 LBS

2 TD2425943
CI: X5813436 PULL BOX
3'x5'x4' CONCRETE FULL TRAFFIC
CI: 1 – S SPL BOX PB 3'X5'X4' CNC LFT AST CVR
CF: 1 – SS TAX EXCV CST FOR BD/PAD/PB/PME/SB/SOE
IN: 1 – SL CBL RACK STL 30" FOR PB
IN: 4 – JJ LBE 1/0 200A 16KV
IN: 2 – JJ LB INS CAP 200A 15KV
IN: 2 – JJ LB JUNC BAR 3WY 200A 15KV
CF: 142' – CM DUCT 5" (X3436 TO X3437)
CF: 142' – CM DUCT FOR EXCAVATION (X3436 TO X3437)
IN: 142' – CBL 1/0 AL 2/C 17KV CLP 220 MIL (X3436 TO X3437)

CF 1 5" / 2 142'
X3436 TO X3437
IN: 142' 2–1/0 JCN 16KV
TENSION 2–1/0 JCN 5" DUCT
X3436 TO X3437 – 125 LBS
X3437 TO X3436 – 134 LBS

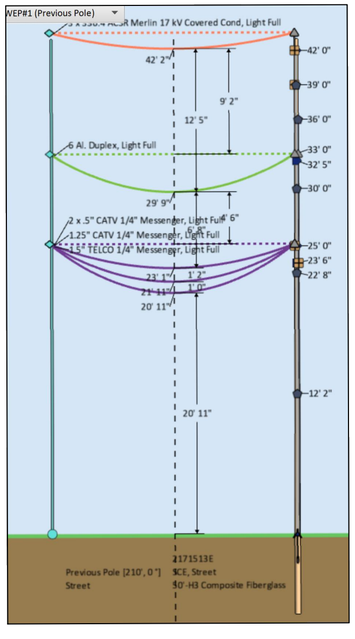
CF 1 5" / 3 256'
X3437 TO P9350
IN: 256' 2–1/0 JCN 16KV
TENSION 2–1/0 JCN 5" DUCT
X3437 TO P9350 – 298 LBS
P9350 TO X3437 – 191 LBS

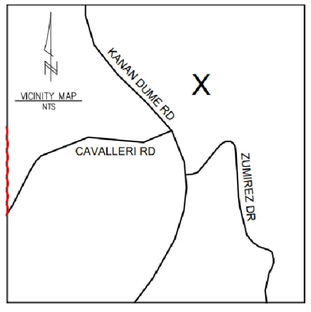
CO: 1–3" (21')
P9350 TO PNL
IN: 21' 4/0 1P
TENSION 4/0 1P 3" DUCT
P9350 TO PNL – 13 LBS

EASEMENT REQ'D
CF 1 4" / 4 4'
P9350 TO CAP

3 TD2425943
CI: X5813437 PULL BOX
3'x5'x4' CONCRETE FULL TRAFFIC
EASEMENT REQUIRED
CI: 1 – S SPL BOX PB 3'X5'X4' CNC LFT AST CVR
CF: 1 – SS TAX EXCV CST FOR BD/PAD/PB/PME/SB/SOE
IN: 1 – SL CBL RACK STL 30" FOR PB
IN: 4 – JJ LBE 1/0 200A 16KV
IN: 2 – JJ LB INS CAP 200A 15KV
IN: 2 – JJ LB JUNC BAR 3WY 200A 15KV
CF: 256' – CM DUCT 5" (X3437 TO P9350)
CF: 256' – CM DUCT FOR EXCAVATION (X3437 TO P9350)
IN: 256' – CBL 1/0 AL 2/C 17KV CLP 220 MIL (X3437 TO P9350)

4 TD2425943
CI: P5789350 PAD
48"x54" RPM
EASEMENT REQUIRED
CI: 1 – S POLY PAD 48 X 54 W/17X30X15 HH
CF: 1 – SS TAX EXCV CST FOR BD/PAD/PB/PME/SB/SOE
IN: 2 – CNN HYLUGS PM 2–4/0 1–1/0 12/16KV 1P
IN: 1 – CNN BOLT PM 4–R TO 1/0 AND 2–R TO 4/0
IN: 1 – TR PM F DE 50KVA 16KV 120/240 1P
SN: _____
IN: 2 – JJ LBE 1/0 200A 16KV
CF: 4' – CM DUCT 4" (P9350 TO CAP)
CF: 4' – CM DUCT FOR EXCAVATION (P9350 TO CAP)
IN: 21' – CBL (2) 4/0, (1) 1/0 600V CLP PLEX (P9350 TO PNL)
IN: 1 – MTR KWH 50A 120/240 1P 3W SC 2S





VD=0.36%
FL=1.58%

400 PANEL
120/240V 1P
43.74KW 4TONS

5716 KANAN DUME RD
MALIBU,CA 90265

SCALE: 1" = 60'
0 60 120

CONDUIT RADIUS REQUIREMENTS:

A: THE MINIMUM RADIUS FOR BENDS ARE:
36" FOR CONDUITS 3" IN DIAMETER OR SMALLER
48" FOR CONDUITS 4" AND 5" IN DIAMETER
60" FOR 6" DIAMETER CONDUIT
B: THE MINIMUM RADIUS FOR SWEEPS ARE:
36" FOR CONDUITS 3" IN DIAMETER OR SMALLER
12'–6" FOR CONDUITS 4" IN DIAMETER AND LARGER, UNLESS OTHERWISE NOTED.

D85: 03/22/24

SCE INSPECTOR
DOUGLAS STIEFF
DOUGLAS.STIEFF@SCE.COM
CELL: 805–814–7097
CONTACT SCE 48 HOURS IN ADVANCE FOR A PRE–CONSTRUCTION MEETING AND OR INSPECTION.

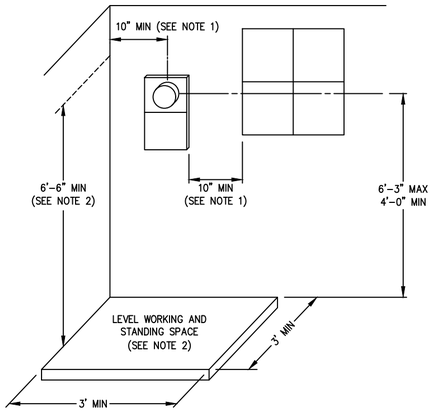
DISTRICT: 35 – THOUSAND OAKS	PROJ. MGR.: MARTINEZ, EDUARDO PHONE 805.612.6839	PLANNER: EDUARDO.1.MARTINEZ@SCE.COM PHONE 805.612.6839	DESIGNER: ARROYO, MARISELA	
PROJECT NO.: 3095478	SERVICE REQUEST: 3974609	MSR NO.	PRODUCT–1: 2425943–MIXED FUEL–LINE EXTENSION	ASSOC DESGN
CIRCUIT / VOLTAGE: GALAHAD 16KV		GPS	PRODUCT–2	ASSOC DESGN
SUB / PG NO.: LATIGO		CIRCUIT CODE	PRODUCT–3	ASSOC DESGN
INVENTORY MAP: 063–041D	J.P.A. NO.		PROPOSED CONSTRUCTION (LOCATION): GUANG, YANG 5716 KANAN DUME RD MALIBU CA 90265	
TYPE	DATE: 07242025	APPROVED BY	CHECKED BY	DRAWN BY: MARISELA / PAX #
Southern California Edison Company				SHEET: 1 OF 2 / DESIGN\DRWG NO.: 1857823_0.01

SOUTHERN CALIFORNIA EDISON
An EDISON INTERNATIONAL Company

ATTACHMENT 2

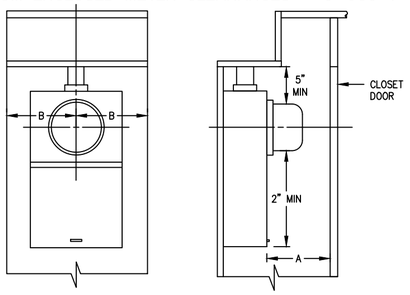
FILE NAME:1857823_0.01.DWG SAVE_DATE:9/8/2025 7:38 AM SAVED BY:ARROYOMV

WORKSPACE
SURFACE–MOUNTED OR SEMI–FLUSH METER INSTALLATION
SEE ESR 5 (FIG. 5–5)



NOTE(S):
1. THE HORIZONTAL CLEARANCE FROM THE CENTERLINE OF THE METER TO THE NEAREST SIDE WALL OR OTHER OBSTRUCTION SHALL BE 10 INCHES MINIMUM. A HORIZONTAL CLEARANCE FROM THE EDGE OF THE METER PANEL TO THE EDGE OF A WINDOW OR DOORWAY (INCLUDING SLIDING GLASS DOORS) SHALL BE 10 INCHES MINIMUM. A GAS METER OR PLUMBING FIXTURE THAT DOES NOT PROTRUDE MORE THAN 6 INCHES OUT FROM THE WALL, OR EXTEND LESS THAN 18 INCHES HORIZONTALLY FROM THE OUTSIDE EDGE OF THE METER PANEL, SHALL NOT BE CONSIDERED AN OBSTRUCTION. SEE FIGURE 5–4.
2. A LEVEL WORKING AND STANDING SURFACE, CLEAR AND UNOBSTRUCTED, ENTIRELY ON THE PROPERTY OF THE CUSTOMER, SHALL BE PROVIDED. THE MINIMUM WIDTH OF THE WORKSPACE SHALL BE 36 INCHES OVERALL, BUT NEED NOT BE CENTERED BENEATH THE METER. THE MINIMUM DEPTH OF THE WORKSPACE SHALL BE 36 INCHES. WHERE METERS ARE ENCLOSED IN A CLOSET OR RECESSED IN AN ENCLOSURE, THE DEPTH OF THE WORKSPACE IS MEASURED FROM THE OUTER FACE OF THE CLOSET OR RECESS. THE MINIMUM HEIGHT OF THE WORKSPACE SHALL BE 78 INCHES.

MINIMUM ENCLOSED METER CLEARANCES – 0–600 V



MINIMUM ENCLOSED METER CLEARANCES

	A	B
RESIDENTIAL	7"	10"
COMMERICIAL	11"	10"

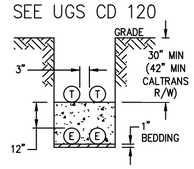
D123: 03/22/24

CONNECTING TO EXISTING SCE STRUCTURES

- PER SCE REQUIREMENTS, CUSTOMERS ARE NOT ALLOWED TO ENTER, INTERCEPT OR TIE–IN TO EXISTING SCE FACILITIES; E.G. STRUCTURES, EQUIPMENT, MULTI–CONDUIT RUNS/BANKS, OR CONDUCTORS. THESE FACILITIES MAY BE ENERGIZED AND THE WORK WILL ONLY BE PERFORMED BY SCE. CONTACT THE APPROPRIATE SCE INSPECTOR TO SCHEDULE AN APPOINTMENT. CUSTOMERS MAY CONNECT TO AN EXISTING CONDUIT STUB WITHOUT A SCE INSPECTOR PRESENT.
- MULTI–CONDUIT RUNS/BANKS ARE RUNS OF CONDUIT IN CLOSE PROXIMITY TO EACH OTHER AND OTHER SCE FACILITIES. A CONDUIT STUB IS A SINGLE EMPTY CONDUIT STUB THAT IS NOT IN CLOSE PROXIMITY TO OTHER SCE OWNED FACILITIES. REFER TO THE WORK ORDER MAP FOR DETAILS.
- PER CPUC/SCE'S RULE 15 B.1.A AND RULE 16 D.1.A., THE CUSTOMER WILL PROVIDE ALL NECESSARY EXCAVATIONS (WITH THE EXCEPTION OF EXCAVATION UNDER PADS AND PRIMARY SPLICE BOXES), MATERIAL (INCLUDING CONDUIT AND STRUCTURES) AND ENCASEMENT, TO BE UTILIZED IN THE INTERCEPT/TIE–IN PROCESS.
- THE CUSTOMER MUST ADHERE TO ALL APPLICABLE CAL–OSHA, LOCAL, CITY, STATE AND FEDERAL REGULATIONS, (INCLUDING, BUT NOT LIMITED TO, ALL NECESSARY SHORING AND TRAFFIC CONTROL IN PLACE TO PERFORM THE INTERCEPT/TIE–IN WORK BY SCE'S UNDERGROUND CIVIL CONTRACTOR(S)).
- INTERCEPT/TIE–IN WORK MUST BE COORDINATED WITH SCE'S CIVIL CONTRACTORS THROUGH THE DIVISION INSPECTOR/P–SPEC TO LIMIT EXPOSURE OF EXCAVATION(S). CUSTOMER IS RESPONSIBLE FOR SECURING EXCAVATION(S).

D08: 12/12/24

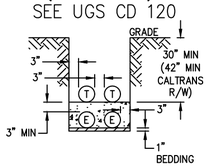
TYPICAL JOINT TRENCH SECTION
SEE UGS CD 120



TYPICAL CONDUIT SECTION
JOINT WITH CATV & TELE

D70E: 12/12/24

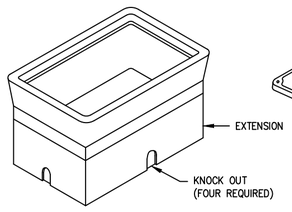
ALTERNATE JOINT TRENCH SECTION (PREFERRED)
SEE UGS CD 120



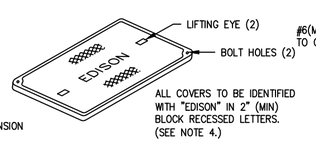
ALTERNATE JOINT TRENCH (WITH SCE TELECOM) SECTIONS WITH ENCASEMENT CONCRETE

D70F: 12/12/24

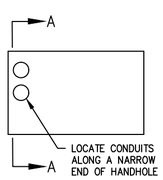
TYPICAL HANDHOLE INSTALLATION
SEE UGS HP 205



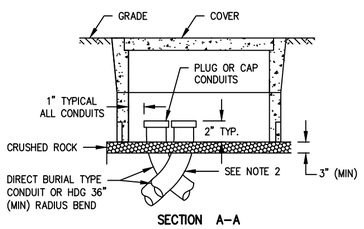
TYPICAL ASSEMBLY (WITHOUT COVER)



TYPICAL COVER



CONDUIT LOCATION

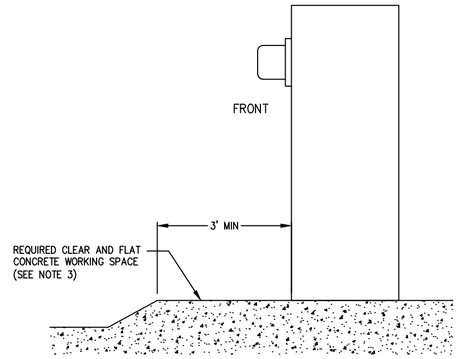


SECTION A–A

NOTE(S):
1. SEE HP 200 FOR DIMENSIONS OF VARIOUS SIZE HANDHOLES AVAILABLE.
2. RADIUS ANGLE MAY BE REDUCED TO LESS THAN 90° PROVIDING THE PROJECTED CENTER LINE OF THE CONDUIT CLEARS HANDHOLE OPENING.
3. TWO HOLD DOWN DEVICES TO BE SUPPLIED WITH EACH HANDHOLE.
4. COVER SHALL BE IDENTIFIED WITH "EDISON" IN MINIMUM 2–INCH LETTERS OR LABELS PERMANENTLY SECURED TO THE LID.
5. FOR MAINTENANCE ON 10–1/2" X 17" CONCRETE HANDHOLES USE SWINGBOLT WITH SAP 10204721.

D75: 03/22/24

PANEL CLEARANCE
UNDERGROUND SERVICE CONNECTIONS 0–600 VOLTS
SEE ESR 3–16



SIDE VIEW

NOTES:
1. A MINIMUM OF THREE (3) FEET OF CLEAR, LEVEL WORKSPACE IS REQUIRED IN FRONT OF ALL TERMINATION, METERING, AND SERVICE EQUIPMENT.
2. SEE ESR–5 FOR METER–MOUNTING HEIGHT REQUIREMENTS. METER–MOUNTING HEIGHT WILL BE MEASURED FROM THE STANDING AND WORKING SPACE TO THE CENTERLINE OF THE METER(S).
3. WHEN SERVICE EQUIPMENT IS INSTALLED ON AN ELEVATED PORTION OF THE FLOOR/GROUND, OR HOUSEKEEEPING PAD, THE PAD SHALL BE FLUSH WITH AND EXTEND A MINIMUM OF THREE (3) FEET. THIS IS MEASURED FROM THE FRONT OF THE SERVICE EQUIPMENT OR THE OUTER DOOR(S) OF THE SWITCHBOARD NEMA 3R ENCLOSURE WHEN INSTALLED. IN NO CASE SHALL THE MAXIMUM METER HEIGHT OF 6'–3" BE EXCEEDED.
4. TO MAINTAIN A SAFE, CLEAR, AND LEVEL WORKING AREA IN FRONT OF NEW OR EXISTING METER AND SERVICE EQUIPMENT, A CONCRETE SLAB, ACCEPTABLE TO THE COMPANY, MUST BE USED.
5. FOR SWITCHBOARDS ABOVE 600V, FIVE–FOOT MINIMUM OF CLEAR AND LEVEL CONCRETE STANDING AND WORKING SPACE IS REQUIRED IN THE FRONT, REAR, AND SIDE OF ANY SECTION WHERE SUCH PART SUPPORTS OR PROVIDES ACCESS TO METERING, TESTING EQUIPMENT, OR SERVICE CABLE TERMINATION SECTIONS.

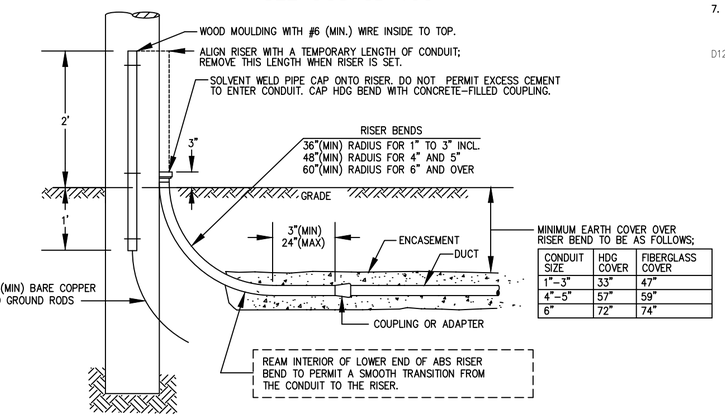
16.11 PROTECTIVE BARRIERS (POSTS/BOLLARDS) FOR SERVICE EQUIPMENT

BARRIER POSTS/BOLLARDS ARE USED TO PROTECT THE METER AND SERVICE EQUIPMENT, AS WELL AS PERSONNEL, FROM VEHICULAR CONTACT, AND TO PROHIBIT ENCROACHMENT INTO THE WORKING SPACE (FOR EXAMPLE, LOADING ZONES, DRIVEWAYS, CONGESTED AREAS, OFF STREET PARKING, AND SO ON).

THE CUSTOMER SHALL PROVIDE AND INSTALL "NON–REMOVABLE" BARRIERS (POSTS/BOLLARDS) TO PROVIDE THE PROPER SAFE WORKING CLEARANCES WHERE THE WORKSPACE IS EXPOSED TO VEHICULAR OR OTHER HAZARDOUS CONDITIONS. METERS WILL NOT BE SET UNTIL THE BARRIERS HAVE BEEN INSTALLED. METER CABINET DOORS MUST OPEN A MINIMUM OF 90 DEGREES AND NOT CONFLICT WITH BARRIER POSTS. A MINIMUM CLEARANCE OF 3–FEET IS REQUIRED FROM THE FACE OF THE SWITCH GEAR TO THE BOLLARD/POST.

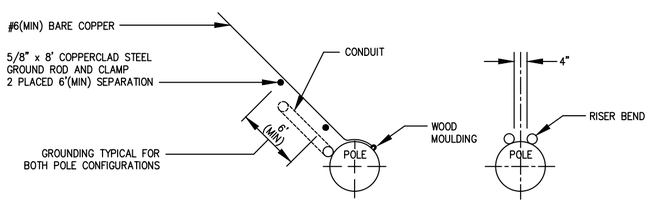
D99: 03/22/24

POLE RISER BEND STANDARD LOCATION
SEE UGS CD 160



MINIMUM EARTH COVER OVER RISER BEND TO BE AS FOLLOWS;

CONDUIT SIZE	HDG COVER	FIBERGLASS COVER
1"–3"	33"	47"
4"–5"	57"	59"
6"	72"	74"



1. APPROVED RISER BENDS ARE SHOWN ON FOLLOWING TABLE;

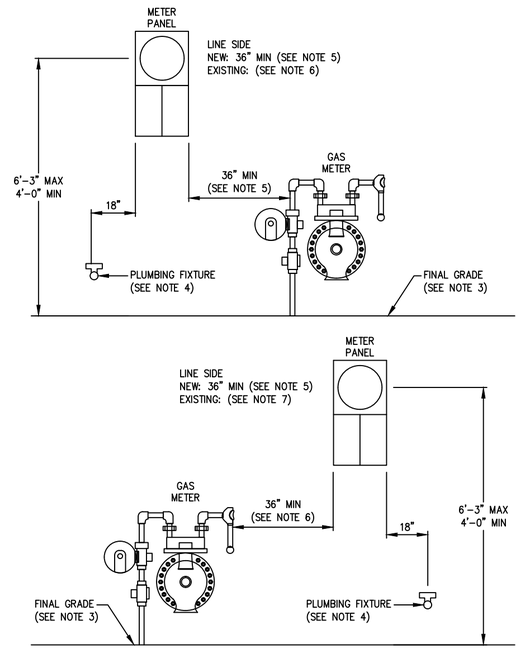
MATERIAL	SIZE							
	1"	1–1/2"	2"	2–1/2"	3"	4"	5"	6"
ABS	–	–	–	–	X	X	X	–
FIBERGLASS	–	–	–	–	X	X	X	X
HDG	X	X	X	X	X	X	X	X

NOTE: 6" HDG OR FIBERGLASS RISER BEND SHALL BE USED WHEN SPECIFIED ON THE WORKING DRAWING. SEE UGS AC 702 FOR GROUNDING HDG RISER BENDS.

2. THE TOP AND BOTTOM OF 3", 4", 5" OR 6" FIBERGLASS BENDS ARE FURNISHED WITH PERMANENTLY ATTACHED PVC COUPLINGS. ALSO INCLUDED IS A 6" LONG 3", 4", 5" OR 6" SCHEDULE 80 PVC STUB–OUT, SOLVENT WELDED INTO THE TOP COUPLING. SEE UGS CD 166 FOR FIBERGLASS RISER BEND MATERIAL INFORMATION AND SUPPLIERS.
3. TWO GROUND RODS ARE REQUIRED AT ALL PRIMARY RISER POLES. DRIVE RODS IN TRENCH BOTTOM WITH 6' MINIMUM SEPARATION IN UNDISTURBED EARTH. LEAVE THE ROD TOPS 3" ABOVE THE TRENCH BOTTOM AND ATTACH CONTINUOUS GROUND WIRE WITH CLAMPS. EXTEND WIRE TO INDICATED LOCATION ON POLE AND STUB UP 2' ABOVE GRADE IN WOOD MOULDING. ALL GROUNDING MATERIALS FURNISHED BY CONTRACTORS. SEE UGS AC 703 FOR APPROVED GROUNDING MATERIALS.
4. ENCASEMENT REQUIRED ONLY WHEN CALLED OUT ON WORKING DRAWING.
5. PVC RISERS MAY BE SUBSTITUTED FOR FIBERGLASS FOR STRAIGHT RUNS OF 150' OR LESS IN CONDUIT SIZES 4" AND UNDER.

D78: REV. 02/14/11

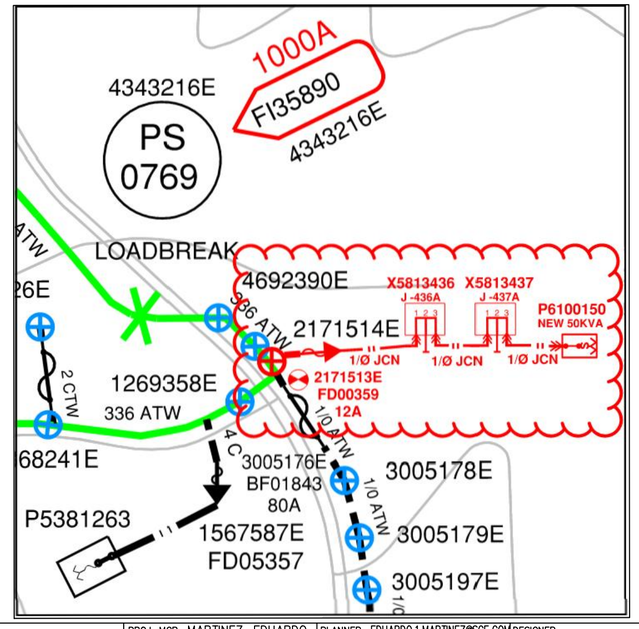
SEPARATION OF METER ASSEMBLIES FOR ELECTRIC AND GAS SERVICES
SEE ESR–5 FIG. 5–4



NOTE(S):
1. SIZE AND DIMENSIONS OF PANELS WILL VARY. DRAWINGS ARE NOT TO SCALE.
2. THIS DRAWING PERTAINS TO BOTH OVERHEAD AND UNDERGROUND ELECTRIC SERVICE APPLICATIONS.
3. MAINTAIN A 3–FOOT CLEAR, LEVEL, AND UNOBSTRUCTED WORKSPACE IN FRONT OF ELECTRIC SERVICE EQUIPMENT.
4. PLUMBING FIXTURES THAT EXTEND MORE THAN 6 INCHES OUT FROM WALL SURFACE MUST BE LOCATED 18 INCHES MINIMUM FROM THE OUTSIDE EDGE OF THE METER PANEL.
5. FOR NEW CONSTRUCTION ONLY, DOES NOT APPLY FOR UPGRADES.
6. UPGRADES AND REPLACEMENTS – LINE SIDE PANELS THAT ARE CURRENTLY INSTALLED 24 INCHES OR GREATER FROM THE LINE SIDE OF THE GAS METER, CLEARANCE MAY NOT BE REDUCED. PANELS THAT ARE CURRENTLY INSTALLED LESS THAN 24 INCHES FROM THE GAS METER, MAY REMAIN (OR BE RE–INSTALLED) IN EXISTING LOCATION.
7. UPGRADES AND REPLACEMENTS – LOAD SIDE PANELS THAT ARE CURRENTLY INSTALLED 18 INCHES OR GREATER FROM THE LOAD SIDE OF THE GAS METER, CLEARANCE MAY NOT BE REDUCED. PANELS THAT ARE CURRENTLY INSTALLED LESS THAN 18 INCHES FROM THE GAS METER, MAY REMAIN (OR BE RE–INSTALLED) IN EXISTING LOCATION.

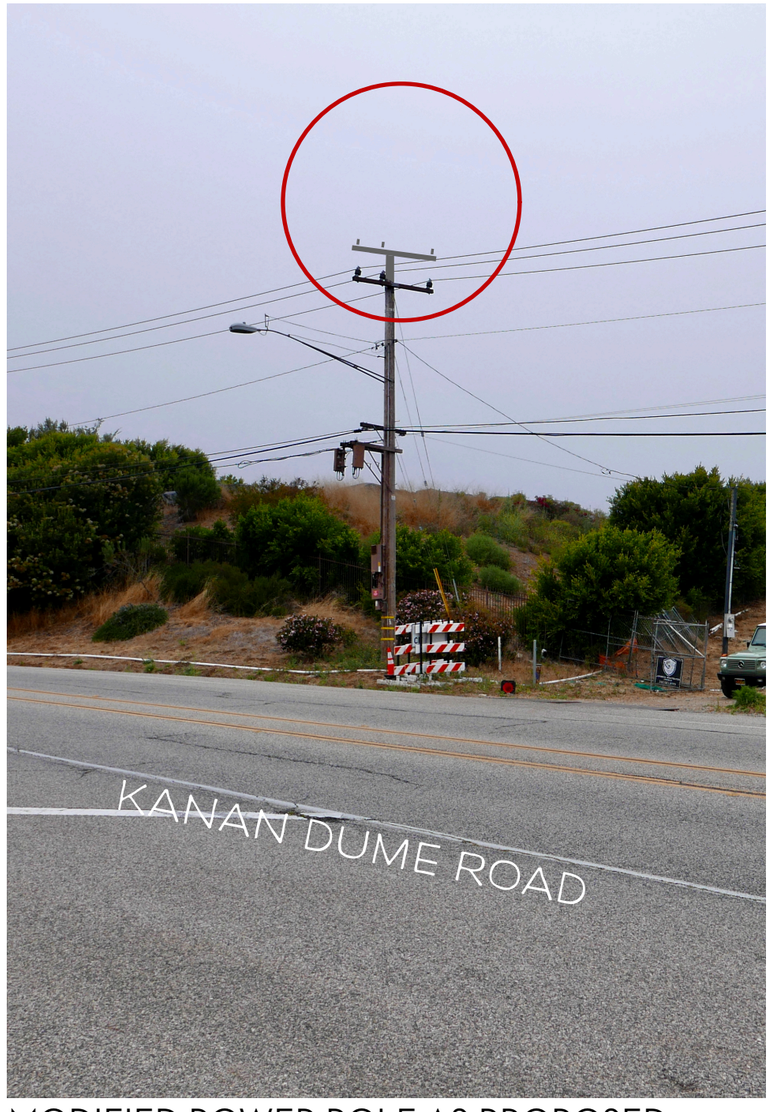
D122: 04/18/25

PROPOSED SINGLE LINE: GALAHAD 16KV % LATIGO SUB

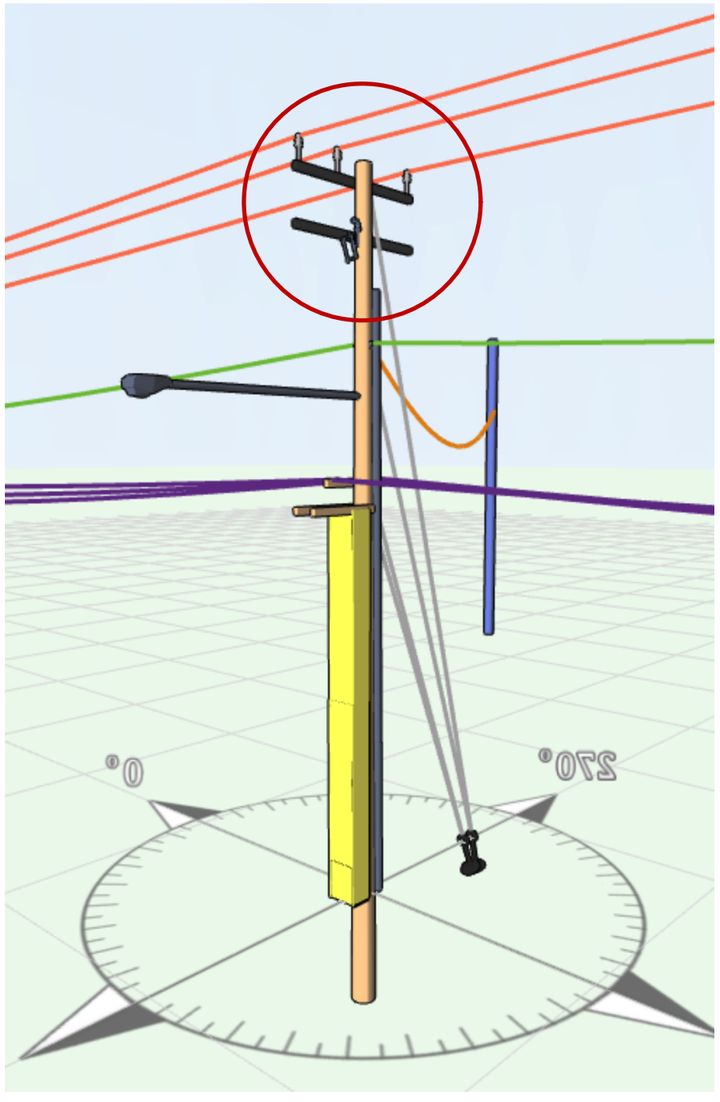


DISTRICT 35 – THOUSAND OAKS		PROJ. MGR. MARTINEZ, EDUARDO PHONE 805.612.6839		PLANNER EDUARD0.1.MARTINEZ@SCE.COM PHONE 8054947042	DESIGNER ARROYO, MARISELA
PROJECT NO. 3095478	SERVICE REQUEST 3974609	MSR NO.	PRODUCT–1 2425943–MIXED FUEL–LINE EXTENSION		ASSOC DESGN
CIRCUIT / VOLTAGE GALAHAD 16KV		GPS	PRODUCT–2		ASSOC DESGN
SUB / PG NO. LATIGO		CIRCUIT CODE	PRODUCT–3		ASSOC DESGN
INVENTORY MAP 063–041D		J.P.A. NO.	PROPOSED CONSTRUCTION (LOCATION) GUANG, YANG 5716 KANAN DUME RD MALIBU CA 90265		
07242025			MARISELA		
TYPE	DATE	APPROVED BY	CHECKED BY	DRAWN BY	PAX #
Southern California Edison Company				SHEET 2 OF 2	DESIGN\DRWG NO. 1857823_0.01

FILE NAME:1857823_0.01.DWG SAVE DATE:9/8/2025 7:38 AM SAVED BY:ARROYOMV



MODIFIED POWER POLE AS PROPOSED



EDISON DIAGRAM OF MODIFICATION



EXISTING POWER POLE

5716 KANAN DUME ROAD, MALIBU

EXISTING ELECTRICAL POLE TO BE MODIFIED FOR NEW HOME UNDER CONSTRUCTION

ATTACHMENT 3

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:** 01/16/2026

PROJECT NUMBER:	CDP 26-002
JOB ADDRESS:	5716 KANAN DUME RD
APPLICANT / CONTACT:	Vitus Matare, Vitus Matare and Associates, Inc
APPLICANT EMAIL:	vitus.matare@gmail.com
PROJECT DESCRIPTION:	Existing utility pole height to be increased by 5 feet to accommodate Edison requirements.

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

3/10/2026
DATE

ATTACHMENT 4

City of Malibu
MEMORANDUM

To: Community Development Department, Planning Division

From: Public Works Department
Nathaniel McLean, Assistant Engineer

Date: March 10, 2026

Re: Proposed Conditions of Approval for 5716 Kanan Dume Rd, CDP 26-002

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

STREET IMPROVEMENTS

1. This project proposes to construct improvements within the City's right-of-way. Prior to the Public Works Department's approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City's right-of-way.

ATTACHMENT 4

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, July 20, 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. 26-002 AND VARIANCE NO. 26-001 - An application for a height increase to an existing Southern California Edison Power pole within the public right-of-way; including a variance for a height increase in excess of 18 feet in height up to 28 feet

LOCATION / APN:	**5716 Kanan Dume Rd** / 4467-033-026
ZONING:	Rural Residential, Five-Acre (RR-5)
APPLICANT / OWNER(S):	Vitus Matare and Associates, Inc / Fordson Inc
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Section 15303(d)
APPLICATION FILED:	January 16, 2026
CASE PLANNER:	Didier Murillo, Principal Planner, dmurillo@malibucity.org (310) 456-2489, ext. 342

A written staff report will be available at or before the hearing for the projects. All persons wishing to address the Commission regarding these matters 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: June 25, 2026

ATTACHMENT 5