



City of Malibu

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Sent via email to cupton@smmusd.org

September 21, 2020

Carey Upton
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404

RE: MMHS Campus Specific Plan and LCP Amendment Project
NOP Initial Study Comments

Dear Mr. Upton:

The City of Malibu's comments on the Notice of Preparation (NOP) for the MMHS Campus Specific Plan and Local Coastal Program (LCP) Amendment Project are provided below.

Geology

1. In the Environmental Analysis (Section 3) as it relates to geologic hazards, specifically fault surface rupture hazards, the Environmental Checklist (Section 2) indicates the hazard is identified as having a Less than Significant Impact and would not be studied further in the Environmental Impact Report (EIR). It should be noted that since Cityhood, the City of Malibu has employed a stricter, more conservative standard with regard to fault surface rupture hazards. This standard was derived from the 1990 Seismic Safety Element for Los Angeles County, and was modified after the California Geological Survey evaluated the Malibu Coast Fault Zone in 1994 in Fault Evaluation Report 229 (FER 229). It is discussed in the City's 2013 Geotechnical Guidelines, Section 5.3.1:

5.3.1 Fault Rupture Evaluation

The project engineering geologist should excavate trenches in a north-south direction across habitable building sites including single-family residences, multi-family residential units, guest houses, studios, and commercial buildings, to evaluate fault rupture hazards if the site lies:

- *Within an Alquist-Priolo Fault Zone as defined by the CGS maps. These maps are available for review at City Hall; or*
- *Within 500 feet of faults mapped in the CGS 1994 Fault Evaluation Report, FER-229 (Treiman, 1994) for the Malibu Coast Fault Zone. A copy of this report is available for review at City Hall.*

One of the identified faults on the FER-229 map is the Escondido Thrust fault. It trends east-west and crosses through the entire site and some of the existing buildings on the project site appear to be within 500 feet of the mapped location of this fault. If previous studies or determinations relative to this fault have been completed, these studies should be provided and discussed in the EIR. In the review of Coastal Development Permit applications, the City must utilize the standards in the City's LCP. Strict application of the LCP standard would require a fault surface rupture hazard investigation to clear proposed building areas of the new project that are within 500 feet of the mapped location of the Escondido Thrust fault on FER-229. At this time and without further information, the fault should be further evaluated for the EIR.

Biology

2. In the Biology discussion the terms LCP, Land Use Plan (LUP) and Local Implementation Plan (LIP) are interchanged. Please note that the Local Coastal Program refers to the LUP and LIP. The LUP is the policy document. The LIP is the implementation plan. For instance, references to the Native Tree protection ordinance is in LIP Chapter 5 not the LUP. Also the reference to the LCP as the Local Coastal Plan should be changed to Local Coastal Program.
3. In the Biology discussion (f) the LCP is referred to as a conservation plan which it is not.
4. The Initial Study indicates at least three areas where drainage is to be directed to the ESHA stream. Evidence will need to be provided that there is no other alternative and such a design would require permits from California Fish and Wildlife, US Army Corps of Engineers and Regional Water Quality Control Board; as such, each of those agencies should be provided the Draft EIR for review and comment and listed as agencies where permits and approval will be required.
5. Please ensure that all biological studies and wetland delineations are included in the EIR.

Public Works

6. A Traffic Impact Analysis (TIA) will be required per the City of Malibu TIA Guidelines. The TIA shall be reviewed and approved by the Public Works Department prior to the issuance of the grading and or building permits. The applicant would also be required to construct the applicable mitigation measures recommended in the TIA. The traffic mitigation measures shall be constructed prior to occupancy of the first building.

The School District should consider the extent of the TIA to encompass all phases of a specific plan to the horizon year. The school site will be subjected to future growth which in return may require phased mitigation based on attendance or other factors to consider. The School District shall refer to the latest City of Malibu Traffic Memorandum and Traffic Impact Analysis Guidelines Dated 2019. This document, specifically Section 5, Required Scope, shall serve to assist the District on the best approach on creating a TIA document, including Sections: Study Facilities, Assessment of Proposed Project, Analysis Scenarios, etc. This document has quite a few updated sections that the School District will need to consider:

- Queuing Analysis Requirements;
- Deliveries and truck routes;
- Rideshare programs;

- Public Safety Issues;
- Pedestrian and Bicycle;
- Neighborhood circulation for all modes of transportation;
- Mitigation Measures, Infeasible Mitigation Measures, and Unmitigated Impacts.

While the number of students may not be expected to reach 1,200 in the very near future, the lifespan of the redeveloped middle and high school is important. The schools may choose to gradually increase the student population over the project lifespan or make projections if this is the direction. The TIA shall cover all scenarios.

This approach to the TIA will streamline the CEQA review for the subsequent phases of the specific plan or “master plan”. When future CDP applications are submitted for the subsequent phases (over the next 10 years), initial studies will be required for the scope of work proposed in each phase, per Planning Department’s requirements unless exempt.

Depending on the potential impacts identified within the forthcoming EIR, the School District will work with the Public Works Department on a final TIA scoping agreement. A sample scoping agreement is attached. The Vehicle Miles Traveled (VMT) reduction percentage will need to be further discussed between agencies: 0% to 15%, before proceeding with traffic analysis.

Parking Demand and internal / external parking circulation patterns shall be evaluated. Parking shall be well defined for all associated uses. Parking specifically for school use only and parking specifically for after school hours utilizing play fields or other on-site district facilities affecting surrounding neighborhood roads shall be analyzed.

7. The Proposed Project has identified that it would not impact the Malibu Equestrian Park located on District property adjacent to the campus. The City reserves the right to condition the project if the District requires modifications that affect any portion of the Park.
8. If the project through required TIA mitigations proposes to construct improvements within the City’s right-of-way, the project will be required to meet the standard conditions and encroachment permit conditions from the Public Works Department as set by the Public Works Director. Prior to the Public Works Department’s approval of any final plans for construction, the applicant shall obtain encroachment permits from the Public Works Department for the proposed work within the City’s right-of-way.
9. Phasing: The project should analyze impacts and associated mitigations with all phased construction, including but not limited to all grading and drainage activities, excavation and truck hauling/export of materials, temporary staging, documenting existing pavement conditions of surrounding roadway network / pavement index / maintenance, trenching for site utilities, demolition and construction of the buildings, paving, and finishing.
10. The Project Site drains to the existing ESHA and drains to Morning View Drive. The project will require infiltration, retention, and treatment of runoff from the Proposed Project. Proposed impacts to Morning View Drive will be subjected to Public Works reviews.
11. The LCP ESHA Map shows a stream approximately 400 feet northwest of the campus. The stream consists of an underground pipe that flows under the school property that daylight into a natural streambed to the south of the school property. During the 2018/2019 rainy season the City

experienced high amounts of debris, mud, and rock within the upper watersheds that overwhelmed the District's existing drainage system. The District should analyze the impacts associated with storm debris events. Temporary measures may be recommended to protect school property.

Planning

12. The EIR should contain a project-level analysis of the first phase of the master plan, and programmatic analyses of subsequent phases, where project-level details are not available.
13. The master plan project should include a Specific Plan to address custom development standards for the phases of the project where they conflict with existing Malibu Municipal Code and LCP standards. The Specific Plan shall contain all custom development standards proposed for the project. References to variances should be removed from the CEQA documents. The EIR should analyze any potential impacts that would result from the custom development standards to be included in the Specific Plan.
14. Section 1.5.2 - *Other Required Permits and Approval*:
 - a. The reference to Variances as a needed permit from the Planning Commission should be replaced with a Specific Plan. The Planning Commission will be the recommending body for the Specific Plan and the City Council an approving body.
 - b. A Local Coastal Program Amendment (LCPA) and Zone Text amendment (ZTA) will be required and should be listed as required entitlements. The Planning Commission will be the recommending body for the LCPA and ZTA and the City Council an approving body.
 - c. The California Coastal Commission should be listed as a certifying body for the LCPA and Specific Plan.
15. The EIR should analyze potential impacts to ESHA from placing new structures (buildings, parking lots, tennis courts, etc.) in the same location as existing buildings that do not meet the LIP required 100 foot ESHA setback.
16. The EIR should study restoration of degraded ESHA as a mitigation measure for any portions of the project that involve development that will not or cannot comply with the current LIP ESHA setback to demonstrate how the project is designed to avoid and minimize impacts. Any such standards and measures should be included in the proposed Specific Plan.
17. The EIR should discuss any potential impacts to wildlife movement from the proposed perimeter fencing. While the proposed chain link fencing is open and visually permeable, the EIR should address whether it would prevent wildlife from accessing the ESHA.
18. The EIR should identify and analyze any potential traffic, noise, lighting, and ESHA impacts from the proposed parking lot off Clover Heights Avenue.
19. The site plan used in the EIR should label all play fields /courts located on the site and identify whether they are existing or proposed.
20. The EIR should address potential aesthetic issues associated with building heights and lighting.

Should you have any questions concerning the City's comments, please contact the City's consulting project planner, Joyce Parker-Bozylinski at 805-368-7236 or jparkerbozylinski@gmail.com.

Sincerely,

A handwritten signature in red ink, appearing to be 'BBB' with a flourish.

Bonnie Blue
Planning Director

CC: File
Joyce Parker-Bozylinski



ATTACHMENT A

SCOPING AGREEMENT FOR TRAFFIC MEMORANDUM OR TRAFFIC IMPACT ANALYSIS

This letter acknowledges the City Malibu Public Works Department requirements for the traffic impact analysis of the following project. The analysis must follow the latest City Traffic Impact Analysis Guidelines.

Case No. Related
 Planning Case(s) No.
 Project Name: Project
 Location: Project
 Description:

	<u>Consultant</u>	<u>Developer</u>
Name:	_____	_____
Address:	_____	_____
Telephone:	_____	_____

A. Trip Generation Source: ITE Trip Generation Manual, most recent edition or Agreed upon Supplement

Existing Land Use	_____	Proposed Land Use	_____
Existing Zoning	_____	Proposed Zoning	_____

Total Daily Trips

	In	Out	Total
AM Trips	-	_____	_____
PM Trips	-	_____	_____

Internal Trip Allowance Yes No (_____ % Trip Discount)

Pass-By Trip Allowance Yes No (_____ % Trip Discount)
 (Attach additional sheet if this is a multi-use site with a breakdown of trips generated)

B. Trip Geographic Distribution: N % S % E % W %
 (See attached exhibit for detailed assignment)

C. Background Traffic

Project Completion Year: _____ Annual Ambient Growth Rate: %
 Other area projects to be included:

Please contact the Public Works Department or use the most recently provided data

Model/Forecast methodology if required _____

D. Horizon Year Analysis: Does this project require a Horizon Year Analysis? Yes No

E. Study intersections: (NOTE: Subject to revision after other projects, trip generation and distribution are determined, or comments from other agencies.)

- | | |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

F. Study Roadway Segments:

- | | |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

G. Other Jurisdictional Impacts

Is this project within any other Agency's Sphere of Influence or one-mile radius of boundaries? Yes No

If so, name of Jurisdiction: _____

H. Site Plan (please attach a legible 11'X17' copy)

I. Specific issues to be addressed in the Study (in addition to the standard analysis described in the Guideline)
(To be filled out by the Public Works Department)

Recommended by:

Consultant's Representative

Date

Scoping Agreement Submitted on

Date

Scoping Agreement Resubmitted on

Date

Approved Scoping Agreement:

City of Malibu Public Works Department

Date