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## V. ENVIRONMENTAL IMPACT ANALYSIS

### A. AESTHETICS/VIEWS

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#### REGIONAL AND ENVIRONMENTAL SETTING

##### **Project Site**

The Project Site is located along the north side of Civic Center Way, east of La Paz Lane and just west of the intersection of Civic Center Way and Cross Creek Road. The topography of the Project Site varies from gentle southerly slopes to flat terrain, with a steep hillside to the north.

The Project Site is primarily vacant, and due to the past agricultural use, has been cleared of most native flora. At the present time, the Project Site is predominantly devoid of vegetation with the exception of weeds, shrubs, a mature stand of California Sycamore trees in the center of the site and patches of native coastal sage scrub on the hillsides to the north. An existing dirt road provides access to the interior of the property.

##### **Surrounding Locale**

The existing visual character of the surrounding locale is largely defined by the natural and built environment consisting of the developed areas in and around the Civic Center area and the scenic natural characteristics of the Santa Monica Mountains, the Malibu Lagoon and the Pacific Ocean. The narrow coastal terraces and lowlands of the City, backed by steeply ascending slopes of the Santa Monica Mountains, create a highly visible tiered-array of private and public properties. Regulatory policies of maintaining low scale development and low density of the built environment contribute to the City of Malibu's scenic resources which play an important role in maintaining its appeal as a place to live and visit.

As illustrated in the Photograph Location Map in Figure V.A-1, the Project Site is located within the larger Civic Center Area of Malibu, which occupies approximately 185 acres extending from PCH in the south to the base of the hillsides in the north. Views of and to the Project Site are generally limited by the diverse topography to the north and the existing vegetation and development patterns within the Civic Center area. As shown in the aerial photograph in Figure V.A-1, the Civic Center Area extends from Malibu Creek in the east to the area of land enclosed by PCH, Malibu Canyon Road and Civic Center Way in the west. Resources in and adjacent to the Civic Center Area include a riparian zone located along Malibu Creek, some native coastal sage scrub vegetation on the hillsides, a sensitive tidally-influenced wetland located within Malibu Creek State Park and Lagoon, a wetland area located at the base of the Malibu Country Village Condominiums and the Winter Canyon area.

The Project Site is surrounded by a largely undeveloped hillside to the north-northwest, a single-family residence to the northeast, vacant land to the east, Civic Center Way to the south, and the Los Angeles County-Malibu Civic Center property to the west. Single-family residential properties are located further



to the north, along the ridgeline overlooking the Civic Center area. Further to the east, across Cross Creek Road are residential, industrial and commercial uses. Land uses to the south, across Civic Center Way include commercial uses and the future Malibu Legacy Park Site (formerly known as the Chili Cook-Off site). The Malibu Civic Center, located immediately to the west of the Project Site, is occupied by the Los Angeles County Public Library – Malibu Branch, and the Los Angeles County Superior Court West District Office. Properties to the immediate west of the Project Site consist of the City of Malibu Civic Center. The Civic Center includes the City Court House, the Los Angeles County Superior Court District Office, and the Los Angeles County Public Library Malibu Branch, which are all examples of government uses. Parcels to the north include a mix of vacant land and single family residences with equestrian uses. Uses to the east of the Project Site consist of a vacant lot, a skate park and equestrian uses. Parcels to the south of the Project Site consist of commercial uses, including a commercial strip mall. See Figure V.A-2 and Figure V.A-3, on pages V.A-4 and V.A-5 for photographs of surrounding land uses.

### **Existing Viewsheds**

Viewsheds refer to the visual qualities of the geographical area that are defined by the horizon, topography, and other natural features that give an area its visual boundary and context, or by artificial developments that have become prominent visual components of the area. In the area of the Project Site, the existing viewsheds are defined primarily by the existing commercial, residential and institutional land uses. The Santa Monica Mountains also define some of these existing viewsheds.

### ***Views of and Towards the Project Site***

The availability of views of the Project Site varies from off-site locations due to the development density in the area as well as intervening buildings, trees and landscaping, topography and distance. Views of the Project Site are generally less obstructed by such features the closer a viewer is to the site, particularly from streets and properties that are adjacent to or above the site. For example, the Project Site is visible from adjacent streets such as Civic Center Way and properties along this street (See Figure V.A-3, on page V.A-5). The Project Site is also partially visible from the Coast Highway and Webb Way and from properties along these streets; however, trees, landscaping and structures obstruct some views towards the site from these locations (See Figure V.A-4, on page V.A-6). Such distant views are typically clearer in the absence of certain weather conditions such as fog, haze, rain and sunshine glare from the ocean. The Project Site is not visible from the Pacific Ocean and the coastline.

The Project Site is to some extent visible from several streets situated above the site to the north, such as Malibu Canyon Road, Malibu Knolls Road, Harbor Vista Road, and Santa Monica recreational hiking trails (See Figure V.A-5, on page V.A-7). However, the diverse topography, mature trees and vegetation screen portions of the Project Site from these viewing locations. Overall, the Project Site is visible from private and public viewing locations. A private view may range from a narrow view corridor to a panoramic view of the ocean, canyons, hillsides, or town. Public views may be scenic views from Coast Highway up to residential hillsides or views from other public areas such as parks, beaches, trails and streets.

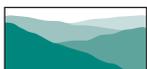


**View 1.** North northeast view of the existing Civic Center buildings from Civic Center Way.

**View 2.** Northwest view looking towards the Project Site in the foreground and the Hughes Research Labs in the background.



**View 3.** Northern view of the Project Site in the foreground with ridge line in the background.





**View 4.** View looking west across the adjacent vacant lot (Shultz Project Site) from Cross Creek Road towards the Project Site.

**View 5.** View looking south toward the commercial uses located along Civic Center Way, across from the Project Site.



**View 6.** View looking north towards the Project Site from Civic Center Way.





**View 7.** View looking southwest toward the Project Site from the existing Civic Center Property.

**View 8.** View looking northwest toward the Project Site from the commercial shopping center located on Civic Center Way and Cross Creek Road.



**View 9.** Northeast view of the Project Site (in background) from the Pacific Coast Highway looking across the former Chili Cook-Off Site (future Malibu Legacy Park Site).





**View 10.** Southeast view overlooking the Project Site from Malibu Canyon Road. As illustrated, the views of the Project Site from this vantage point are obstructed by the row of mature trees behind the Civic Center buildings.



**View 11.** Southeast view overlooking the Project Site from Malibu Canyon Road. As illustrated, the views of the Project Site from this vantage point are obstructed by the row of mature trees behind the Civic Center buildings.



## **Light and Glare**

Existing nighttime lighting conditions vary substantially throughout the City of Malibu. Nighttime lighting varies from moderately high levels in areas of commercial development, such as along the Coast Highway, to areas of low level or a complete absence of night lighting. The differences observed result from both variation in levels of development and the light dampening effects of mountainous terrain where it hugs the curvature of the coastline. New developments have the potential of creating undesired spillover lighting and glare effects, which can be a concern. The relative lighting impacts on native diurnal animal species is discussed in further detail in Section V.C, Biological Resources.

## **Relevant Policies**

### ***General Plan Land Use Element***

The City of Malibu addresses aesthetic considerations for development in the City in the General Plan, the Zoning Ordinance, and the Local Coastal Program Land Use Plan. The General Plan Land Use designation of the Project Site is Community Commercial (CC). Each element of the General Plan contains goals, objectives and polices which embody the planned approach to development within the City and an implementation program for a five- to ten-year buildout, including development standards and measures for monitoring and general coordination. For organizational purposes, general goals, policies, and objectives relevant to aesthetic appearance are discussed in this section and specific numerical requirements of the General Plan are discussed further in Section V.HG, Land Use and Planning.

Land Use Goal 1 of the Land Use Element is the protection and enhancement of the natural and environmental resources of the City of Malibu. Land Use Objective 1.1 states that development shall not degrade the environment. As part of the strategy for achieving this goal and objective, several specific policies are set forth including: regulation of design and permitting only land uses compatible with the natural environment; preservation of the City's rural residential character; and site planning which blends development with the natural topography. Land Use Implementation Measure 8 requires that new development respect public and private views and view corridors to the greatest extent feasible.

Land Use Objective 1.4 states that development shall be consistent with the preservation of the natural topography and viewshed protection. Specific policies associated with this objective include: preservation of significant ridgelines and other significant topographic features (canyons, knolls, hills, and promontories); minimizing the visual impact of development on hillsides; minimizing alteration of existing landforms and design consistent with natural topography; and maintenance of the natural appearance of drainage courses. Land Use Implementation Measure 28 requires that new development protect public views from scenic roadways to and along the shoreline and from scenic coastal areas, including public parklands.

Land Use Goal 2 of the Land Use Element is the preservation of a rural community character. Land Use Objective 2.1 states that development shall be of a type, amount, and location consistent with "Malibu

lifestyle.” Specific policies associated with this objective include landscaping of development so that the project blends in with the environment and the neighborhood and protection and preservation of public and private ocean and mountain views. Land Use Implementation Measure 37 requires that on-premise signs coordinate with the environment and do not detract from the scenery.

Land Use Goal 4 of the Land Use Element is the construction of commercial uses and structures (including signage) in harmony with the rural residential character and natural environment of the community. Land Use Objective 4.1 states that commercial structures shall be of a limited height and bulk equivalent to adjacent residences. Specific policies associated with this objective include: promotion of extensive landscaping in new projects, with an emphasis on low volume irrigation and the use of native, fire-resistant and drought-tolerant plant materials; and aesthetic screening of service areas and well landscaped parking lots. Land Use Implementation Measure 65 requires the development of comprehensive commercial design guidelines that respect the rural character of the City of Malibu through development of low-rise buildings with pedestrian scaled elements and designs that complement surrounding natural areas with inclusion of native landscaping.

### ***Zoning Ordinance***

The City of Malibu Zoning Ordinance includes requirements which affect the visual and aesthetic characteristics of projects, including density (lot area, width, and coverage), height and setbacks, parking requirements, sign regulations, and landscaping. The Project Site is currently designated as Community Commercial (CC). The specific requirements of the Zoning Ordinance are discussed further in Section V.G, Land Use and Planning.

### ***Local Coastal Program Land Use Plan***

Chapter 6, Scenic and Visual Resources, of the Local Coastal Program Land Use Plan for the City of Malibu contains policies specifically related to prevention of visual and aesthetic impacts. Land Use (LU) Policies 6.7 through 6.30 address viewshed protection, visual compatibility, visually prominent elements, siting of structures and architectural character in visual resource areas, design/visual elements, and scenic roadways.

The viewshed protection sub-section requires protection of public views from scenic highways and prohibition of signs, utilities, and accessory equipment that obstructs views to the ocean and scenic elements. The visual compatibility sub-section requires design and location of structures to create an attractive appearance and harmonious relationship with the surrounding environment, protection of views, and minimal alteration of existing landforms. ~~The visually prominent elements sub-section requires prohibition of structures that would break a ridgeline view, as seen from public places.~~

LIP Chapter 6, Scenic Resources, requires the following: design and construction which reflects the visual and environmental character of the Malibu Coastal Zone; conformity with the natural topography, blending alteration of natural landscape with existing terrain; respect for prevailing architecture and visual character of existing structures in the area; and limiting height to 35 feet above grade. In addition, it

requires that signs conform with artificial and natural features, that utilities be placed underground to the extent possible, and that fencing or walls on the property be designed and constructed to allow for view retention from scenic roadways. Development along scenic roadways shall be placed to protect scenic canyon and ocean views to the extent possible. Specific LU Policies pertaining to the Project Site and the Proposed Project are discussed further in Section V.G, Land Use and Planning.

## **ENVIRONMENTAL IMPACTS**

### **Thresholds of Significance**

The City of Malibu General Plan EIR considers the impacts created by a Proposed Project as being significant if the implementation of a project would result in:

- A substantial obstruction or substantial alteration of any scenic vista (such as the ocean, shoreline/beaches, ridgelines/mountains, and other scenic resources) or view open to the public.

Components of the Proposed Project will be considered to have significant impacts if their completion results in significant adverse impacts to visual resources as identified in the above threshold.

The CEQA Guidelines (Appendix G) identifies the following applicable criteria for determining whether a project's impacts are considered to have a significant effect. A project would have a significant impact to the environment if it would:

- have a substantial adverse effect on a scenic vista, or
- substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway, or
- substantially degrade the existing visual character or quality of the site and its surroundings, or
- create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Scenic areas with views of or in proximity to the Project Site as listed in the City of Malibu General Plan include recognized scenic routes (PCH and Malibu Canyon Road), Pepperdine University, Malibu Creek State Park, and Malibu Lagoon State Beach.

### **Project Characteristics Relevant to Aesthetics**

As depicted in Section III, Project Description, the Proposed Project entails the development of ~~five~~<sup>three</sup> single-story buildings and ~~six~~<sup>seven</sup> two-story buildings, providing a total of 112,058 square feet of commercial floor area and a 20,000 square foot new city hall. The architecture proposed for the project is Mediterranean with modern updates. The buildings include the use of textured clay tile, Spanish lace,

cement pilasters, rough-hewn wood trellises and exposed wood rafter tails, decorative/battered walls, and an array of arches and colonnades.

The Proposed Project incorporates site amenities such as indigenous plant materials, water features, walkways, trails, plazas and other hardscape elements. The proposed landscape plan would re-vegetate the site with plantings that reflect Southern California coastal plant communities. Large canopy sycamores are proposed to soften the building elevations and ~~complementing~~ complementing the Malibu Creek Corridor. Coastal oak trees will be spotted throughout the Project Site along with ornamental flowering trees. In addition, the Proposed Project will include a natural appearing stream, which will also serve as a drainage course terminating on the south into a man-made wetland.

Pedestrian walkways, plazas and piazzas are proposed to be integrated through the development connecting larger open spaces for where children can play or people can dine. These areas will be covered with decorative pavement. Overhead structures and trellises, supporting flowering vines, will be provided to enclose and frame outdoor spaces. Required on-site parking will have substantial landscaping for shade in the daytime and serve to shield illumination from adjacent residences.

## **Project Impacts**

### ***Post-Project Views***

The Proposed Project would introduce developed urban structures to a site that is primarily vacant. The Proposed Project would be visible from all of the viewing locations identified above. Such local and distant viewing locations include portions of City streets (e.g. Civic Center Way, Cross Creek Road and Malibu Canyon Road) as well as from various residential and/or commercial land uses located along these streets. Visibility of the Project Site from designated scenic routes, including PCH, Malibu Canyon Road, Pepperdine University, Malibu Creek State Park, and Malibu Lagoon State Beach is highly limited and obscured by topography, vegetation, and existing commercial development in the Civic Center area. Existing off-site trees and vegetation also screen many of the public and private views of the project from areas north of the Project Site within the higher elevations of the Santa Monica Mountains. While the Proposed Project would not be visible from the coastline, it would be visible from other public viewing locations such as the City streets described above and partially visible from PCH and the Santa Monica Mountains. Changes to the aesthetic character of the site from these locations would not be considered significant adverse changes because the immediate project area is developed and the proposed building heights are ~~permitted for the Project Site~~ consistent with existing commercial development. Furthermore, the Project Site does not contain any unique scenic resources, such as trees, rock outcroppings, or historic buildings. Thus, no impacts related to the elimination of any such aesthetic resources would occur.

The Proposed Project would not result in the obstruction of any public scenic views. While the site would be visible from portions of public areas such as City streets and the Santa Monica Mountains, it would not obstruct any scenic views (e.g. ocean, coastline, hillsides, and canyons) from these viewing locations. Impacts relative to public scenic views would be less than significant.

The Proposed Project would not result in the ~~partial~~ obstruction of private views from properties located immediately north of the site. ~~However, e~~Existing trees and vegetation along the northern side of the Project Site currently obstruct ~~portions of~~ these private views. Thus, no impact to ~~The project's partial obstruction of private views from nearby properties would result.~~ is considered to be a less than significant impact.

The Proposed Project is consistent with the neighborhood in regards to size, design, and height, which includes the surrounding homes and commercial development. The proposed buildings would extend to a maximum of 3432 feet in height, with floor areas ranging between 400 sf for the smallest single structure and 17,879 sf for the largest. Existing buildings in the immediate vicinity of the Proposed Project include two-story homes that are approximately 28 feet in height, and two-story commercial buildings that are approximately 35 feet in height. Building mass impacts are considered to be less than significant.

### ***Lighting***

The development of an as yet undeveloped site in Malibu has the potential to significantly alter the daytime and nighttime visual qualities and conditions of the site and its vicinities. The visual impacts associated with the location, scope and architectural attributes and the project's associated landscaping plans are described below as they relate to the thresholds of significance.

Due to the development of the Proposed Project there will be an introduction of a greater amount of nighttime lighting to the Project Site. Such lighting sources include interior lighting, exterior security lighting, and headlights associated with motor vehicles using the main driveway off of Civic Center Way. Some of the project's building materials (i.e., windows, aluminum window frames) as well as automobile windshields represent potential sources of daytime glare. Light and glare impacts would be potentially significant but can be mitigated to less than significant levels by implementing the proposed light and glare mitigation measures below.

In response to comments received on the Draft EIR concerning privacy and light trespass on to the adjacent residential property, the Project Applicant has revised the Landscaping Plan to provide additional landscape cover to buffer the Proposed Project from the adjoining residential property to the northeast. This Landscaping Plan is illustrated in the WMSMP. In addition, additional language has been added to Mitigation Measure V.A-1 to require the Applicant to plant a row of coast live oak trees 15 feet apart on center and Australian willow and coast live oak around buildings 10 and 11, west of the road. As such, the Proposed Project's potentially significant impacts associated with light trespass and privacy upon adjoining residential properties would be mitigated to less than significant level.

### **CUMULATIVE IMPACTS**

As described in Section IV, Overview of Environmental Setting, there are a total of 14 related projects. Of these 14 related projects, eight are within the Civic Center area and would thus have the potential to alter the aesthetic character of the immediate project area. Development of the Proposed Project in conjunction with these related projects would result in an intensification of existing prevailing land uses

in the City. Development of the related projects is expected to occur in accordance with adopted plans and regulations. While many of the related projects and the Proposed Project would be visible from public and private properties, the related projects and Proposed Project would not combine to obstruct existing public scenic views.

## **MITIGATION MEASURES**

Implementation of the following mitigation measures would ensure the Proposed Project does not result in any significant aesthetics impacts:

1. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, with native plant species, to the satisfaction of the City Planning Department. The final Landscape Plan shall be in substantial compliance with the Landscape Plans illustrated in Figures V.A-6A, V.A-6B, and V.A-6C, and shall include a row of coast live oak trees, which shall be planted 15 feet apart trunk to trunk on center along the northeasterly property boundary and Australian willow and coast live oak around buildings 10 and 11, west of the road.
2. Outdoor lighting shall incorporate low-level lighting fixtures and shall be designed and installed with directional shields so that the light source cannot be seen from adjacent land uses.
3. The exterior of the proposed buildings shall be constructed of non-reflective building materials.

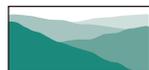
## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

With the incorporation of the mitigation measures above, the Proposed Project would be designed in a manner that minimizes the effects of light and glare. The proposed mitigation would prevent the use of plant species that are uncharacteristic of the Malibu area. The incorporation of native plant species in the landscape plan will provide a transitional buffer from the built environment to the adjacent natural plant communities spotting the hillside to the north. With the implementation of the mitigation measures identified above, impacts related to aesthetics would be less than significant.



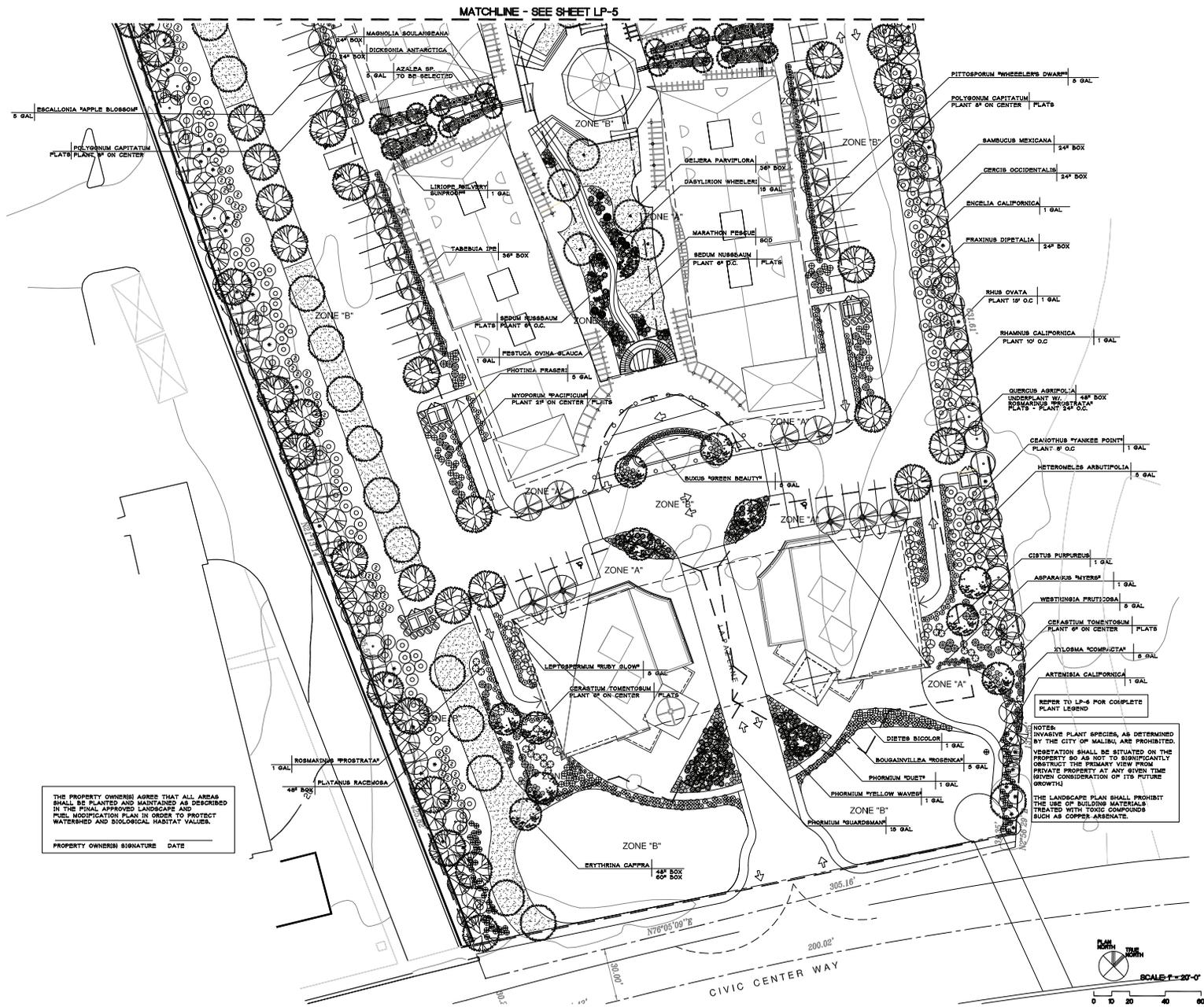


Source: Wynn Landscape Architects, Inc. and Daniel Chudnovsky, A.I.A. Architects, Inc., July 22, 2008.



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Figure V.A-6B  
Landscape Plan



Source: Wynn Landscape Architects, Inc. and Daniel Chudnovsky, A.I.A. Architects, Inc., July 22, 2008.



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Figure V.A-6C  
Landscape Plan