VII. ALTERNATIVES TO THE PROPOSED PROJECT
A. INTRODUCTION

As stipulated in the State CEQA Guidelines (Public Resources Code Section 21002.1(a)):

> "*the purpose of an environmental impact report is to identify the significant effects on the environment of a project**, to identify alternatives to a project**, and to indicate the manner in which those significant effects can be mitigated or avoided (emphasis added).*"

More specifically, the State CEQA Guidelines (Section 15126.6) require an EIR to describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The discussion of alternatives, however, need not be exhaustive, but rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives that are deemed "infeasible."

CEQA requires the alternatives analysis to include a No Project Alternative. The purpose of analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the Proposed Project with the impacts of not approving the Proposed Project (State CEQA Guidelines Section 15126.6(e)(1)). The No Project Alternative should be based on the reasonably foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services. Additionally, in accordance with the Guidelines, the No Project Alternative analysis shall discuss existing conditions at the time the Notice of Preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved. The discussion of the No Project Alternative is provided below.

As indicated above, a project alternative should feasibly be able to attain "most of the basic objectives of the project" (Section 15126.6(a)), even though it might, to some degree, impede the attainment of those objectives or be more costly (Section 15126.6(b)).

Alternatives Rejected as Being Infeasible

Section 15126.6(c) of the CEQA Guidelines requires EIRs to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process, and briefly explain the reasons underlying the lead agency's determination. Alternatives involving residential and/or industrial land uses were dismissed as being infeasible because the Project Site is not zoned for such uses, and such proposals would not meet any of the project objectives and may not be compatible with existing commercial and civic center land uses in the surrounding area.

The limitations of the Malibu General Plan and the Local Coastal Program (LCP) are constraints which make an alternative infeasible and which an agency can consider in limiting its range of alternatives. (See

Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 569-573; Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1141-1142 Save Our Residential Environment v. City of West Hollywood (1992) 9 Cal.App.4th 1745, 1751-1754.) A narrow range of alternatives is permitted where, due to legal, planning and other constraints, the agency does not have a broader range of potentially feasible alternatives to choose from. (See Marin Mun. Water Dist. v. KG Land California Corp. (1991) 235 Cal.App.3d 1652, 1664-1666; Remy & Thomas (11th Ed. 2007), § p. 567, citing Mountains Lion Foundation v. Fish and Game Commission (1997) 16 Cal.4th 105, 135-136.)

Taking into account the requirements of the Malibu General Plan, Zoning Code, and LCP that strictly limit the uses and FAR of any development proposed for the site, the EIR's alternatives analysis considers a "reasonable range" of alternatives. The applicable constraints dictate that any alternative will have substantially the same impacts as the Project and/or the alternatives already considered in the EIR.

The City has one of the most restrictive FAR requirements for commercial projects in the entire state. The LCP specifies that the maximum FAR in the Civic Center is 0.15, except that the project FAR may be increased to 0.20 if public benefits and amenities are provided pursuant to a development agreement or planned development or planned development. (LCP, Land Use Policy 5.18; LIP, §3.8(A)(5)(e)(4).)

The Project site itself is constrained by its irregular "Z" shape, narrow width and significant depth. The LCP requires that all commercial projects in the Civic Center provide at least 25% open space and at least 40% landscaping. (LIP, § 3.8(A)(5)(b).) Collectively, this requirement alone prevents the development of 65% of the Project site. Furthermore, the LCP includes broad front, rear, and side yard requirements. (LIP, § 3.8 (A)(2).)

The General Plan and LCP require that the project incorporate recreational opportunities and allow for pedestrian and bicycle circulation. (See General Plan Land Use Goal 3 and Land Use Policies 2.1.6, 4.3.5, and 4.36; LCP Land Use Policies 5.8 and 5.14.) The Project and the 0.15 FAR Alternative dedicate a significant portion of the project site to a trail along the front of the site and a multi-use veloway for biking and pedestrian use throughout the property.

The Malibu General Plan Land Use Policies 4.1, 4.3.2 and Implementation Measure 36 require commercial buildings to be equivalent in height and bulk with adjacent residences. The LCP also requires that the Project be designed to "minimize conflicts with adjacent residential uses." (LCP, Land Use Policy 5.9.) Therefore, the Project and the 0.15 FAR alternative cluster development, and the retail component in particular, as far to the south as possible and away from residential areas. These uses cannot be moved any further away from residences nor can they be located elsewhere on the Project site without creating new impacts to residential areas and resulting in an inconsistency with LCP policies.

There are additional site constraints. The Fire Department requires 26 foot access roads with appropriate turn-arounds and requires that any structures be reached within a 150 foot fire access radius. (Uniform Fire Code, § 902.2.1.) The Proposed Project is required to have 527 parking spaces. Furthermore, in

order for the retail component of the project to be economically feasible, a portion of these spaces must be above ground. This further limits options for developing the site.

Alternatives Rejected at the Scoping Stage: Surface Level Parking Alternative

During the scoping phase, an alternative was considered which utilized surface level parking except for one small subterranean parking lot. However, considering open space, landscaping, and other circulation requirements, the only way that surface level parking would be feasible would be if "grass paved" parking stalls were used such that those stalls would count toward the landscape and open space requirements of the LCP. Upon review of this alternative, the City determined that the grass paved stalls could cause a potential significant water quality impact as a result of pollutants and residues from automobiles. In contrast, the Project increased open space and landscaped areas and reduced hardscape. Therefore, the surface level parking alternative was rejected as infeasible because it did not comply with applicable open space and landscaping requirements and it did not reduce environmental impacts when compared to the Project.

In response to Comment No. 10.7 received from Alan Block on the Draft EIR (see Section IX Response to Comments), further alternatives have been considered:

"Big Box" Alternative

One is a "big box" alternative to construct a very large building or a series of large buildings which could accommodate businesses such as a Home Depot, Kmart, Sav-On, or a large supermarket. The positive aspects of the "big box" alternative were considered. Combining 12 buildings into 1-3 buildings would allow for the buildings to be combined and moved further to the south away from surrounding residential neighborhoods to the north. This would provide for greater buffers from adjacent residential neighborhoods and possibly allow a reduction in the number of on-site drive aisles and hardscaping, as well as a reduction in the off-site clearance of coastal sage scrub.

The "big box" alternative was rejected as infeasible because it would violate the City's General Plan, Zoning and LCP. A "big box" structure would be inconsistent with the Malibu General Plan which requires commercial structures be "small scale" or "low rise," be subordinate to the setting, and be consistent with the size and character of surrounding residential homes and other development. A "big box" store would be out of scale with surrounding residential homes and commercial development.

The concept of a "big box" development project or something similar in nature, scope and size would be inconsistent with the following sections of the Malibu General Plan and LCP:

- Land Use Policy 4.1: Commercial structures must be limited in height and bulk equivalent to the adjacent residences.

- LU Policy 4.1.1: Encourages park-like settings by requiring that structures be oriented towards open plaza areas rather than streets and parking areas and incorporating additional amenities such as benches and play areas for children.

- LU Policy 4.1.3: Prohibits strip center commercial development

- LU Policy 4.3.2: Requires buildings within the City Center Area to reflect the (a) the uniqueness of this location as the City's town center, (b) its close proximity to the beach and ocean, and (c) a "community village" character with small-scale, low rise buildings.

- LU Policy 4.3.6: Civic Center Area shall be developed so that it is pedestrian oriented.

- LU Policy 2.1.1: Promotes an aesthetically pleasing and visually stimulating environment whose architecture, common and open spaces inspire and uplift the human spirit.

- LU Policy 2.1.3: Commercially zoned properties should be proportioned based on community need.

- LU Policy 2.1.6: Encourages pedestrian friendly design in concentrated commercial areas.

- LU Implementation Measure 36: Requires commercial development to be designed with a residential scale compatible with the surrounding residential neighborhoods.

- LCP Policy 5.9: New commercial development shall be designed to minimize conflicts with adjacent residential uses, including preserving the character and integrity of the adjacent residential areas.

In addition, the "big box" alternative would not avoid or substantially lessen any of the significant effects of the project. The construction impacts and cumulative biological impacts of the big box alternative would be the same as or greater than that of the Project. Furthermore, the "big box" alternative would generate more traffic. The September 20, 2007 "Malibu La Paz Project Alternatives Analysis," analyzed the traffic impacts from a "big box" retail store. This study is included in the FEIR as Appendix J. The study concludes that the "big box" alternative generates significantly more trips in the AM, PM and Saturday peak hours when compared to both the .20 FAR Project and .15 FAR Preferred Alternative. (See Tables 19 & 20.) This additional traffic would further impact the studied intersections.

In addition, because the "big box" alternative would be open for longer hours, it would create additional operational noise impacts when compared to the Project. "Big box" stores are likely to be open from at least 9 AM to 9 PM and many "special days" with extended hours late into the evening. These extended hours could increase noise and nighttime lighting impacts to the residents who live adjacent to the Project site.

Assumptions and Methodology

The anticipated means for implementation of the alternatives can influence the assessment and/or probability of impacts for those alternatives. For example, a project may have the potential to generate impacts, but considerations in project design may also afford the opportunity to avoid or reduce such impacts. The alternatives analysis is presented as a comparative analysis to the Proposed Project, and

assumes that all applicable mitigation measures proposed for the Project Project would apply to each alternative. Impacts associated with the alternatives are compared to project-related impacts and are classified as greater, less, or essentially similar to (or comparable to) the level of impacts associated with the Proposed Project.

The following alternatives analysis compares the potential environmental impacts of two alternatives with those of the Proposed Project for each of the environmental topics analyzed in detail in Section V, Environmental Impact Analysis, of the EIR. The alternatives analyzed in this section are as follows:

- No Project Alternative
- Preferred Project Alternative

These two alternatives were developed with the intent to inform the Decision-Makers of the probable environmental impacts in the event that the Proposed Project is (a) not approved, or (b) is approved without the City Hall. These alternatives were deemed to be reasonably foreseeable events that may result if the Project does not get approved as currently proposed. Alternative locations were not considered viable alternatives because the proposed Project Site is currently vacant, is owned by a private developer, and is zoned for future commercial uses. Thus, developing the Proposed Project at another location would not preclude development at this site. In addition, given the fact that the Proposed Project includes the development of a City Hall, the Malibu Civic Center is the most logical location as it is centrally located and would be complimentary to other adjacent civic center and commercial uses.

In response to comments submitted on the Draft EIR (See Comment No. 10.7), three additional alternatives were considered. The three alternatives considered were:

- 40% Office / 60% Retail Alternative
- 50% Office / 50% Retail Alternative
- 60% Office / 40% Retail Alternative

These three alternatives are potentially feasible because they comply with the requirements of the General Plan, LCP and Zoning Code. The construction impacts and cumulative biological impacts of the three alternatives would be the same as that of the Project. The September 20, 2007 "Malibu La Paz Project Alternatives Analysis," prepared by Priority Engineering, Inc., evaluated the traffic impacts of these three alternatives. It compared the trip generation and resulting level of service ("LOS") associated with each alternative to that of the .20 FAR preferred project and the 0.15 FAR Preferred Alternative. This supplemental analysis is included in its entirety in Appendix J to this Final EIR.[1]

[1] *Appendices A through H to the Draft EIR (SCH# 2003011131, dated September 28, 2006) are bound under separate cover and hereby incorporated by reference to this Final EIR.*

40% Office / 60% Retail Alternative

The 40/60 Alternative (0.20 FAR)

The 40/60 Alternative developed at a 0.20 FAR would generate a total of 2,908 daily weekday trips, with 149 trips during the a.m. peak hour and 250 during the p.m. peak hour. As compared to the Preferred Project (0.20:FAR), the 40/60 Alternative would result in 45 additional weekday daily trips with 1 less trip during the a.m. peak hour and 2 additional trips during the p.m. peak hour. (See Appendix J, Table 1.) The weekday traffic analysis found that the 40/60 Alternative results in the same LOS at the impacted intersections as the Proposed Project. (See Appendix J, Table 2.) As with the Proposed Project, the proposed mitigation measures would reduce the impacts under the 40/60 Alternative (0.20 FAR) to a less than significant level at the intersections evaluated in the study.(Id.)

During the weekend, the 40/60 Alternative developed at a 0.20:1 FAR would generate a total of 2,296 daily trips, with 202 mid-day peak hour trips. As compared to the Preferred Project, the 40/60 Alternative would result in 55 additional daily trips with 5 additional trips during the mid-day peak. (See Appendix J, Table 1.) The weekend traffic analysis found that the 40/60 Alternative would result in the slightly worse v/c ratios than the Preferred Project, but less than significant impacts after mitigation. (See Appendix J, Table 3.) As with the Proposed Project, the proposed mitigation measures reduce the impacts under the 40/60 Alternative (at 0.20:1 FAR) to a less than significant level at the intersections evaluated in the study.(Id.)

The 40/60 Alternative (0.15 FAR)

The 40/60 Alternative developed at a 0.15 FAR would result in 2,224 daily weekday trips, with 117 trips during the a.m. peak hour and 194 trips during the p.m. peak hour. When compared to the traffic impacts under the Preferred Alternative (0.15 FAR), the 40/60 Alternative would result in 231 fewer weekday daily trips with 27 additional a.m. peak hour trips and 6 additional p.m. peak hour trips. (See Appendix J, Table 10.) The 40/60 Alternative developed at a 0.15 FAR would result in slightly worse v/c ratios, but similar to the Preferred Alternative, traffic impacts could be reduced with implementation of mitigation measures. (See Appendix J, Tables 11 & 12.)

As discussed in Section V.K. Transportation/Traffic, the Malibu City Council adopted the Cross Creek Road Improvement Project in September 2004, under which the intersection of Cross Creek Road has been stop-controlled and narrowed to a single lane on all approaches. The Cross Creek Road Improvement Project has been fully funded by the City Council through this year, contracts have continued to be let and construction has been, and is, under way. Therefore, mitigation is infeasible pursuant to CEQA Guidelines § 15091(a)(3). (See Page V.K-30, Draft EIR). For the same reasons cited for the Proposed Project, traffic improvements at Web Way and Civic Center Way would remain significant and unavoidable. In conclusion, this alternative would be comparable to the level of impact that would occur under the proposed project and would not avoid or substantially lessen a significant unavoidable impact. Therefore, the 40-60 Alternative does not need to be further considered in the EIR. (CEQA Guidelines, § 15126.6 (a).

50% Office / 50% Retail Alternative

50/50 Alternative (0.20 FAR)

The trip generation rates of the 50/50 Alternative differ slightly from those of the .Proposed Project. The 50/50 Alternative would result in 2,740 daily weekday trips, with 165 trips during the a.m. peak hour and 248 trips during the p.m. peak hour. When compared to the traffic impacts under the Proposed Project (0.20 FAR), the 50/50 Alternative (0.20 FAR) would result in 153 fewer weekday daily trips with 134 additional a.m. peak hour trips and the same amount of p.m. peak hour trips. (See Appendix J, Table 4.) The 50/50 Alternative developed at a 0.20 FAR would result in slightly worse v/c ratios, but similar to the Preferred Alternative, traffic impacts could be reduced with implementation of mitigation measures. (See Appendix J, Table5)

During the weekend, the 50/50 Alternative developed at a 0.20:1 FAR would generate a total of 1,964 daily trips, with 176 mid-day peak hour trips. As compared to the Preferred Project, the 50/50 Alternative would result in 21 fewer trips during the mid-day peak. (See Appendix J, Table 4.) The weekend traffic analysis found that the 50/50 Alternative would result in relatively similar v/c ratios than the Preferred Project, but less than significant impacts after mitigation. (See Appendix J, Table 6.) As with the Proposed Project, the analyzed mitigation measures could reduce the impacts under the 50/50 Alternative (at 0.20:1 FAR) to a less than significant level at the intersections evaluated in the study.

The 50/50 Alternative developed at a 0.15 FAR would result in 2,224 daily weekday trips, with 117 trips during the a.m. peak hour and 194 trips during the p.m. peak hour. When compared to the traffic impacts under the Preferred Alternative (0.15 FAR), the 40/60 Alternative would result in 231 fewer weekday daily trips with 27 additional a.m. peak hour trips and 6 additional p.m. peak hour trips. (See Appendix J, Table 10.) The 40/60 Alternative developed at a 0.15 FAR would result in slightly worse v/c ratios, but similar to the Preferred Alternative, traffic impacts could be reduced with implementation of the same mitigation measures analyzed in the EIR. (See Appendix J, Tables 11 & 12.)

For the reasons cited above, traffic improvements at Web Way and Civic Center Way would remain significant and unavoidable. This alternative would be comparable to the level of impact that would occur under the Preferred Alternative and would not avoid or substantially lessen a significant unavoidable impact. Therefore, the 50/50 Alternative does not need to be further considered in the EIR. (CEQA Guidelines, § 15126.6 (a).

60% Office / 40% Retail Alternative

The 60/40 Alternative (0.20 FAR)

The 60/40 Alternative developed at a 0.20 FAR would generate a total of 2,506 daily weekday trips, with 180 trips during the a.m. peak hour and 245 during the p.m. peak hour. As compared to the Preferred Project (0.20:FAR), the 60/40 Alternative would result in 357 fewer weekday daily trips with 30 more trips during the a.m. peak hour and 3 fewer trips during the p.m. peak hour. (See Appendix J, Table 7.)

The weekday traffic analysis found that the 60/40 Alternative results in the same LOS at the impacted intersections as the Proposed Project. (See Appendix J, Table 2.) As with the Proposed Project, the proposed mitigation measures would reduce the impacts under the 60/40 Alternative (0.20 FAR) to a less than significant level at the intersections evaluated in the study.(Id.)

During the weekend, the 60/40 Alternative developed at a 0.20:1 FAR would generate a total of 1,631 daily trips, with 151 mid-day peak hour trips. As compared to the Preferred Project, the 60/40 Alternative would result in 610 fewer daily trips and 46 less trips during the mid-day peak. (See Appendix J, Table 7.) The weekend traffic analysis found that the 60/40 Alternative would result in the slightly better v/c ratios than the Preferred Project, but the same impact conclusions for each intersection. (See Appendix J, Table 3.) As with the Proposed Project, the proposed mitigation measures could reduce the impacts under the 60/40 Alternative (at 0.20:1 FAR) to a less than significant level at the intersections evaluated in the study. However as stated above, traffic improvements at Web Way and Civic Center Way would remain significant and unavoidable due to current infrastructure improvements at that location. This alternative would be comparable to the level of impact that would occur under the Preferred Alternative and would not avoid or substantially lessen a significant unavoidable impact. Therefore, the 60/40 Alternative does not need to be further considered in the EIR. (CEQA Guidelines, § 15126.6 (a).

The 60/40 Alternative (0.15 FAR)

The 60/40 Alternative developed at a 0.15 FAR would result in 1,938 daily weekday trips, with 142 trips during the a.m. peak hour and 193 trips during the p.m. peak hour. When compared to the traffic impacts under the Preferred Alternative (0.15 FAR), the 60/40 Alternative would result in 499 fewer weekday daily trips with 52 additional a.m. peak hour trips and 5 additional p.m. peak hour trips. (See Appendix J, Table 16.) The 60/40 Alternative developed at a 0.15 FAR would result in similar v/c ratios, but similar to the Preferred Alternative, traffic impacts could be reduced with implementation of mitigation measures. (See Appendix J, Table 17)

During the weekend, the 60/40 Alternative developed at a 0.15 FAR would generate a total of 1,229 daily trips, with 114 mid-day peak hour trips. As compared to the Preferred Project, the 60/40 Alternative would result in 941 fewer trips with 71 fewer trips during the mid-day peak. (See Appendix J, Table 16.) The weekend traffic analysis found that the 60/40 Alternative (0.15 FAR) would result in relatively similar impacts as the Preferred Project. The 60/40 Alternative (at 0.15 FAR) would therefore result in similar traffic impacts and would not serve to reduce a significant and unavoidable impact. Therefore, the 60/40 Alternative at 0.15 FAR does not need to be further considered in the EIR. (CEQA Guidelines, § 15126.6 (a).

Furthermore, none of the above alternatives above would meet the basic project objectives. These include the objectives listed in the EIR as well as the community amenities and public benefits provided by the Development Agreement. These benefits include: (1) a new 20,000 square foot City Hall located on 2.3 acres of land to be donated by the applicant; and (2) $500,000 donated by the applicant to construct the new City Hall.

VII. ALTERNATIVES TO THE PROPOSED PROJECT
B. NO PROJECT ALTERNATIVE

For purposes of this analysis, the No Project Alternative would involve no new development on the Project Site. The Project Site would remain in its current state, with no new construction or development occurring within the foreseeable future. As the Project Site has been used for commercial nursery activities in the recent past, it can be reasonably expected that the site could return to this use without the need for any new development or conditional use permits. The utilization of the site to store and cultivate boxed tree specimens would not require the development of any additional infrastructure.

Aesthetics/Views

This Alternative would not alter the physical appearance of the Project Site as no new construction would occur. The existing topographic and vegetative characteristics of the site would remain unchanged. The placement of additional boxed specimen trees on the site would have the potential to block views of the northern hillside from vantage points to the south looking in a northerly direction. However, this view obstruction would not be considered adverse as the presence of tree specimens would be similar to the native vegetation that would otherwise be seen in the background. Views from the south would continue to be unobstructed as they overlook the Project Site. The Project Site would, however, remain somewhat incompatible with the existing and planned environment within the Civic Center, as the Project Site would neither be developed for community commercial serving uses or be in a state of natural open space. The Project Site is routinely disked for fire ~~suppression~~ prevention measures, which detracts from its natural landform. Aesthetic and view impacts would be considered less than significant.

The No Project Alternative would not require the need for additional lighting as no new development would occur. Therefore, no indirect impacts associated with light and glare would be created. This would result in a beneficial impact with respect to biological resources, as the Project Site would remain relatively dark with little to no light illumination affecting the site from adjoining developed properties. Impacts associated with light and glare would be less than significant and reduced as compared to the Proposed Project.

Air Quality

The No Project Alternative would not result in any grading or construction activities. It would also not involve any uses that would have the potential to generate air emissions. Therefore, no air pollution would be generated by this alternative. As no impact would occur under the No Project Alternative, impacts would be greatly reduced as compared to the Proposed Project.

Biological Resources

The No Project Alternative would not involve any additional development on the Project Site. The Site is currently devoid of any natural vegetation except for one stand of mature sycamore trees in the central portion of the site and small patches of coastal sage scrub in the northern portion of the site along the

sloping terrain. The relatively flat portions of the Project Site are routinely disked for fire prevention measures, which is a practice that will continue in the future under this alternative. The existing native vegetation referenced above would remain intact. Impacts upon biological resources would therefore be less than significant and reduced as compared to the Proposed Project.

Cultural Resources

As discussed in the environmental analysis in Section V.D, Cultural Resources, the Project Site does not contain any known significant archaeological or historic resources. The No Project Alternative would include no new activities or development which could have the potential, albeit unlikely, to unearth any unknown significant archaeological resources. Impacts on archaeological resources would therefore be less than significant and reduced as compared to the Proposed Project.

Geology and Soils

The No Project Alternative would result in no new development on the Project Site. The existing topography would remain unchanged as no excavation or surface grading operations would occur. As the No Project Alternative would not develop any new habitable structure, impacts associated with soils or geotechnological hazards would be precluded. As no impact would occur, impacts would be reduced as compared to the Proposed Project.

Hydrology/Water Quality

The No Project Alternative would not involve any changes to the existing topographic or hydrologic characteristics of the site. No new sources of surface water contamination would be introduced to the environment and no impacts to hydrology, drainage or water quality would occur. As no impact would occur, impacts would be reduced as compared to the Proposed Project.

Land Use and Planning

There would be no impacts to land use and planning under this Alternative. The Project Site would remain vacant and no new uses or development would be planned. As no impact would occur, impacts would be reduced as compared to the Proposed Project.

Noise

Under the No Project Alternative, no new activities or development would occur. As such the existing noise environment would remain unchanged and noise impacts would be reduced as compared to the Proposed Project.

Public Utilities

The No Project Alternative would not include any new uses. As such, the Alternative would not result in any activities that would affect local utility service providers. No natural gas or electricity would be consumed. The absence of new development the Project Site would not necessitate any infrastructure improvements or generate the need for solid waste disposal services. No impacts upon public utilities would occur and impacts would be reduced as compared to the Proposed Project.

Public Services

The No Project Alternative would not create any new uses or increase human activity on the Project Site. As such, demands for fire and police services would not increase above existing minimal demands. The Project Site would continue to be disked ~~and weeded on a seasonal or as needed basis~~ for fire ~~suppression~~ prevention measures in accordance with the local fire hazard reduction regulations. Such practices would ensure the site is maintained in a manner that minimizes the fire hazard to the maximum extent practical. As no new impacts upon fire or police services would result, public service impacts would be reduced as compared to the Proposed Project.

Transportation and Circulation

The No Project Alternative would not generate any new vehicle trips. No construction would take place and no new uses would be introduced to the Project Site. Traffic conditions would remain essentially unchanged, with the exception of the anticipated ambient growth in the City of Malibu. These conditions are reflected in the Cumulative Base (i.e., Future Without Project scenario), presented in the traffic impact analysis in Section V.L, Transportation and Circulation. The projected level of service under this scenario for each of the study intersections is also presented in Table VII-1. As the No Project Alternative would not induce any traffic increases, traffic impacts under the No Project Alternative would be less than significant and reduced as compared to the Proposed Project.

Table VII-1
Future Traffic Conditions Under the No Project Alternative

Intersection	Peak Hour	Cumulative Base	
		V/C or Delay	LOS
1. Kanan Dume Road & Pacific Coast Highway	AM	0.549	A
	PM	0.624	B
2. Malibu Canyon Road & Pacific Coast Highway	AM	0.831	D
	PM	0.919	E
5. Las Flores Canyon Road & Pacific Coast Highway	AM	0.675	B
	PM	0.863	D
6. Topanga Canyon Boulevard & Pacific Coast Highway	AM	1.015	F
	PM	0.930	E
Source: Kaku Associates, June 2003.			

ABILITY TO MEET THE PROJECT OBJECTIVES

The No Project Alternative would completely avoid the anticipated construction and operational impacts that would occur with implementation of the Proposed Project. However, this Alternative would fail to meet any of the Project Applicant's stated objectives. While the No Project Alternative is environmentally superior to the Proposed Project, it is not a preferred alternative.

VII. ALTERNATIVES TO THE PROPOSED PROJECT
C. PREFERRED ALTERNATIVE

OVERVIEW OF THE PREFERRED ALTERNATIVE

For purposes of this alternatives analysis, the Applicant's original development proposal (development of Parcels A and B without a City Hall) is analyzed as a Preferred Alternative. The Applicant's objectives for this Alternative are as follows:

- To develop a financially viable retail and commercial office project.
- To provide a safe, efficient and aesthetically attractive commercial development in the Civic Center area of the City of Malibu.
- To invigorate the local economy by providing employment and business opportunities associated with the construction, use, and occupancy of the ~~Proposed~~ Preferred Alternative Project.
- To provide infrastructure, grading, and landscaping improvements to the Project Site in a manner consistent with public health and safety standards.

The Preferred Alternative generally entails the development of the Proposed Project, as generally defined in Section III, Project Description, the principal change being the elimination of the City Hall on Parcel C. The Preferred Alternative is substantially similar to the Applicant's original development plan, prior to negotiating the proposal to include a City Hall as outlined in the Draft Development Agreement between the Project Applicant and the City of Malibu. As such, this alternative development scheme is referred to herein as the "Preferred Alternative," as it reflects the future development proposal in the event the proposed development agreement is not approved.

Under the Preferred Alternative a lot line adjustment would be proposed to redefine the boundaries of Parcels A and B. Parcel A would consist of approximately 359,447 sf of land area (or approximately 8.3 acres); and Parcel B would consist of approximately 301,358 sf of land area (approximately 6.9 acres). An aerial photograph depicting the property with an overlay of the proposed lot line adjustment for Parcels A and B is presented in Figure VII-1.

The Preferred Alternative would include the combined development of approximately 99,117 sf of commercial office/retail floor area, which represents a total developed floor area ratio (FAR) of 0.15:1. This development scenario represents an approximate 25 percent reduction in floor area density as compared to the Proposed Project. The development summary for the Preferred Alternative is presented in Table VII-2.

Source: Aerial Photograph: I.K. Curtis, Services, Inc. 2003. Christopher A. Joseph & Associates, per architectural setback diagram by Daniel Chudnovsky, A.I.A. Architects, Inc. dated February 17, 2004.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

NORTH

Approx. Scale
1" = 300'

Figure VII-1
Reduced Density Alternative
Aerial Photograph with
Parcel Boundaries

Table VII-2
Preferred Alternative Development Summary

Building No.	Occupancy/Use	Floor Area (Gross Sq. Ft.)
PARCEL A – 359,447 Square Feet (8.3 acres)		
1	Retail	6,200
2	Retail	6,200
3	Retail	10,248
4	Retail	10,240
5	Retail	10,339
6	Retail	10,290
7	Retail	400
	Parking	292 parking spaces (94 surface, 198 subterranean)
	Subtotal Total Parcel A	**53,917 (FAR = 0.15)**
PARCEL B – 301,358 Square Feet (6.9 acres)		
8	Office/Retail	15,300 (7,702 retail / 7,598office)
9	Office/Retail	15,640 (7,883 retail / 7,757 office)
10	Office~~/Retail~~	8,862 ~~(5,117 retail / 3,745~~ office~~)~~
11	Office~~/Retail~~	5,398~~ (3,155 retail~~ office~~)~~
	Parking	183 parking spaces (144 surface, 39 subterranean)
	Subtotal Parcel B	**45,200 (FAR = 0.15)**
	TOTAL OVERALL FLOOR AREA	**99,117 (FAR = 0.15)**

Source: City of Malibu, July 11, 2006.

The architecture proposed for the Preferred Alternative would be similar to the Proposed Project (i.e., Mediterranean with modern updates). The buildings would 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. Pedestrian pathways are included in the design to link the commercial buildings and open spaces. All other aspects of the Preferred Alternative, such as the proposed building heights, landscape plan, drainage plan, and onsite wastewater treatment system would be substantially similar to the Proposed Project, but scaled down proportionately to fit the Preferred Alternative Site Plan. Specifically, the proposed structures would be a maximum of 28-feet in height. A detailed description of the development schemes for Parcel A and B is presented below.

Parcel A

Parcel A would consist of approximately 359,447 square feet (sf) of land area (8.3 acres) and would be developed with approximately 53,917 sf of commercial retail space. Under this alternative, Parcel A would include seven (7) buildings. The resulting floor area ratio (FAR) would be 0.15:1. A total of 143,778 sf of landscaping (approximately 40 percent of the total area) and 89,861 sf of open space (approximately 25 percent of the total area) would be provided. Parcel A would also include 292 parking spaces, including 94 surface parking spaces and 270 spaces in two subterranean parking structures.

The conceptual site plan for the Preferred Alternative Parcel A is depicted in Figure VII-2. A detailed conceptual floor plan for Buildings 1 and 2 for this Alternative is depicted in Figure VII-3. As shown in

the illustrative plan elevations in Figure VII-4 the heights of Buildings 1 and 2 would be 24 feet to the top of the parapet and 28 feet from existing grade to the top of the architectural roof ridges.

Similar to the Proposed Project, vehicular access to Parcel A is proposed via a central ingress/egress driveway from Civic Center Way (identified as La Paz Lane). The southerly portion of Parcel A fronting Civic Center Way incorporates an approximate 100 foot setback, which will be improved with landscaping, hardscape, man-made wetland ponds, and a pedestrian-friendly circulation plan leading into the site.

Conceptual floor plans for Buildings 3 through 7 on Parcel A are illustrated in Figure VII-5. Illustrative plan elevations of Buildings 3 and 4 are provided in Figure VII-6. Illustrative plan elevations for Buildings 5 and 6 on Parcel A are provided in Figure VII-7.

Parcel B

Parcel B includes approximately 301,358 sf (or 6.9 acres) of land area and would be developed with approximately 45,200 sf of commercial office and retail uses, including approximately 23,858 sf of retail space and 21,343 sf of office space. Parcel B would include four two-story buildings with a total FAR of 0.15:1. Approximately 139,266 sf of landscaping (approximately 46 percent of the total area) and 75,340 sf of open space (approximately 25 percent of the total area) would be provided. Parcel B would also include 183 surface parking spaces, with 144 surface parking spaces and 39 spaces provided in a subterranean parking structure beneath Buildings 8 and 9.

Similar to the Proposed Project, vehicular access to Parcel B is proposed via the internal surface parking lot from Parcel A. The conceptual site plan for Buildings 8 through 11 on Parcel B are depicted in Figure VII-8. The building floor plans for Buildings 8 and 9 are provided in Figure VII-9. The proposed elevation plans for Buildings 8 and 9 are provided in Figure VII-10. The building floor plans for Buildings 10 and 11 ~~3~~ are provided in Figure VII-11. The conceptual plan elevations for Buildings 10 and 11 ~~3~~ are provided in Figure VII-12. Building Sections for the Preferred Alternative are depicted in Figure VII-13.

Source: Daniel Chudnovsky, A.I.A. Architects, Inc., October 22, 2007.

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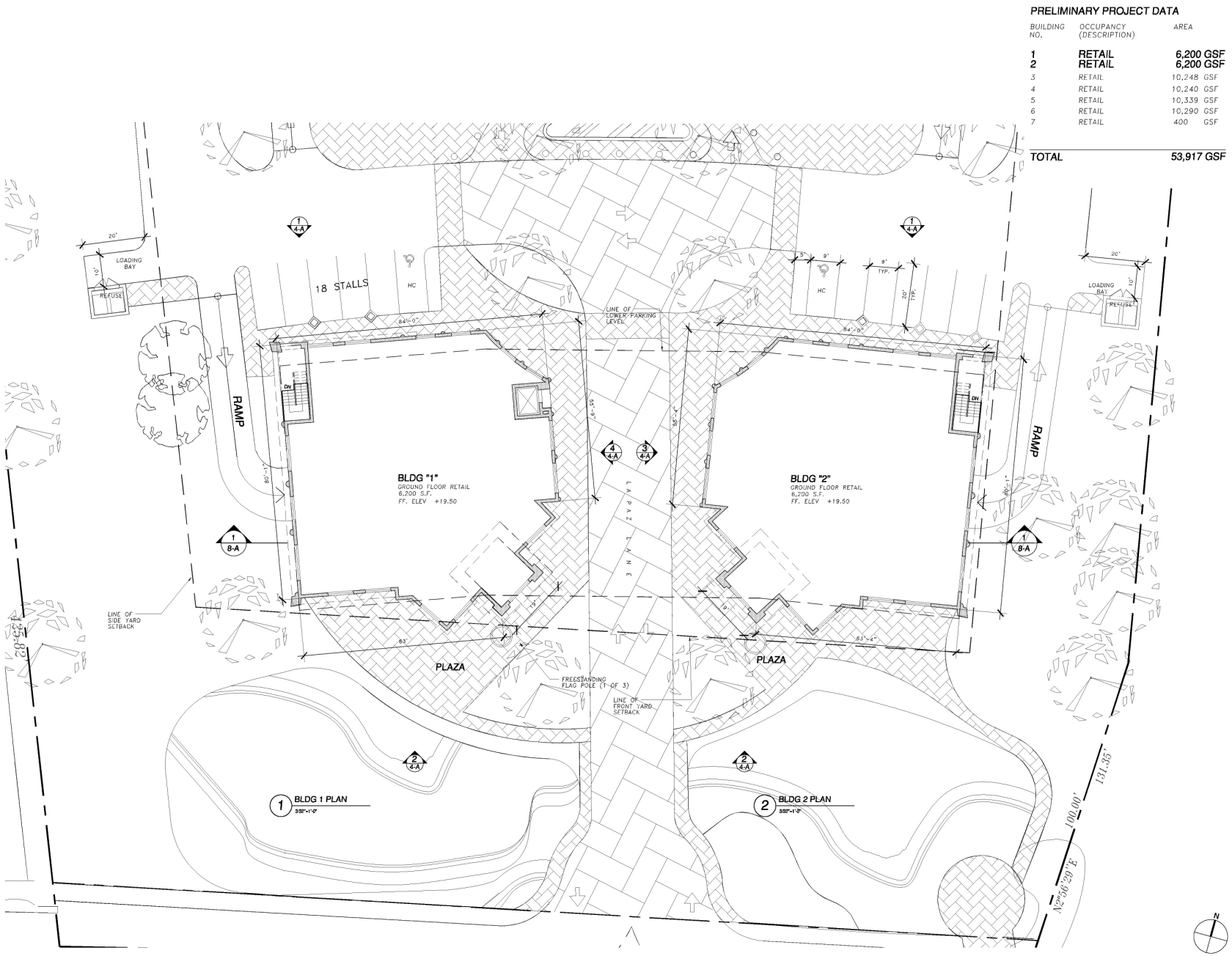
Figure VII-2
Preferred Alternative
Conceptual Site Plan - Parcel A



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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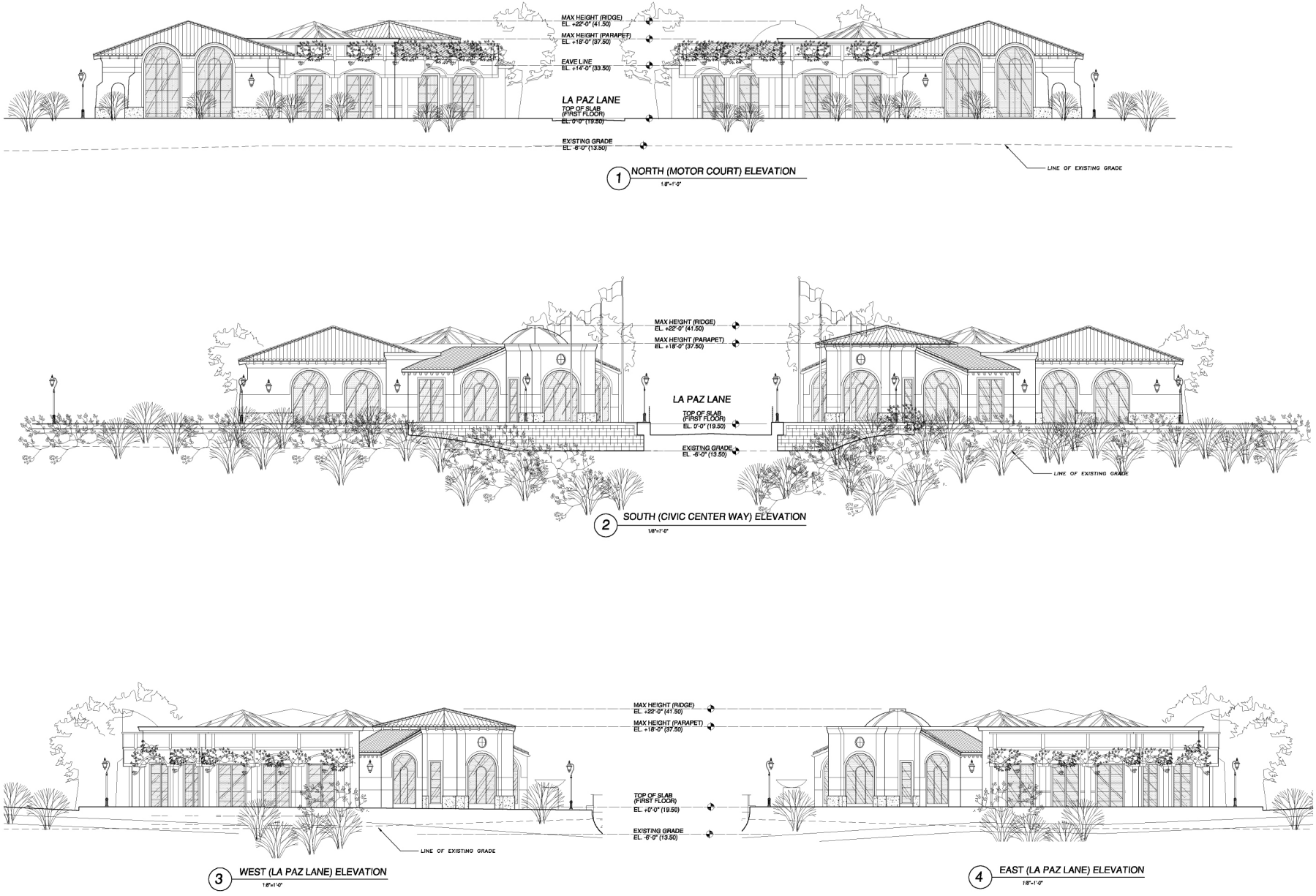
Figure VII-3
Preferred Alternative
Buildings 1 and 2 Floor Plans - Parcel A



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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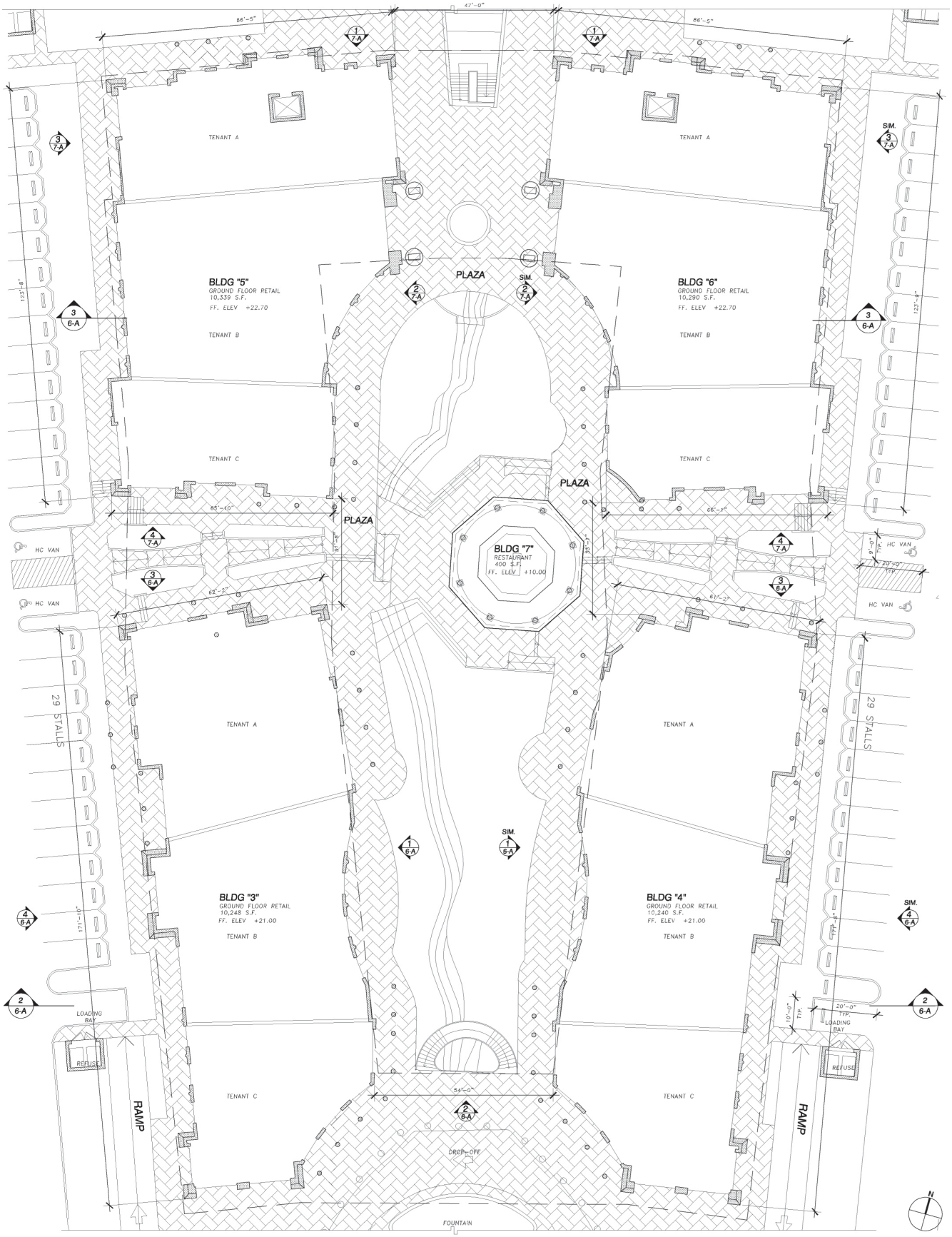
Figure VII-4
Preferred Alternative
Buildings 1 and 2 Elevations, Parcel A



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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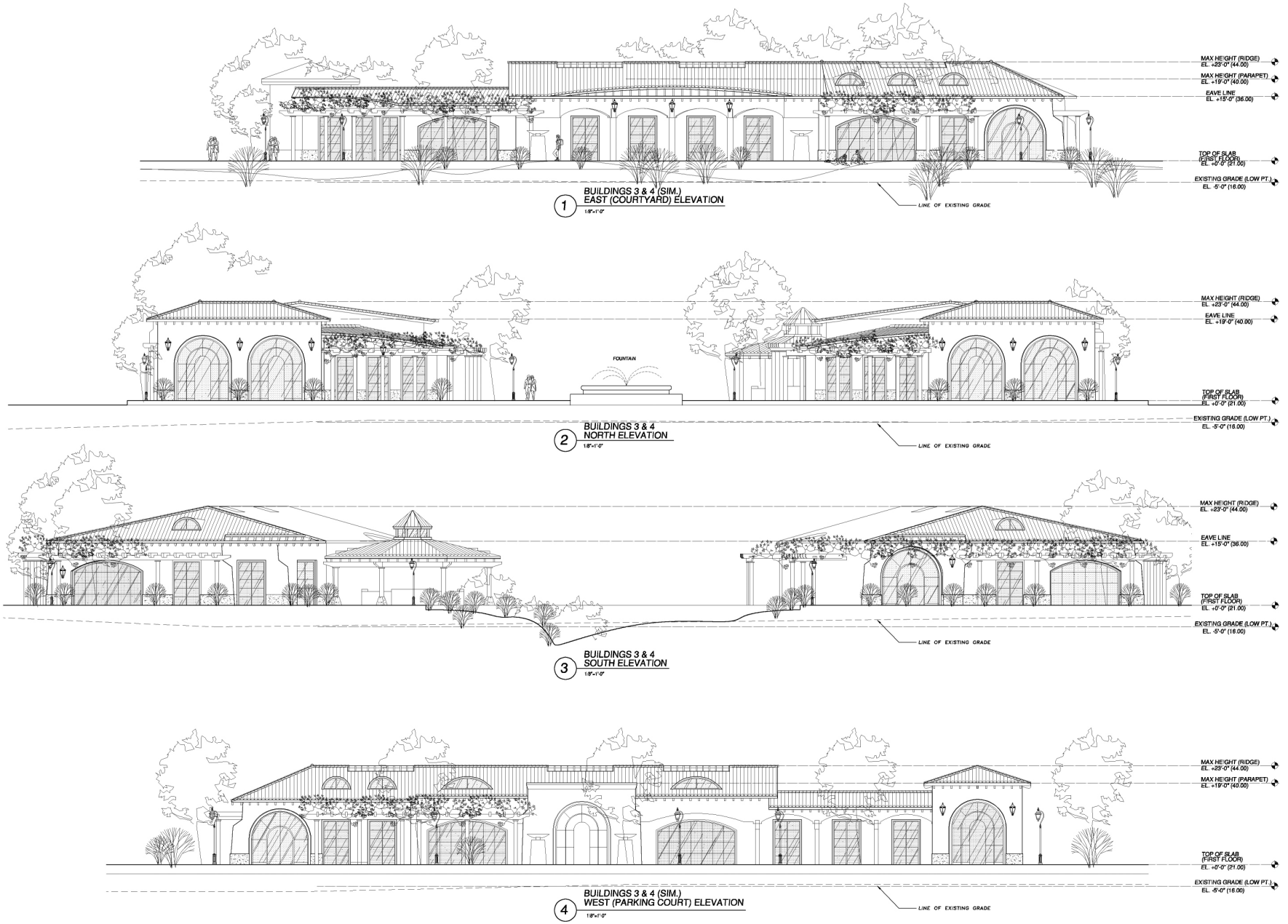
Figure VII-5
Preferred Alternative
Buildings 3, 4, 5, and 6 Floor Plans, Parcel A



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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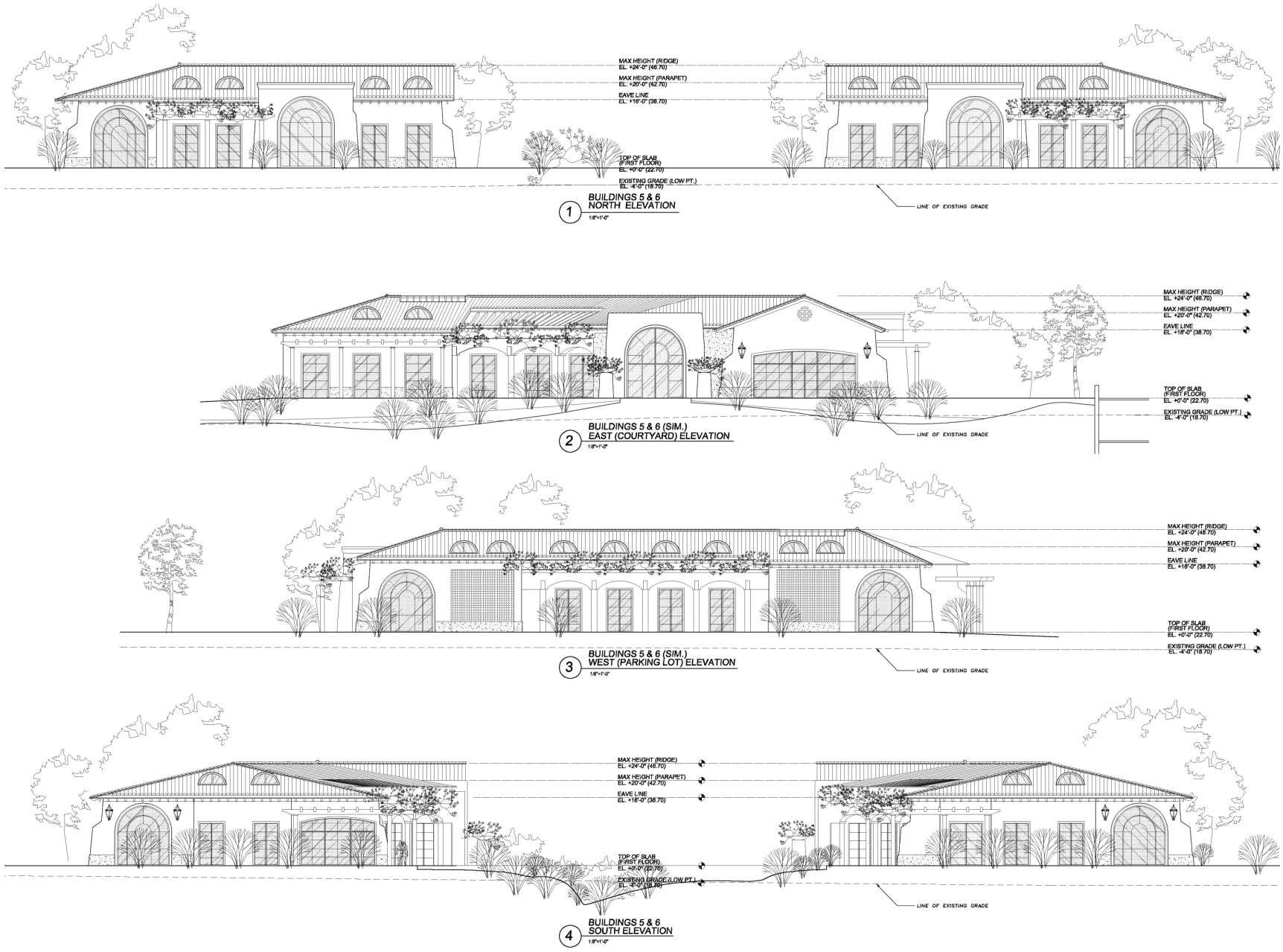
Figure VII-6
Preferred Alternative
Buildings 3 and 4 Elevations, Parcel A



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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Figure VII-7
Preferred Alternative
Buildings 5 and 6 Elevations, Parcel A

Source: Daniel Chudnovsky, A.I.A. Architects, Inc., October 22, 2007.

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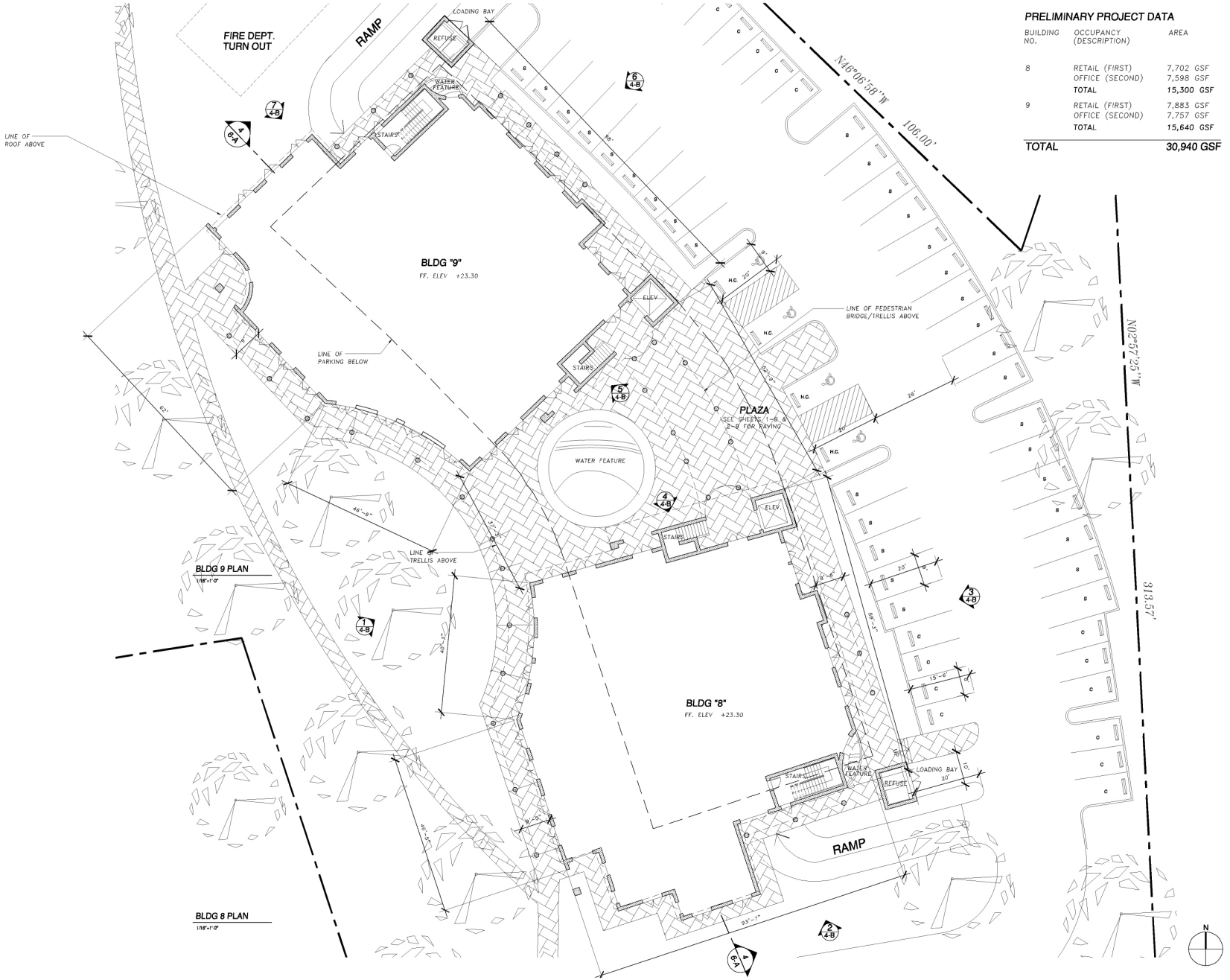
Figure VII-8
Preferred Alternative
Conceptual Site Plan - Parcel B



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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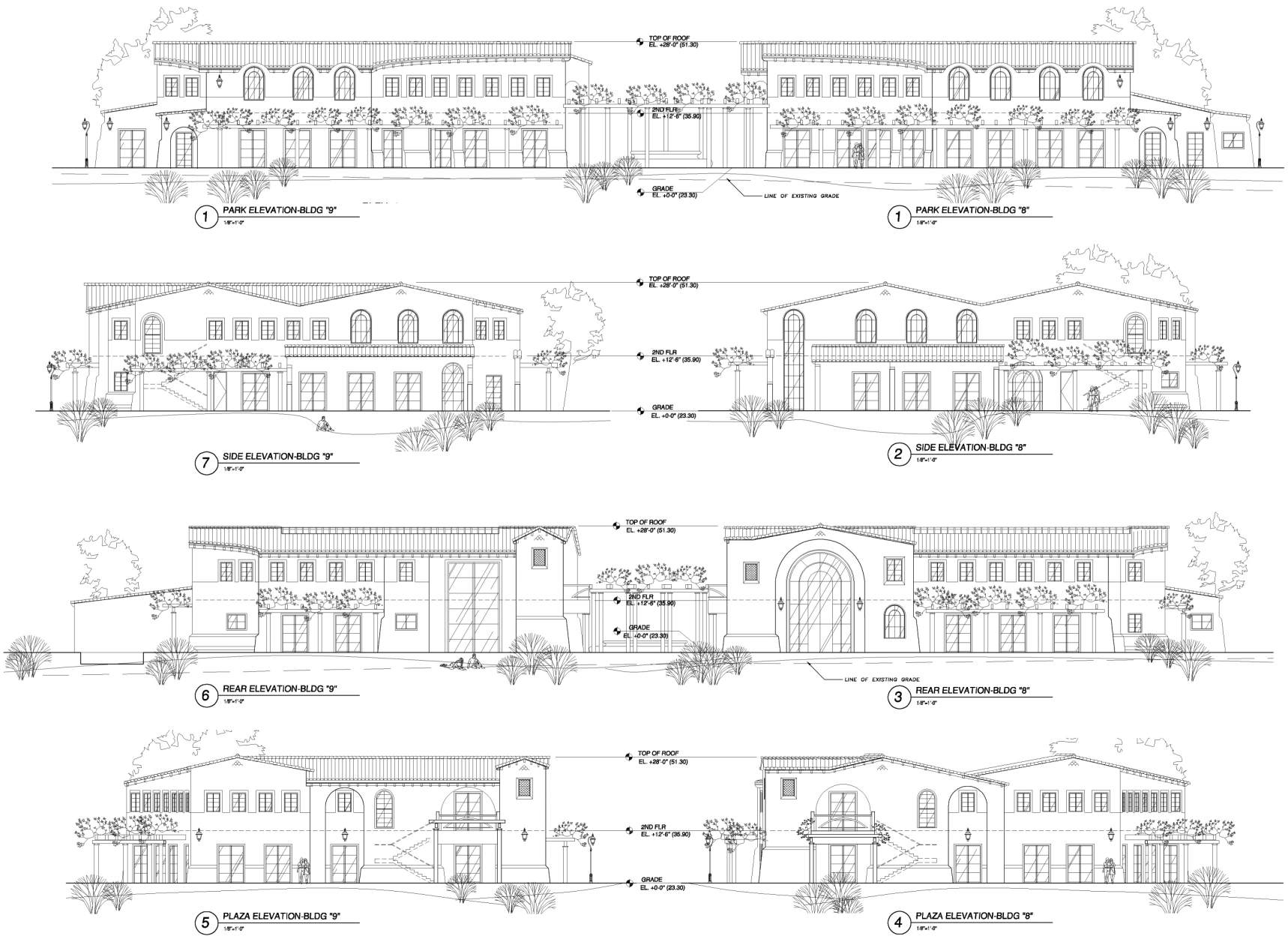
Figure VII-9
Preferred Alternative
Buildings 8 and 9 Floor Plans, Parcel B



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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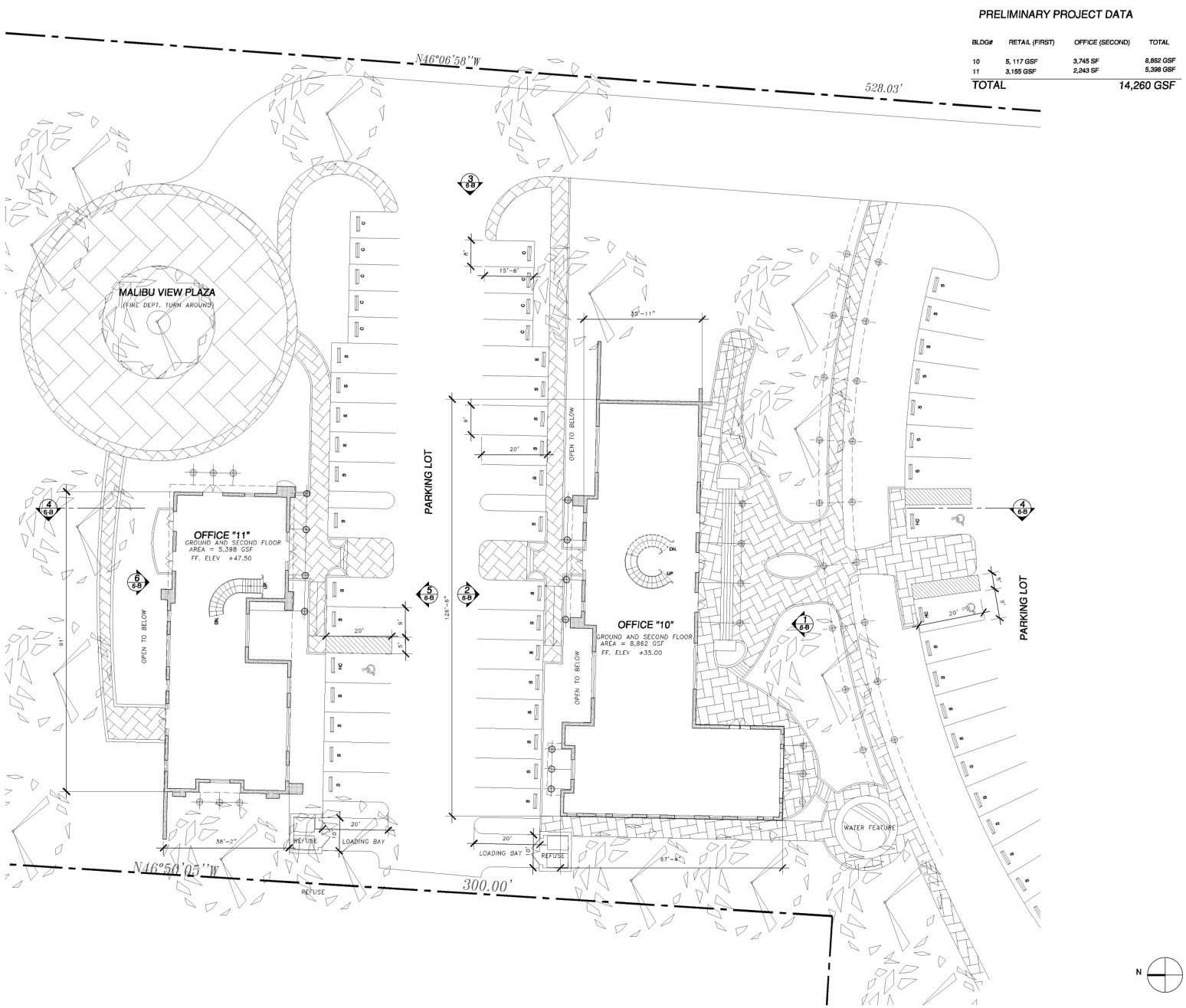
Figure VII-10
Preferred Alternative
Buildings 8 and 9 Elevations, Parcel B



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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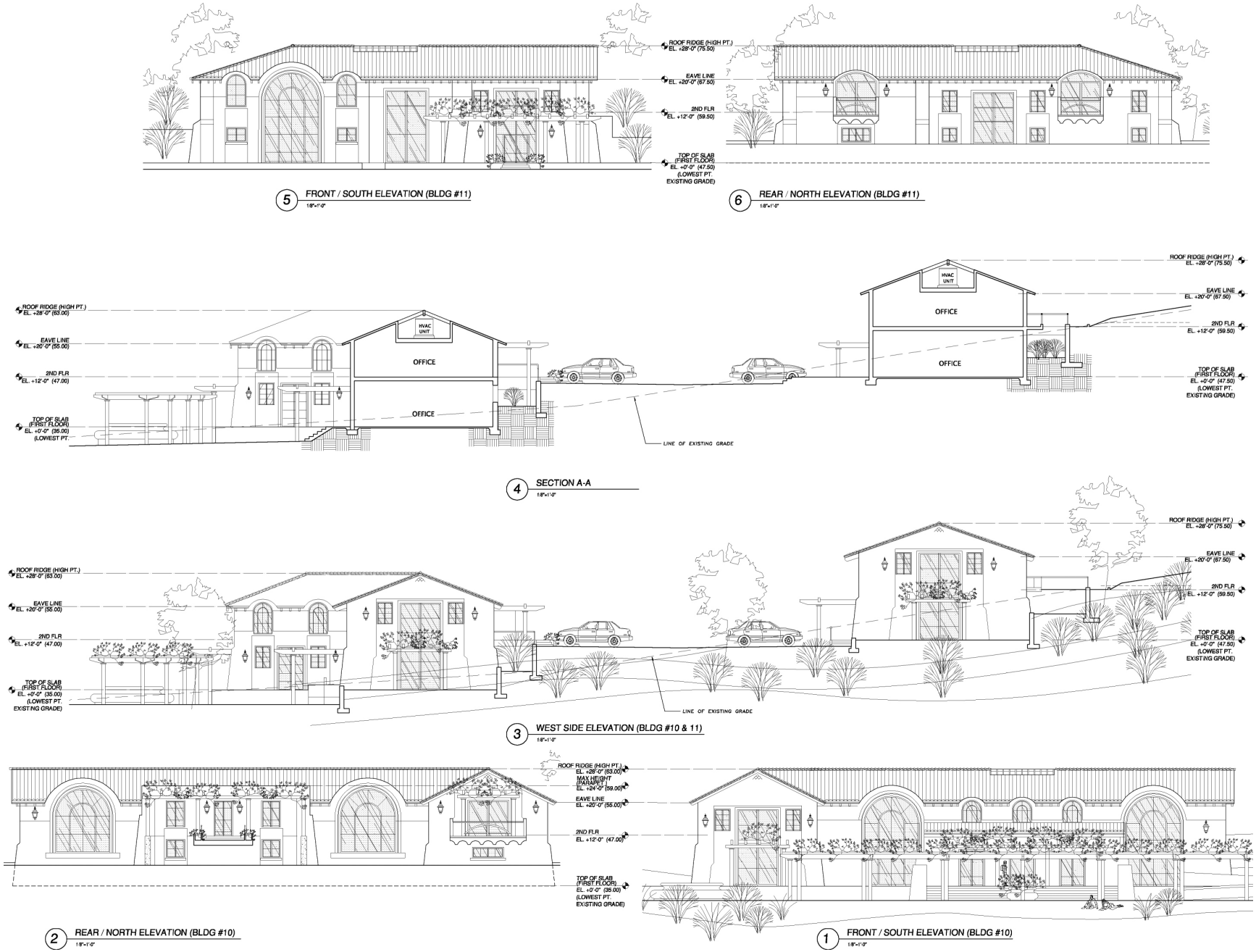
Figure VII-11
Preferred Alternative
Buildings 10 and 11 Floor Plan, Parcel B



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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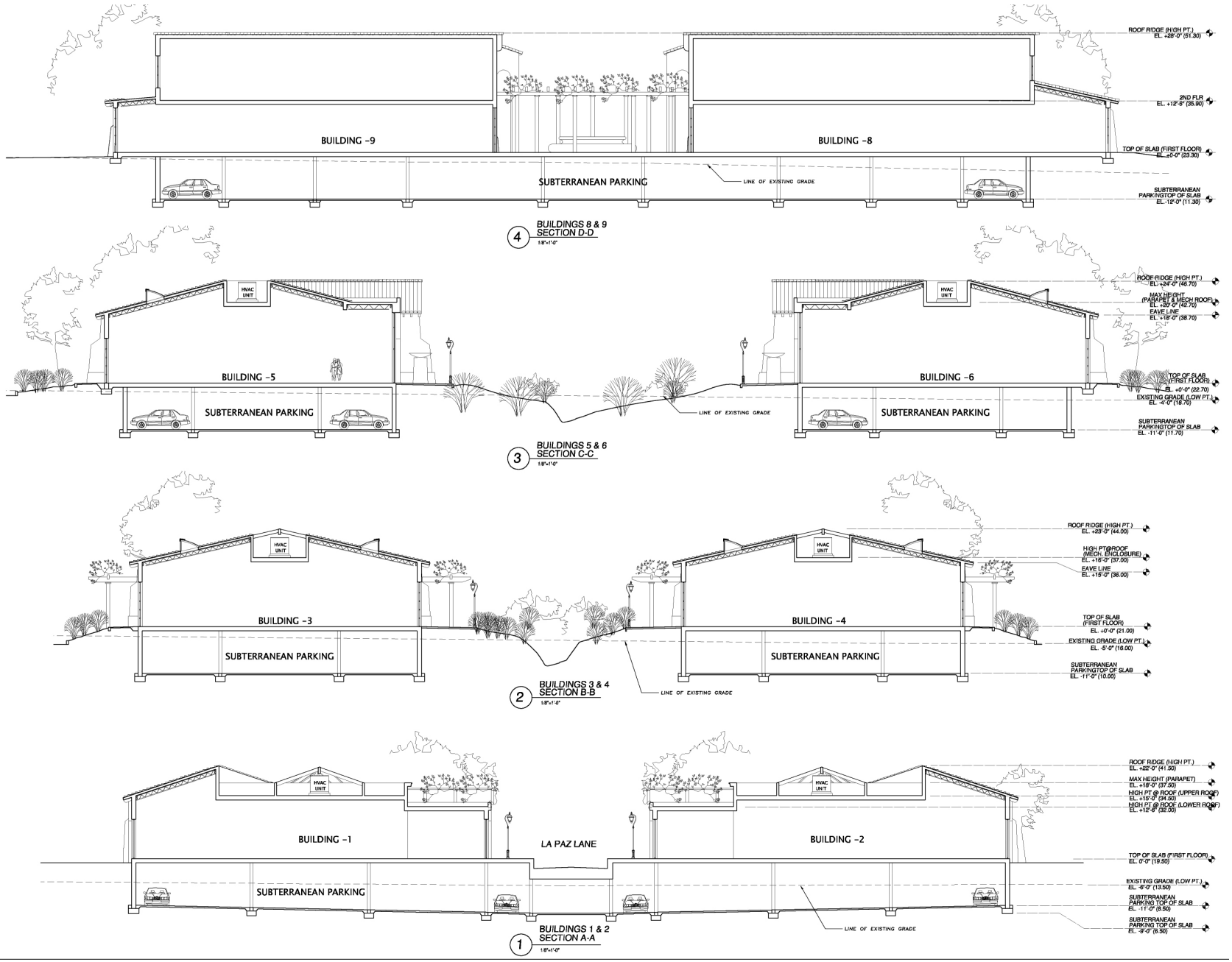
Figure VII-12
Preferred Alternative
Building Elevations 10 and 11, Parcel B



Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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Figure VII-13
Preferred Alternative
Building Sections

Grading/Construction Phase

The grading and drainage plan for the Preferred Alternative would generally conform to the existing topography and would minimize landform alteration. Grading would be limited to remediation and safety purposes (to address flood plain issues). Preliminary grading estimates for Parcel A indicate the development would necessitate approximately 23,412 cubic yards (cy) of cut and 6,812 cy of fill, including 2,647 cy of cut as remedial grading. The grading plan for Parcel B would involve approximately 11,896 cy of cut and 2,819 cy of fill, including 771 cy of fill as remedial grading. A summary of the Preferred Alternative's grading plan estimates is provided below in Table VII-3. The conceptual grading plan for this alternative is illustrated in Figure VII-14. The earthwork summaries identifying the raw cut and fill areas from the exempt grading areas is provided in Figure VII-15 for Parcel A and VII-16 for Parcel B.

Table VII-3
Preferred Alternative Grading Estimates

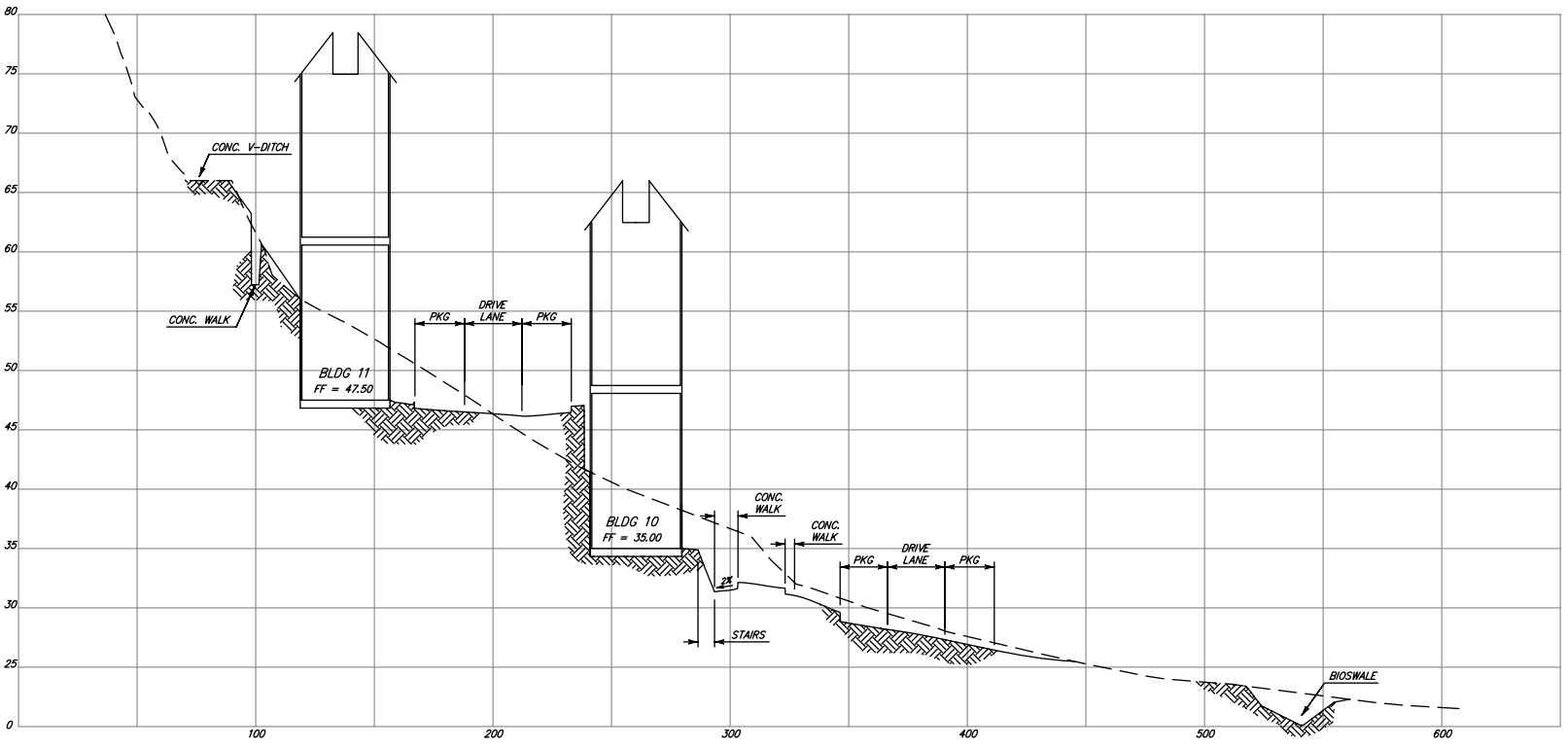
Grading Description	Parcel A		Parcel B	
	Cut (cy)	Fill (cy)	Cut (cy)	Fill (cy)
Raw Grading	23,412	6,812	11,896	2,819
Exempt Grading	19,429	3,952	6,390	1,196
Remedial Grading	2,647	0	0	771
Discretionary Grading	**1,336**	**2,860**	**5,506**	**852**
Total Discretionary (cut and fill)	**4,196**		**6,358**	
Source: Jensen Design & Survey, Inc., March 22, 2006.				

ENVIRONMENTAL IMPACTS

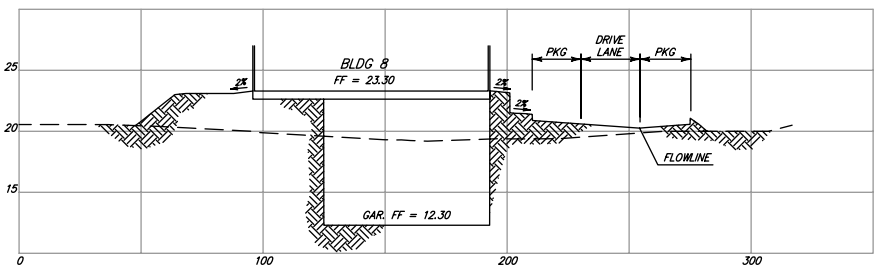
Aesthetics

Post-Project Views

Similar to the Proposed Project, the Preferred Alternative would introduce developed urban structures to a site that is currently vacant. The structure proposed under the Preferred Alternative would be visible from all of the viewing locations identified in Section V.A, Aesthetics. Existing off-site trees and vegetation would screen some public and private views of the Project Site ~~from~~ at these viewing locations. While the Project Site is not ~~be~~ visible from the coastline, the proposed structures would be visible from other public viewing locations, such as the City streets described above, and partially visible from the Pacific Coast Highway (PCH) and the Santa Monica Mountains. Visibility of the Preferred Alternative from these viewing locations is not considered to be a significant impact because the project area is already developed and the proposed building heights ~~are~~ would be permitted for the Project Site with approval of a Site Plan



A — SECTION – PARCEL B

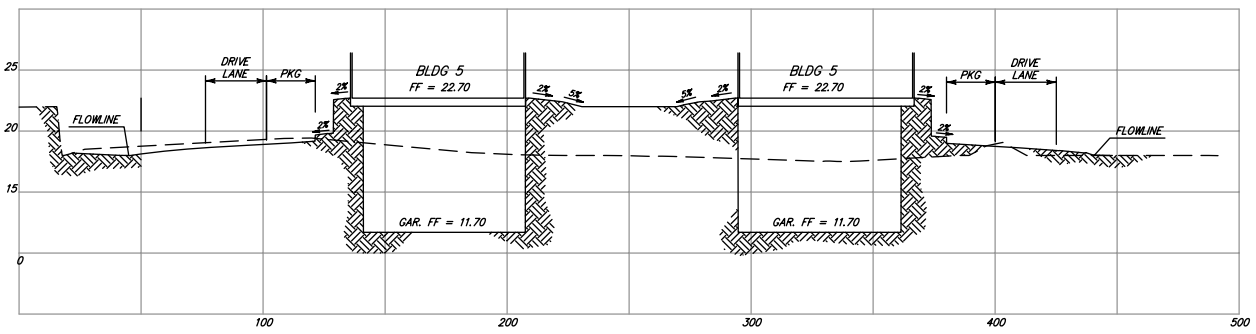


B — SECTION – PARCEL B

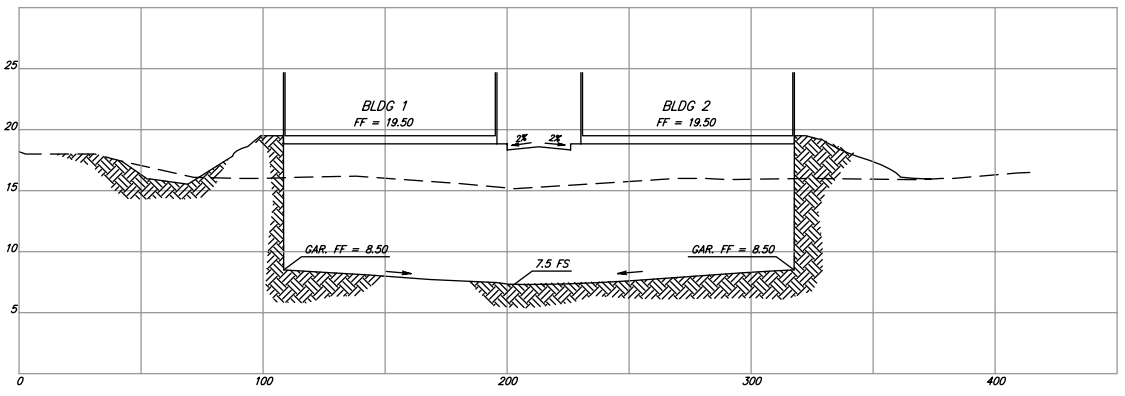
LEGEND

EXISTING SURFACE

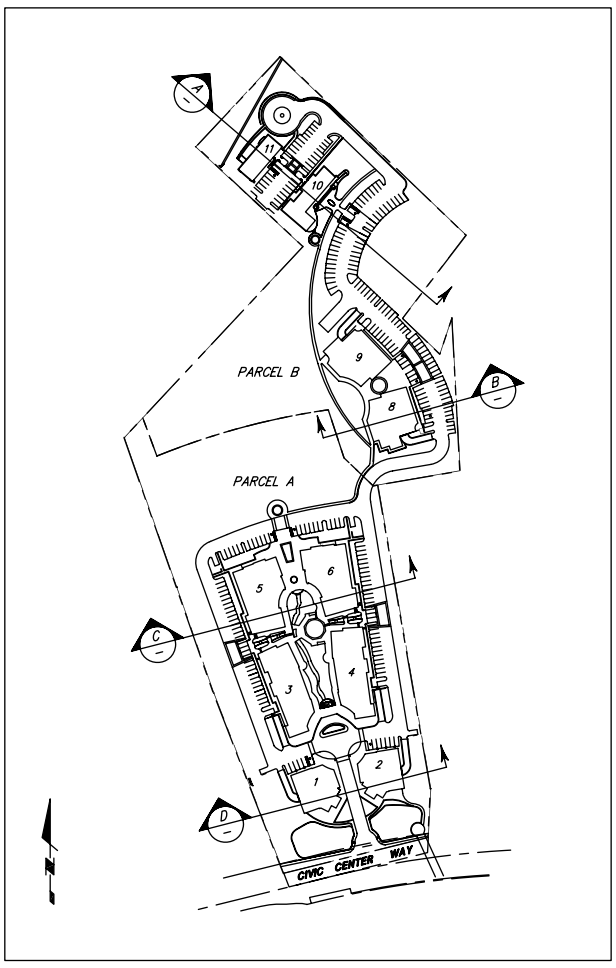
PROPOSED SURFACE



C — SECTION – PARCEL A



D — SECTION – PARCEL A



SECTION KEY MAP

NOT TO SCALE

Source: Jensen Design & Survey, Inc., September 19, 2006.

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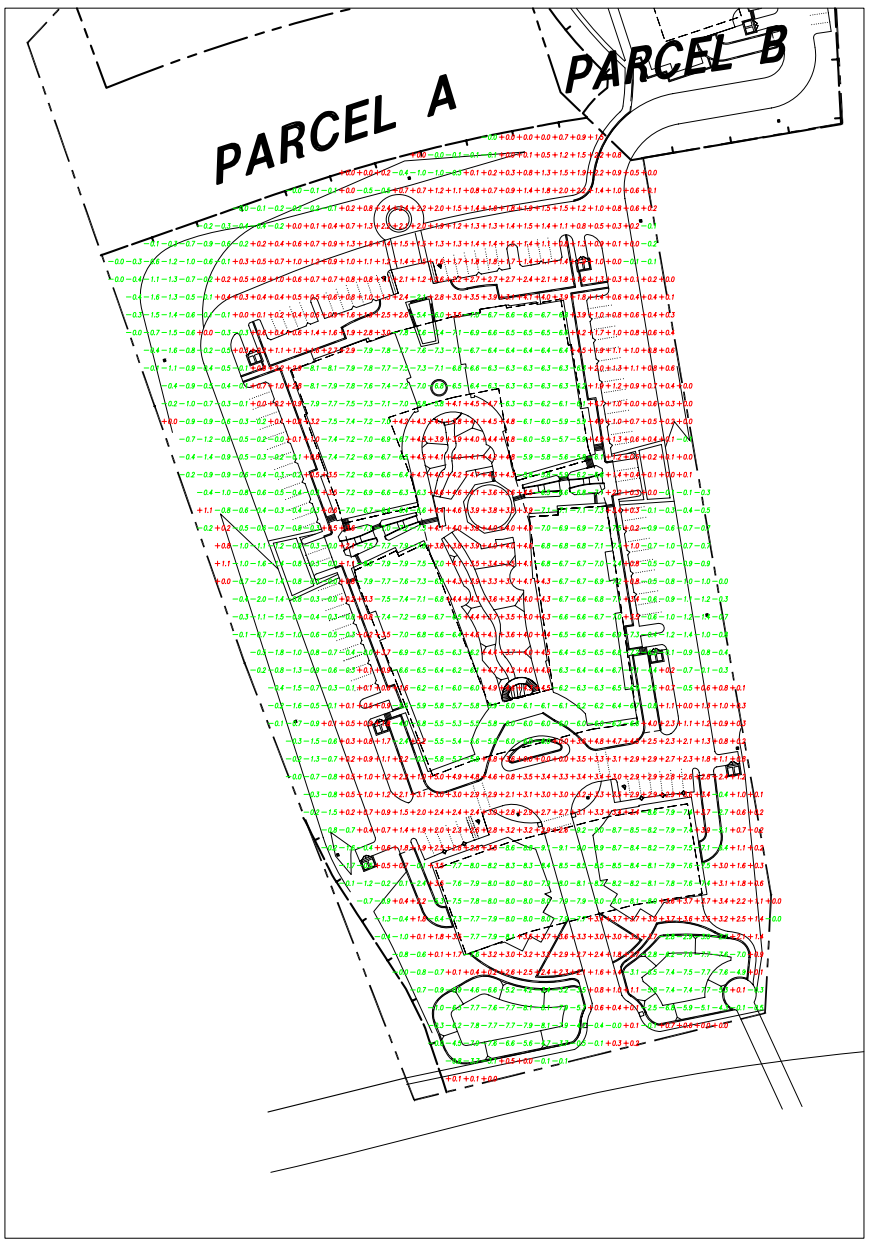
Figure VII-14
Preferred Alternative Conceptual
Grading Plan Sections

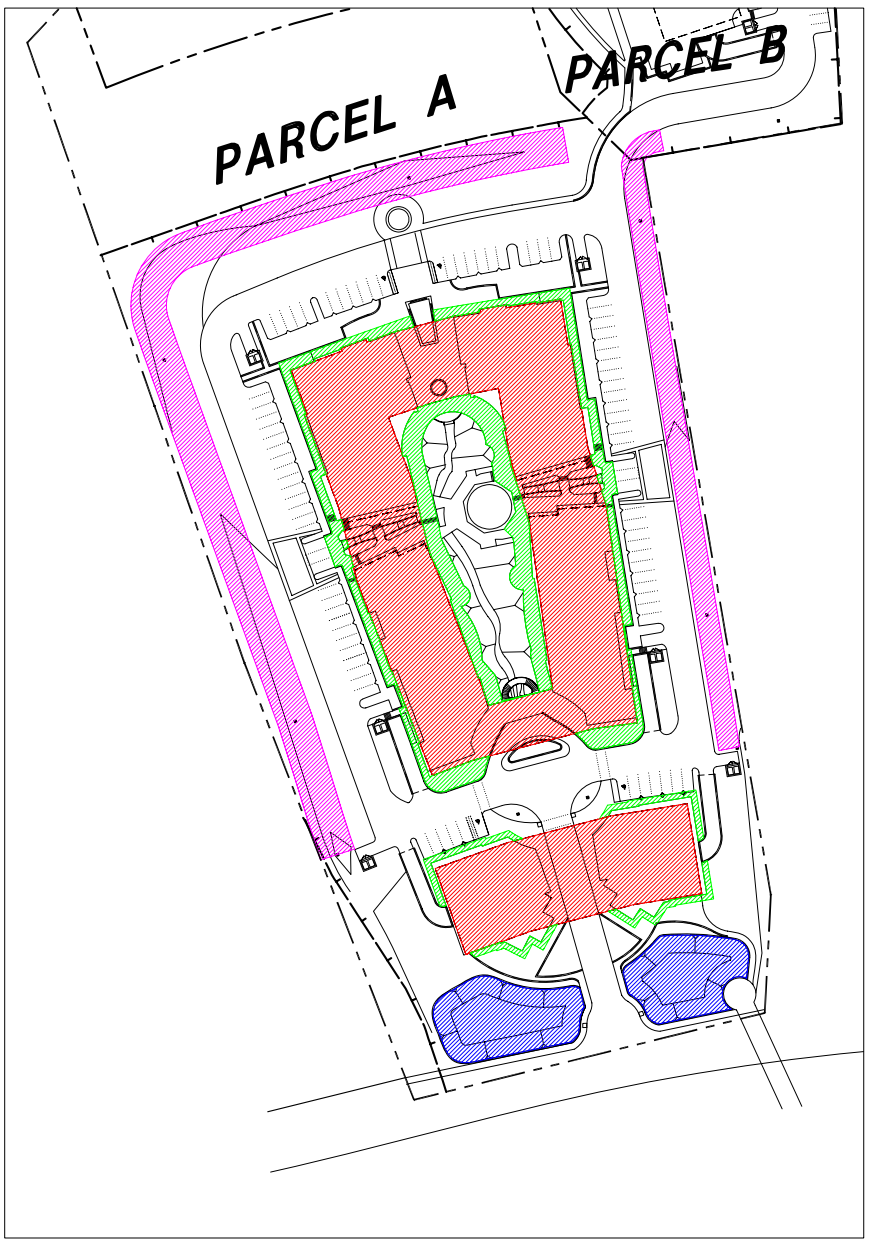
EARTHWORK SUMMARY EXHIBIT - ALTERNATE PARCEL A



RAW CUT & FILL

60' 30' 0' 60' 120'
GRAPHIC SCALE: 1"=60'

Earthwork Quantities				
Parcel A				
Cut (cy)			**Fill (cy)**	
Total	23,412		Total	6,812
-Exempt (Parking Garages)	19,169		-Exempt (Hardscape Adjacent to Bldgs for FD Access)	3,952
-Exempt BMP Implementation	260			
-Remedial (Retention Ponds)	2,647			
=Discretionary	**1,336**		**=Discretionary**	**2,859**
Area of Parcel A (ac)	**8.25**			
Volume Allowed (=1,000 cy/ac)	**8,250**			
Total Volume Moved (Cut + Fill)	**4,195**			



EXEMPT AREAS

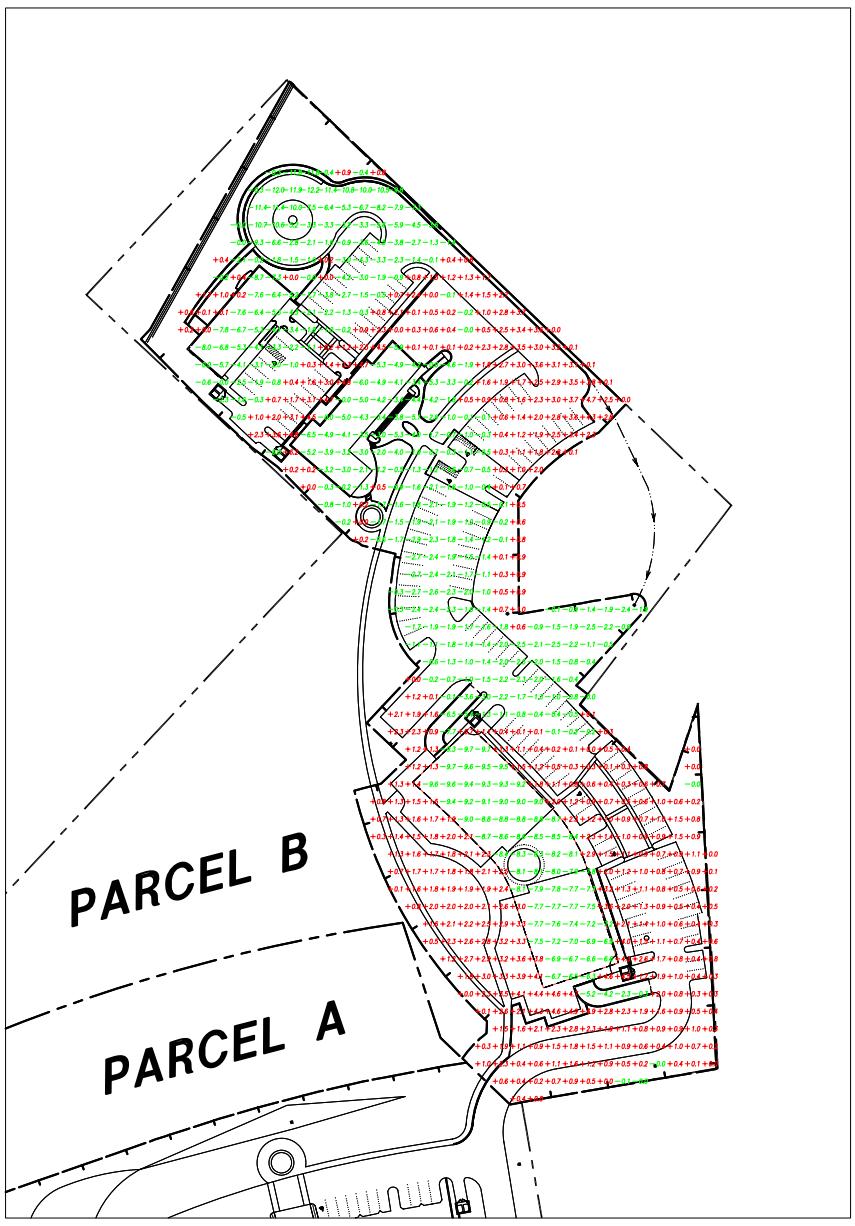
60' 30' 0' 60' 120'
GRAPHIC SCALE: 1"=60'

LEGEND

- PROPERTY BOUNDARY
- LIMITS OF GRADING
- RAW CUT
- RAW FILL
- EXEMPT PARKING GARAGE
- EXEMPT FD ACCESS
- EXEMPT BMP IMPLEMENTATION
- REMEDIAL RETENTION PONDS

Source: Jensen Design & Survey, Inc., September 19, 2006.

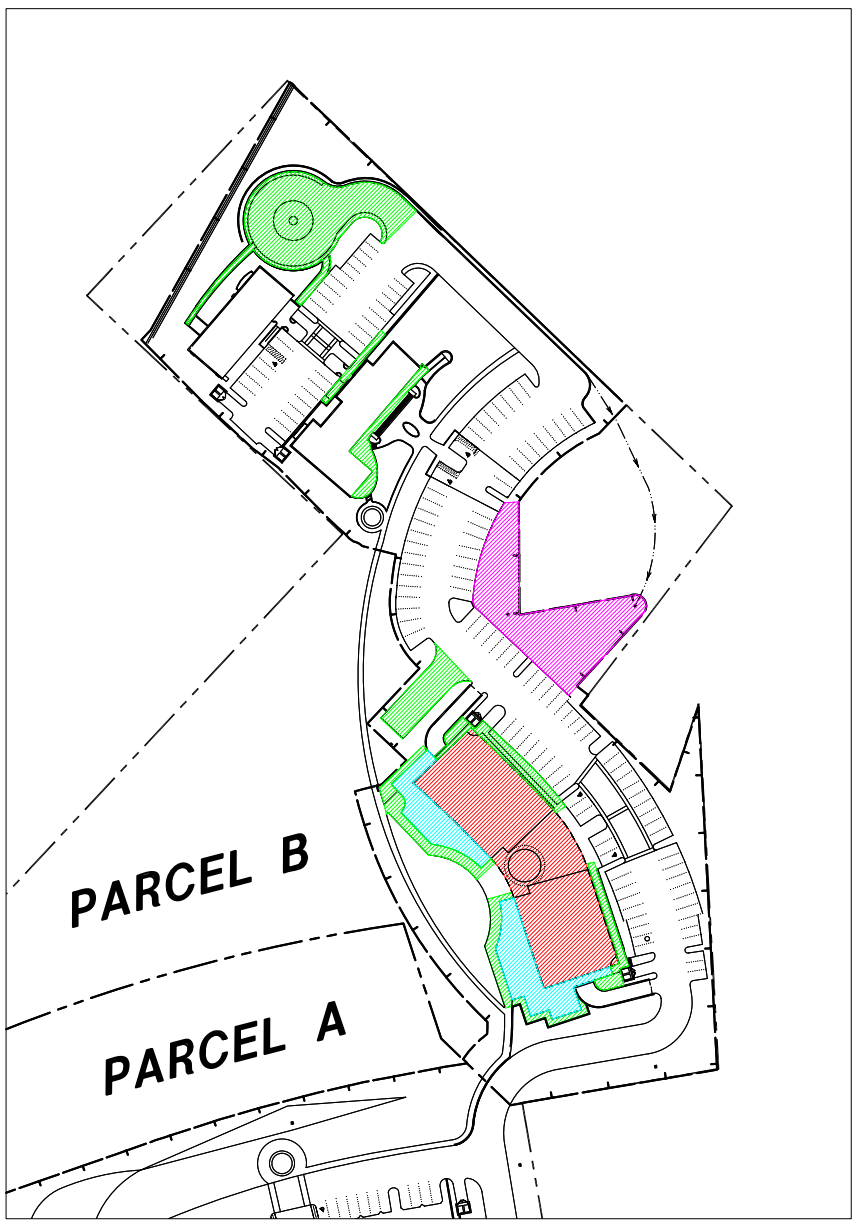
EARTHWORK SUMMARY EXHIBIT - ALTERNATE PARCEL B



RAW CUT & FILL

60' 30' 0' 60' 120'
GRAPHIC SCALE: 1"=60'

Earthwork Quantities				
Parcel B				
Cut (cy)			**Fill (cy)**	
Total	11,896		Total	2,819
-Exempt (Parking Garages)	4,963		-Exempt (Hardscape Adjacent to Bldgs for FD Access)	1,076
-Exempt (Fire Dept. Turnaround)	1,307		-Remedial (Fill to elevate Pad above Floodplain)	771
-Exempt BMP Implementation	120		-Exempt BMP Implementation	120
=Discretionary	**5,506**		**=Discretionary**	**852**
Area of Parcel A (ac)	**6.92**			
Volume Allowed (=1,000 cy/ac)	**6,920**			
Total Volume Moved (Cut + Fill)	**6,358**			



EXEMPT AREAS

60' 30' 0' 60' 120'
GRAPHIC SCALE: 1"=60'

LEGEND

- PROPERTY BOUNDARY
- LIMITS OF GRADING
- RAW CUT
- RAW FILL
- EXEMPT PARKING GARAGE
- EXEMPT FD ACCESS
- EXEMPT BMP IMPLEMENTATION
- REMEDIAL (FLOODPLAIN)

Source: Jensen Design & Survey, Inc., September 19, 2006.

Review. The principal change in aesthetics/views under this alternative is a larger rear yard setback for Parcel A, which would retain the natural vegetation that exists on the slope to the north of Parcel A. However, this view would only be visible from vantage points internal to the

Project Site. The Preferred Alternative's impacts to public views would therefore be less than significant and reduced as compared to the Proposed Project.

The Preferred Alternative 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. ~~The project's partial obstruction of~~ No impact to private views from nearby properties would result. ~~is~~Thus, impacts would be considered to be ~~a~~ less than significant ~~impact~~ and reduced as compared to the Proposed Project.

The Preferred Alternative is consistent with the neighborhood in regards to size, design, and height. Similar to the Proposed Project, the proposed structures would be a maximum of 28 feet in height from existing grade, with the largest single building only 10,339 square feet in area; and the smallest being 400 square feet in area. Building mass impacts are considered to be less than significant for the Preferred Alternative and reduced as compared to the Proposed Project.

Lighting

The development of an undeveloped property has the potential to significantly alter the daytime and nighttime visual qualities and conditions of the site and its vicinities. Development of this Alternative, would introduce 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 this Alternative's building materials (i.e., windows, aluminum window frames) as well as automobile windshields represent potential sources of daytime glare. As the Preferred Alternative would result in development less dense than the Proposed Project, light and glare impacts would be reduced. Similar mitigation measures to those recommended for the Proposed Project[2] would reduce potentially significant light and glare impacts to less than significant levels.

[2] *In response to comments received on the Draft EIR concerning privacy and light trespass, the Applicant has revised the Conceptual Landscape Plan to include the addition of enhanced landscaping to buffer the adjoining property to the northeast from light trespass and privacy impacts.*

Mitigation Measures

The mitigation measures recommended to reduce the light and glare impacts for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.A, Aesthetics).

Level of Significance after Mitigation

After the implementation of the Mitigation Measures reference in Section V.A, Aesthetics, light and glare impacts would be mitigated to less than significant and would be reduced as compared to the Proposed Project.

Air Quality

Construction Impacts

Similar to the Proposed Project, construction for the Preferred Alternative would generate pollutant emissions from the following construction activities: (1) grading and excavation, (2) construction workers traveling to and from the Project Site, (3) delivery and hauling of construction supplies and debris to and from the Project Site, (4) fuel combustion by on-site construction equipment, and (5) architectural coating. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. However, PM_{10} is the most significant source of air pollution from construction, particularly during site preparation and grading.

Table VII-4 shows the estimated daily emissions associated with each construction phase of the Preferred Alternative. As shown, estimated daily construction emissions associated with the Preferred Alternative are not anticipated to exceed any of the SCAQMD thresholds, and a less-than-significant impact is anticipated. Furthermore, estimated daily construction emissions associated with the Preferred Alternative would be less than the estimated daily construction emissions associated with the Proposed Project for CO, ROG, NO_x, and PM_{10}, and would be the same with respect to SO_x (see Table V.B-6, in Section V.B, Air Quality for Proposed Project construction emissions). Therefore, construction-related air quality impacts would be less than significant under both the Proposed Project and the Preferred Alternative, but would be reduced under this Alternative.

Daily PM_{10} emissions identified in Table VII-4, assume proper implementation of SCAQMD Rule 403 (see discussion on "Fugitive Dust Abatement" in Section V.B, Air Quality).[3] Implementation of

[3] *Implementation of Rule 403 is estimated to reduce dust and PM_{10} emissions by approximately 67 percent during the grading/excavation phase for the Preferred Alternative. The larger reduction in PM_{10} emissions during the grading phase is due to the heightened level of activity that would occur during this phase, which includes the use of construction vehicles, earthmoving activities, and haul truck trips. The resulting daily PM_{10} emissions, shown in Table VII-3, would not exceed the SCAQMD significance threshold of 150 pounds per day.*

Mitigation Measures 1 through 10 in Section V.B, Air Quality, would ensure proper implementation of Rule 403, which would in turn ensure that impacts are reduced to less-than-significant levels under this alternative.

Table VII-4
Preferred Alternative Estimated Daily Construction Emissions

Construction Phase	Pounds per Day				
	CO	**ROG**	**NO_x**	**SO_x**	**PM_{10}[a]**
SCAQMD Threshold	**550**	**75**	**100**	**150**	**150**
Grading/Excavation	23	4	46	3	58
Foundation	10	1	16	1	16
Finishing	4	10	<1	<1	<1
Maximum	23	10	46	3	58
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**

[a] *Assumes proper implementation of SCAQMD Rule 403. See Mitigation Measures in Section V.B, Air Quality.*
Source: Terry A. Hayes Associates, LLC, January 2005 (see Appendix C).

Operational Impacts

Regional Impacts

Similar to the Proposed Project, motor vehicles would be the predominate source of long-term emissions associated with the Preferred Alternative. According to the Project Traffic Study, the Preferred Alternative is anticipated to generate an additional 2,437 daily vehicle trips during the weekday and 2,170 daily vehicle trips during the weekend. As compared to the Proposed Project, this represents 426 fewer daily trips during the weekdays and 71 fewer trips during the weekend peak hour. A reduction in mobile air emissions would therefore occur commensurate with the reduction in vehicle trips.

As shown in Table VII-5, the results of the air model analysis demonstrates that the Preferred Alternative is not anticipated to exceed any of the SCAQMD significance thresholds for criteria pollutants. As compared to the Proposed Project, the Preferred Alternative would generate fewer daily emissions during the weekday with respect to CO, ROG, NO_x, and PM_{10}, and fewer daily emissions during the weekend with respect to CO, and NO_x. All other emissions would be the same as the Proposed Project (see Table V.B-8 in Section V.B, Air Quality for Proposed Project regional air quality emissions). Therefore, regional air quality impacts would be less than significant under both the Proposed Project and the Preferred Alternative, but would be reduced under the Preferred Alternative.

Table VII-5

Preferred Alternative Daily Emissions

Pollutants	Pounds per Day				
	CO	**ROG**	**NO_x**	**SO_x**	**PM_{10}**
Weekday	182	20	39	<1	1
Weekend	162	18	35	<1	1
SCAQMD Threshold	**550**	**55**	**55**	**150**	**150**

Source: Terry A. Hayes Associates LLC, January 2005 (see Appendix C).

Localized Impacts

The USEPA CAL3QHC micro-scale dispersion model was used to calculate CO concentrations for year 2007 "No Project" and "Preferred Alternative" conditions. Weekday CO concentrations at the affected study intersections are shown in Table VII-6. Weekend CO concentrations at the affected study intersections are shown in Table VII-7. As indicated, one-hour CO concentrations under "Preferred Alternative" conditions would range from approximately 5.4 ppm to 7.1 ppm during the weekday at worst-case sidewalk receptors. During the weekend, one-hour CO concentrations would range from approximately 6.1 ppm to 6.6 ppm. The "Preferred Alternative" eight-hour CO concentrations are anticipated to range from approximately 3.3 ppm to 4.3 ppm during the weekday and from approximately 3.7 ppm to 4.0 ppm during the weekend. The State one-and eight-hour standards would not be exceeded at worst-case sidewalk receptor locations at the affected study intersections. Thus, a less-than-significant impact is anticipated under the Preferred Alternative, similar to the Proposed Project.

While impacts would be less than significant under both the Proposed Project and the Preferred Alternative, the Preferred Alternative's weekday one-hour and eight-hour CO concentrations at Webb Way/Pacific Coast Highway would be slightly reduced in comparison to the Proposed Project, while weekday one-hour and eight-hour CO concentrations at Cross Creek Road/Pacific Coast Highway would be slightly increased in comparison to the Proposed Project. Weekend one-hour and eight-hour CO concentrations at both analyzed locations would be the same under the Preferred Alternative and the Proposed Project (see Tables V.B-9 and V.B-10 in Section V.B, Air Quality).

Table VII-6
Preferred Alternative 2007 Weekday Carbon Monoxide Concentrations[a]

Intersection	1-hour (parts per million)		8-hour (parts per million)	
	No Project	Preferred Alternative	No Project	Preferred Alternative
Malibu Canyon Road/Pacific Coast Highway	6.7	6.7	4.0	4.0
Webb Way/Pacific Coast Highway	6.0	6.2	3.6	3.7
Cross Creek Road/Pacific Coast Highway	6.7	6.8	4.0	4.1
Topanga Canyon Road/Pacific Coast Highway	7.1	7.1	4.3	4.3
Webb Way/Civic Center Road	5.6	5.4	3.4	3.3
State Standard	**20.0**		**9.0**	

[b] *CO concentrations include year 2007 one- and eight-hour ambient concentrations of 4.3 ppm and 2.6 ppm, respectively.*
Source: Terry A. Hayes Associates, LLC, January 2005 (see Appendix C).

Table VII-7
Preferred Alternative 2007 Weekend Carbon Monoxide Concentrations[a]

Intersection	1-hour (parts per million)		8-hour (parts per million)	
	No Project	Preferred Alternative	No Project	Preferred Alternative
Webb Way/Pacific Coast Highway	6.1	6.1	3.7	3.7
Cross Creek Road/Pacific Coast Highway	6.6	6.6	4.0	4.0
State Standard	**20.0**		**9.0**	

[c] *CO concentrations include year 2007 one- and eight-hour ambient concentrations of 4.3 ppm and 2.6 ppm, respectively.*
Source: Terry A. Hayes Associates, LLC, January 2005 (see Appendix C).

Consistency with the Air Quality Management Plan (AQMP)

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the South Coast Air Quality Management District's CEQA Air Quality Handbook. These indicators are discussed below.

- **Consistency Criterion No. 1:** The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations to which Consistency Criterion No. 1 refers are the CAAQS. The SCAQMD has identified CO as the best indicator pollutant for determining whether air quality violations would occur since it is most directly related to automobile traffic. The CO analysis (see "Localized Impacts" above) indicates that the Preferred Alternative would not exacerbate existing violations of the State one- and eight-hour CO concentration standards and no significant adverse impacts are anticipated. Therefore, the Preferred Alternative complies with Consistency Criterion 1.

- **Consistency Criterion No. 2:** The proposed project will not exceed the assumptions in the AQMP in 2010 or increments based on the year of project build-out phase.

The AQMP growth assumptions are generated by SCAG. SCAG derives its assumptions, in part, based on the General Plans of cities located within the SCAG region. Therefore, if a project does not exceed the growth projections in the General Plan, then it is consistent with the growth assumptions in the AQMP.

The City of Malibu General Plan designates the Project Site as CC (Community Commercial). The Preferred Alternative would construct retail and office uses on the Project Site. The development proposed for the Preferred Alternative is considered consistent with the City of Malibu General Plan. Since the Preferred Alternative is consistent with the City of Malibu General Plan, it is assumed that the Preferred Alternative would not exceed the growth projections in the General Plan or the growth projections established by SCAG. Thus, the Preferred Alternative complies with Consistency Criterion 2.

Both the Proposed Project and the Preferred Alternative comply with Consistency Criteria 1 and 2. Therefore, no impacts would occur with respect to consistency with the AQMP and impacts under the Preferred Alternative would be similar to those under the Proposed Project.

Mitigation Measures

Air quality mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.B, Air Quality).

Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.B, Air Quality, impacts for both the Preferred Alternative and the Proposed Project would be less than significant.

Biological Resources

Vegetation

Development of the Preferred Alternative would result in the grading (including remedial excavation and re-compaction) of the Project Site. These operations would require the removal of some the native hillside coastal sage scrub (CSS) habitat and all of the sycamore woodland relic cells. Additionally, non-native Eucalyptus trees and the non-native annual grassland would also be permanently removed.

As compared to the Proposed Project, the loss of CSS habitat would be reduced under the Preferred Alternative. As depicted in Figure V.C-4, Vegetation Communities, CSS exists in two areas on the Project Site. The CSS habitat that exists where the City Hall is proposed (under the Proposed Project) would remain intact, as that area is designated as an open space area under the Preferred Alternative. The existing hillside CCS vegetation in the northern portion of Parcel B, however, would be removed as it exists in the approximate location of proposed Building 9 and its adjacent surface parking lot. The loss of CSS is considered an adverse but less than significant impact due to the disturbed~~limited~~ and isolated nature~~extent~~ of CSS on-site. Therefore, no mitigation for loss of CSS is required.~~The impact would be reduced through mitigation measures listed later in this section. With mitigation, the impact would be temporary and less-than-significant.~~

The loss of sycamore ~~woodland relic~~ trees on-site is a potentially~~an adverse, non-~~ significant ~~and temporary~~ impact as their removal would conflict with the Malibu LIP Chapter 5.~~ due to the long-standing removal of all understory elements to the woodland and the isolated condition under which the trees persist. Installation of~~However, the project design incorporates Western Sycamore (*Platanus racemosa*) at a 10:1 ratio, into the site's landscaping.~~ around detention basins, parking lots, and within landscape islands would~~ This action provides sufficient mitigation to render the impact temporary and less-than-significant.

The loss of annual non-native grassland is a less-than-~~non~~-significant impact.~~, which would be off-set with replacement by ornamental landscaping on-site.~~ Landscaping within the resulting undeveloped areas on-site would offset any adverse impacts to non-native grassland. The removal of Eucalyptus and other invasive non-native trees and vegetation (castor bean, mustard, etc.) is considered a beneficial impact.

No sensitive flora are believed to occur on-site.~~,~~ Further, no wetlands or other jurisdictional features are present. T~~t~~herefore, no significant impacts to ~~sensitive flora~~either are anticipated under this Alternative.

Wildlife

Similar to the Proposed Project, the construction of the Preferred Alternative would disturb all wildlife which currently reside or utilize the subject property. All wildlife species which utilize the site would be displaced or killed during grading operations. Vegetation removal should only occur outside of the bird nesting season (approximately February 1~~st 5th~~ through August 30th ~~15th~~) to avoid direct impacts to nesting ~~migratory~~ birds. If a qualified biologist or ecologist conducts a pre-activity nesting bird survey prior to any site disturbance associated with the project~~ is present during vegetation clearance and initial grading activities~~, incidental injuries and kills can be reduced in number. Highly mobile wildlife can move off the property during construction, but low mobility organisms (burrowing mammals, reptiles, etc.) risk destruction. All~~Most~~ wildlife ~~present~~ identified on-site is common and adapted to urban settings, and loss of any potentially occurring sensitive organisms could be limited through monitoring.

No endangered or threatened wildlife are believed to be present on-site, therefore, no impacts to protected species would occur.

Mitigation Measures

Mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.C, Biological Resources).

Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.C, Biological Resources, impacts for both the Preferred Alternative and the Proposed Project would be less than significant, through slightly reduced under the Preferred Alternative

Cultural Resources

As addressed in Section V.D, Cultural Resources, prior archaeological field surveys and literature records searches concluded that there are no recorded historical sites, observable cultural resources, including artifacts or altered soil indicating the presence of prehistoric archaeological remains on the Project Site. Therefore, damage to or destruction or disturbance of known important cultural, paleontological, or archaeological resources would not occur under either the Proposed Project or the Preferred Alternative. Nevertheless, the potential still exists to uncover significant archaeological remains during excavation and/or surface grading activities. Such unforeseen impacts could be avoided by implementation of preventative mitigation measurers during the construction phase (see recommended mitigation measures in Section V.D, Cultural Resources). Based on the available evidence, construction and operation associated with the Preferred Alternative (inclusive of Parcels A and B) would not result in a significant impact on cultural resources on the Project Site.

Mitigation Measures

Mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.D, Cultural Resources).

Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.D, Cultural Resources, impacts for both the Preferred Alternative and the Proposed Project would be less than significant and approximately equal.

Geology and Soils

Grading/Excavation

Construction of the Preferred Alternative would entail approximately 35,308 cubic feet of cut and 9,631 cubic yards of fill, including 2,647 cy of remedial cut and 771 cy of remedial fill, respectively. A breakdown of the estimated cut and fill amounts on a parcel-by parcel basis is provided below in Table VII-8. The conceptual grading plan and earthwork summaries for the Preferred Alternative were

presented previously in this section in Figures VI-14 through ~~Vii~~VII-16, respectively. The proposed preliminary grading plan identifies three subterranean parking structures; one below-grade structure is proposed on each Parcel. The proposed subterranean parking structures would require shoring and construction dewatering. Shoring and dewatering plans as well as geotechnical reports addressing these issues, would therefore be required to be submitted for review City Geotechnical staff as part of the building plan check stage.

Geotechnical Hazards

The Geotechnical Engineering Reports for Parcels A and B have been reviewed from a geotechnical perspective and approved-in-concept by the City's Consulting Geologist. (See Appendix E, Geotechnical Review Sheets for Parcel A, and Parcel B, for the Preferred Alternative). The geotechnical hazards known to be present on the Project Site have been identified and appropriate design/build recommendations and conditions have been imposed to ensure the development is constructed in accordance with acceptable geotechnical engineering standards. It should be noted that certain conditions require supplemental analysis that must be completed and approved prior to building plan check approval demonstrating specific performance standards are feasible from a development perspective. Based upon the findings of the Geotechnical Engineering Reports, supplemental response reports, and subsequent conditions imposed through the remarks noted on the City's approval-in-concept for said reports, the Project Site is considered suitable for the planned development.

It is assumed that the Project Applicant and site developers will be required to comply with all existing local, City, County, State and Federal laws, regulations, codes, and statutes applicable to the geology, soils seismicity, and proposed septic system conditions outlined in the Project Geotechnical Engineering and Investigation Reports, and subsequent comments and conditions of the approval in concept granted by the City for each Parcel. The compliance and adherence to project design measures mentioned herein will reduce most potentially significant impacts to less-than-significant levels.

Groundshaking-Seismicity

Ground shaking resulting from a moderate to major earthquake (magnitude 6.0 or greater) can be expected during the life span of the proposed development. Property owners and the general public should be aware that any structure in the southern California region is subject to potentially significant damage as a result of a moderate or major earthquake. Compared to the existing undeveloped state of the Project Site, the Preferred Alternative would attract a greater number of individuals to the Project Site on a daily basis, though fewer persons than would be generated by the Proposed Project. In this regard, while the Preferred Alternative would potentially expose humans to hazards and destruction of property in the case of a sizable seismic event, these potential hazards would be reduced as compared to the Proposed Project. The risks associated with seismic activity are unavoidable and inherent to any location throughout the southern California region. Furthermore, present building codes and construction practices are intended to minimize structural damage to buildings and loss of life as a result of a moderate or major earthquake. While it is impossible to totally prevent structural damage to buildings and loss of

life as a result of seismic events, adherence to all applicable building codes and regulations and site-specific engineering specifications would reduce such impacts to less than significant levels.

With the employment of state-of-the-practice engineering techniques (i.e., setbacks and foundation designs to accommodate several inches of movement), the impacts from ground rupture can be greatly reduced. As such, surface rupture potential is considered low to moderate, and the impacts are would be reduced to less than significant levels with implementation of feasible geotechnical design measures.

Secondary Effects of ~~the Proposed Septic System~~ On-site Wastewater Treatment System

The ~~Reduced Density~~ Preferred Alternative includes an on-site wastewater treatment system (OWTS) to treat the sewerage for Parcels A and B. Wastewater effluent, treated to a tertiary quality, will ultimately be pumped into a series of leach field zones and subsurface drip disposal areas positioned throughout the Project Site. Conventional septic system leach lines are generally feasible in areas of the property having groundwater levels deeper than about 15 feet, such as along the northerly side of the site. Because groundwater occurs at relatively shallow depths (varying from 8 to 29 feet across the property), an alternative on site water treatment system is proposed using a series of leach fields and subsurface drip disposal areas~~lines under the proposed surface parking areas~~. Due to the relatively shallow groundwater table in the project vicinity, the effects of effluent from the proposed on-site wastewater treatment system could result in "groundwater mounding", which may cause existing septic systems to fail. Groundwater mounding could adversely alter the characteristics of the soil, thus affecting the liquefaction potential of the soil beneath the proposed structures. The project hydrologic consultant Fugro West Inc., and Ensitu Enginnering have demonstrated that the proposed OWTS will not result in a significant rise in groundwater levels across the site including the areas adjacent to the subterranean parking structures. It has been demonstrated from the studies presented by Fugro West Inc., and Ensitu Engineering that it is feasible to construct subsurface drip systems adjacent to the subterranean parking structures, provided the drip lines are located at least eight (8) feet away from the parking garage walls. Gold Coast Geoservices concurs with these findings and further noted that it will not be necessary to construct permanent dewatering facilities for the parking structure.[4]

The proposed subterranean parking structures will be constructed above the groundwater level across the site. The groundwater level in the area of the southernmost buildings in Parcel A occurs within a foot or less below the proposed floor elevation of the parking structure, and high groundwater conditions occur across the entire site, so that the walls and flooring of all proposed parking structures shall be effectively waterproofed. The specific water proofing system to be used shall be approved by the project engineering geologist and project soils engineer. Based upon the finding that the groundwater levels across the site will not rise due to the planned development and from the usage of the proposed OWTS, coupled with the

[4] *Gold Coast Geoservices, Inc., File No. GC99-71243, April 3, 2006.*

fact that the subterranean structures will be waterproofed during construction, the subterranean parking structures will not require "permanent dewatering facilities."[5]

In addition to waterproofing, Gold Coast Geoservices Inc., recommends that the parking garage walls be provided with sub-drain pipes consisting of 6-inch diameter PVC pipe embedded in ¾-inch rock at the base of the walls, to collect possible groundwater buildup at the back of the walls. The sub-drainage pipes shall be connected to a sump system in the parking structure flooring from where water can be collected and pumped to the storm drain. The sump system may also be used to collect and pump water from the floor of the structure, in the unlikely emergency event of flooding of the parking structures.[6]

Mitigation Measures

Geotechnical mitigation measures for the Preferred Alternative (Parcels A and B) are the same as those referenced for the Proposed Project for Parcels A and B (see Mitigation Measures in Section V.E, Geology/Soils).[7]

Level of Significance after Mitigation

As stated above, approval-in-concept was provided for Parcels A and B with specified conditions to provide subsequent analysis and geotechnical engineering recommendations to determine precise mitigation measures and geotechnical engineering methods necessary to meet acceptable performance standards to address the extent of remedial grading, construction shoring/dewatering methods for the proposed underground parking structures, and the secondary effects upon liquefaction as a result of effluent from the proposed private wastewater treatment system. As the Preferred Alternative cannot be constructed until said performance standards are demonstrated to an acceptable factor of safety, impacts after mitigation would be reduced to less-than-significant levels under both the Preferred Alternative and the Proposed Project.

Hydrology/Water Quality

The Hydrology/Water Quality plans for the Preferred Alternative would be substantially similar to what is proposed under the Proposed Project. However, the size of the OWTS would be scaled down to accommodate a smaller project. The proposed grading and drainage plan for the Preferred Alternative is illustrated in Figure VII-17 (for Parcel A) and Figure VII-18 (for Parcel B). Similar to the impacts identified for the Proposed Project this Alternative would result in less than significant impacts with respect to water quality. The OWTS will treat the Preferred Alternative's wastewater to a tertiary quality

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[5] *Ibid.*

[6] *Ibid.*

[7] *City of Malibu, Geotechnical Review Sheet, July 5, 2006.*

and would meet the requirements of the City of Malibu Uniform Plumbing Code. Treated effluent would be disposed of into a system of leach fields and subsurface drip disposal areas. ~~Three underground septic tanks are proposed underneath Parcels A and B.~~ Effluent will be processed and ready for standard dispersal through this system using the same methods described for the Proposed Project. Treated wastewater ("reclaimed water") would be utilized in some areas of the development to irrigate landscaping. In addition, the developed property would have on-site stormwater filtration and storage systems, designed to meet the standards of the LARWQCB, which are intended to reduce runoff, improve water quality and improve groundwater recharge. The Preferred Alternative would result in 6.54 acres of landscaped area and 3.79 acres of open space. The proposed improvements under this alternative would add approximately 4.84 acres of impermeable surface area through the addition of sidewalks, drive lanes, parking areas and rooftops. The surface water flow detention facility requirements needed to retain 1 ½ inches of rainfall would need to hold 36,324 ft^3, or 1,345 cy of water. The detention basin proposed under this alternative has a storage capacity of 2,539 cy.[8] Therefore, based on the analysis provided under the Hydrology and Water Quality discussion presented in Section F of this ~~Draft~~ EIR, impacts related to wastewater disposal would be less than significant and similar to the Proposed Project.

Land Use and Planning

Local and Regional Plans. Under the Preferred Alternative the proposed development would include 99,117 square feet of retail and office space. Similar to the Proposed Project, the Preferred Alternative would be required to conform to the local land use regulations and zoning designations as outlined in the City of Malibu General Plan Land Use Element, the City of Malibu Zoning Ordinance, and the Malibu Local Coastal Program. The Preferred Alternative would also be subject to the policies

City of Malibu General Plan Land Use Element

The Preferred Alternative would be consistent with the Community Commercial land use designation of the City of Malibu General Plan Land Use Element. The Proposed Project has an overall FAR of 0.15, which is less than the maximum allowable FAR identified in the General Plan Land Use Element (FAR of 0.15 to 0.20). Furthermore, the Preferred Alternative would be generally consistent the goals, objectives, and policies of the General Plan Land Use Element.

City of Malibu Zoning Ordinance

The Preferred Alternative is consistent with the Community Commercial (CC) zoning designation for the Project Site under the City of Malibu Zoning Ordinance. Specific zoning designations that apply to the Project Site are discussed in more detail below:

[8] *Jensen Design & Survey, February 2006.*

Earthwork Quantities				
Parcel A				
Cut (cy)			**Fill (cy)**	
Total	23,412		Total	6,812
-Exempt (Parking Garages)	19,169		-Exempt (Hardscape Adjacent to Bldgs for FD Access)	3,952
-Exempt BMP Implementation	260			
-Remedial (Retention Ponds)	2,647			
=Discretionary	**1,336**		**=Discretionary**	**2,859**
Area of Parcel A (ac)	**8.25**			
Volume Allowed (=1,000 cy/ac)	**8,250**			
Total Volume Moved (Cut + Fill)	**4,195**			

LEGEND

- GROUNDWATER ELEVATION
- FLOODPLAIN LIMIT
- PROPOSED PAVERS
- PROPOSED SIDEWALK
- PROPOSED CONCRETE
- PROPOSED LANDSCAPING
- PROPOSED RETENTION BASIN / WATER FEATURE
- PROPOSED STAMPED CONCRETE
- PROPOSED BUILDING
- PROPOSED RETAINING WALL
- LIMITS OF GRADING
- LIMIT OF UNDERGROUND PARKING

MATCH LINE

SEE SHEET NO. 3

PARCEL A

PARCEL B

LA PAZ LANE

CIVIC CENTER WAY

FF = 22.70
GAR. FF = 11.70
GAR. PAD = 11.20

FF = 21.00
PAD = 20.50

FF = 21.00
GAR. FF = 10.00
GAR. PAD = 9.50

FF = 19.50
GAR. FF = 8.50
GAR. PAD = 8.00

FF = 19.50
GAR. FF = 8.50

WS. EL. = 13.00

NOTE:

STORM DRAIN ALIGNMENT, SIZES AND INVERTS ARE PRELIMINARY. FINAL ALIGNMENT, SIZES AND INVERTS WILL BE DETERMINED DURING FINAL DESIGN.

CONSTRUCTION NOTES

1. INSTALL DRAIN INLET.
2. INSTALL 0" CONCRETE CURB.
3. INSTALL 6" CONCRETE CURB ONLY.
4. INSTALL 6" CONCRETE CURB & GUTTER.
5. CONSTRUCT RETAINING WALL WITH CONCRETE V-DITCH.
6. CONSTRUCT TRASH ENCLOSURE.
7. INSTALL CATCH BASIN.
8. INSTALL STORM DRAIN.
9. INSTALL STORM DRAIN MANHOLE.
10. CONNECT PROPOSED STORM DRAIN TO EXISTING STORM DRAIN.
11. INSTALL TRENCH DRAIN.
12. INSTALL PUMP AS NECESSARY.
13. LEAVE 2' WIDE OPENING IN CURB.
14. PROPOSED SEPTIC SYSTEM BY OTHERS .
15. CONNECT PROPOSED STORM DRAIN SYSTEM TO EXISTING RCB.
16. INSTALL CONCRETE V-DITCH.
17. INSTALL CONCRETE HEADWALL.
18. INSTALL STORM DRAIN MANHOLE WITH BAFFLE WEIR.

EASEMENT SCHEDULE

INFORMATION SHOWN HERE ON IS BASED ON PRELIMINARY TITLE REPORT, ORDER NUMBER LA0572538, DATED JULY 8, 2005, BY EQUITY TITLE COMPANY. ALL DOCUMENTS REFFERED TO ON THIS PLAT ARE FROM OFFICIAL RECORDS OF LOS ANGELES COUNTY, CALIFORNIA. OTHER EASEMENTS REFLECTED IN THE TITLE REPORT NOT SHOWN HERE ON ARE NOT NEAR SUBJECT PARCELS.

4 AN EASEMENT FOR THE INSTALLATION, REPAIR AND MAINTENANCE OF A PIPE LINE OR LINES FOR THE TRANSMISSION OF WATER UNDER, ALONG AND ACROSS A 5' STRIP OF LAND REMISED, RELEASED, AND QUITCLAIMED UNTO MALIBU WATER COMPANY IN EASEMENT #10 OF THE QUITCLAIM OF EASEMENTS AND BILL OF SALE OF PERSONAL PROPERTY RECORDED IN BOOK 16057, PAGE 211, SEPTEMBER 27, 1938.

8 AN EASEMENT FOR THE DRILLING OF WATER WELLS AND THE INSTALLATION OF PUMPS, PIPES AND OTHER NECESSARY APPURTENANCES FOR THE DEVELOPMENT OF WATER TOGETHER WITH THE RIGHT TO PUMP WATER THEREFROM AND DISTRIBUTE THE SAME ELSEWHERE OVER, ON, AND UNDER A PARCEL OF LAND REMISED, RELEASED AND QUITCLAIMED UNTO MALIBU WATER COMPANY IN EASEMENT #21 OF THE QUITCLAIM OF EASEMENTS AND BILL OF SALE OF PERSONAL PROPERTY RECORDED IN BOOK 16057, PAGE 211, SEPTEMBER 27, 1938.

9 AN EASEMENT FOR THE DRILLING OF WATER WELLS AND THE INSTALLATION OF PUMPS, PIPES AND OTHER NECESSARY APPURTENANCES FOR THE DEVELOPMENT OF WATER TOGETHER WITH THE RIGHT TO PUMP WATER THEREFROM AND DISTRIBUTE THE SAME ELSEWHERE OVER, ON, AND UNDER A PARCEL OF LAND REMISED, RELEASED AND QUITCLAIMED UNTO MALIBU WATER COMPANY IN EASEMENT #22 OF THE QUITCLAIM OF EASEMENTS AND BILL OF SALE OF PERSONAL PROPERTY RECORDED IN BOOK 16057, PAGE 211, SEPTEMBER 27, 1938.

10 AN EASEMENT FOR THE INSTALLATION, REPAIR AND MAINTENANCE OF A PIPE LINE OR LINES FOR THE TRANSMISSION OF WATER UNDER, ALONG AND ACROSS A 5' STRIP OF LAND REMISED, RELEASED, AND QUITCLAIMED UNTO MALIBU WATER COMPANY IN EASEMENT #29 OF THE QUITCLAIM OF EASEMENTS AND BILL OF SALE OF PERSONAL PROPERTY RECORDED IN BOOK 16057, PAGE 211, SEPTEMBER 27, 1938.

14 AN EASEMENT OR RIGHT OF WAY FOR ROAD PURPOSES AND AN EASEMENT OR RIGHT OF WAY FOR INGRESS AND EGRESS AS DESCRIBED IN THE GRANT DEED TO ALBERT J. ASHKAR AND ANN ASHKAR RECORDED IN BOOK 19977, PAGE 245, MAY 8, 1943.

15 AN EASEMENT OR RIGHT OF WAY FOR ROAD PURPOSES AND AN EASEMENT OR RIGHT OF WAY FOR INGRESS AND EGRESS AS DESCRIBED IN THE GRANT DEED TO FRANK F. LYONS AND FLORENCE M. LYONS RECORDED IN BOOK 20058, PAGE 215, JUNE 11, 1943.

16 AN EASEMENT FOR ROAD AND UTILITY PURPOSES FOR THE BENEFIT OF AND APPURTENANT TO THE LAND RETAINED BY JOSEPH A. SCHALHOUB DESCRIBED IN THE GRANT DEED TO ROBERT WILLIAMS RECORDED IN BOOK 22499, PAGE 181, DECEMBER 3, 1945.

17 AN EASEMENT FOR THE CONSTRUCTION, USE, MAINTENANCE, ALTERATION, ADDITION, REPAIR, REPLACEMENT AND/OR REMOVAL OF ELECTRIC LINE, CONSISTING OF POLES, NECESSARY GUYS AND ANCHORS, CROSS-ARMS, WIRES AND OTHER FIXTURES AND APPLIANCES FOR CONVEYING ELECTRIC ENERGY DESCRIBED IN THE GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY LTD. RECORDED IN BOOK 23918, PAGE 140, NOVEMBER 6, 1946.

18 AN EASEMENT FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELEPHONE LINE WITH POLES, CROSSARMS, GUYS, WIRES, BRACES, CONDUITS, CABLES AND APPURTENANCES FOR THE TRANSMISSION OF ELECTRIC ENERGY FOR TELEPHONE AND TELEGRAPH PURPOSES IN THE RIGHT OF WAY TO THE ASSOCIATED TELEPHONE COMPANY, LTD. DESCRIBED IN THE GRANT DEED RECORDED IN BOOK 32874, PAGE 395, APRIL 17 1950.

19 NON-EXCLUSIVE EASEMENTS FOR THE SOLE AND EXCLUSIVE PURPOSES OF (I) INSTALLATION, EXISTENCE, MAINTENANCE AND REPAIR OF A ROADWAY OR DRIVEWAY FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS FOR THE USE FROM TIME TO TIME BY ANY OWNER OF AND OTHER BENEFITED LAND AND SUCH OWNER'S EMPLOYEES, AGENTS, PATRONS, GUESTS AND INVITEES AND FOR GOVERNMENTAL VEHICLES FROM TIME TO TIME REQUIRING ACCESS TO THE OTHER BENEFITED LAND FOR THE PURPOSES OF PROVIDING FOR THE PUBLIC HEALTH, SAFETY AND WELFARE AND (II) THE INSTALLATION, MAINTENANCE AND REPAIR OF UNDERGROUND UTILITY LINES AND UNDERGROUND DRAINAGE FACILITIES SERVING THE OTHER BENEFITED LAND ON, OVER, UNDER, ACROSS, AND THROUGH TWO STRIPS OF LAND DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AS INSTRUMENT NUMBER 98 2331444, DECEMBER 24, 1998.

20 AN EASEMENT FOR THE INSTALLATION, OPERATION, MAINTENANCE AND REPAIR OF A WATER PIPE LINE UPON, OVER, IN, UNDER, ACROSS AND ALONG REAL PROPERTY DESCRIBED IN THE EASEMENT DEED TO MALIBU WATER COMPANY RECORDED IN BOOK D36, PAGE 385, MARCH 6, 1958.

21 AN EASEMENT AND RIGHT OF WAY TO CONSTRUCT, LAY, INSTALL, USE, MAINTAIN, ALTER, ADD TO, REPAIR, REPLACE, INSPECT AND/OR REMOVE, AT ANY TIME AND FROM TIME TO TIME, AERIAL AND UNDERGROUND ELECTRIC LINES AND COMMUNICATION LINES, CONSISTING OF POLES, GUYS AND ANCHORS, CROSSARMS, WIRES, CABLES, CONDUITS, MANHOLES, VAULTS, PULL BOXES, MARKERS AND OTHER FIXTURES AND APPLIANCES, FOR CONVEYING ELECTRIC ENERGY DESCRIBED IN THE GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY RECORDED IN BOOK D4187, PAGE 498, NOVEMBER 6, 1958.

22 WESTERLY LIMIT OF EASEMENT #18 (ITEM 9 ABOVE) RECORDED IN BOOK 16057, PAGE 211, AS DESCRIBED THEREIN. HOWEVER, LIMIT OF EASEMENT IS UNCLEAR. WESTERLY LIMITS OF EASEMENT COULD BE CENTERLINE OF EASEMENT #10 (ITEM 4 ABOVE) RECORDED IN BOOK 16057, PAGE 211.

23 PROPOSED RIGHT OF WAY SHOWN ON COUNTY SURVEYOR'S MAP NUMBER B-5022, DATED MAY 2, 1969, WITH MOST RECENT REVISION DATE OF JUNE 5, 1970. THIS RIGHT OF WAY HAS NOT BEEN GRANTED ACCORDING TO SAID TITLE REPORT.

24 CENTERLINE OF CIVIC CENTER WAY AS SHOWN ON COUNTY SURVEYOR'S MAP NUMBER B-5022, DATED MAY 2, 1969, WITH MOST RECENT REVISION DATE OF JUNE 5, 1970.

25 30' WIDE CONDEMNATION FOR PUBLIC PURPOSES DESCRIBED AS PARCEL 2-10 IN THE FINAL ORDER OF CONDEMNATION TO COUNTY OF LOS ANGELES RECORDED IN BOOK D1601, PAGE 166, MAY 2, 1962.

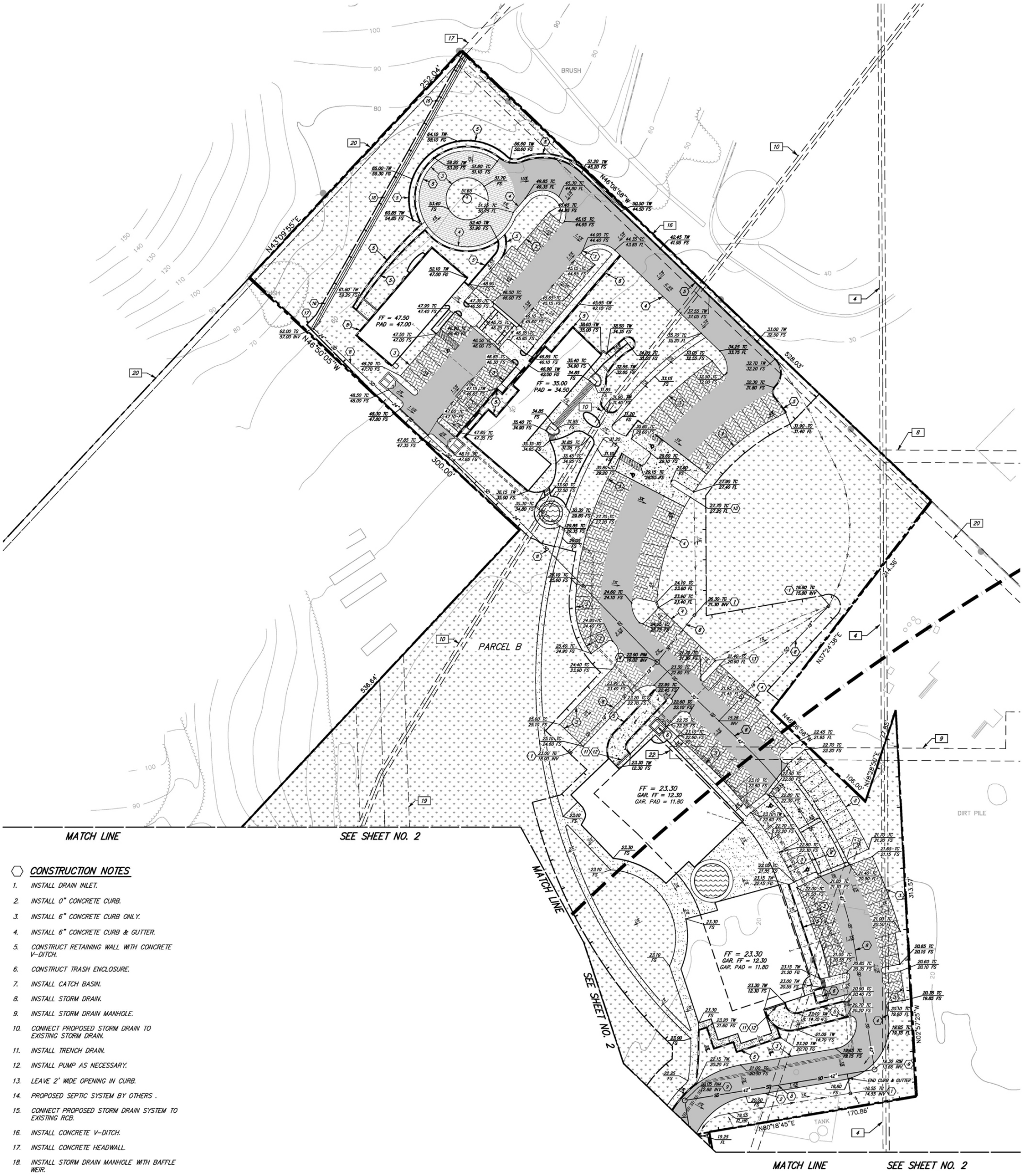
NORTH

0 30 60 90 120
Feet

Source: Jensen Design & Survey, Inc., September 21, 2006.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure VII-17
Conceptual Grading and Drainage Plan
Preferred Alternative
Parcel A



CONSTRUCTION NOTES

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LEGEND

- GROUNDWATER ELEVATION
- FLOODPLAIN LIMIT
- PROPOSED PAVERS
- PROPOSED SIDEWALK
- PROPOSED CONCRETE
- PROPOSED LANDSCAPING
- PROPOSED RETENTION BASIN / WATER FEATURE
- PROPOSED STAMPED CONCRETE
- PROPOSED BUILDING
- PROPOSED RETAINING WALL
- LIMITS OF GRADING
- LIMIT OF UNDERGROUND PARKING

Earthwork Quantities				
Parcel B				
Cut (cy)			**Fill (cy)**	
Total	11,896		Total	2,819
-Exempt (Parking Garages)	4,963		-Exempt (Hardscape Adjacent to Bldgs for FD Access)	1,042
-Exempt (Fire Dept. Turnaround)	1,307		-Remedial (Fill to elevate Pad above Floodplain)	771
-Exempt BMP Implementation	120		-Exempt BMP Implementation	120
=Discretionary	**5,506**		**=Discretionary**	**886**
Area of Parcel A (ac)	**6.92**			
Volume Allowed (=1,000 cy/ac)	**6,920**			
Total Volume Moved (Cut + Fill)	**6,392**			

NORTH

0 30 60 90 120

Feet

Source: Jensen Design & Survey, Inc., September 21, 2006.

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Figure VII-18
Conceptual Grading and Drainage Plan
Preferred Alternative
Parcel B

- Permitted Uses. The Preferred Alternative includes the development of commercial office/retail space. As such, the proposed uses would conform to the uses permitted in the Community Commercial zone. No impact would occur, similar to the Proposed Project.

- Height Limitations. The maximum height of the proposed development would be 28 feet. The maximum height limitation for the CC zone (i.e., 18 feet above natural or finish grade) would be exceeded. However pursuant to Section 17.62.040, the Planning Commission may allow heights up to twenty-four (24) feet for flat roofs and twenty-eight (28) feet for pitched or sloped roofs. Thus, with approval from the Planning Commission, land use impacts related to height limitations would be less than significant and similar to the Proposed Project.

- Setback Requirements. The following setback analysis is based on the setback diagrams provided by DCA Architects for the Preferred Alternative. The setback diagrams for Parcel A and B are illustrated in Figure VII-20 and VII-21, respectively. Due to the unique lot configurations for Parcels A and B, various assumptions were made in calculating the average lot dimensions for each Parcel.

  For Parcel A, the average lot depth is 890 feet and the average lot width is 407 feet. The required setbacks for the front, rear, and cumulative side yards are: 173 feet (front), 134 feet (rear) and 102 cumulative feet (sides), respectively. The Preferred Alternative would provide 51-foot side yard setbacks on each side of the buildings proposed on Parcel A. Thus, the proposed side yard setbacks would be consistent with the code. Buildings 5 and 6 are located approximately 25 feet from the rear lot line, which is well within the 134-foot setback requirement. Accordingly, the rear yard setback would be consistent with the code. Buildings 1 and 2 observe an 89-foot setback, which encroaches into the required front yard setback area by approximately 50 percent. As such a minor modification for encroaching into the front yard would be required.

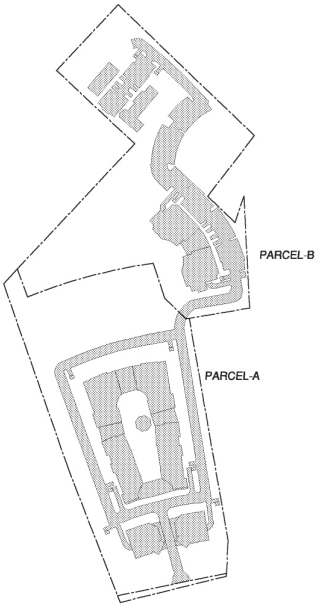
  For Parcel B, the average lot depth is 670 feet and the average lot width is 485 feet. The required setbacks for the front, rear, and cumulative side yards are: 134 feet (front), 100 feet (rear) and 122 cumulative feet (sides), respectively. The Preferred Alternative would provide various side yard setbacks ranging from 32 feet to 90 feet. As such the Preferred Alternative would be consistent with the side yard setback requirements. Building 9 is located approximately 100 feet from the rear lot line, which meets the 100-foot setback requirement. Accordingly, the rear yard setback would be consistent with the code. Buildings 1 and 2 observe a 67-foot setback, which encroaches into the required front yard setback area by approximately 50 percent. As such a minor modification for encroaching into the front yard would be required. With approval of the above referenced modifications, land use impacts related to yard setbacks would be less than significant and similar to the Proposed Project.

- Grading. Notwithstanding any other provision of the code, grading (total cut and fill) is limited to one thousand (1,000) cubic yards per acre with exceptions for remedial grading, subsurface excavation, and grading required for safety purposes. The Preferred Alternative would consist

of remedial and safety grading to raise the proposed structures above the flood plain and to excavate and re-compact the soil to mitigate against liquefaction potential. As part of the entitlement review process (i.e. Site Plan Review), the Planning ~~Commission~~ Manager will need to determine whether this exemption applies to the proposed underground parking structures. With the Planning ~~Commission~~ Manager's approval, grading impacts would be less than significant and similar to the Proposed Project.

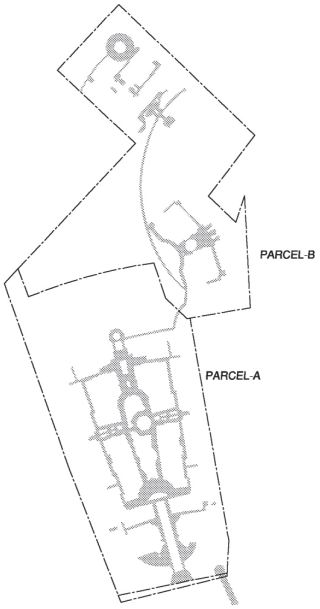
- Wastewater Disposal. Similar to the Proposed Project, an on-site wastewater treatment system (OWTS) is proposed to treat the Preferred Alternative's wastewater to a tertiary quality and would meet the requirements of the City of Malibu Uniform Plumbing Code. Treated effluent would be disposed of into a system of leach fields and subsurface drip disposal areas. ~~Three underground septic tanks are proposed underneath Parcels A and B.~~ Effluent will be processed and ready for standard dispersal through this system using the same methods described for the Proposed Project. Treated wastewater ("reclaimed water") would be utilized in some areas of the development to irrigate landscaping. In addition, the developed property would have on-site stormwater filtration and storage systems, designed to meet the standards of the Los Angeles Regional Water Quality Control Board (LARWQCB), which are intended to reduce runoff, improve water quality and improve groundwater recharge. The location of the wastewater treatment system will be shown on the final building plans that require ~~for~~ the City's approval. Based on the analysis provided under the Hydrology and Water Quality discussion, above, land use impacts related to wastewater disposal would be less than significant and similar to the Proposed Project.

- Site Development Criteria. The Preferred Alternative consists of 99,117 square feet of commercial office/retail space, with an overall FAR of 0.15, which is equal to the Zoning Ordinance limit for Community Commercial development (FAR of 0.15). As such land use impacts related to development density would be less than significant. Furthermore, approximately 165,201 sf of open space will be incorporated into the development with 89,861 sf proposed on Parcel A and approximately 75,340 sf on Parcel B. Approximately 283,047 sf of landscaping will be incorporated into the development with 143,778 sf proposed on Parcel A and approximately 139,269 sf on Parcel B. Land use impacts related to open space/landscaping would be less than significant and reduced as compared to the Proposed Project. The Preferred Alternative would be developed in accordance with all site-specific hydrologic, geologic and seismic conditions based on the required hydrology, soils and geotechnical reports and final recommendations from the City Geologist or City Engineer (see discussion related to Geology and Soils, and Hydrology/Water Quality, above).



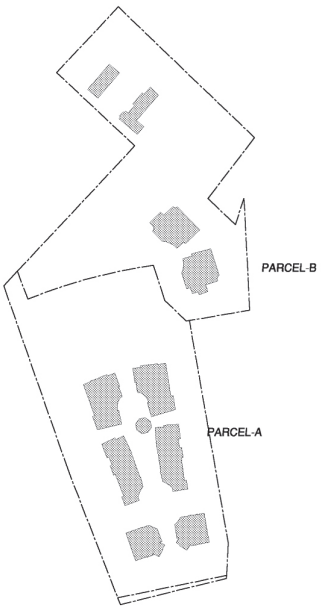
PARCEL "A"- MAX. IMPERMIABLE AREA: 125,806 SQ. FT. TOTAL IMPERMEABLE AREA: 120,538 SQ. FT.
35% OF LOT AREA
PARCEL "B"- MAX. IMPERMIABLE AREA: 105,475 SQ. FT. TOTAL IMPERMEABLE AREA: 87,884 SQ. FT.
35% OF LOT AREA

3 COMPOSITE SITE PLAN IMPERMEABLE AREA



PARCEL "A"- OPEN SPACE AREA REQUIRED: 89,861 SQ. FT. OPEN SPACE PROVIDED: 89,861 SQ. FT.
(25% x LOT)
PARCEL "B"- OPEN SPACE AREA REQUIRED: 75,340 SQ. FT. OPEN SPACE PROVIDED: 75,340 SQ. FT.
(25% x LOT)

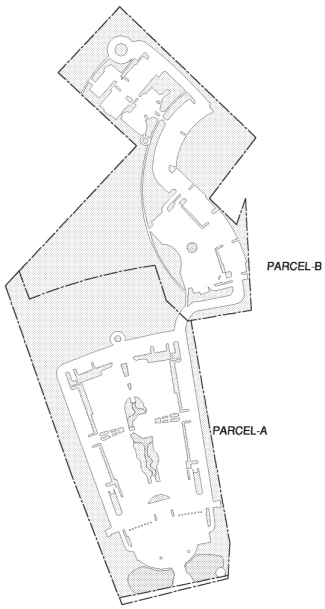
5 COMPOSITE SITE PLAN OPEN AREA



PARCEL "A"- MAX. GROSS FLOOR AREA: 53,917 SQ. FT. TOTAL GROSS FLOOR AREA: 53,917 SQ. FT.
F.A.R. = 15% LOT AREA
PARCEL "B"- MAX. GROSS FLOOR AREA: 45,203 SQ. FT. TOTAL GROSS FLOOR AREA: 45,200 SQ. FT.
F.A.R. = 15% LOT AREA (23,857 SQ. FT. @ GROUND FLOOR)

PARCEL "A&B"- MAX. GROSS FLOOR AREA: (660,805 SF TOTAL SITE AREA) = 99,120 SF
F.A.R. = 15% LOT AREA
TOTAL GROSS FLOOR AREA PROVIDED: = 99,117 SF

2 COMPOSITE SITE PLAN BUILDING AREA



PARCEL "A"- LANDSCAPE AREA REQUIRED: 143,778 SQ. FT. LANDSCAPE AREA PROVIDED: 143,778 SQ. FT.
(40% x LOT) (*LANDSCAPE AREA ACTUAL TOTAL: 182,880 SQ. FT.)
PARCEL "B"- LANDSCAPE AREA REQUIRED: 120,542 SQ. FT. LANDSCAPE AREA PROVIDED: 139,266 SQ. FT.
(40% x LOT) (*LANDSCAPE AREA ACTUAL TOTAL: 190,111 SQ. FT.)

1 COMPOSITE SITE PLAN LANDSCAPE AREA

Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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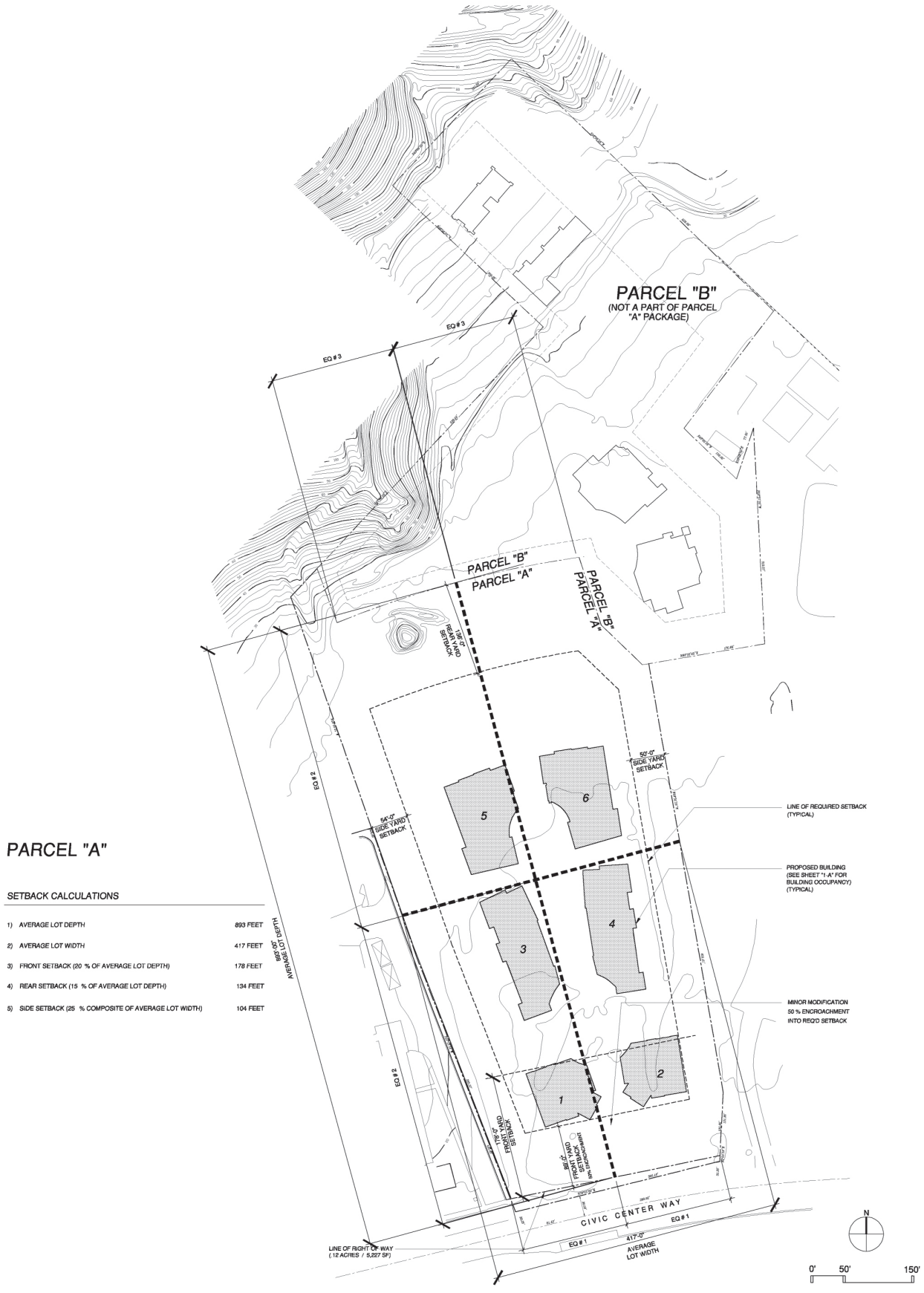
Figure VII-19
Preferred Alternative
Composite Site Plan Data



PARCEL "A"

SETBACK CALCULATIONS

1)	AVERAGE LOT DEPTH	893 FEET
2)	AVERAGE LOT WIDTH	417 FEET
3)	FRONT SETBACK (20 % OF AVERAGE LOT DEPTH)	178 FEET
4)	REAR SETBACK (15 % OF AVERAGE LOT DEPTH)	134 FEET
5)	SIDE SETBACK (25 % COMPOSITE OF AVERAGE LOT WIDTH)	104 FEET

Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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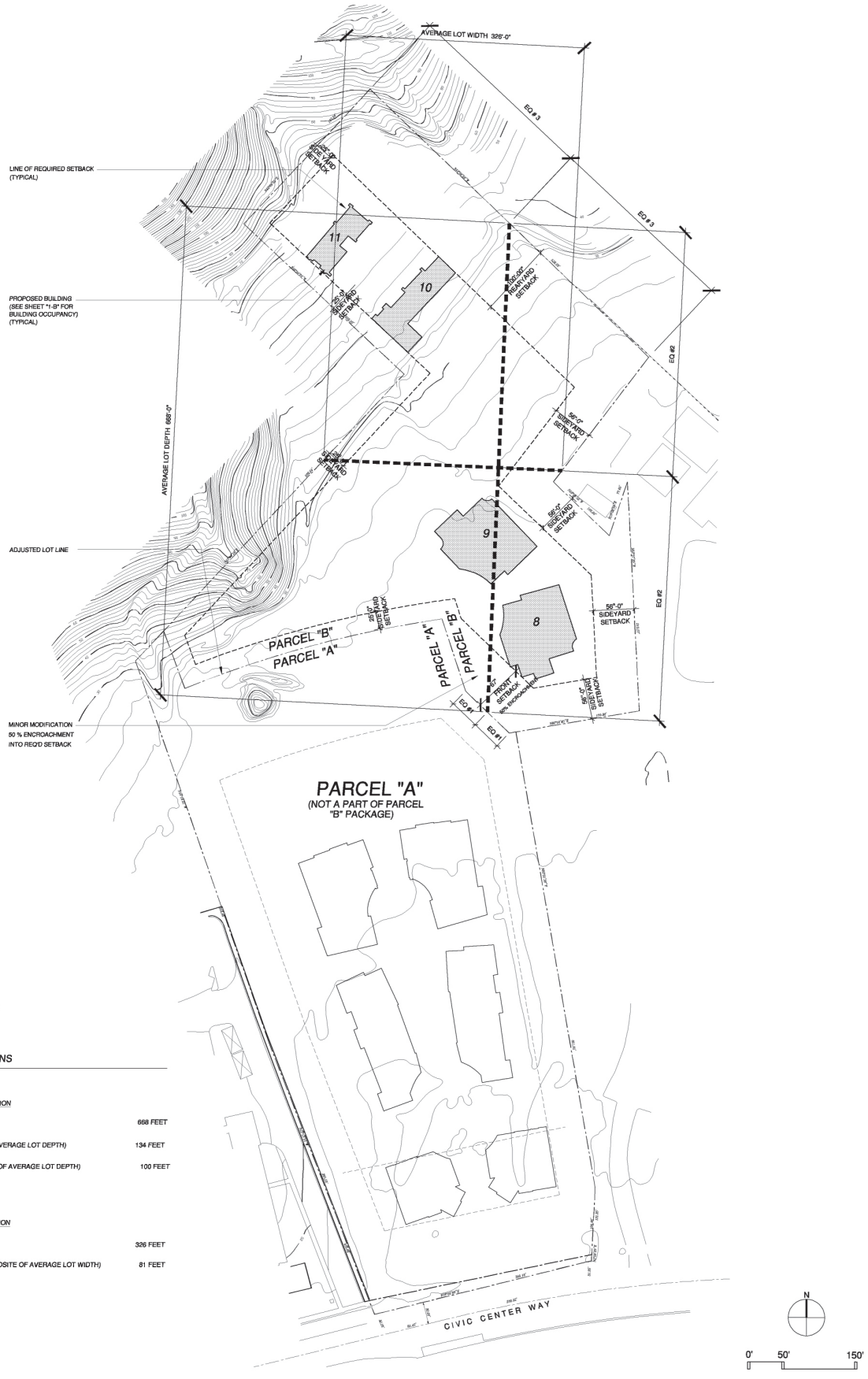
Figure VII-20
Preferred Alternative
Setback Diagram - Parcel A



PARCEL "B"

SETBACK CALCULATIONS

AVERAGE LOT DEPTH CALCULATION

1)	AVERAGE LOT DEPTH	668 FEET
2)	FRONT SETBACK (20 % OF AVERAGE LOT DEPTH)	134 FEET
3)	REAR YARD SETBACK (15 % OF AVERAGE LOT DEPTH)	100 FEET

AVERAGE LOT WIDTH CALCULATION

4)	AVERAGE LOT WIDTH	326 FEET
5)	SIDE SETBACK (25 % COMPOSITE OF AVERAGE LOT WIDTH)	81 FEET

Source: Daniel Chudnovsky, A.I.A. Architects, Inc., December 12, 2005.

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Figure VII-21
Preferred Alternative
Setback Diagram - Parcel B

- Parking. The Preferred Alternative consists of 99,117 square feet of commercial office/retail space. Based on the City's Zoning Code policy, approximately 451 parking spaces are required for the proposed development, with 270 required on Parcel A and 181 required on Parcel B. The Preferred ~~Alternative~~ Alternative would include a total of approximately 475 parking spaces, with 292 spaces proposed on Parcel A and 183 proposed on Parcel B. As such, the Preferred Alternative would exceed the minimum parking requirements and no impact would occur, similar to the Proposed Project.

Malibu Local Coastal Program

The Malibu Local Coastal Program includes numerous basic goals and policies to ensure that development in the City that falls within the Coastal Zone is consistent and compatible with the unique characteristics of coastal resources. The Preferred Alternative would be consistent with these basic policies and goals. Specifically, the Preferred Alternative would not interfere with the public's access to the sea, significantly interfere with the traffic circulation system (see discussion related to Transportation and Circulation, below), affect marine resources, or affect environmentally sensitive habitat area. In addition, the Preferred Alternative would not result in any significant impacts to the scenic and visual qualities of the coast (see discussion related to Aesthetics/Views, above). Impacts related to Malibu Local Coastal Program compliance would therefore be less than significant and similar to the Proposed Project. With procurement and approval of a Coastal Development Permit from the City of Malibu, pursuant to the provisions of the Malibu LCP, development of the Preferred Alternative would be considered consistent with the Coastal Act policies and requirements. Impacts related to California Coastal Act compliance would therefore be less than significant and similar to the Proposed Project.

Regional Comprehensive Plan Guide

Similar to the Proposed Project, the Preferred Alternative would be subject to Air Quality, Growth Management, and Regional Mobility policies identified in the Regional Comprehensive Plan Guide (RCPG). Impacts associated with each of these areas are discussed further under the Air Quality, Transportation and Circulation, and Population and Housing sections, respectively.

Air Quality Management Plan

Similar to the Proposed Project, the Preferred Alternative would be subject to the regulations outlined in the Air Quality Management Plan (AQMP). The Preferred Alternative's conformance with AQMP policies are discussed further under Air Quality, above.

Congestion Management Program

Similar to the Proposed Project, the Preferred Alternative would be subject to the standards identified in the Congestion Management Program (CMP). The Preferred Alternative's conformance with CMP standards are discussed further under Transportation and Circulation, below.

Land Use Compatibility

The Preferred Alternative involves the development of commercial office/retail space on property zoned and designated for Community Commercial uses, and located adjacent to existing vacant lots, single-family residences, and commercial uses. Similar to the Proposed Project, the Preferred Alternative would compli~~=~~ement the existing uses in the surrounding area with unique, attractive, and carefully designed architecture which is intended to reflect the architectural and natural qualities of the Malibu area. Sensitive receptors include single-family residential uses north of the Project Site, the Malibu Public Library, Colin McEwin High School, Papa Jack's Skate Park, and St. John's Malibu Urgent Care. However, the Preferred Alternative is designed to blend into the landscape of the Project Site. The Preferred Alternative would be compatible with the surrounding land uses as they would not result in any long-term significant unavoidable impacts for any of the environmental issue areas addressed in the~~=~~is Draft EIR. Therefore, land use compatibility impacts would be less than significant and similar to the Proposed Project.

Mitigation Measures

Land use Mitigation Measures for the Preferred Alternative (Parcels A and B) are the same as those referenced for the Proposed Project for Parcels A and B (see Mitigation Measures in Section V.G, Land Use and Planning).

Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.G, Land Use and Planning, impacts for both the Preferred Alternative and the Proposed Project would be less than significant. Furthermore, compared with the Proposed Project, the Preferred Alternative would result in reduced impacts related to density and yard setbacks.

Noise

Construction Impacts

Construction impacts associated with the Preferred Alternative are similar to the impacts associated with the Proposed Project since construction for this Alternative would occur within the same area and would have similar construction phases as the Proposed Project. Like with the Proposed Project, it is assumed that the construction phase of the Preferred Alternative would utilize noise-attenuating devices such as mufflers. As shown in Table VII-8, the new ambient noise level during the construction phase of the Preferred Alternative (with the use of mufflers) would be at least 17 dBA greater than the existing ambient noise level at Receptor 1 and at least 9 dBA greater than existing ambient noise levels at Receptors 2 and 3. At Receptor 4, an incremental increase of less than one decibel is anticipated during construction. The new ambient noise levels at Receptors 1, 2, and 3 would exceed the significance threshold of a 5 dBA or more increase over the existing ambient noise level, even with the use of mufflers. Thus, a significant impact would occur at Receptors 1, 2, and 3 under the Preferred Alternative.

The incremental noise increases shown in Table VII-8 are identical to those shown in Table V.H-6 for the Proposed Project. Therefore, impacts under the Proposed Project and the Preferred Alternative would be equivalent and significant, and mitigation measures would be required.

Table VII-8
Preferred Alternative Construction Noise Impact with Muffler Utilization

Noise Receptor	Distance (Feet)[a]	Maximum Construction Sound Level[b] (dBA)	Existing Ambient[c] (dBA, Leq)	New Ambient[d] (dBA, Leq)	Increase	Significance Threshold	Impact
1	100	80	55	72	17	≥ 5 dBA	**Yes**
2	80	82	66	75	9	≥ 5 dBA	**Yes**
3	120	78	62	71	9	≥ 5 dBA	**Yes**
4	1,120	59	65	65	0	≥ 5 dBA	**No**

[a] *Distance of noise source from receptor.*
[b] *Construction noise source's sound level at receptor location, with distance adjustment.*
[c] *Pre-construction activity ambient sound level at receptor location.*
[d] *New sound level at receptor location during the construction period, including noise from construction activity.*
Source: Terry A. Hayes Associates LLC, January 2005 (see Appendix C).

Operational Impacts

Similar to the Proposed Project, the predominant noise source for the Preferred Alternative is vehicular traffic. According to the Project Traffic Study, the Preferred Alternative is anticipated to generate an additional 2,437 daily vehicle trips during the weekday and 2,170 daily vehicle trips during the weekend.[9] As compared to the Proposed Project, this represents 426 fewer daily trips during the weekdays and 71 fewer trips during the weekend peak hour. A reduction in traffic-related noise impacts would therefore occur commensurate with the reduction in vehicle trips.

Utilizing Federal Highway Administration (FHWA) RD77108 noise calculation formulas, predicted traffic volumes can be used to estimate project-related traffic noise impacts for the Preferred Alternative. Based on daily peak hour traffic volumes provided in the project traffic report, a CNEL was calculated for sensitive receptors located near the Project Site. The results are shown below in Table VII-9.

As indicated in Table VII-8, the Preferred Alternative would cause vehicular noise to range from 60 to 74 dBA (CNEL) during the weekday. According to the significance threshold (see Section V.H, Noise), a significant impact would occur if the Preferred Alternative causes ambient noise levels at the affected use

[9] *Traffic and Circulation Study for the Malibu La Paz Project, KAKU Associates, Inc., ~~December~~ April 2005~~2004~~.*

to increase by 3 dBA to or within the "Normally Unacceptable" or "Clearly Unacceptable" category of the Land Use Compatibility for Community Noise Environments table (see Table V.H-3 in Section V.H, Noise). If ambient noise levels remain within the "Conditionally Acceptable" category under "Preferred Alternative" conditions, than an incremental increase of 5 dBA or more would be considered a significant impact.

Table VII-9
Preferred Alternative 2004 and 2007 Estimated Community Noise Equivalent Level

Noise Sensitive Receptors	Estimated dBA, CNEL					
	Weekday			Weekend		
	Existing (2004)	No Project (2007)	Preferred Alternative (2007)	Existing (2004)	No Project (2007)	Preferred Alternative (2007)
1. Single-Family Residences on Cross Creek Road	60	60	60	59	59	59
2. Malibu Public Library	67	69	69	66	68	69
3. Colin McEwen High School	67	69	69	66	68	69
4. St. John's Malibu Urgent Care	74	74	74	74	74	74

Assumptions:
Vehicular traffic is the predominate noise source. The 24-hour distribution is 75, 13, and 12 percent for 7:00 a.m. to 7:00 p.m., 7:00 p.m. to 10:00 p.m. to 7:00 a.m., respectively. The vehicle distribution is approximately 87 percent, 7 percent, and 6 percent for auto, medium truck, and heavy truck, respectively.
Source: Terry A. Hayes Associates LLC, January 2005.

Under "Existing," "No Project," and "Preferred Alternative" conditions, weekday noise levels are within the "Conditionally Acceptable" category at Receptors 1 through 3. At Receptor 4, noise levels would be within the "Normally Unacceptable" category under "Existing," "No Project," and "Preferred Alternative" conditions. The Preferred Alternative would incrementally increase ambient noise levels by less than 1 dBA within the "Conditionally Acceptable" category at Receptors 1 through 3. At Receptor 4, the Preferred Alternative would incrementally increase ambient noise levels by less than 1 dBA within the "Normally Unacceptable" category. The incremental increase of less than 1 dBA would not exceed the significance threshold. Thus, less-than-significant impacts are anticipated during the weekday.

In comparison to the Proposed Project's weekday noise impacts, the Preferred Alternative would have reduced noise impacts at Receptors 2 and 3 (see Table V.H-7 in Section V.H, Noise for Proposed Project weekday noise levels). Therefore, weekday noise level impacts would be less than significant for both the Proposed Project and the Preferred Alternative, but would be reduced under this Alternative.

During the weekend, the Preferred Alternative would cause vehicular noise to range from 59 to 74 dBA (CNEL). Under "Existing," "No Project," and "Preferred Alternative" conditions, noise levels are within the "Conditionally Acceptable" category at Receptors 1 through 3. At Receptor 4, noise levels are within the "Normally Unacceptable" category under "Existing," "No Project," and "Preferred Alternative" conditions. When compared to "No Project" conditions, the Preferred Alternative would incrementally

increase noise levels by less than 1 dBA at Receptors 1 and 4 and by 1 dBA at Receptors 2 and 3. The incremental increase of less than 1 dBA at Receptor 4 would not exceed the significance threshold of a 3 dBA or more increase to or within the "Normally Unacceptable" category. At Receptors 1 through 3, the incremental increase of less than 1 dBA would not exceed the significance threshold of a 5 dBA or more increase within the "Conditionally Acceptable" category. Thus, less-than-significant impacts are anticipated during the weekend.

In comparison to the Proposed Project's weekend noise impacts, the Preferred Alternative would have identical noise impacts at all Receptors (see Table V.H-7 in Section V.H, Noise for Proposed Project weekend noise levels). Therefore, weekend noise level impacts would be less than significant and equivalent for both the Proposed Project and the Preferred Alternative.

Mitigation Measures

Noise mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.H, Noise).

Level of Significance after Mitigation

With the use of mufflers and the application of the Mitigation Measures in Section V.H, Noise, a decrease of approximately 3 dBA in the new ambient sound level is anticipated at Receptor 1, and a decrease of approximately 2 dBA in the new ambient sound level is anticipated at Receptors 2 and 3 under Preferred Alternative conditions. However, a significant impact would remain at Receptors 1, 2 and 3 under the Preferred Alternative. Similarly, a significant impact would remain at Receptors 1, 2, and 3 under the Proposed Project. Therefore, impacts under both scenarios would be equivalent and significant.

Public Utilities

Electricity

As shown in Table VII-10, the Preferred Alternative would consume approximately 3,606 kilowatt hours of electricity per day. Compared to the Proposed Project, the Preferred Alternative would reduce electricity consumption by approximately 1,116 kilowatt hours per day, or approximately 25 percent. Electricity impacts would be less than significant for both the Proposed Project and the Preferred Alternative, but would be reduced under the Preferred Alternative.

Table VII-10
Preferred Alternative Estimated Electricity Consumption

Development	Building Size (square feet)	Consumption Rate [a] (kilowatt hours/sf/year)	Total Consumption (kilowatt hours/day)
Parcel A			
Retail	53,917	13.55	2,002
Parcel B			
Retail/Office	45,200	12.95	1,604
		Total Electricity Consumption	**3,606**

[a] *SCAQMD, CEQA Air Quality Handbook, 1993.*

Natural Gas

As shown in Table VII-11, below, the Preferred Alternative would consume approximately 8,225 cubic feet of natural gas per day. Compared to the Proposed Project, the Preferred Alternative would reduce natural gas consumption by approximately 2,817 cubic feet per day, or approximately 26 percent. Natural gas impacts would be less than significant for both the Proposed Project and the Preferred Alternative, but would be reduced under the Preferred Alternative.

Table VII-11
Preferred Alternative Estimated Natural Gas Consumption

Development	Building Size (square feet)	Consumption Rate [a] (cubic feet/sf/month)	Total Consumption (cubic feet/day)
Parcel A			
Retail	53,917	2.9	5,212
Parcel B			
Retail/Office	45,200	2	3,013
		Total Natural Gas Consumption	**8,225**

[a] *SCAQMD, CEQA Air Quality Handbook, 1993.*

Water

As shown in Table VII-12, the Preferred Alternative would consume approximately 31,876 gallons of water per day. Compared to the Proposed Project, the Preferred Alternative would reduce water consumption by approximately 11,115 gpd, or approximately 27 percent. Similar to the Proposed Project, while adequate water supply in the project area exists, existing ~~storage and d~~distribution infrastructure would not adequately serve the Preferred Alternative. ~~Therefore, both the Proposed Project and the Preferred Alternative would result in a significant impact to water service infrastructure, though impacts to water demand would be reduced under the Preferred Alternative. The impact, however, could be mitigated to a less-than-significant level provided that mitigation measures, as discussed in Section V.I-3, Public Utilities, Water, are implemented.~~Water Service to the Preferred Alternative Project would be

provided using similar infrastructure as proposed for the Proposed Project. In addition, impacts could be mitigated to a less than significant level provided that mitigation measures, as discussed in Section V.I-3, Public Utilities – Water, are implemented. As a result, the Preferred Alternative Project would be able to meet its water demands without significant impacts to the local water infrastructure system. Impacts to water infrastructure would be similar to the Proposed Project and less than significant.

Table VII-12
Preferred Alternative Estimated Water Consumption

Development	Building Size (square feet)	Consumption Rate [a] (gallons/1,000 sf/day)	Total Consumption (gallons/day)
Parcel A			
Retail	53,917	390	21,028
Parcel B			
Office	45,200	240	10,848
		Total Water Consumption	**31,876**

[a] *County Sanitation Districts of Los Angeles County, 2002.*

Wastewater

As shown in Table VII-13, below, the Preferred Alternative would generate approximately 26,563 gallons of wastewater per day. Compared to the Proposed Project, the Preferred Alternative would reduce wastewater generation by approximately 9,263 gpd, or approximately 26 percent. Both the Proposed Project and the Preferred Alternative require the construction and management of an on-site wastewater treatment system (OWTS). The OWTS includes a network of underground wastewater treatment tanks and treatment of wastewater to tertiary levels, with disposal of effluent using a system of leach fields and subsurface drip disposal areas.~~is designed with septic tanks located at each parcel, and other treatment units located throughout the site, serving both parcels.~~ Given the provision of an OWTS adhering to all applicable guidelines, wastewater impacts would be less than significant for both the Proposed Project and the Preferred Alternative, but would be reduced under the Preferred Alternative.

Table VII-13
Preferred Alternative Estimated Wastewater Generation

Development	Building Size (square feet)	Generation Rate [a] (gallons/1,000 sf/day)	Total Generation (gallons/day)
Parcel A			
Retail	53,917	325	17,523
Parcel B			
Office	45,200	200	9,040
		Total Wastewater Generation	**26,563**

[a] *County Sanitation Districts of Los Angeles County, 2002.*

Solid Waste

As shown in Table VII-14, below, the Preferred Alternative would generate approximately 595 pounds of solid waste per day. Compared to the Proposed Project, the Preferred Alternative would reduce solid waste generation by approximately 191 pounds per day, or approximately 25 percent. Solid waste impacts would be less than significant for both the Proposed Project and the Preferred Alternative, but would be reduced under the Preferred Alternative.

Table VII-14
Preferred Alternative Estimated Solid Waste Generation

Development	Building Size (square feet)	Generation Rate [a] (lbs/10,000 sf/week)	Total Generation (lbs/day)
Parcel A			
Retail	53,917	420	324
Parcel B			
Office	45,200	420	271
Total Solid Waste Generation			**595**

[a] *City of Santa Monica Master Plan Environmental Assessment, September 2000.*

Mitigation Measures

Public Utilities mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.I, Public Utilities).

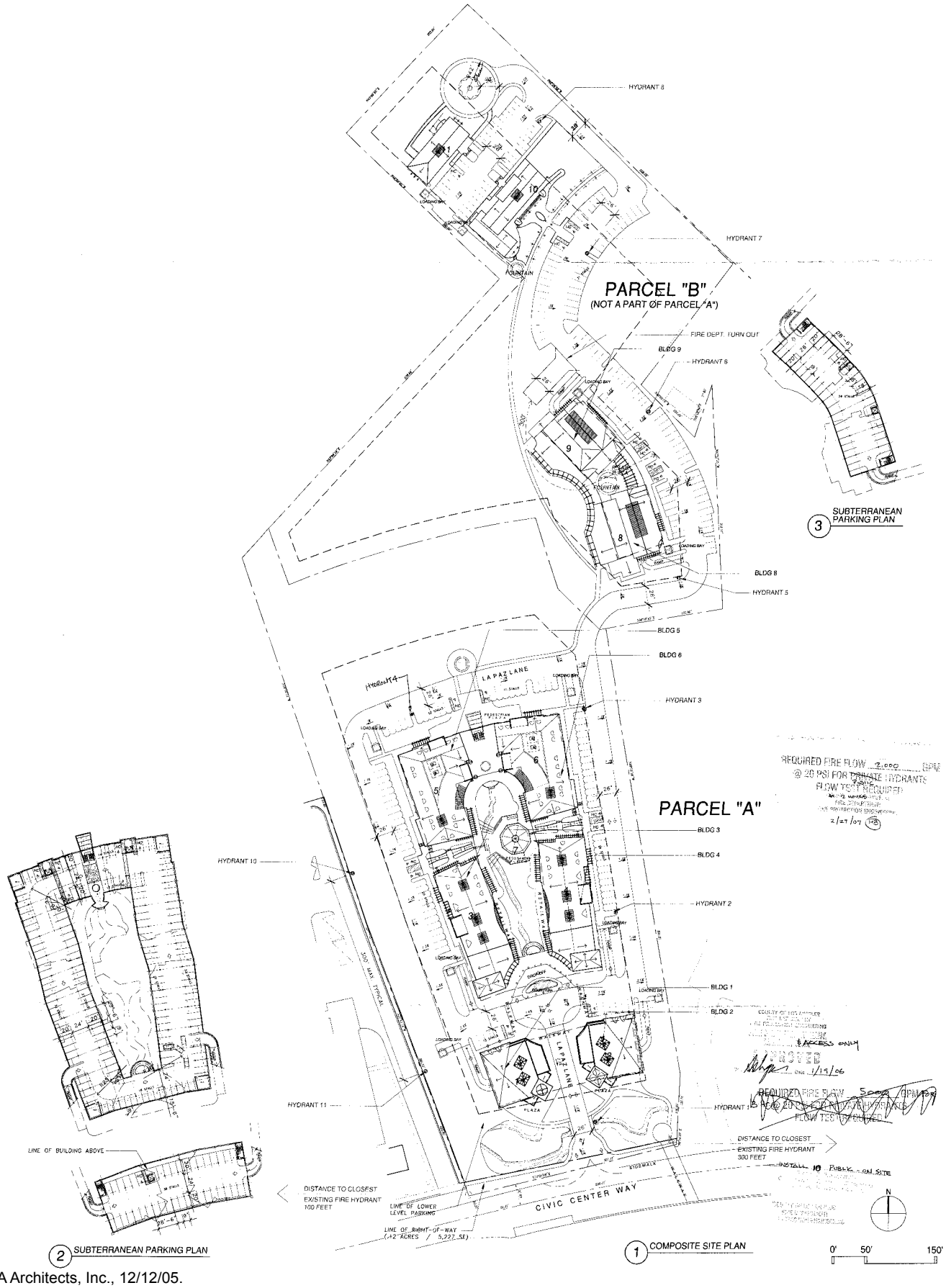
Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.I, Public Utilities, impacts for both the Preferred Alternative and the Proposed Project would be less than significant. Furthermore, compared with the Proposed Project, the Preferred Alternative would result in reduced impacts to all Utilities.

Public Services

Fire Protection

The County of Los Angeles Fire Department (LACFD) provides fire protection and emergency medical services for the City of Malibu. Currently, the Project Site is vacant, and with the construction of the Preferred Alternative, the level of human occupancy and activity on-site would increase. This level of activity could result in a statistical increase in the percentage of emergency calls to the Project Site. Although the Project Site is located in proximity to existing fire stations, the Preferred Alternative would increase the demand on the existing fire protection resources in the general area. The Preferred Alternative does not include Parcel C as a project component. (Under the Proposed Project, Parcel C abuts a hill on the north end of the Project Site, which would require adequate maintenance under the fuel modification plan.) The absence of Parcel C under the Preferred Alternative may result in slightly



Source: DCA Architects, Inc., 12/12/05.

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Figure VII-22
Fire Accessibility Site Plan
Preferred Alternative

reduced impacts to fire services, as the necessary fuel modification plan would require less grading and maintenance than under the Proposed Project. Fire flow requirements for the Preferred Alternative would be less than the requirements for the Proposed Project. Specifically, and as illustrated in Figure VII.- 22 Fire Accessibility Site Plan Preferred Alternative, a total of ten new fire hydrants would be connected throughout the Proposed Project. Approval for the "Hydrant Location and Access Only" portion of the Plan was obtained from the County of Los Angeles Fire Department, Fire Protection and Engineering Unit, on 19 January 2006. The fire-flow was approved by the County of Los Angeles Fire Department, Fire Protection and Engineering Unit, on 27 February 2007. Adequate water pressure and water supply for the Preferred Alternative Project was confirmed on 15 October 2007 by the Los Angeles County Fire Department and Los Angeles County Department of Public Works, Waterworks District 29[10]. Similar to the Proposed Project, impacts upon fire services would be mitigated to a less-than-significant level under the Preferred Alternative with the implementation of mitigation measures identified in Section V.J-1, Public Services, Fire Protection.

Police Protection

Police protection, enforcement, and emergency services in the City of Malibu are provided by the Los Angeles County Sheriff's Department (LASD) through a contract with the City. LASD service to the Project Site would be dependent on the types and frequency of services needed. Currently, as seen in Table V.J-2 in Section V.J-2, Public Services, Police Protection, LASD response times are well under the projected goals of the LASD. LASD has stated in a letter that existing staff levels are adequate to meet the needs of the Proposed Project. As the Preferred Alternative is slightly less dense than the Proposed Project, impacts upon police protection services would be less than significant and slightly reduced as compared to the Proposed Project.

Mitigation Measures

Public Services mitigation measures for the Preferred Alternative are the same as those referenced for the Proposed Project (see Mitigation Measures in Section V.J, Public Services).

Level of Significance after Mitigation

After implementation of the Mitigation Measures listed in Section V.J, Public Services, impacts for both the Preferred Alternative and the Proposed Project would be less than significant. Furthermore, compared with the Proposed Project, the Preferred Alternative would result in reduced impacts to all Services.

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[10] *Electronic mail communication on 11-30-07 from Stefanie Edmondson, Senior Planner, City of Malibu Planning Department.*

Transportation and Circulation

Trip Generation Estimates

Due to the reduced size of the Preferred Alternative in comparison to the Proposed Project, trip generation estimates for the Preferred Alternative have been adjusted accordingly. The Preferred Alternative is expected to generate 2,450 net new daily weekday trips. As shown in Table VII-15, 90 trips are projected for the morning peak hour and 190 trips in the afternoon peak hour. Saturday trip generation estimates include 2,170 net new daily trips, including 185 midday peak hour trips. The weekday and Saturday midday trips are depicted in Figures VII-22 and VII-23, respectively. These trip estimates were then added to the Cumulative Base conditions, as discussed in Section V.L, Transportation and Circulation, creating the Cumulative Plus Preferred Alternative scenario. Figures VII-24 and VII-25 display the resulting weekday and Saturday Cumulative Plus Preferred Alternative volumes, respectively.

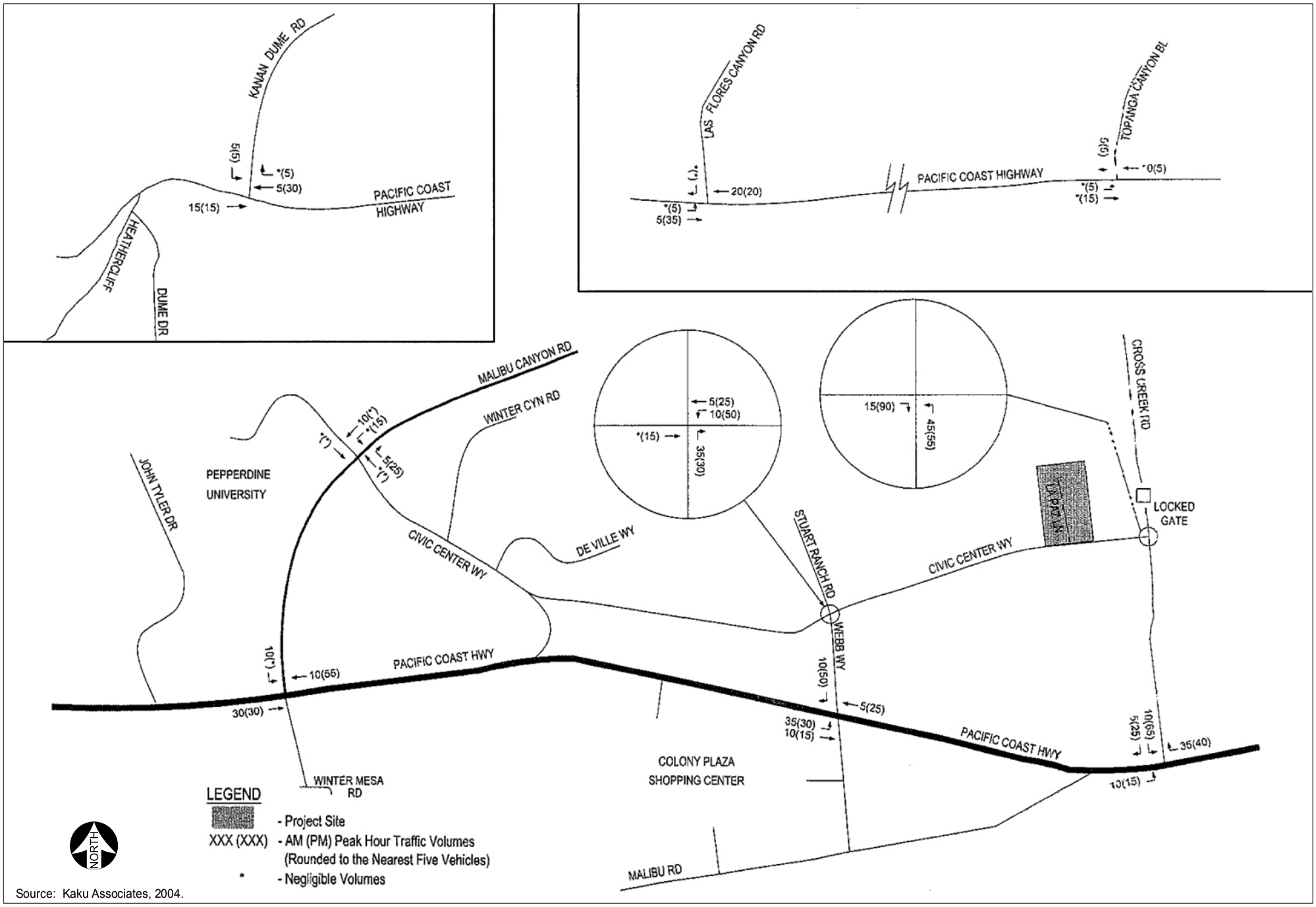
Table VII-15
Preferred Alternative Trip Generation Estimates

Land Use	Size (sf)	Estimated Trip Generation								
		AM Peak Hour Trips			PM Peak Hour Trips			Saturday Mid-day Trips		
		In	Out	Total	In	Out	Total	In	Out	Total
Office	20,890	47	7	54	10	49	59	6	5	11
Retail	77,110	34	22	56	86	114	200	140	128	268
35% Retail Pass By		(12)	(8)	(19)	(30)	(40)	(70)	(49)	(45)	(94)
Total		**69**	**21**	**90**	**66**	**123**	**188**	**97**	**88**	**185**
Source: Trip Generation, 6th Edition; ITE, 1997. Kaku Associates, May 2005 (See Appendix G).										

Impact Analysis

The resulting traffic volumes were assigned to the surrounding street system and analyzed in an identical manner to the Proposed Project. Tables VII-16 and VII-17 summarize the analysis of the weekday and Saturday Cumulative Plus Preferred Alternative scenarios, respectively. Eight of the nine analyzed intersections are expected to operate at LOS D or worse under weekday conditions; five of the intersections are expected to operate at LOS D or worse under Saturday conditions. The same number of intersections operating under unacceptable conditions would occur with the Preferred Alternative as with the Proposed Project.

The Cumulative Plus Preferred Alternative forecast for the analyzed Malibu Canyon Road segment is 2,222 vehicles in the weekday morning peak hour and 2,528 vehicles in the weekday afternoon peak hour, which would result in a 0.7 percent increase in traffic volume (15 vehicles) during the weekday morning peak hour and a 1.4 percent increase in traffic volumes (36 vehicles) during the weekday afternoon peak hour.



Source: Kaku Associates, 2004.

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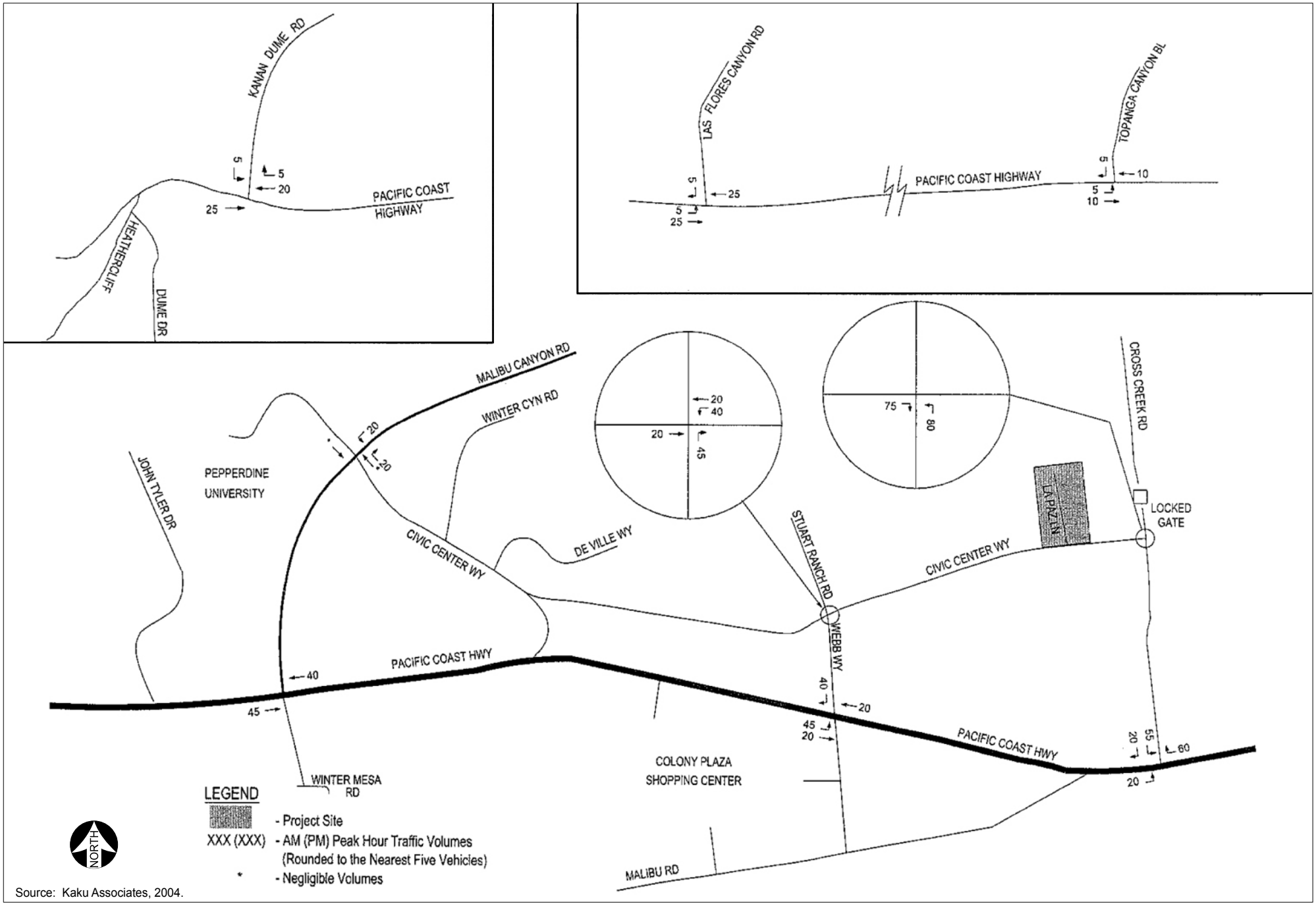
Figure VII-23
Alternative Project Only Weekday Peak Hour Traffic Volumes



Source: Kaku Associates, 2004.

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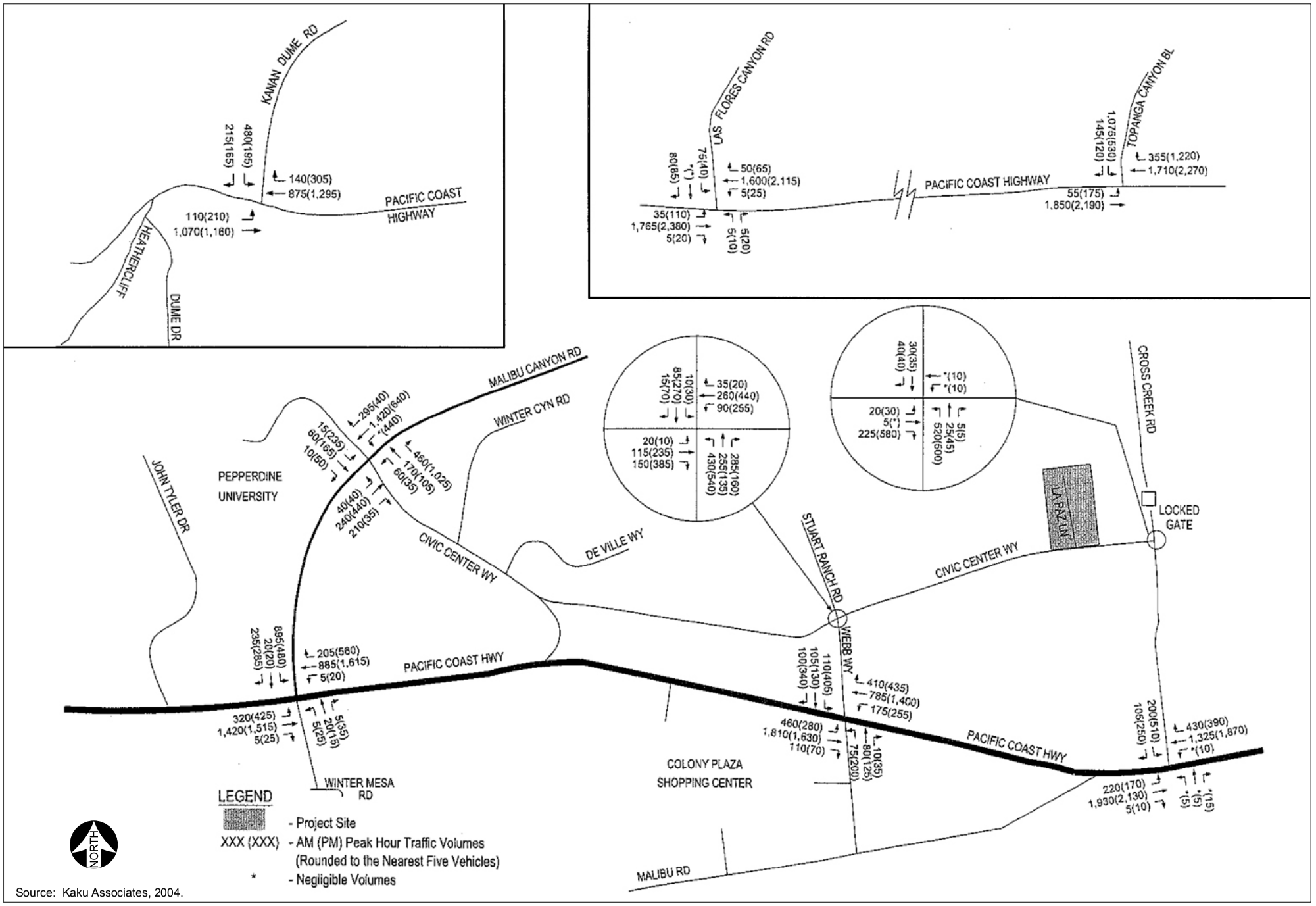
Figure VII-24
Alternative Project Only Saturday Midday Traffic Volumes



Source: Kaku Associates, 2004.

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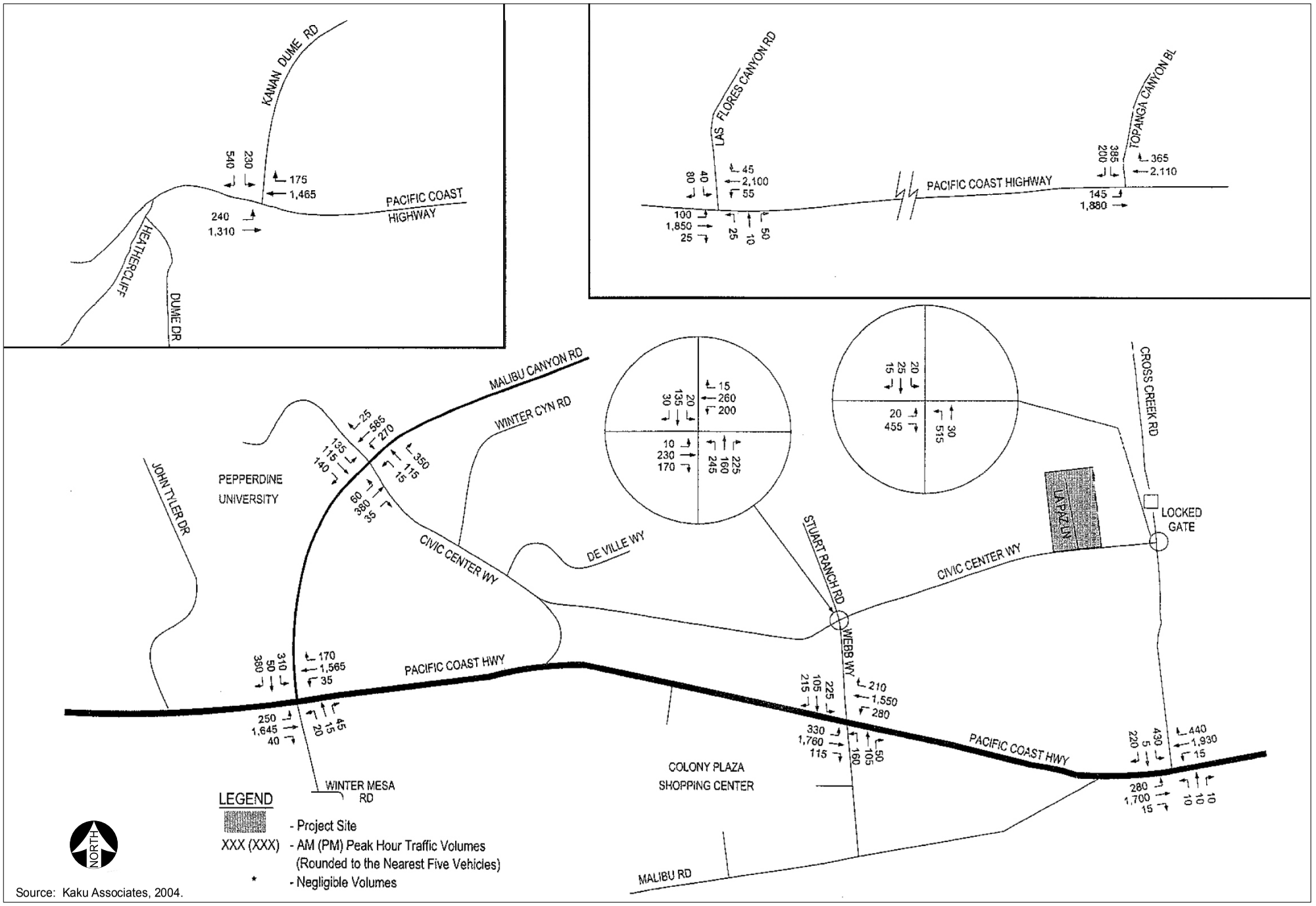
Figure VII-25
Cumulative Plus Alternative Project
Weekday Peak Hour Traffic Volumes



Source: Kaku Associates, 2004.

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Figure VII-26
Cumulative Plus Alternative Project
Saturday Midday Traffic Volumes

With the Preferred Alternative, four significant intersection impacts and one significant roadway segment impact are expected. The significantly impacted intersection locations under this Preferred Alternative are as follows:

- Webb Way & PCH (weekday p.m. peak hour and Saturday midday)
- Cross Creek Road & PCH (both a.m. and p.m. weekday peak hours and Saturday midday)
- Webb Way & Civic Center Way (weekday p.m. peak hour)
- Cross Creek Road & Civic Center Way (weekday p.m. peak hour)
- Segment of Malibu Canyon Road between the Hughes Research Lab and Piuma Road (weekday p.m. peak hour)

This represents a reduction of one significant impacted intersection (Malibu Canyon Road and PCH) when compared with the Proposed Project. Therefore, the same Mitigation Measures recommended for the Proposed Project would be recommended for the Preferred Alternative, although the Preferred Alternative's impacts would be slightly reduced.

Congestion Management Program (CMP) Arterial Intersection Analysis

Similar to the Proposed Project, the results of the CMP impact analysis summarized in Table VII-17 indicate that the Preferred Alternative would not have a significant impact at any of the CMP arterial intersections analyzed.

Table VII-16
Preferred Alternative CMP Arterial Intersection Analysis

Intersection	Peak Hour	Cumulative Base		Cumulative Plus Preferred Alternative			
		V/C or Delay	LOS	V/C or Delay	LOS	Preferred Alternative Increase in V/C or Delay	Significant Impact
1. Kanan Dume Road & Pacific Coast Highway	AM	0.557	A	0.561	A	0.004	NO
	PM	0.632	B	0.646	B	0.014	NO
2. Malibu Canyon Road & Pacific Coast Highway	AM	0.841	D	0.861	D	0.023	NO
	PM	0.929	E	0.953	E	0.024	NO
5. Las Flores Canyon Road & Pacific Coast Highway	AM	0.685	B	0.689	B	0.004	NO
	PM	0.873	D	0.890	D	0.017	NO
6. Topanga Canyon Boulevard & Pacific Coast Highway	AM	1.029	F	1.030	F	0.001	NO
	PM	0.942	E	0.948	E	0.006	NO
Source: Kaku Associates, May 2005 (See Appendix G).							

Table VII-17
Future Preferred Alternative Conditions, Weekday Intersection Peak Hour Levels of Service

Intersection	Peak Hour	Cumulative Base		Cumulative Plus Preferred Alternative				Cum. Plus Preferred Alt. w/ Mitigation			
		V/C or Delay	LOS	V/C or Delay	LOS	Increase in V/C	Significant Impact	V/C or Delay	LOS	Increase in V/C	Significant Impact
1. Kanan Dume Road & PCH	AM	0.557	A	0.560	A	0.003	NO				
	PM	0.632	B	0.642	B	0.010	NO				
2. Malibu Canyon Road & PCH	AM	0.841	D	0.855	D	0.014	NO				
	PM	0.929	E	0.946	E	0.017	NO				
3. Webb Way & PCH	AM	0.680	B	0.703	C	0.023	NO	0.654	B	-0.025	NO
	PM	0.951	E	0.977	E	0.026	YES	0.911	E	-0.040	NO
4. Cross Creek Road & PCH	AM	0.774	C	0.796	C	0.022	NO	0.715	C	-0.059	NO
	PM	1.002	F	1.049	F	0.047	YES	0.927	E	-0.075	NO
5. Las Flores Canyon Road & PCH	AM	0.685	B	0.687	B	0.002	NO				
	PM	0.873	D	0.885	D	0.012	NO				
6. Topanga Canyon Blvd & PCH	AM	1.029	F	1.029	F	0.000	NO				
	PM	0.942	E	0.946	E	0.004	NO				
7. Malibu Canyon Rd & Civic Center Way	AM	0.748	C	0.752	C	0.004	NO				
	PM	0.874	D	0.884	D	0.010	NO				
8. Webb Way & Civic Center Way [a]	AM	85.1	F	84.8	F						
	PM	159.0	F	158.0	F						
Webb Way & Civic Center Way [c]	AM	0.730	C	0.733	C	0.003	NO	0.559	A	-0.171	NO
	PM	0.947	E	0.982	E	0.035	YES	0.886	D	-0.061	NO
9. Cross Creek Rd & Civic Center Way [b]	AM			16.2	C						
	PM			34.5	D						
Cross Creek Rd & Civic Center Way [c]	AM	0.589	A	0.626	B	0.037	NO	[d]			
	PM	0.755	C	0.844	D	0.089	YES	[d]			

[a] *Intersection is controlled by stop signs on all approaches. Value shown represents average vehicle delay (seconds) for the intersection.*
[b] *Intersection is controlled by stop signs on all minor approaches Value shown represents average vehicle delay (seconds) for the most constrained approach.*
[c] *Intersection was analyzed as a Signalized intersection to determine project impacts.*
[d] *No feasible mitigation measures are possible.*
Source: Kaku Associates, April 2005.

Table VII-18

Future Preferred Alternative Conditions, Saturday Intersection Peak Hour Levels of Service

Intersection	Peak Hour	Cumulative Base		Cumulative Plus Preferred Alternative				Cumulative Plus Preferred Alternative with Mitigation			
		V/C or Delay	LOS	V/C or Delay	LOS	Increase in V/C	Significant Impact	V/C or Delay	LOS	Increase in V/C	Significant Impact
1. Kanan Dume Road & PCH	MID	0.817	D	0.824	D	0.007	NO				
2. Malibu Canyon Road & PCH	MID	0.815	D	0.827	D	0.012	NO				
3. Webb Way & PCH	MID	0.914	E	0.948	E	0.034	YES	0.871	D	-0.043	NO
4. Cross Creek Road & PCH	MID	1.069	F	1.123	F	0.054	YES	0.986	E	-0.083	NO
5. Las Flores Canyon Road & PCH	MID	0.829	D	0.84	D	0.011	NO				
6. Topanga Canyon Blvd & PCH	MID	0.765	C	0.769	C	0.004	NO				
7. Malibu Canyon Rd & Civic Center Way	MID	0.663	B	0.672	B	0.009	NO				
8. Webb Way & Civic Center Way [a]	MID	22.5	C	24.3	C		NO	0.553	A	-0.051	NO
Webb Way & Civic Center Way [c]	MID	0.604	B	0.642	B	0.038	NO				
9. Cross Creek Rd & Civic Center Way [b]	MID			21.8	C		NO				
Cross Creek Rd & Civic Center Way [c]	MID	0.660	B	0.757	C	0.097	NO				

a Intersection is controlled by stop signs on all approaches. Value shown represents average vehicle delay (seconds) for the intersection.

b Intersection is controlled by stop signs on all minor approaches Value shown represents average vehicle delay (seconds) for the most constrained approach.

c Intersection was analyzed as a Signalized intersection to determine project impacts.

Source: Kaku Associates, April 2005.

Parking

The Preferred Alternative incorporates a total of 475 on-site parking spaces. These include 292 parking spaces proposed for Area A and 183 parking spaces proposed for Area B. A parking analysis is provided in the above Land Use and Planning discussion. As concluded in that section, no impact related to parking would occur under the Proposed Project or the Preferred Alternative.

Mitigation Measures

The same Mitigation Measures proposed for the Proposed Project in Section V.K, Transportation and Circulation, are proposed for the Preferred Alternative. As indicated in Tables VII-16 and VII-17, the mitigation measures would fully mitigate three of the four projected significant intersection impacts with the Project Alternative, but no feasible mitigation has been identified for the roadway segment. No feasible mitigation measures are available to mitigate the impact at the intersection of Cross Creek Road and Civic Center Way.

Level of Significance after Mitigation

As indicated in Tables VII-5 and VII-6, the Mitigation Measures yield similar but slightly reduced impacts under the Cumulative Plus Preferred Alternative conditions as under the Proposed Project. Under the Preferred Alternative, the mitigation measures would fully mitigate three of the four projected significant intersection impacts with the Project Alternative. No feasible mitigation measures are available to mitigate the impact at the intersection of Cross Creek Road and Civic Center Way. Traffic impacts under this scenario would still result in significant and unavoidable impacts at the intersection of Cross Creek Road and Civic Center Way and at the roadway segment on Malibu Canyon Road between the Hughes Research Lab and Piuma Road. However, impacts would be reduced as compared to the Proposed Project.

Environmental Hazards

The proposed development under the Preferred Alternative includes commercial office and retail uses.

Similar to the Proposed Project, the construction of the Preferred Alternative would require the demolition of existing structures on the Project Site that may contain Asbestos-containing material (ACBs), lead, or polychlorinated biphenyls (PCBs). However, these potentially significant impacts could be reduced through the implementation of Mitigation Measures, recommended below.

During operation of the Preferred Alternative, proposed uses would not involve the use of hazardous materials that could potentially pose a threat to individuals on site or on immediately adjacent properties. Potentially hazardous materials that are anticipated to be used and/or stored on the Project Site may include common household cleaners, solvents, paints, or lacquers typical of commercial and office operations. The associated risk of storing and/or using such materials on the Project Site would be adequately reduced to acceptable levels of safety via compliance with federal, State, and local regulations. In addition, the proposed land uses are not expected to use or store explosives in association with the

construction or operations of the facilities, nor are any underground storage tanks proposed for the Preferred Alternative[11]. Therefore, similar to the Proposed Project, operation impacts would be less than significant under the Preferred Alternative.

Mitigation Measures

The same Mitigation Measures proposed for the Proposed Project in Section V.L, Environmental Hazards, are proposed for the Preferred Alternative to reduce any potentially significant impacts associated with construction of the proposed development.

Level of Significance after Mitigation

Similar to the Proposed Project, impacts would be reduced to less than significant after mitigation, under the Preferred Alternative.

[11] *The Preferred Alternative Project would use an OWTS, which includes a network of underground wastewater treatment tanks proposed to effectively remove solids and floatable oil and grease containing materials from the waste stream prior to discharging effluent on site. This OWTS is governed under the City of Malibu conformance review process, and by the Los Angeles Regional Water Quality Control Board's Waste Discharge Requirements (as discussed in Section V.F Hydrology/Water Quality, and/or Section V.I.-4 Public Utilities-Wastewater). See Section VII.C for a complete description.*

VII. ALTERNATIVES TO THE PROPOSED PROJECT
D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based on the findings of the alternatives analysis, an environmentally superior alternative must be identified from among the alternatives evaluated. If the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Guidelines Section 15126.6(e)(2)). Clearly, the No Project Alternative would be considered the environmentally superior alternative, as it would not generate any additional activity or development on the vacant Project Site. Thus, pursuant to CEQA Guidelines Section 15126.6(e)(2), a second Project Alternative must be identified as the environmentally superior alternative.

As summarized in Table VII-19, the Preferred Alternative would result in equivalent or reduced environmental impacts with respect to all environmental impact issue areas. Most importantly, however, the Preferred Alternative would be able to mitigate traffic impacts to levels below significance at the intersection of Malibu Canyon Road and PCH, which would be unmitigable under the Proposed Project. As such the Preferred Alternative is environmentally superior to the Proposed Project. However, it is important to note that while the Preferred Alternative would provide new, attractive, and financially-viable commercial office and retail space in Malibu's Civic Center area, this Alternative would not achieve the City's objectives to find a permanent location for a City Hall.

Table VII-19
Proposed Project and Project Alternatives Impact Comparison Table

Impact Area	Proposed Project	No Project Alternative	Preferred Alternative
Aesthetics/Views			
Views	LTS	NI- Reduced	LTS - Similar
Light and Glare	LTS(M)	NI-Reduced	LTS(M)-Similar
Air Quality			
Construction	LTS(M)	NI-Reduced	LTS(M)-Reduced
Operational	LTS(M)	NI-Reduced	LTS(M)- Reduced
Biological Resources	LTS(M)	NI-Reduced	LTS(M)-Reduced
Geology and Soils	LTS(M)	NI-Reduced	LTS(M)-Similar
Hydrology	LTS(M)	NI-Reduced	LTS(M)-Similar
Water Quality	LTS(M)	NI-Reduced	LTS(M)-Similar
Land Use and Planning	LTS(M)	NI-Reduced	LTS(M)-Similar
Noise	LTS(M)	NI-Reduced	LTS(M)-Reduced
Electricity	LTS(M)	NI-Reduced	LTS(M)-Similar
Natural Gas	LTS(M)	NI-Reduced	LTS(M)-Similar
Water	LTS(M)	NI-Reduced	LTS(M)-Similar
Wastewater	LTS(M)	NI-Reduced	LTS(M)-Similar
Solid Waste	LTS(M)	NI-Reduced	LTS(M)-Similar
Fire Protection	LTS(M)	NI-Reduced	LTS(M)-Similar
Police Protection	LTS(M)	NI-Reduced	LTS(M)-Similar
Transportation and Circulation			
Study Intersections	SI	NI-Reduced	LTS(M) –Reduced
Roadway Segments	SI	NI-Reduced	SI- Reduced
Hazards	LTS(M)	NI-Reduced	LTS(M)- Similar

Notes:
NI: No Impact
LTS: Less Than Significant Impact
LTS(M): Less Than Significant with Mitigation
SI: Significant Impacts (Unmitigable)
Source: Christopher A. Joseph & Associates.