

### Exceptions

Section 4.4.4 of the Local Implementation Plan (LIP) states the following types of development shall not be subject to the provisions of Section 4.4.2 of the malibu LIP with regard to the supplemental application requirement of a detailed biological study of the site (Biological Assessment), and shall not be subject to review by the Environmental Review Board:

- A. Remodeling an existing structure that does not extend the existing structure footprint.
- B. Additions to existing structures that are within the lawfully established graded pad area, or the existing developed/landscaped area if there is not a graded pad, and that do not require additional fuel modification.
- C. Demolition of an existing structure and construction of a new structure within the existing building pad area where no additional fuel modification is required.
- D. New structures and landscaping proposed within the permitted graded pad or permitted development area if there is no graded pad, authorized in a previously approved coastal development permit.
- E. New structures within existing, developed neighborhoods where the parcel is not within 200 feet of an ESHA, as shown on the ESHA overlay map.

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For further information, contact the City Biologist at

(310) 456-2489 x 277

## A Guide to Landscaping Plans & Biological Studies

Application Procedures



*Environmental and Community  
Development Department*

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## LANDSCAPE PLANS

If your project includes any proposed landscaping, you will be required to submit a detailed landscape plan. The landscape plan must show all existing vegetation and proposed plantings and shall meet the following requirements:

**Show all areas of existing native vegetation by type and list the dominant species present (if any).**

**Show all existing major trees (4-inch or larger trunks measured at 4.5 feet from the natural grade) and indicate species.**

Provide the following information and/or notes on the landscape plan. The landscape design must be consistent with these conditions.

- Invasive plant species, as determined by the City of Malibu, are prohibited. **(plan note)**
- Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth). **(plan note)**
- Native species of the Santa Monica Mountains, characteristics of the local habitat, shall be used on graded slopes or where slope plantings are required for slope stabilization, erosion control, and watershed protection. Plants should be selected to have a variety of rooting depths. A spacing of 15 feet between large woody (10-foot or greater canopy) shrubs is recommended by the Fire Department. Lawns are prohibited on slopes greater than 5%. **(plan note)**

- G. An identification of rare, threatened, or endangered species that are designated or are candidates for listing under State or Federal Law, an identification of “fully protected” species and/or “species of special concern,” and an identification of any other species for which there is compelling evidence of rarity, for example, plants designated as list 1B or list 2 by the California Native Plant Society, that are present or expected on the project site.
- H. An analysis of the potential impacts of the proposed development to the identified habitat or species.
- I. An analysis of any unauthorized development, including grading or vegetation removal that may have contributed to the degradation or elimination of habitat area or species that would otherwise be present on the site in a healthy condition.
- J. Project alternatives designed to avoid and minimize impacts to sensitive resources.
- K. Mitigation measures that would minimize or mitigate residual impacts that cannot be avoided through project alternatives.

In the absence of standard protocols for raptors, for nesting raptor surveys (March 1-June 15) or for wintering raptor surveys (December 1-March 15) at a minimum, the area will be surveyed for 2 hours between dawn and 10:00 a.m. on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, additional surveys will also be conducted during the period immediately before nightfall.

- B. Photographs clearly illustrating existing conditions on the entire site.
- C. A discussion of the physical characteristics of the site, including but not limited to, topography, soil types, microclimate, and migration corridors.
- D. An analysis of the frequency of wildfire affecting the site and the length of time since wildfire has last burned the site vegetation.
- E. A full size map (drawn to scale) that clearly illustrates the distribution of vegetation communities on site. The map shall also include the actual boundary(ies) of ESHA within the subject property as well as locations of any identified special-status resources (e.g., rare plants, raptor nests, etc.). All maps should be folded to 8 1/2" x 11".
- F. Provide full size copies of the scaled plan both with and without the proposed project illustration that include the actual boundary(ies) of ESHA within the subject property as well as locations of any identified special-status resources. All maps should be folded to 8 1/2" x 11".

- Slope planting measures such as contour planting and terracing or other techniques shall be incorporated on slopes to interrupt the flow and rate of surface runoff in order to prevent surface soil erosion. **(plan note)**
- The landscape plan shall prohibit the use of building materials treated with toxic compounds such as copper arsenate. **(plan note)**
- If applicable, identify the storm water retention area and any necessary plantings associated with it.

Provide a prominent note on the landscape sheet with a signature line for acknowledgement by the property owner that states:

*“The property owner(s) agree that all areas shall be planted and maintained as described in the final approved landscape and fuel modification plan in order to protect watershed and biological habitat values.”*

The project applicant or property owner must sign the acknowledgement on the plans that are approved by the City.



**If you are applying for a Coastal Development Permit (CDP), a Biological Study may be required.**

Any new development projects that require a Coastal Development Permit (CDP) may require a biological study.

There are two different levels of study that may be required—Biological Inventories and Biological Assessments. The type of report required for your project will depend upon where your proposed development is situated relative to a known (mapped) Environmentally Sensitive Habitat Area (ESHA).

If your proposed development is **not within 200 feet of the nearest mapped ESHA**, a **Biological Inventory** may be required with your application package.

If your Biological Inventory indicates the presence or potential for sensitive species or habitat on site, **or** if your proposed development occurs **within 200 feet of a known (mapped) ESHA**, a detailed **Biological Assessment** is required with your application package. (Some projects are not subject to this requirement, see next page.)

In order to determine whether a Biological Study will be required for your project, you may meet with the City Biologist. He is available at the public counter on Monday and Thursday from 8:00 a.m. to 12:30 p.m.

**Biological Inventory Reporting Requirements**  
(Section 13.6)

- Provide a list of dominant plant species present on the subject property
- Identify and illustrate location of any existing native trees on a scaled map. Should native trees be identified within the proposed development envelope, a detailed tree survey, pursuant to LIP chapter 5, must be prepared and submitted with the CDP application.
- Provide a list of wildlife observed and likely to occur on the subject property
- Provide clear photographs illustrating the existing conditions on the entire property.
- Provide a brief description of the existing conditions on the subject property including, but not limited to, vegetation communities and surrounding development.
- Provide a statement regarding the presence or absence on the site of natural resources that meet the definition of ESHA.

**Biological Assessment Reporting Requirements**  
(Section 4.4.2)

- A. A study identifying biological resources existing on the site and other potential or expected resources. Where trees suitable for nesting or roosting, or significant foraging habitat is present, a formal raptor survey will be conducted as part of the Biological Assessment (in some cases, this survey may be more appropriately conducted immediately prior to permitted site grubbing/grading activities). The Biological Assessment will account for seasonal variations in presence and abundance and will follow standard protocols developed by state or federal resource agencies when available. (continued on next page)