

# EXECUTIVE SUMMARY

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## INTRODUCTION

The purpose of the executive summary is to provide a clear and simple description of the project and its potential environmental impacts. Section 15123 of the *California Environmental Quality Act (CEQA) Guidelines*<sup>1</sup> requires the executive summary to identify each significant effect with proposed mitigation measure(s) and alternatives that would minimize or avoid that effect. The summary is also required to identify areas of controversy known to the Lead Agency, including issues raised by agencies and the public, and issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects.

## PROJECT LOCATION AND SETTING

The project site occupies 5.88 acres of land in the Civic Center area of the City of Malibu, Los Angeles County, California. The project site is situated north of Civic Center Way to the east of the Civic Center government buildings. The project site is also located in the Malibu Civic Center area. **Figure 2.0-1, Regional Location** (later in this document), illustrates the location of the Whole Foods and the Park project site within a regional context. **Figure 2.0-2, Project Vicinity** (later in this document), shows where the Whole Foods and the Park project site is located within the City of Malibu.

**Figure 2.0-3, Project Boundary** (later in this document), depicts the boundary of the Whole Foods and the Park project site. The project site is an irregularly shaped, nearly flat parcel of approximately 5.88 acres in the Civic Center area of the City of Malibu. The project site is located at the northwest corner of the intersection of Civic Center Way and Cross Creek Road. Adjacent uses include a vacant parcel to the west, commercial uses to the east (Urban Outfitters, commercial office space), an equestrian facility (Sycamore Farm) to the north, and a commercial office and retail center to the south (Malibu Country Mart); a building housing a stormwater treatment system operated by the City of Malibu adjoins the project site along the southern boundary, within a public right-of-way along Civic Center Way. The vacant northwest portions of the project site have never been developed, while the small paved portion of the project site on the east side of the parcel, off Cross Creek Road, was once used as a towing yard and a skateboard park. No known septic systems exist on the project site.

Additional uses near the project site include a GTE/Verizon Wireless maintenance facility, with a building and a surface parking lot, located immediately adjacent to the northwest corner of the project site (3705 Cross Creek Road). Located further to the north along Cross Creek Road is the neighborhood

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<sup>1</sup> California Environmental Quality Act, *State CEQA Guidelines*, Section 15123.

known as “Serra Retreat” (also sometimes called “Serra Canyon”); a community of 96 single-family residential properties and the Serra Retreat, a Catholic Retreat and Conference Center. Residents belong to the Serra Canyon Property Owners Association, which was formed to maintain the privately-owned portion of Cross Creek Road which serves the canyon community. Entry to the community is controlled by two guard-gated drives: one off Pacific Coast Highway (PCH) and the other on Cross Creek Road. Immediately to the west is the currently undeveloped parcel for the approved La Paz commercial development. The Los Angeles County Civic Center complex, which includes the Los Angeles County Public Library – Malibu Branch, and the former Los Angeles County Superior Court West District office (which is now closed), is located immediately to the west of the La Paz project site. The Santa Monica Community College District (as the Lead Agency) is currently preparing an EIR for the demolition of the former Los Angeles County Sheriff’s Station, also on the complex site, which was decommissioned in the early 1990s, and the construction of a new, two-story, above-grade, approximately 27,500-square-foot educational facility, including an approximately 5,700-square-foot Sheriff’s substation and an Emergency Operations and Planning Center on the ground floor to serve the Malibu community. The City’s 26-acre Legacy Park, a passive community park, which includes an element of the City’s storm water treatment system, is located southwest of the project site, across Civic Center Way.

The Pacific Ocean is located 0.5 mile south of the site, lower Malibu Creek is 0.5 mile to the south and east and the base of the Santa Monica Mountains foothills are located 0.5 mile to the north across Malibu Canyon Road.

## PROJECT OBJECTIVES

CEQA requires that an EIR include a statement of the objectives sought by the proposed project (*State CEQA Guidelines*, Section 15124(b)):

*A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.*

The project objectives include the following:

- Fulfill the City’s General Plan and Local Coastal Program objectives for commercial development in the Civic Center area.
- Provide several compatible uses, meeting both local and visitor-serving needs, within one shopping center in a convenient location with shared parking.
- Afford a wider range of organic grocery and produce options to support the Malibu community and reduce reliance on out-of-town markets and vehicle trips.

- Extend the shopping experience that exists on Cross Creek Road into a park-like atmosphere, which will provide a physical and visual link to Legacy Park.
- Situate the project in an area where it is clustered with other similar uses along the eastern portion of Civic Center Way.
- Increase pedestrian interaction among the business and public spaces along Civic center Way and Cross Creek Road.
- Create a visually appealing and inviting project to add to the Civic Center of Malibu.
- Revegetate the site with plantings that incorporate the plants species of both Malibu’s and the Santa Monica Mountain’s native coastal plant community.
- Provide an aesthetic relationship to the Santa Monica Mountains and Malibu Creek.
- Minimize and eliminate negative impacts to the neighborhood.
- Deliver project features that contribute significant benefits to the community.
- Comply with Measure R.

## **PROJECT DESCRIPTION**

The project applicant, The Park at Cross Creek LLC, proposes to develop a 38,425-square-foot commercial property consisting of five separate buildings on a 5.88-acre site. **Table ES-1** provides a project summary. Development would consist of five two-story buildings with outdoor benches and eating areas;<sup>2</sup> Shane’s Inspiration Playground, a fully accessible playground with facilities for children with special needs; a Sensory Garden;<sup>3</sup> and a Kitchen Community Learning Garden<sup>4</sup> providing learning opportunities for children and adults interested in growing sustainable organic food, and including school classes. The proposed project would also provide a pedestrian connection to the adjacent (proposed) La Paz site. The proposed project also includes 220 parking spaces (seven handicapped accessible, 175 standard, and 38 compact), 16 bicycle spaces (via four bicycle racks spread out across the site), four golf cart spaces, two electric vehicle charging stations, four loading spaces for the retail uses, and 520 square feet of soft-surface area for horse parking, including four hitching posts, and a watering trough.

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<sup>2</sup> Some outdoor eating areas may be dedicated to certain restaurant uses, others will be “open use”; where these occur has not yet been determined.

<sup>3</sup> The Sensory Garden would include plants and other design elements selected with the intention to provide experiences for heightened sight, smell, hearing, touch, and taste. The Sensory Garden would be designed to be accessible and enjoyable to visitors, both disabled and non-disabled.

<sup>4</sup> The Learning Garden would be designed to be a year-round outdoor classroom and play space. The Kitchen Community, a 501c3 non-profit organization founded in 2011, would provide support in developing and maintaining the educational programs associated with this garden. Website: <https://thekitchencommunity.org/>

**Table ES-1**  
**Proposed Project Summary**

Building	Area
Building 1	3,015 square feet
Building 2	3,086 square feet
Building 3	3,592 square feet
Building 4	4,183 square feet
Building 5 (Whole Foods)	24,549 square feet
<b>Total</b>	<b>38,425 square feet</b>

*Source: The Park at Cross Creek LLC, 2015*

The design intent is to extend the low-scale village-like shopping experience that exists on Cross Creek Road into a similar low-scaled park-like atmosphere providing a physical and visual link to Legacy Park. The pedestrian entrance would be an extension of the Cross Creek pedestrian walkways. Combined with the market, a group of small-scale buildings surround the central parking area with its trees and landscaped islands, walkways and benches. The small scale of the buildings oriented to outdoor seating and dining areas, walkways, Shane’s Inspiration Playground, the Sensory Garden, and the Kitchen Community Learning Garden are all intended to complement the existing form and quality of the shopping experience found at the existing Malibu Country Mart Center.

The project layout and architecture is that of simple, contemporary buildings scattered in the landscape. The proposed building materials are simple and consist of stucco, wood siding, heavy timber and metal roofs with colors inspired by nature and chosen to complement the proposed native landscaping and Santa Monica Mountains. The design incorporates the use of heavy timber trellises and standing seam metal roofs which reference Malibu’s ranching history.

Buildings on the project site would range in height between 16 to 28 feet depending on building design and roof configuration. The proposed building sizes also vary, the largest being the Whole Foods Market with the four smaller retail building surrounding the central parking area. The Whole Foods Market would be located at the rear of the property to maximize visual access to the Santa Monica Mountains from Civic Center Way, and to mask the loading and trash areas. **Figure 2.0-4, Site Plan** (later in this document), shows the proposed project layout.

The main building (Building 5) is proposed for use as a Whole Foods Market. The 24,549-square-foot building would be set at the north end of the project site. The building height would range from 24 feet from existing grade at the flat roof portion and 28 feet at the sloped roof portion. This height increase

above the 18-foot allowable height is due in part to the fact that building finished floors must be raised by a minimum of 3 feet to meet Federal Emergency Management Agency (FEMA) requirements, and is also necessary to provide a screen for the rooftop mechanical equipment required for commercial use. A pedestrian entrance to the Whole Foods Market would be provided from a primary entrance at the south end of the building. The trash enclosures and loading docks would be located at the north end or the rear of the building. The front of the building (south elevation) would feature a heavy timber trellis with stone columns along the façade. The height of the roof at the north elevation would be 28 feet; the building height would be 24 feet on the east elevation, 25 feet on the south elevation and 24 feet on the west. Elevations for the Whole Foods Market are shown in **Figure 2.0-5, Building 5 Sections and Elevations** (later in this document).

Building 1 would have a gross floor area of 3,015 square feet and is proposed to serve general commercial uses. The building height would be 19.11 feet from existing grade at the flat portion and 28 feet in the sloped roof portion. Building 2 would have a gross floor area of 3,086 square feet and is proposed to serve general commercial uses. The building height would be 20.1 feet from existing grade at the flat portion and 28 feet in the sloped roof portion. Building 3 would have a gross floor area of 3,592 square feet and is proposed to serve general commercial uses. The building height would be 20.6 feet from existing grade at the flat portion and 28 feet in the sloped roof portion. Building 4 would have a gross floor area of 4,183 square feet and is proposed to serve general commercial uses. The building height would be 19.11 feet from existing grade at the flat portion and 28 feet in the sloped roof portion. Building elevations and plans for Buildings 1 through 4 are shown in **Figure 2.0-6** through **Figure 2.0-9** (later in this document).

The proposed project would also include a 12-foot-high sound wall along the northern property line. The property immediately north of the project site is used as a horse training facility and the owners of that property have expressed concern about the sensitivity of horses to sudden noise. The purpose of the proposed wall is to respond to that concern.

## **Access and Parking**

Vehicles would access the project site via two proposed driveways: one driveway is planned on Civic Center Way near the west end of the project site opposite the Country Mart Shopping Center driveway and one driveway is planned on Cross Creek Road near the north end of the project site. The site is designed with a clockwise service access routing scheme utilizing a one-way northbound service road along the westerly property line to the loading dock area. In compliance with Fire Department requirements the service road would maintain a minimum 20-foot width. Stop signs, stop lines, and

crosswalks have been added within the parking lot to provide right-of-way control and guidance to motor vehicles and pedestrians.

The one way driveway loop behind Buildings 3 and 4 and the Whole Foods market is designed to keep employee and delivery vehicles at the rear of those buildings to facilitate access and parking in the main parking lot for the project patrons. Large truck deliveries to the supermarket will be at most twice a day and will be at non-peak hours. Restaurant deliveries will also be kept to non-peak operating hours.

The Civic Center Way driveway would serve as the main entrance and exit for the shopping center. The driveway exit would have a stop sign at its intersection with Civic Center Way. The Cross Creek Road driveway would serve as the secondary vehicular entrance and exit for the shopping center. The Cross Creek Road driveway would accommodate vehicular access to all on-site parking. However, no three-axle delivery trucks would be permitted to use Cross Creek Road. The project proposes to remove four on-street parallel parking spaces located on the north side of Civic Center Way between the driveway and the Civic Center Way and Cross Creek Road intersection. The spaces are proposed for removal to improve the vehicle sight lines, truck access and to eliminate parallel parking maneuvers that could block the flow of through traffic.

The project has been designed to provide parking pursuant to the Malibu LIP requirements for a shopping center. Based on the Malibu LIP calculation of 217 parking spaces, the project's parking supply of 220 parking spaces will accommodate the estimated parking demand at the shopping center.<sup>5</sup>

## **Landscaping and Open Space**

The Local Coastal Program (LCP) requires that 40 percent of the gross lot area constitute landscaped area, or, in this case, 102,467 square feet. The ground-based planter area included in the landscaped area calculations totals 32,849 square feet; however the project proposes additional landscape features as shown in **Table ES-2, Proposed Landscaping and Plantings**, which are described below and shown in **Figure 2.0-10, Landscape Plan** (later in this document).

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<sup>5</sup> A parking study/analysis was included in the Traffic Impact Analysis by provided Overland Traffic Consultants and included in this EIR in **Appendix 3.13**.

**Table ES-2  
Proposed Landscaping and Plantings**

Feature	Area
On-grade landscaping	32,849 square feet
Tree canopy	48,492 square feet
Green walls	22,000 square feet
<b>Total</b>	<b>103,341 square feet</b>

*Note: The City of Malibu only counts on-grade landscaping toward the landscaping total, therefore a variance is required.*

The applicant also proposes to install and maintain approximately 4,500 square feet of landscape in the City's right of way contiguous to the property along Civic Center Way. This landscaping within the City's right of way is also not included in the code required landscaping area calculations.

The term "Landscaped Area" is not defined in the LCP. The definition of Landscaped Area in the city's Landscape Water Conservation Ordinance (9.22.020 Definitions) however does include walls and fences which are part of the landscape design features of the project per (Section 9.22.090 (A)(12.)). The specific plan prepared for the proposed project further interprets permitted functional landscape elements, such as tree canopies and green walls, which could be included in the calculations. Under this alternative interpretation, the project would provide greater Landscaped Area than required. However, should the decision makers determine that a more traditional interpretation of the landscape requirement is more appropriate for the site, the project applicant has requested a variance from the required Landscaped Area standards.

The provision of underground parking would allow for a greater amount of landscaping on the site, however, due to the high water table under the project site (less than 10 feet below ground surface), underground parking is not feasible.<sup>6</sup>

<sup>6</sup> There are special circumstances due to the property elevation in relation to the water table in the area that make it potentially damaging to the aquifer to use underground parking which would allow for more landscaped space at ground level. On this site, historic high groundwater is reported to be 5 feet below grade (Van Beveren & Butelo, January 13, 2009). According to the project geologist, underground parking in an area of high ground water requires constant pumping of the underground parking area and causes disposal issues. Also, because of the narrow distance between grade and the high water table, the use of subterranean parking to achieve more landscaped space at ground level would displace a corresponding amount of water, elevating the water table on adjacent properties, which may be exacerbated when coupled with the subterranean parking garage approved on the adjoining La Paz site. In addition, protection of the water table from potential pollution, especially important for properties closer to Malibu Creek, may not be controllable on a fail-safe basis from an underground garage.

Protection of the water table from pollution in such an instance would be extremely wasteful of energy, since pumps would have to run 24-hours per day to clear water from the garage and that water, once removed, would be considered potentially toxic, and could not be discharged directly into the storm drain system.

Eighty replacement California Sycamores are proposed to be planted on the site to replace the eight second-growth Sycamores that are to be removed (i.e., a 10:1 replacement ratio). Along with the preservation of the existing Eucalyptus row at the rear of the property, the proposed project would, by virtue of the substantial tree canopies provided, increase the actual landscape coverage beyond the percentage calculation provided per Code. Applying a canopy coverage of 50 feet in diameter, the tree canopy, outside the proposed planter areas and open space area, would total 48,492 square feet.

Green walls are proposed on designated walls of the market and the four smaller buildings. The green walls add an additional 22,000 square feet of landscape area. These green walls would create another green visual landscape element to the project, and would increase energy savings due to their potential to reduce “heat island” effects. To date the final materials and methods of construction of the green walls have yet to be determined. However, it is anticipated that the green wall plant materials would largely be composed of succulents, which would require only minimal irrigation. The irrigation would be provided through a drip irrigation system integrated into the wall construction.

The project also proposes two play areas for children, a Kitchen Community Learning Garden, and several outdoor seating areas scattered throughout the project. The overall feel of the project would be a “park-like” setting, given the extensive tree canopy provided by large-scale sycamore trees, the green walls, and the on-grade planting areas.

## **ALTERNATIVES TO THE PROJECT**

CEQA requires that an environmental impact report (EIR) describe a range of reasonable alternatives to a proposed project that could feasibly avoid or lessen any significant environmental impacts, while attaining the basic objectives of the project. Comparative analysis of the impacts of these alternatives is required. In response to the significant impacts associated with the proposed project, the City of Malibu developed and considered several alternatives to the project. These alternatives include:

- Alternative 1: No Project/No Development Alternative
- Alternative 2: Code Complying Alternative
- Alternative 3: Two-story Building Alternative

### **Alternative 1 – No Project/No Development**

Under *State CEQA Guidelines* Section 15126.6(e)(3)(B), the No Project Alternative analysis may involve two separate evaluations. The first involves analysis of a No Project Alternative that compares the proposed project’s significant impacts to the existing development on the project site (No Project/No

Development Alternative). The second No Project Alternative analysis evaluates the consequences of foreseeable development if the proposed project is not approved. Under this analysis, if disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “No Project” (i.e., No Project/Foreseeable Development) consequence should be discussed. Although it is foreseeable that another proposal for development of the site would occur in the future if the proposed project were not approved, given the broad array of permitted uses at the project site, the physical characteristics of such a future development cannot be known at this time. Consequently, any discussion of a No Project/Foreseeable Development alternative would be purely conjectural; as previously stated, CEQA does not require speculative analysis. Thus, only the No Project/No Development Alternative is analyzed. Under the No Project/No Development Alternative, the project site would remain in its current state, with no new construction or development occurring within the foreseeable future.

## **Alternative 2: Code Complying Alternative**

As previously discussed, the proposed Whole Foods and the Park Shopping Center Project requires a number of discretionary approvals to comply with the City of Malibu’s General Plan, the MMC and the LCP, therefore another alternative is to look at proposed “Code Complying Alternative” which would not require any minor modifications or variances as this alternative would provide the code specified Yard Setbacks, Open Space and Landscaped Area (65 percent). Further, because the building is set more than 250 feet from the adjoining horse training facility the Code Complying Alternative would not require the construction of a 12-foot-high sound wall to reduce potential sudden noise impacts. Development under this alternative would provide parking per the MMC for a supermarket, and the circulation required by the Los Angeles County Fire Department (LACFD). Further, this alternative could avoid or reduce the severity of project-related significant impacts resulting from construction by reducing the amount of development on the project site.

The proposed project site totals approximately 256,168 square feet (sf). Development under the Code Complying Alternative would consist of a supermarket (28,879 sf) and 129 parking spaces. Pursuant to the MMC and the LCP, a total of 166,509 sf of landscape area and open space are required to be provided.<sup>7</sup> The total landscape area and open space provided under the Code Complying Alternative would be 166,719 sf. Therefore, the Code Complying Alternative would meet the requirement.

Under this alternative the 28,879-sf supermarket building would be set as close as possible the south end of the project site, while remaining in compliance with the required 143.4-foot front yard setback.

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<sup>7</sup> Local Implementation Plan Section 3.8(A)(5)(b)

The building height would range from 24 feet from existing grade at the flat roof portion and 28 feet at the sloped roof portion. As with the proposed project this height increase above the 18-foot allowable height is due in part to the fact that building finished floors must be raised by a minimum of three feet above the existing grade to meet FEMA requirements, and is also necessary to provide a screen for the rooftop mechanical equipment required for commercial use.

Due to the reconfiguration of the site under this alternative, it cannot be assumed that Whole Foods would be the tenant. Therefore it is assumed that the architecture of the proposed grocery store building would be a generic “box” without any stylistic “branding,” in order to appeal to the greatest number of potential tenants. Public entrances to the building would be provided on the north side of the building. The trash enclosure and loading dock would also be located on the north side of the building.

### **Alternative 3: Two-Story Building Alternative**

As previously discussed, the proposed Whole Foods supermarket is of a size that is a minimum for a viable market of this type, therefore another alternative is to look at reducing the surface footprint of the ancillary retail/restaurant structures proposed. The intent of this Alternative is to increase the amount of the project site available for landscaping/open space.

Under this alternative, the 13,876 sf of ancillary retail/restaurant structures would be constructed as two, two-story buildings. The parking required under this alternative would be 220 spaces (five spaces for every 1,000 sf of retail space), as with the proposed project, since there would be no reduction in grocery store, or retail/restaurant square footage. The additional space for landscaping/open space provided under this alternative would be approximately 9,335 sf. Therefore, this alternative would provide 61,450 sf of landscaping/open space (including the children’s parks, community garden, and public seating areas as proposed under the project), an increase over the proposed project, but still deficient by approximately 41,017 sf.

Under the Two-Story Building Alternative the grocery store building remains as a single story structure at the rear of the site. The four smaller retail buildings have been “stacked” one upon the other with a maximum height of 24 feet, in compliance with the MMC and LUP. This layout would not fulfill the intent of the proposed project design, which is that of a low-rise retail village, with a series of small, intimate courtyards, anchored by the supermarket at the rear.

It should be noted that a two-story structure is programmatically limited in that only the ground floor is appropriate for retail and useable/leasable floor area will be reduced due to the Americans with Disabilities Act (ADA) requirement for an elevator. Useable floor area will be further reduced by required

stairs and second story restrooms. FEMA requires that the first floor finish floor elevation be elevated a minimum of 3 feet above grade due to flood plain restrictions on this property. The City requires that the maximum building height be taken from existing or future grade, whichever is lower. This severely limits the ceiling heights of the first and second story; where a typical retail space would have a ceiling height of 15 to 18 feet (allowing dimension for ducts and utilities), the two retail buildings under the Two-Story Building Alternative would have a maximum interior ceiling height of 11 feet. This not considered a practical height for most retail spaces, and would reduce the appeal of the resulting leasable spaces.

As with the Code Complying Alternative, due to the reconfiguration of the site under this alternative, it cannot be assumed that Whole Foods would be the tenant. Therefore it is assumed that the architecture of the proposed grocery store building would be a generic “box” without any stylistic “branding,” in order to appeal to the greatest number of potential tenants.

The FAR under this Alternative would be 0.15, the same as for the proposed project, and therefore in compliance with the MMC and LCP.

## **AREAS OF KNOWN CONTROVERSY**

The *State CEQA Guidelines* require a Draft EIR to identify areas of controversy known to the lead agency, including issues raised by other agencies and the public. Comments were received from public agencies and interested parties in response to the circulated Notice of Preparation (NOP). In compliance with *State CEQA Guidelines*, the City held a scoping meeting on May 22, 2014 at City Hall to solicit comments and to inform the public of the proposed EIR. Comments received in response to the published NOP (provided in **Appendix 1.0**) identified environmental topics that local and regional agencies and City residents recommended for analysis in the Draft EIR.

These topics include:

- Aesthetics
- Biological Resources
- Geology, Soils, and Seismicity
- Hazards and Hazardous Materials
- Land Use and Planning
- Public Services
- Utilities and Service Systems
- Air Quality
- Cultural Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Traffic, Circulation, and Parking

## **ISSUES TO BE RESOLVED**

The *State CEQA Guidelines* require an EIR to present issues to be resolved by the lead agency. These issues include the choice between alternatives and whether or how to mitigate potentially significant impacts. The major issues to be resolved by the City of Malibu, as the Lead Agency for the project include the following:

- Whether the recommended mitigation measures should be adopted or modified;
- Whether additional mitigation measures need to be applied to the project; and
- Whether the project or an alternative should be approved.

## **SUMMARY OF PROJECT IMPACTS**

A summary of the environmental impacts associated with implementation of the proposed project, mitigation measures included to avoid or lessen the severity of potentially significant impacts, and residual impacts, is provided in **Table ES-3, Summary of Project Impacts, Mitigation Measures, and Residual Impacts**, below.

**Table ES-3  
Summary of Project Impacts, Mitigation Measures, and Residual Impacts**

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Aesthetics</b>		
<b>Threshold 3.1.1</b> Have a substantial adverse effect on a scenic vista.	No mitigation is required	Less than significant
<b>Threshold 3.1.2</b> Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	No mitigation is required	Less than significant
<b>Threshold 3.1.3</b> Substantially degrade the existing visual character or quality of the site and its surroundings.	No mitigation is required	Less than significant
<b>Threshold 3.1.4</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	No mitigation is required	Less than significant
<b>Air Quality</b>		
<b>Threshold 3.2.1</b> Would the project conflict with or obstruct implementation of the applicable air quality plan?	No mitigation is required	Less than significant
<b>Threshold 3.2.2</b> Would the project generate total criteria pollutant emissions during construction or operation (direct and indirect) in excess of the thresholds given in Table 3.2-4, SCAQMD Regional Emissions Significance Thresholds?	No mitigation is required	Less than significant
<b>Threshold 3.2.3</b> Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	No mitigation is required	Less than significant
<b>Threshold 3.2.4</b> Would the project expose sensitive receptors to substantial pollutant concentrations?	No mitigation is required	Less than significant
<b>Threshold 3.2.5</b> Would the project expose sensitive receptors to objectionable odors affecting a substantial number of people?	No mitigation is required	Less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Biological Resources</b>		
<p><b>Threshold 3.3.1</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.</p>	<p><b>3.3-1:</b> If construction would commence during the nesting/breeding season (February through August), a pre-construction survey of the project vicinity for nesting birds shall be conducted by a qualified biologist (i.e., experienced with the nesting behavior of bird species of the region) within two weeks of the commencement of construction activities. The intent of the survey would be to determine if active nests of special-status bird species or other species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present within the construction zone or within 500 feet of the construction zone. The survey area shall include all trees, shrubs, and buildings in the construction zone and a surrounding 500 foot area, including suitable habitat areas outside the project site.</p> <p>If active nests are found in areas that could be directly affected by, or are within 500 feet of, construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be determined by the qualified biologist taking into account factors such as the following:</p> <ul style="list-style-type: none"> <li>• Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity.</li> <li>• Distance and amount of vegetation or other screening between the construction site and the nest.</li> <li>• Sensitivity of individual nesting species and behaviors of the nesting birds.</li> </ul> <p>Limits of construction to avoid an active nest shall be established in the field by a qualified biologist with flagging, fencing, or another appropriate barrier and construction personnel shall be instructed on the sensitivity of nest areas.</p> <p>LUP Policy 6.23 requires exterior lighting to be low intensity and shielded. <b>As discussed in Section 3.1 Aesthetics</b>, it is anticipated that prior to project entitlement and buildout the City will have adopted a citywide lighting ordinance. As a new project, all lighting for the proposed project would be required to meet the standards in the City’s General Plan, MMC Title 17, LIP Sections 4.6.2 and 6.5(G) and the adopted citywide lighting ordinance. In addition, uplighting in landscaping or elsewhere on-site shall be prohibited. The combination of low wattage and shielding would reduce potential impacts to nesting birds to less than significant levels.</p>	<p>With implementation of <b>Mitigation Measure 3.3-1</b> and compliance with MMC Title 17, LIP Sections 4.5.2 and 6.5 (G), impacts to nesting birds would be less than significant.</p>
<p><b>Threshold 3.3.2</b> Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Biological Resources (continued)</b>		
<p><b>Threshold 3.3.3</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<p><b>Threshold 3.3.4</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<p><b>Threshold 3.3.5</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	<p><b>3.3-2:</b> The project applicant shall ensure the requirements of LIP Section 5.6.2 are met through the preparation of a monitoring plan. The applicant (or designee) shall be responsible for preparation of annual monitoring reports on the replacement trees. The monitoring report shall include measurements of replacement trees (i.e., DBH, approximate height and canopy width) and the relative health, including noting any damage from fire, insects, and disease, or other vectors affecting health. If at any time, within the monitoring period the health of a replacement tree begins to decline beyond recovery, that tree shall be replaced in kind with a healthy tree.</p> <p>Monitoring reports shall be provided to the City annually and at the conclusion of the 10-year monitoring period documenting the success or failure of the mitigation. If performance standards are not met by the end of 10 years, at the discretion of the City Planning Department the monitoring period shall be extended until the standards are met.</p>	<p>With implementation of <b>Mitigation Measures 3.3-2</b>, impacts would be less than significant.</p>
<p><b>Threshold 3.3.6</b> Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<b>Cultural Resources</b>		
<p><b>Threshold 3.4-1</b> Cause a substantial adverse change in the significance of a historical resource as identified in Section 15064.6 of the State CEQA Guidelines</p>	<p>No mitigation is required</p>	<p>Less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Cultural Resources (continued)</b>		
<p><b>Threshold 3.4-2</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines</p>	<p><b>3.4.1:</b> The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – Cal State University Fullerton, or an archaeologist who meets the Secretary of the Interior’s guidelines and is listed in the Register of Professional Archaeologists, who shall be present to monitor all ground-disturbing activities associated with the Project.</p> <p>Prior to initiation of ground-disturbing activities, the Project Archaeologist shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the Project’s initial on-site safety meeting and paleontological resources training, shall explain the importance of and legal basis for the protection of significant archaeological resources.</p> <p>In the event that archaeological resources are exposed during ground-disturbing activities, work in the immediate vicinity of the find shall stop until the Project Archaeologist can evaluate the significance of the find. Construction activities may continue in other areas.</p> <p>If the discovered cultural materials are prehistoric in nature or include Native American remains, the Project Archaeologist shall arrange for a Native American monitor to be retained to assist in the identification of the resources or human remains. The Native American monitor shall be retained from a list of suitable candidates from the Native American Heritage Commission.</p> <p>The Archaeologist shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact. The Archaeologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource. The applicant shall comply with the recommendations of the evaluating Archaeologist, as contained in the survey, study, or report. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:</p> <p style="padding-left: 40px;">South Central Coastal Information Center                  Department of Anthropology                  McCarthy Hall 477                  CSU Fullerton                  800 North State College Boulevard                  Fullerton, CA 92834</p> <p>Prior to the issuance of any building permit, the Applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered. A covenant and agreement binding the Applicant to this condition shall be recorded prior to issuance of a grading permit.</p>	<p>With implementation of <b>Mitigation Measure 3.4-1</b>, impacts would be less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Cultural Resources (continued)</b>		
<p><b>Threshold 3.4-3</b> Disturb or indirectly destroy a unique paleontological resource or site or unique geologic feature</p>	<p><b>3.4-2:</b> All excavations and grading activities into the older Quaternary alluvium and/or Sespe Formation, or below a depth of 5 feet, shall be monitored by a qualified paleontologist. The on-site monitor shall be equipped and permitted to salvage fossils and samples of sediments as they are unearthed. If unearthed paleontological resources determined to be significant by the on-site paleontologist are discovered during project construction activities, all work should halt within 50 feet of the find until it can be fully evaluated and excavated by a qualified paleontologist.</p> <p>Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Specimens shall be curated into a professional, accredited museum repository with permanent retrievable storage.</p> <p>A report of findings, with an appended itemized inventory of specimens, shall be prepared and submitted to the City. The report and inventory, when submitted to the City, shall signify completion of the program to mitigate impacts on paleontological resources.</p>	<p>With implementation of <b>Mitigation Measure 3.4-2</b>, impacts would be less than significant</p>
<p><b>Threshold 3.4-4</b> Disturb any human remains, including those interred outside formal cemeteries</p>	<p><b>3.4-3:</b> If human remains are encountered during excavation and grading activities within the project site, the contractor shall stop such activities. In the event of accidental discovery or recognition of any human remains there shall be no further excavation or disturbance of the subject site or any nearby areas reasonably suspected to overlie adjacent human remains and the following steps shall be taken:</p> <ul style="list-style-type: none"> <li>• The coroner of the City in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required; and,</li> <li>• If the remains are of Native American origin, either of the following steps shall be taken: <ul style="list-style-type: none"> <li>– The coroner should contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner should make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</li> </ul> </li> </ul>	<p>With implementation of <b>Mitigation Measure 3.4-3</b>, impacts would be less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Cultural Resources (continued)</b>		
	<p><b>3.4-3: (continued)</b></p> <ul style="list-style-type: none"> <li>- Implementing or local agencies or authorized representatives should retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</li> <li>- The Native American Heritage Commission is unable to identify a descendent.</li> <li>- The descendant identified fails to make a recommendation.</li> <li>- The implementing agency or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</li> </ul>	
<b>Geology and Soils</b>		
<p><b>Threshold 3.5-1</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving: (a) a rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issues by the State Geologist for the area or based on other substantial evidence of a known fault; (b) Strong seismic ground shaking; (c) Seismic-related ground failure, including liquefaction; (d) Landslides.</p>	<p><b>3.5-1:</b> Prior to project approval, the project applicant shall submit for review and approval by the City of Malibu Building Department detailed plans to address potential liquefaction hazards. These plans shall reduce liquefaction hazards through one of the following methods:</p> <ul style="list-style-type: none"> <li>- The proposed structures may be supported on friction piles extending through the potentially liquefiable sands. The friction piles may be designed in two ways.</li> <li>- Option 1: The minimum friction pile diameter is 24 inches. Friction piles should extend into the nonliquefiable alluvium a minimum of 10 feet, which is found at a depth of 30 feet. The friction piles may be proportioned using skin friction value of 500 pounds per square foot. All friction piles shall be designed to resist a creep force of 1,000 pounds per lineal foot for each foot of shaft exposed to the liquefiable sands above 30 feet.  Lateral loads may be resisted by friction at the base of the conventional foundations and by passive resistance within the compacted fill. A coefficient of friction of 0.4 may be used between the foundations and the alluvium. The passive resistance may be assumed to act as a fluid with a density of 500 pounds per cubic foot. A maximum passive earth pressure of 2,000 pounds per square foot may be assumed. For isolated poles, the allowable passive earth pressure may be doubled.</li> </ul>	<p>With implementation of <b>Mitigation Measure 3.5-1</b>, impacts would be less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Geology and Soils (continued)</b>		
	<p><b>3.5-1: (continued)</b></p> <p>Buried utilities and parking areas would still be affected by liquefaction. Appropriate measures such as flexible connections resistant to earthquake damage and shutoff valves should be considered.</p> <ul style="list-style-type: none"> <li>- Option 2: The minimum continuous footing size is 12 inches wide and 24 inches deep into the compacted fill, measured from the lowest adjacent grade. Continuous footings may be proportioned, using a bearing value of 1,500 pounds per square foot. Column footings placed into the compacted fill may be proportioned, using a bearing value of 2,000 pounds per square foot, and shall be a minimum of 2 feet in width and 24 inches deep, below the lowest adjacent grade.</li> </ul> <p>The bearing values given above are net bearing values; the weight of concrete below grade may be neglected. These bearing values may be increased by one-third for temporary loads, such as, wind and seismic forces.</p> <p>All footing excavation depths shall be measured from the lowest adjacent grade of recommended bearing material. Footing depths shall not be measured from any proposed elevations or grades. Any foundation excavations that are not the recommended depth into the recommended bearing materials will not be acceptable.</p> <p>Lateral loads may be resisted by friction at the base of the conventional foundations and by passive resistance within the compacted fill. A coefficient of friction of 0.4 may be used between the foundations and the alluvium. The passive resistance may be assumed to act as a fluid with a density of 300 pounds per cubic foot. A maximum passive earth pressure of 2,000 pounds per square foot may be assumed. For isolated poles, the allowable passive earth pressure may be doubled.</p> <ul style="list-style-type: none"> <li>• The liquefaction hazard may be mitigated by in place treatment of the liquefiable sands to reduce the liquefaction potential. In place densification of the material may be accomplished with Vibro Compaction or Stone Column densification. Shallow foundations may be utilized provided that the liquefaction potential is reduced to an acceptable level. Additional testing following the treatment shall verify the results of the densification.</li> </ul>	
<p><b>Threshold 3.5-2</b> Result in substantial soil erosion, or the loss of topsoil.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Geology and Soils (continued)</b>		
<b>Threshold 3.5.3</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property	Implementation of <b>Mitigation Measure 3.5-1</b> , above.	With implementation of <b>Mitigation Measure 3.5-1</b> , impacts would be less than significant
<b>Threshold 3.5.4</b> Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water	No mitigation is required	Less than significant
<b>Greenhouse Gases</b>		
<b>Threshold 3.6.1</b> Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No mitigation is required	Less than significant
<b>Threshold 3.6.2</b> Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No mitigation is required	Less than significant
<b>Hazards and Hazardous Materials</b>		
<b>Threshold 3.7.1</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	No mitigation is required	Less than significant
<b>Threshold 3.7.2</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	No mitigation is required	Less than significant
<b>Threshold 3.7.3</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	No mitigation is required	Less than significant
<b>Threshold 3.7.4</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment.	No mitigation is required	Less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Hazards and Hazardous Materials (continued)</b>		
<b>Threshold 3.7.5</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.	No mitigation is required	Less than significant
<b>Threshold 3.7.6</b> For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.	No mitigation is required	Less than significant
<b>Threshold 3.7.7</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	No mitigation is required	Less than significant
<b>Threshold 3.7.8</b> Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including whether wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	No mitigation is required	Less than significant
<b>Hydrology and Water Quality</b>		
<b>Threshold 3.8-1</b> Violate any water quality standards or waste discharge requirements.	<b>3.8-1:</b> Prior to issuance of any building or grading permit or Certificate of Occupancy, the project proponent shall submit proof of compliance with all requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit, including the submittal of an Erosion and Sediment Control Plan (MS4 Permit Section VI.D.8.h.ii) for approval.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Hydrology and Water Quality (continued)</b>		
	<p><b>3.8-3:</b> Prior to issuance of any building or grading permits, the project proponent must submit, to the City, and receive final approval of a Water Quality Mitigation Plan (WQMP). The WQMP shall be supported by a final hydrology and hydraulic study that identifies all contributory runoff areas on the property and shall substantially conform to the submitted concept grading and drainage plan. The WQMP shall meet all the requirements of the City’s current Municipal Separate Stormwater Sewer System (MS4) permit Section VI.D.7.c. The following elements shall be included within the WQMP:</p> <ul style="list-style-type: none"> <li>• Site Design Best Management Practices (BMPs)</li> <li>• Source Control BMPs</li> <li>• Treatment Control BMPs that retains on-site the Stormwater Quality Design Volume (SWQDv), or where it is technically infeasible to retain on-site, the project shall bio-filtrate 1.5 times the SWQDv that is not retained on-site. The SWQDv is defined as the greater of the 85<sup>th</sup> percentile, 24-hour storm event or the 0.75-inch, 24-hour storm event.</li> <li>• Drainage Improvements</li> <li>• A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure.</li> </ul> <p>A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.</p> <p>The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department’s approval of any permits. The Public Works Department shall tentatively approve the plan and shall keep a copy on file until the completion of the project. Once the project is completed, the Public Works Department shall verify the installation of the BMPs. If there are proposed revisions to the drainage system or treatment control BMPs, the applicant shall submit the modification to the Public Works Department for review and subsequent approval. Following the Public Works Department final approval of the WQMP, the original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy.</p> <p>The WQMP shall include a maintenance covenant; a report documenting compliance shall be submitted to the City for review on an annual basis for the life of the project.</p>	

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Hydrology and Water Quality (continued)</b>		
<b>Threshold 3.8-2</b> Substantially deplete groundwater supplies, or interfere substantially with groundwater recharge such that there would be net deficit in aquifer volume or a lowering of the local groundwater table.	No mitigation is required	Less than significant
<b>Threshold 3.8-3</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-4</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-site or off-site.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-5</b> Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-6</b> Otherwise substantially degrade water quality.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-7</b> Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	No mitigation is required	Less than significant
<b>Threshold 3.8-8</b> Place within a 100-year flood hazard area structures that would impede or redirect flood flow.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-9</b> Expose people or structures to a significant risk, loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.	Implementation <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , above.	With implementation of <b>Mitigation Measures 3.8-1</b> and <b>3.8-2</b> , impacts would be less than significant
<b>Threshold 3.8-10</b> Expose people or structures to a significant risk, loss, injury, or death involving inundation by seiche, tsunami, or mudflow.	No mitigation is required	Less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Land Use</b>		
<b>Threshold 3.9.1</b> Physically divide an established community	No mitigation is required	Less than significant
<b>Threshold 3.9.2</b> Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect	No mitigation is required	Less than significant
<b>Threshold 3.9.3</b> Conflict with any applicable habitat conservation plan or natural community conservation plan	No mitigation is required	Less than significant
<b>Noise</b>		
<b>Threshold 3.10.1</b> Would the project expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<p><b>3.10-1</b> All construction machinery and delivery trucks shall be maintained to the highest level of performance, and shall be outfitted with all noise reduction accessories, e.g., mufflers, enclosures, etc. that are offered by the equipment manufacturers.</p> <p><b>3.10-2</b> The contractor and all subcontractors shall be knowledgeable about the details of Chapter 8.24 NOISE of the Malibu Municipal Code, and shall conform to its requirements at all times.</p> <p><b>3.10-3</b> Construction activities shall occur only during the hours permitted by the Malibu Municipal Code – 7:00 AM until 7:00 PM on weekdays, and 8:00 AM until 5:00 PM on Saturdays. Construction activities are not permitted on Sundays and holidays.</p> <p><b>3.10-4</b> The construction site shall be laid out such that materials are stored and staged near the south end of the site to maximize the distance from the equestrian center.</p> <p><b>3.10-5</b> Prior to construction, all residences within 1,000 feet of the site shall be individually notified of the project’s construction schedule.</p> <p><b>3.10-6</b> Prior to construction, a sign shall be posted on the site that is legible from at least 50 feet off-site. The sign shall include a telephone number that residents can call to inquire about the construction process and to register complaints. The project developer shall designate a “noise control coordinator” who will reply to all construction noise-related questions and complaints.</p> <p><b>3.10-7</b> Prior to the commencement of general construction, the contractor shall construct a noise wall along the property’s entire north boundary to minimize the noise emissions to the equestrian center, the residence at its west edge and the residences to the north. The wall shall be at least 12 feet tall, and can be made of any solid material that weighs at least 5 pounds per square foot, e.g., stucco, wood, masonry, etc. The noise wall shall be reviewed and approved by the City of Malibu Planning Department prior to its construction.</p>	With implementation of <b>Mitigation Measures 3.10-1 through 3.10-10</b> , construction noise related impacts would remain significant for 23704 Harbor Vista Drive, 3657 Cross Creek Road, and Legacy Park. However with implementation of <b>Mitigation Measures 3.10-1 through 3.10-10</b> , operational noise related impacts would be less than significant.

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Noise (continued)</b>		
	<p><b>3.10-8</b> The project shall retain the north boundary's 12-foot-high noise wall to minimize the operational phase noise emissions to the equestrian center, the residence at its west edge and the residences to the north. This will control the noise from such on-grade sources as cars, delivery and garbage trucks, parking lot sweepers, etc.</p> <p><b>3.10-9</b> The project shall install rooftop noise barrier screens that surround all rooftop equipment on Building 5. The locations, weights, and heights of the screens will depend on the specific equipment. At a minimum, the screens shall be made of a solid material that weighs at least 4 pounds per square foot, and they shall completely shield the line-of-sight from each piece of rooftop equipment to the noise-sensitive receptors and shall be as close to the equipment as possible, while allowing for proper operation and maintenance.</p> <p><b>3.10-10</b> All truck deliveries and all maintenance operations shall occur between the hours of 7:00 AM and 7:00 PM.</p>	
<p><b>Threshold 3.10.2</b> Would the project expose persons to or generate excessive ground borne vibration or ground borne noise levels?</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<p><b>Threshold 3.10.3</b> Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<p>Implementation of <b>Mitigation Measures 3.10-8</b> through <b>3.10-10</b>, above.</p>	<p>With implementation of <b>Mitigation Measures 3.10-8</b> through <b>3.10-10</b>, impacts would be less than significant.</p>
<p><b>Threshold 3.10.4</b> Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<p>Implementation of <b>Mitigation Measures 3.10-1</b> through <b>3.10-7</b>, above.</p>	<p>With implementation of <b>Mitigation Measures 3.10-1</b> through <b>3.10-7</b>, impacts would be mitigated to less than significant, with the exception of receptors located at 23704 Harbor Vista Drive, 3657 Cross Creek Road, and Legacy Park, which would remain significant and unavoidable.</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Fire Protection</b>		
<p><b>Threshold 3.11.1-1</b> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<b>Sheriff Protection Services</b>		
<p><b>Threshold 3.11.2-1</b> Implementation of the project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<b>Recreation</b>		
<p><b>Threshold 3.12-1</b> Implementation of the project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>
<p><b>Threshold 3.12-2</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.</p>	<p>No mitigation is required</p>	<p>Less than significant</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Transportation and Traffic</b>		
<p>Threshold 3.13-1 Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. A significant impact would occur if the proposed project exceeded adopted thresholds for signalized intersections or unsignalized intersections (refer to Tables 3.13-3 and 3.13-4) or result in V/C ratio on a CMP roadway segment operating at an unacceptable LOS (i.e., LOS D, E, or F) increases by 0.05 or more.</p>	<p><b>3.13-1:</b> The project applicant shall contribute its pro-rata share of the costs associated with the intersection improvements required at Pacific Coast Highway and Cross Creek Road, which are currently underling review by the City of Malibu Planning Department (CDP No. 14-036). These intersection improvements shall consist of the construction of an additional westbound right-turn lane to provide additional right-turn capacity. <b>Figure 3.13-17, Traffic Mitigation Plan, Cross Creek Road &amp; Pacific Coast Highway</b>, illustrates the design of the Cross Creek Road/Pacific Coast Highway intersection improvement. The pro-rata share of the improvement costs shall be determined by the City of Malibu prior to the issuance of building permits. The City shall verify that all pro-rata funds have been received for the improvements prior to issuance of building permits. Additionally, the City shall verify that the improvements have been constructed prior to final Planning Department inspection.</p> <p><b>3.13-2:</b> The project applicant shall contribute its pro-rata share of the costs associated with roadway improvements at the intersection of Malibu Canyon Road and Pacific Coast Highway. The improvements shall consist of restriping the south leg of the intersection to include a left-turn lane, one through lane and one right-turn lane. In addition, the project applicant shall fund traffic signal improvements for the intersection consisting of installing a northbound right turn overlap phase to run concurrently with the westbound left turn phase. Prior to construction, all applicable permits shall be obtained from Caltrans. <b>Figure 3.13-18, Traffic Mitigation Plan, Malibu Canyon Road &amp; Pacific Coast Highway</b>, illustrates the design of the Malibu Canyon Road and Pacific Coast Highway intersection improvements. The pro-rata share of the improvement costs shall be determined by the City of Malibu prior to the issuance of building permits. The City shall verify that all pro-rata funds have been received for the improvements prior to the issuance of building permits. Additionally, the City shall verify that the improvements have been constructed prior to final Planning Department inspection.</p> <p><b>3.13-3:</b> The project applicant shall fund the construction of dual eastbound left-turn lanes at the eastbound approach to the intersection of Pacific Coast Highway and Webb Way. Prior to construction, all applicable permits shall be obtained from Caltrans. <b>Figure 3.13-19, Traffic Mitigation Plan, Webb Way &amp; Pacific Coast Highway</b>, illustrates the design of the Pacific Coast Highway intersection improvements. The pro-rata share of the improvement costs shall be determined by the City of Malibu prior to the issuance of building permits. The City shall verify that all pro-rata funds have been received for the improvements prior to issuance of building permits. Additionally, the City shall verify that the improvements have been constructed prior to final Planning Department inspection.</p>	<p>With implementation of <b>Mitigation Measures 3.13-1 through 3.13-3</b>, impacts would be less than significant.</p>

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Transportation and Traffic (continued)</b>		
<b>Threshold 3.13-2</b> Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways.	Implementation of <b>Mitigation Measures 3.13-2</b> , above.	With implementation of <b>Mitigation Measures 3.13-2</b> , impacts would be less than significant.
<b>Threshold 3.13-3</b> Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	No mitigation is required	Less than significant
<b>Threshold 3.13-4</b> Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	No mitigation is required	Less than significant
<b>Threshold 3.13-5</b> Result in inadequate emergency access.	No mitigation is required	Less than significant
<b>Threshold 3.13-6</b> Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	No mitigation is required	Less than significant
<b>Electricity</b>		
<b>Threshold 3.14.1-1</b> Result in activities which use large amounts of electricity or which use electricity in a wasteful manner	No mitigation is required	Less than significant
<b>Threshold 3.14.1-2</b> Result in an increased demand for electricity which exceeds either the existing supply or capacity of the infrastructure (or financially feasible infrastructure that could be developed) required to service additional demand and/or equipment (electric lines and substations, etc.).	No mitigation is required	Less than significant
<b>Threshold 3.14.1-3</b> Alter the nature of demand for electricity services causing increased costs or service delivery limitations	No mitigation is required	Less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Natural Gas</b>		
<b>Threshold 3.14.2-1</b> Result in activities which use large amounts of natural gas or which use natural gas in a wasteful manner	No mitigation is required	Less than significant
<b>Threshold 3.14.2-2</b> Result in an increased demand for natural gas which exceeds either the existing supply or capacity of the existing infrastructure (or financially feasible infrastructure that could be developed) required to service additional demand and/or equipment (natural gas lines, etc.)	No mitigation is required	Less than significant
<b>Water Supply</b>		
<b>Threshold 3.14.3-1</b> Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	No mitigation is required	Less than significant
<b>Threshold 3.14.3-2</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed	No mitigation is required	Less than significant
<b>Wastewater</b>		
<b>Threshold 3.14.4.1</b> Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	No mitigation is required	Less than significant
<b>Threshold 3.14.4.2</b> Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	No mitigation is required	Less than significant
<b>Threshold 3.14.4.3</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	No mitigation is required	Less than significant

Significance Threshold and Project Impacts	Mitigation Measures	Residual Impact
<b>Solid Waste</b>		
<p><b>Threshold 3.14.5-1</b> Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs</p>	<p><b>3.14.5-1:</b> Pursuant to the City's Construction and Demolition Debris Recycling Program, an affidavit and certification to implement a Waste Reduction and Recycling Plan for the proposed project shall be completed and submitted to the City Environmental Sustainability Department prior to building permit issuance. The Plan shall include plans to recycle at a minimum 50 percent of discarded materials, such as concrete, sheetrock, wood, and metals, from proposed construction. Upon completion of the project, a Summary Report must be submitted to the Environmental Sustainability Director for approval.</p> <p><b>3.14.5-2:</b> Pursuant to the City's Integrated Waste Management Program, the project applicant shall provide a plan for the disposal, storage, and collection of solid waste material for the project. The development of the plan shall be coordinated with City-permitted solid waste collection and disposal firms.</p>	<p>With implementation of <b>Mitigation Measures 3.14.5-1</b> and <b>3.14.5-2</b>, impacts would be less than significant.</p>
<p><b>Threshold 3.14.5-2</b> Comply with federal, state, and local statutes and regulations related to solid waste</p>	<p>No mitigation is required</p>	<p>Less than significant</p>