FEBRUARY 2, 2026 REGULAR MEETING

PLEASE DOWNLOAD THE AGENDA DOCUMENT FOR INSTRUCTIONS ON HOW TO PARTICIPATE IN THE MEETING.

1. Meeting Agenda

   Documents:

   PC260202_AGENDA.PDF

2. Item 3B1

   Extension of Coastal Development Permit No. 19-045 / 31662 Broad Beach Road

   Documents:

   PC260202_ITEM 3B1.PDF

3. Item 3B2

   Approval of Minutes / January 20, 2026 Regular Planning Commission Meeting

   Documents:

   PC260202_ITEM 3B2.PDF

4. Item 4A

   Coastal Development Permit No. 21-045 / 24507 Vantage Point Terrace

   Documents:

   PC260202_ITEM 4A.PDF

5. Item 4B

   View Preservation Permit No. 25-001 / Claimant Address 7132 Dume Drive; Foliage Owner Address 29119 Cliffside Drive

   Documents:

   PC260202_ITEM 4B.PDF

6. Item 4C

   Local Coastal Program Amendment No. 23-003, Zoning Map Amendment No. 18-001, Coastal Development Permit No. 18-003, Variance Nos. 21-001, 21-002, and 21-003, Site Plan Review No. 18-044 and Conditional Use Permit No. 19-002 / 22549 Pacific Coast

Highway

Documents:

PC260202_ITEM 4C.PDF

HOW TO VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video and via Zoom Webinar.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to planningcommission@malibucity.org at least three days prior to the meeting to provide adequate time for Commissioner consideration. Correspondence will continue to be processed until thirty minutes prior to the start of the meeting or as practical.

HOW TO PARTICIPATE IN-PERSON DURING THE MEETING: In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form and be present in the Council Chambers when the item is called by the Chair. In-person participants may also surrender their opportunity to speak on a particular item to donate one minute to another in-person speaker, not to exceed a total of eight minutes.

HOW TO PARTICIPATE REMOTELY DURING THE MEETING: The City has been experiencing extreme technical issues with its broadcast and Zoom capabilities. It is strongly recommended that those who wish to participate do so in person as Zoom participation is not guaranteed. While the City intends to allow Zoom participation if possible, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public participation over Zoom. In such case only in-person participation will be allowed. In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. When you join the Zoom meeting you may see a pop-up asking you to enter an email address, but a valid email address is not required.

Please visit https://malibucity.org/VirtualMeeting and follow the directions to stream the live meeting or learn how to use the Zoom application.

Malibu Planning Commission
Regular Meeting Agenda

Monday, February 2, 2026

6:30 P.M. – REGULAR PLANNING COMMISSION MEETING

City Hall – Council Chambers
23825 Stuart Ranch Road

Zoom Meeting Link:
https://us02web.zoom.us/j/84438477395

Call to Order - Chair

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – January 23, 2026

1. **Ceremonial/Presentations**

None.

2. **Written and Oral Communications from the Public**

A. Communications from the public concerning matters which are not on the agenda but for which the Planning Commission has subject matter jurisdiction. The Commission may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda. Subject to the rules of the Brown Act and the Planning Commission's Rules of Procedure and Decorum, the time allotted per Planning Commissioner to respond to public comment and ask staff to follow-up is three (3) minutes.

B. Community Development Director Report

3. **Consent Calendar**

A. Previously Discussed Items

None.

B. New Items

1. Extension of Coastal Development Permit No. 19-045 – A request to extend the Planning Commission's approval for the demolition of the existing residence and construction of a new single-family residence and associated development

Location: 31662 Broad Beach Road
APN: 4470-024-052
Owner: The LaShay Trust
Case Planner: Assistant Community Development Director Eaton, 456-2489, ext. 273

Recommended Action: Adopt Planning Commission Resolution No. 26-06 granting a two-year extension of Coastal Development Permit No. 19-045 and Demolition Permit No. 19-029 for the construction of a new single-family residence and demolition of an existing single-family residence, landscaping, grading, retaining walls, bluff slope repair with below grade piles and onsite wastewater treatment system; including Variance No. 20-003 for reduction of the top of bluff setback, Site Plan Review No. 19-057 for structure height greater than 18 feet, up to 28 feet in height for a pitched roof, Minor Modification No. 20-006 for a reduced front yard setback, and Neighborhood Standards No. 21-002 for structure size similar to the neighborhood average, on a parcel located in the Single-Family, Medium Density zoning district at 31662 Broad Beach Road (LaShay Trust).

2. Approval of Minutes

Recommended Action: Approve the minutes of the January 20, 2026 Regular Planning Commission meeting.

Staff Contact: Senior Management Analyst Evans, MS, 456-2489, ext. 246

4. **Continued Public Hearings**

A. Coastal Development Permit No. 21-045 – An application to construct a new 594 square-foot Accessory Dwelling Unit/Second Unit on a proposed second building pad in the Malibu Country Estates Overlay (Continued from December 1, 2025)

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust
Case Planner: Contract Planner Gonzalez, 925-789-7160

Recommended Action: Adopt Planning Commission Resolution No. 26-02 determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit No. 21-045 for a new detached 594 square-foot Accessory Dwelling Unit/Second Unit on a proposed second building pad in the Malibu Country Estates Overlay District and Single Family Medium zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

B. View Preservation Permit No. 25-001 – An application requesting corrective action to restore the views recorded at 7132 Dume Drive under Primary View Determination No. 12-009 with regard to the foliage located at 29119 Cliffside Drive (Continued from December 16, 2025)

Claimant Name: Mark DiPaola, Managing Member of Napa Malibu LLC
Claimant Address: 7132 Dume Drive
Claimant APN: 4466-014-014
Foliage Owner Name: Nancy Alder Esq.
Foliage Owner Address: 29119 Cliffside Drive
Foliage Owner APN: 4466-014-008
Case Planner: Assistant Planner Turner, MUP, 456-2489, ext. 295

Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-08, determining the action is categorically exempt from the California Environmental Quality Act, and approving View Preservation Permit No. 25-001 to require alteration and maintenance of foliage at 29119 Cliffside Drive at the height of the horizon, as shown in Primary View Determination (PVD) No. 12-009, in order to restore the primary view documented in PVD No. 12-009; or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

C. Local Coastal Program Amendment No. 23-003, Zoning Map Amendment No. 18-001, Coastal Development Permit No. 18-038, Variance Nos. 21-001, 21-002, and 21-003, Site Plan Review No. 18-044 and Conditional Use Permit No. 19-002 – An application to change the land use designation and rezone the property from Commercial Neighborhood to Community Commercial and construct a two-story 1,792 square foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, onsite wastewater treatment system, retaining walls, landscaping, and associated development; including variances for retaining wall not to exceed 24 feet in height and impact wall not to exceed 11 feet in height, construction on slopes over 2.5:1, and development and fuel modification into ESHA and ESHA buffer, a site plan review for structure height above 18 feet not to exceed 24 feet, and a conditional use permit to allow a residential care facility for the elderly in the Community Commercial zone (Continued from December 16, 2025)

Location: 22549 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-023-003
Owner: Anita Kundi
Case Planner: Contract Planner Cook, AICP, 805-415-1991

Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-07 recommending the City Council determine that the project is exempt from the California Environmental Quality Act, adopt Local Coastal Program Amendment No. 23-003 to change the land use designation and zoning designation from Commercial Neighborhood (CN) to Community Commercial (CC) in the Local Coastal Program Land Use Plan and Local Implementation Plan, adopt Zoning Map Amendment No. 18-001 to change the zoning of the property in Title 17 (Zoning) of the Malibu Municipal Code from CN to CC, approval of Coastal Development Permit No. 18-038 to construct a new two-story 1,792 square-foot (sf) residential care facility for assisted senior living with an additional 1,194 sf basement and 805 sf attached four-car garage, driveway, fire truck turnaround area, landscape, hardscape, terrace decks, grading, retaining walls, site walls, and an onsite wastewater treatment system; including Variance (VAR) No. 21-001 for retaining wall and impact wall heights above six feet for a single wall, VAR No. 21-002 for construction on slopes steeper than 2.5 to 1, VAR No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) buffer and fuel modification in ESHA and ESHA buffer, Site Plan Review No. 18-044 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, and approval of Conditional Use Permit No. 19-002 to allow a residential care facility for the elderly use in the CC zone for a property located at 22549 Pacific Coast Highway (Anita Kundi); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

5. **New Public Hearings**

None.

6. **Old Business**

None.

7. **New Business**

None.

8. **Planning Commission Items**

A. Planning Commission and staff comments and inquiries

Adjournment

Future Meetings

Tuesday, February 17, 2026	6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers
Monday, March 2, 2026	6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers
Monday, March 16, 2026	6:30 p.m. Regular Planning Commission Meeting City Hall Council Chambers

Guide to the Planning Commission Proceedings

The Oral Communication portion of the agenda is for members of the public to present items which are not listed on the agenda but are under the subject matter jurisdiction of the Planning Commission. No action may

be taken under, except to direct staff, unless the Commission, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Commission and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three minutes. Members of the public may speak during the meeting in-person or through the Zoom application, although it is strongly recommended that those who wish to participate do so in person. While the City intends to allow zoom participation, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public comment over Zoom. In order to participate remotely, you must be present in the Zoom meeting and use the Raise Hand feature to request to speak when the Chair calls the item. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Chair. In person participants may surrender their time by donating one minute to another speaker, not to exceed a total of eight minutes. The speaker wishing to donate time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are donating time to. Speakers are taken in the order slips are submitted. In-person speakers will be called prior to Zoom speakers.

Items in Consent Calendar Section A have already been considered by the Commission at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Commission. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Commissioners may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Commission following the action on the Consent Calendar. The Commission first will take up the items for which public speaker requests have been submitted.

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the Planning Commission, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication.

Old Business items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

Items in New Business are items which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

Planning Commission Items are items which individual members of the Planning Commission may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a majority vote of the Planning Commission.

Planning Commission meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City's website at www.malibucity.org/video. Copies of the staff reports or other written documentation relating to each item of business described above are available upon request by emailing planningcommission@malibucity.org.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Community Development Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

*Requests to show an audio or video presentation during a Commission meeting should be directed to the Media Team at media@malibucity.org. **Material must be submitted by 12:00 p.m. on the meeting day**.*

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 23rd day of January 2026 at 2:30 p.m.



Rebecca Evans, Senior Management Analyst

Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 3.B.1.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Tyler Eaton, Assistant Community Development Director

Approved by: Yolanda Bundy, Community Development Director, MS, PE, CBO, CFCO and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting date: February 2, 2026

Subject: Extension of Coastal Development Permit No. 19-045 – A request to extend the Planning Commission's approval for the demolition of the existing residence and construction of a new single-family residence and associated development

Location: 31662 Broad Beach Road
APN: 4470-024-052
Owner: The LaShay Trust

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-06 (Attachment 1) granting a two-year extension of Coastal Development Permit (CDP) No. 19-045 and Demolition Permit No. 19-029 for the construction of a new single-family residence and demolition of an existing single-family residence, landscaping, grading, retaining walls, bluff slope repair with below grade piles and onsite wastewater treatment system; including Variance No. 20-003 for reduction of the top of bluff setback, Site Plan Review No. 19-057 for structure height greater than 18 feet, up to 28 feet in height for a pitched roof, Minor Modification No. 20-006 for a reduced front yard setback, and Neighborhood Standards No. 21-002 for structure size similar to the neighborhood average, on a parcel located in the Single-Family, Medium Density zoning district at 31662 Broad Beach Road (LaShay Trust).

DISCUSSION: On February 6, 2023, the Planning Commission adopted Resolution No. 23-04, approving the subject application. Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, Condition of Approval No. 6 in Planning Commission Resolution No. 23-04 states that the CDP and associated requests shall expire if the project has not commenced within three years after final City action. Extension of the permit may be granted by the approving authority for due cause. The item before the

Commission is an extension request by the applicant. A complete project chronology of the project, including scope of work and approvals, can be found in Planning Commission Resolution No. 23-04.

Per LCP Policy No. 5 (CDP Extensions), the aggregate life of a CDP shall not exceed five years absent extraordinary circumstances. The subject CDP is set to expire on February 6, 2026 and a two-year extension to February 6, 2028 would be consistent with this policy. On December 17, 2025, the applicant submitted an extension request to ensure a valid CDP permit remains in place while the project is under construction, citing delays due to a condition of approval requiring a bluff erosion study prior to submittal to Building Plan Check. The project was submitted to Building Plan Check in October 2024 but was further delayed by the owner's loss of his primary residence in the 2025 Palisades Fire. The applicant's basis for due cause is included as Attachment 2.

CONCLUSION: The project conditions, and the zoning ordinance under which the approval was issued, have not significantly changed. Upon the Planning Commission's approval of the time extension request, the approval set forth in Planning Commission Resolution No. 23-04 shall remain valid for an additional two-year term. The expiration date of this approval would then be February 6, 2028. All conditions of approval in Planning Commission Resolution No. 23-04 will remain in effect.

ATTACHMENTS:

1. Planning Commission Resolution No. 26-06
2. Time Extension Request
3. LCP Policy No. 5 (CDP Extensions)
4. Public Hearing Notice

All referenced City Council and Planning Commission records are available for review at http://www.malibucity.org/onbase.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU GRANTING A TWO-YEAR EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 19-045 AND DEMOLITION PERMIT NO. 19-029 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AND DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE, LANDSCAPING, GRADING, RETAINING WALLS, BLUFF SLOPE REPAIR WITH BELOW GRADE PILES AND ONSITE WASTEWATER TREATMENT SYSTEM; INCLUDING VARIANCE NO. 20-003 FOR REDUCTION OF THE TOP OF BLUFF SETBACK, SITE PLAN REVIEW NO. 19-057 FOR STRUCTURE HEIGHT GREATER THAN 18 FEET, UP TO 28 FEET IN HEIGHT FOR A PITCHED ROOF, MINOR MODIFICATION NO. 20-006 FOR A REDUCED FRONT YARD SETBACK, AND NEIGHBORHOOD STANDARDS NO. 21-002 FOR STRUCTURE SIZE SIMILAR TO THE NEIGHBORHOOD AVERAGE, ON A PARCEL LOCATED IN THE SINGLE FAMILY, MEDIUM DENSITY ZONING DISTRICT AT 31662 BROAD BEACH ROAD (LASHAY TRUST)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On February 6, 2023, the Planning Commission adopted Planning Commission Resolution No. 23-04, approving Coastal Development Permit (CDP) No. 19-045 and Demolition Permit No. 19-029 for the demolition of an existing single-family residence and construction of a new single-family residence, landscaping, grading, retaining walls, bluff slope repair with below grade piles and onsite wastewater treatment system; including Variance No. 20-003 for reduction of the top of bluff setback, Site Plan Review No. 19-057 for structure height greater than 18 feet, up to 28 feet in height for a pitched roof, Minor Modification No. 20-006 for a reduced front yard setback, and Neighborhood Standards No. 21-002 for structure size similar to the neighborhood average, on a parcel located in the Single Family, Medium Density zoning district at 31662 Broad Beach Road (LaShay Trust).

B. On December 17, 2025, the applicant submitted an initial time extension request citing delays due to a condition of approval requiring a bluff erosion study to be reviewed and approved by City geotechnical consultants and the Planning Division prior to submittal to Building Plan Check. The project was further delayed by the owner's loss of his primary residence in the 2025 Palisades Fire.

C. On January 8, 2026, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

D. On February 2, 2026, the Planning Commission held a duly noticed public hearing on the request, reviewed and considered the agenda report, reviewed and considered written correspondence, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission previously determined the project to be categorically exempt pursuant to CEQA Guidelines Section 15303(a) and 15303(e) - New Construction. As such, Categorical Exemption No. 22-087 was filed for CDP No. 19-045, and adopted with the approval of the project. The time extension is consistent and within the scope of the project analyzed in the Planning Commission's exemption and filed Notice of Exemption. The Planning Commission's action is not a separate project for CEQA purposes but is a subsequent discretionary approval related to a previously approved project – CEQA Guidelines § 15378(c). Accordingly, the Planning Commission's action is merely a step in furtherance of the project for which environmental review was performed, and no further environmental review is required.

SECTION 3. Findings of Fact.

Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, the Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby finds that the applicant has demonstrated due cause for the necessity of a time extension of the approval of the coastal development permit and associated requests.

SECTION 4. Planning Commission Action.

A. The approvals set forth in Planning Commission Resolution No. 23-04 are hereby extended for an additional two-year term. The approval is now set to expire on February 6, 2028.

B. No other changes to the conditions contained in Planning Commission Resolution No. 23-04 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution No. 23-04 shall remain in full force and effect.

SECTION 5. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of February, 2026.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 246.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-06 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 2nd day of February 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

TIME EXTENSION REQUEST

The City of Malibu will not accept incomplete applications.

Staff use only

Extension No. EXT 25-023

To submit a time extension request:

This time extension request must be timely received by the Planning Department either in person or by mail addressed to City of Malibu, Attn: Planning Department, 23825 Stuart Ranch Road, Malibu, CA 90265.

The request letter must be received **PRIOR** to the expiration date listed in the Notice of Decision or Planning Commission Resolution.

Project No.: CDP No. 19-045

Site Address: 31662 Broad Beach Rd. Malibu

ALL of the following must be timely filed to perfect a time extension request.

1. **Time Extension Checklist** ✓

   This form with property owner's signature

2. **Time Extension Request Letter** ✓

   A letter setting forth due cause for the Planning Director / Commission to grant the time extension.

3. **Time Extension Fee ($596)** ✓

4. **Property Owner's /Occupant's Information** ✓

   Has the property owner or commercial occupant changed since the Planning Commission/ Planning Director granted the time extension? ☐ YES ☑ NO

   If **YES**, Change of Property Owner/Occupant Fee applicable.

   Property Owner's mailing Address: [redacted]

   Property Owner's telephone:

   Property Owner's email address:

ATTACHMENT 2

Occupant's mailing Address: _____

_____

Occupant's telephone: _____

Occupant's email address: _____

5. **Applicant's Information** _____

Has the application representing the owner changed since the Planning Commission's/ Planning Director's approval or since the issuance of the last extension? ☐ YES ☑ NO

If **YES**, complete the Authorization to Submit Project on page 3. If **NO**, complete pages 1-2 only.

Applicant's mailing address: _____

_____

Applicant's telephone: _____

Applicant's email address: _____

6. **Certified Public Notice Property Owner & Occupant Mailing Address and Radius Map** X

Not required for Administrative Plan Review approvals in which a discretionary request (e.g. site plan review) was not included.

- The addresses of the property owners and occupants within the mailing radius shall be provided on a compact disc in a Microsoft Excel spreadsheet. The spreadsheet shall have the following column headers in row one: 1) name, 2) address, 3) city, state & zip code, and 4) parcel (for APN). The owners should be listed first followed by the occupants. The project applicant's mailing address should be added at the end of the list.
- An additional column for "arbitrary number" may be included if the supplied radius map utilizes such numbers for the purpose of correlating the addressee to their map location.
- Printouts of the excel spreadsheet and radius map, certified by the preparer as being accurate, must be provided.
- The radius map (8½" x 11") shall show a 500 foot radius* from the subject property and must show a minimum of 10 developed properties. A digital copy of the map shall be submitted on the same cd as the mailing addresses.

*Properties zoned RR-10, RR-20, or RR-40 require a 1,000-foot radius notification.
**Note that updated mailing labels may be requested by the project planner prior to deeming the application complete.

Indemnification Clause

The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

Barak Mevorakh . Barak Mevorakh 12-16-25

PROPERTY OWNER SIGNATURE | PROPERTY OWNER NAME (PRINT) | DATE

AUTHORIZATION TO SUBMIT A PROJECT

Steven Kent Architect (print name) is authorized by me/us as the owner(s) of the property located at 31662 Broad Beach Road, Malibu, to submit an application to and obtain permits from the City of Malibu Planning Department and to act on my/our behalf of the process that applicant. This authorization will be valid until revoked by me/us in writing.

This form must be notarized if not witnessed by City of Malibu staff.

Witnessed by:

Dated: _____

_____
Witness Signature (Staff)

_____
Print Name

I hereby certify that the time extension request submittal contains all of the above items. I understand that if any of the items are missing or subsequently deficient, the time extension shall be deemed to have been withdrawn and the project approval will expire. I acknowledge that the City strongly encourages me to immediately calendar the expiration date of this permit, that it is my responsibility to monitor its status and that the City has no ability to provide relief when a permit has expired.

_____
Property Owner's Signature

Barak Mevorakh
Print Property Owner's Name

12-16-25
Date

December 15, 2025

Malibu City Planning Commission
c/o Rebecca Evans
23825 Stuart Ranch Road | Malibu, CA 90265

RE: 31662 Broad Beach Rd. Malibu – CDP 19-045

Hello Rebecca,

As discussed, we are requesting a two-year extension to our CDP 19-045 that is due to expire in February 2026.

Our CDP was conditionally approved in February 2023 with a requirement for a bluff erosion study. City Planning told us that the study needed to be approved before we could submit to building plan check. It was submitted to the City in May of 2023.

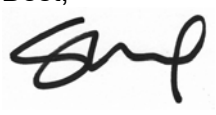
The bluff erosion study was finally reviewed and approved by City Geology in July of 2024 and cleared by City Planning in August of 2024 (18 months after our CDP approval).

Building plan check was submitted in October of 2024, just prior to the Palisades fire. Unfortunately, the owner's primary residence in Pacific Palisades burned down and his family has been displaced.

In all of the turmoil after the fire, several months were lost. Additionally, the engineering consultants have been overwhelmed with fire rebuilds and those projects have taken priority, causing more delays.

Given the traumatic ordeal the owner has recently experienced, and the other delays out of our control, we hope that a two-year extension is a reasonable request.

Best,



Steve

City of Malibu

Planning Department

LCP Policy 5: Coastal Development Permit Extensions

LIP Section 13.21 provides:

> Unless the permit states otherwise, a coastal development permit shall expire two years from its date of approval if the development has not commenced during that time. The approving authority may grant a reasonable extension of time for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the two-year period.

Due cause shall generally not exist unless the applicant has demonstrated the following:

- There are extraordinary circumstances beyond the applicant's control that have prevented the applicant from commencing the development, such as financial hardship due to extreme economic conditions or job loss, inability to obtain a construction loan, personal reason, such as illness, divorce or death, restricted access to the property because of an existing lease or a necessary agency approval has not been obtained despite diligent efforts. Change of project ownership or architect and elective project redesigns do not by themselves constitute due cause; and
- The applicant has exercised due diligence in its efforts to commence the project, such as contracting for and completing necessary studies, reports, drawings and plans to pursue and complete the plan check process.

Absent extraordinary circumstances, the aggregate life of the permit shall not exceed five years.

ATTACHMENT 3

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING



NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, February 2, 2026, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 19-045, NEIGHBORHOOD STANDARDS NO. 21-002, VARIANCE NO. 20-003, SITE PLAN REVIEW NO. 19-057, MINOR MODIFICATION NO. 20-006, AND DEMOLITION PERMIT NO. 19-029 - A request to extend the Planning Commission's approval for the construction of a new single-family residence and demolition of an existing single-family residence, landscaping, grading, retaining walls, bluff slope repair with below grade piles and onsite wastewater treatment system; including Variance No. 20-003 for reduction of the top of bluff setback, Site Plan Review No. 19-057 for structure height greater than 18 feet, up to 28 feet in height for a pitched roof, Minor Modification No. 20-006 for a reduced front yard setback, and Neighborhood Standards No. 21-002 for structure size similar to the neighborhood average, on a parcel located in the single family, medium density zoning district

LOCATION / APN / ZONING:	**31662 Broad Beach Rd** / 4470-024-052 / Single-family Medium (SFM)
APPLICANT / OWNER:	Steven Kent Architect / LaShay Trust
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Sections 15303(a) and 15303(e)
EXTENSION FILED:	December 17, 2025
CASE PLANNER:	Tyler Eaton, Assistant Community Development Director, teaton@malibucity.org (310) 456-2489, ext. 273

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

Extension requests will be presented on consent calendar based on staff's recommendation but any person wishing to be heard may request at the beginning of the meeting to have the application addressed separately. Please see the recording secretary before start of the meeting to have an item removed from consent calendar.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING

YOLANDA BUNDY, Community Development Director — Date: January 8, 2026

Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 3.B.2.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Rebecca Evans, MS, Senior Management Analyst

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting date: February 2, 2026

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes of the January 20, 2026 Regular Planning Commission meeting.

DISCUSSION: Staff prepared draft minutes for the above-referenced Planning Commission meeting and hereby submits the minutes for the Commission's consideration.

ATTACHMENT: January 20, 2026 Regular Planning Commission Meeting Minutes

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JANUARY 20, 2026
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Riddick called the meeting to order at 6:31 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Elizabeth Riddick, Vice Chair John G. Mazza and Commissioners Marni Kamins, Drew Leonard and Skylar Peak

ALSO PRESENT: Kellan Martz, Assistant City Attorney; Tyler Eaton, Assistant Community Development Director; Patrick Achis, Senior Planner; Alexander da Silva, Associate Planner; Allison Cook, Contract Planner; Richard Greenbauer, Contract Planner; Jorge Rubalcava, Senior Civil Engineer; Nathaniel McLean, Assistant Engineer; Chris Dean, Contract Geologist; Lauren Doyel, Contract Geotechnical Engineer; Gail Duncan, Administrative Assistant and Rebecca Evans, Recording Secretary

PLEDGE OF ALLEGIANCE

Don Schmitz led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Peak seconded a motion to approve the agenda, continuing Item No. 4.A. to a date uncertain.

The question was called and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Recording Secretary Evans reported that the agenda for the meeting was properly posted on January 9, 2026.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2. WRITTEN AND ORAL COMMUNICATIONS

A. PUBLIC COMMENTS

Norm Haynie noted the recent City Council discussion regarding extension of the declaration of emergency did not appear to take into consideration that geotechnical issues from significant rainfall may take one to six months for the water to percolate down a hillside to the slip plane of the existing landslide before risk of a major landslide.

Gary Harkness stated there was a consistent pattern of Vice Chair Mazza voting in opposition to projects that had the potential to impact him personally regardless of benefit to the community. Mr. Harkness voiced support for public safety measures such as improved street lighting and pedestrian crossings on Pacific Coast Highway while Vice Chair Mazza opposed them.

George Dawes commented on Vice Chair Mazza's sixteen-year voting record and appointing Councilmember Uhring's statement that his home's fencing, sheds and squirrel refuge were legal. Mr. Dawes noted the Malibu Municipal Code prohibited housing wild animals in residential communities. He stated Councilmember Uhring's property had been in active code enforcement for 151 days without meaningful enforcement action.

Jo Drummond stated she was not aware of illegal development at Steve Uhring's home and that a shed did not require a permit. Ms. Drummond noted the anniversary of the Palisades Fire and resultant loss of homes and lives. She expressed concern that rebuild permit processing was too slow. Ms. Drummond asked the City to ensure that owners could move swiftly to rebuild. She stated the Palisades Fire was the result of a systemic failure and urged updated water systems, underground power lines, cleared motorways, and brush clearance for fire breaks in public lands. Ms. Drummond urged prioritization of rebuild projects over new development and reduced geotechnical reviews for rebuild properties. She stated concerns regarding short-term rentals should not be used to block recovery.

Commissioner Peak wished everyone a happy new year.

Chair Riddick asked staff to respond to the allegation that there were active code enforcement violations which were not addressed by staff as alleged in public comment.

In response to Chair Riddick, Assistant Community Development Director Eaton noted that staff were not able to comment on specific open code enforcement

cases although some information regarding addresses with open code enforcement was available to the public through the City website. Staff followed up on each complaint submitted to the City.

Assistant City Attorney Martz noted staff was not able to comment on specific open code enforcement cases and staff followed up on all complaints submitted. He further noted code enforcement actions were outside the purview of the Planning Commission.

Vice Chair Mazza asked for the number of open code violation cases and whether the number was over one thousand.

In response to Vice Chair Mazza, Assistant Community Development Director Eaton stated staff were not able to provide a specific number although it was not over one thousand, though it was a high number.

Vice Chair Mazza stated Council Policy No. 43 required anyone who complained about someone else's property must file a complaint and their name would be disclosed to the property owner. He asserted that candidates for the next election were behind the comments regarding himself and Councilmember Uhring.

B. COMMUNITY DEVELOPMENT DIRECTOR REPORT

Assistant Community Development Director Eaton announced that Courtney Brown and Fletcher Allen were promoted to Senior Planner positions and Didier Murillo was promoted to Principal Planner. On Tuesday, February 10, 2026, 3-4:30 p.m., an Environmental Subcommittee update was scheduled. Assistant Community Development Director Eaton noted the launch of a streamlined plan review process for Commercial Tenant Improvements meeting eligibility criteria.

Associate Planner da Silva presented a summary of rebuild statistics and highlighted upcoming rebuild meeting dates, which were also available at maliburebuilds.org.

Commissioner Leonard asked how many full-time staff vacancies remained in the Community Development Department and whether contract staff were used to cover any gaps.

In response to Commissioner Leonard, Assistant Community Development Director Eaton stated there were only a handful of vacant positions remaining and full-time gaps were currently filled with contract staff.

Vice Chair Mazza asked if Commercial Tenant Improvement reviews considered parking requirements and Assistant Community Development Director Eaton responded that parking requirements would continue to be part of those reviews.

Assistant Community Development Director Eaton urged owners, architects and design professionals working on rebuild beachfront properties to attend the Federal Emergency Management Agency (FEMA) meeting the following day for clarification on FEMA rebuilding requirements.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Leonard moved and Vice Chair Mazza seconded a motion to approve the Consent Calendar.

The motion was approved by unanimous consensus.

A. Previously Discussed Items

None.

B. New Items

1. De Minimis Waiver No. 24-007 – An application for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire
   Location: 30051 Andromeda Lane, not within the appealable coastal zone
   APN: 4469-004-017
   Owner: Worth Capital Holdings 24 LLC
   Case Planner: Contract Planner Shah, 456-2489, ext. 385
   Recommended Action: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver No. 24-007 for a new onsite wastewater treatment system for a parcel affected by the Woolsey Fire.

   The Commission received and filed the Community Development Director's report on the issuance of De Minimis Waiver No. 24-007 upon approval of the consent calendar.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. View Preservation Permit No. 24-001 – An application requesting corrective action to restore the views recorded at 4727 Avenida Del Mar under Primary

View Determination No. 12-267 with regard to the foliage located at 4732 Avenida Del Mar (Continued from December 1, 2025)

Claimant Name: Paul Rothbard
Claimant Address: 4727 Avenida Del Mar
Claimant APN: 4473-010-034
Foliage Owner Name: Avenida Del Mar Holding Trust
Foliage Owner Address: 4732 Avenida Del Mar
Foliage Owner APN: 4473-010-021
Case Planner: Assistant Planner Turner, MUP, 456-2489, ext. 295
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-01 determining the action is categorically exempt from the California Environmental Quality Act, and approving View Preservation Permit No. 24-001 to require alteration and maintenance of foliage on 4732 Avenida Del Mar at the height of the horizon, as shown in Primary View Determination (PVD) No. 12-267, in order to restore the primary view documented in PVD No. 12-267 or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

The item was continued to a date uncertain at the request of the claimant.

B. Coastal Development Permit No. 19-012, Lot Merger No. 24-002, and Certificate of Compliance No. 19-009 – An application for a new one-story single-family residence and associated development; including a conditional certificate of compliance to recognize an illegally created lot consisting of two parcels and a lot merger to consolidate two parcels into one (Continued from December 16, 2025)

Location: 25200 Pacific Coast Highway, within the appealable coastal zone
APNs: 4459-013-021 and 4459-014-018
Owner: PAR PCH, LLC
Case Planner: Contract Planner Cook, AICP, 805-415-1991
Recommended Action: Either 1) adopt Planning Commission Resolution No. 26-05, determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 19-012 to construct a new 9,219 square-foot, one-story, single-family residence, including a 1,000 square-foot subterranean two-car garage, 1,523 square-foot basement, 676 square-foot gym, detached 465 square-foot guest house, swimming pools, spa, driveways, decks, landscape, water features, hardscape, grading, retaining walls, and onsite wastewater treatment system, including Certificate of Compliance No. 21-004 to recognize an illegally created lot consisting of two Assessor Parcel Numbers (4459-013-021 and 4459-014-018), and Lot Merger No. 24-002 to consolidate two existing parcels into one, located in the Rural Residential, Two-Acre zoning district at 25200 Pacific Coast Highway (PAR

PCH, LLC) or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

Contract Planner Cook presented the staff report.

Disclosures: Commissioners Peak, Leonard, Kamins, Mazza and Riddick

The Commission directed questions to staff and the applicant team.

As there were no further questions for staff, Chair Riddick opened the public hearing.

Speakers: Don Schmitz, Charlotte Frieze Jones, Scott Dittrich, Ralph Jeffery (8 minutes total with donations of time from Sharone Karsh, Beata Skulski, North Laurel, LLC, Janice Burns and Annette Bater), Chris Reed, Patt Healy for Malibu Coalition for Slow Growth, Bill Sampson on behalf of Malibu Township Council (7 minutes total with donations of time from Peter Jones, Jan Ravlich, Beate Nilsen, and Rosemarie Ihde), Wendy Carroll and Matt Eskan submitted written slips in support of the project, Jo Drummond, Ryan Embree, and Lonnie Gordon

As there were no other speakers present, Chair Riddick closed the public comment portion of the public hearing and returned the matter to the table for discussion.

RECESS Chair Riddick recessed the meeting at 8:35 p.m. The meeting resumed at 8:43 p.m. with all Commissioners present.

The applicant team offered to eliminate the guest house to improve the view corridor.

RECESS Chair Riddick recessed the meeting at 10:10 p.m. to allow time for the applicant and owner to consult with one another. The meeting resumed at 10:18 p.m. with all Commissioners present.

The applicant team offered to both eliminate the guest house and further reduce the height of the primary residence by an additional two feet.

MOTION Commissioner Peak moved and Commissioner Kamins seconded a motion to continue the item to February 17, 2026, for the applicant to return with plans reflecting the removal of the guest house and a two-foot reduction in the height of the primary residence.

The question was called and the motion carried unanimously.

ITEM 5 NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 – An application to implement the Malibu Middle and High School (MMHS) Campus Specific Plan (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot middle school gym (Building D) and outdoor sports courts, one-story 9,243 square-foot middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 square foot broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the MMHS Specific Plan and a demolition permit for the demolition of existing classroom Buildings K and I, seven portable classroom buildings, and one portable restroom building

Location: 30215 Morning View Drive, within the non-appealable coastal zone
APN: 4469-017-901
Owner: Santa Monica-Malibu Unified School District
Case Planner: Contract Planner Greenbauer, 949 489-1442 ext. 132
Recommended Action: Adopt Planning Commission Resolution No. 26-04 certifying that the project is consistent with the Final Environmental Impact Report (State Clearinghouse No. 202008350), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations adopted by the Santa Monica-Malibu Unified School District (SMMUSD) Board of Education on January 26, 2022 and certified by the City Council on July 11, 2022 in Resolution No. 22-32, and approving Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 to implement the MMHS Campus Specific Plan (Specific Plan) (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot (sf) middle school gym (Building D) and outdoor sports courts, one-story 9,243 sf middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 sf broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the Specific Plan and a demolition permit for the demolition of existing classroom

Buildings K and I, seven portable classroom buildings, and one portable restroom building located in the Institutional Zone and MMHS Campus Specific Plan Overlay District at 30215 Morning View Drive (APN 4469-017-901) (SMMUSD).

Contract Planner Greenbauer presented the staff report.

Disclosures: Commissioner Peak

As there were no questions for staff, Chair Riddick opened the public hearing.

Speakers: None.

As there were no speakers present, Chair Riddick closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to the applicant team.

MOTION Commissioner Peak moved and Commissioner Kamins seconded a motion to adopt Planning Commission Resolution No. 26-04 certifying that the project is consistent with the Final Environmental Impact Report (State Clearinghouse No. 202008350), the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations adopted by the Santa Monica-Malibu Unified School District (SMMUSD) Board of Education on January 26, 2022 and certified by the City Council on July 11, 2022 in Resolution No. 22-32, and approving Coastal Development Permit No. 25-032, Site Plan Review No. 25-039, and Demolition Permit No. 25-027 to implement the MMHS Campus Specific Plan (Specific Plan) (Phases 2, 3a, and 4a) with the construction of a new two-story 18,911 square-foot (sf) middle school gym (Building D) and outdoor sports courts, one-story 9,243 sf middle school student activity, food service, and special education building with canopy (Building D/I), one-story 333 sf broadcasting/media arts building (Building D), middle school quad and walkways, site improvements, landscaping, on-grade solar installation, grading, and underground utility work, including a site plan review for a height increase over 18 feet, not to exceed 36 feet as allowed in the Specific Plan and a demolition permit for the demolition of existing classroom Buildings K and I, seven portable classroom buildings, and one portable restroom building located in the Institutional Zone and MMHS Campus Specific Plan Overlay District at 30215 Morning View Drive (APN 4469-017-901) (SMMUSD).

The question was called and the motion carried unanimously.

B. Zoning Text Amendment No. 25-003 – A revised amendment incorporating new state law and clarifications to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units

Applicant: City of Malibu
Location: Citywide
Case Planner: Senior Planner Achis, AICP, 456-2489 ext. 247
Recommended Action: Adopt Planning Commission Resolution No. 26-03 recommending that the City Council approve revised Zoning Text Amendment No. 25-003, an amendment to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units (ADU) and Junior ADUs.

Senior Planner Achis presented the staff report.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Riddick opened the public hearing.

Speakers: None.

As there were no speakers present, Chair Riddick closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Commissioner Peak moved and Commissioner Kamins seconded a motion to adopt Planning Commission Resolution No. 26-03, as amended, 1) modifying Section 17.44.050(C). to state, "Areas with Adequate Ingress and Egress. Since the entire City is located within a designated "Very High Fire Hazard Severity Zone," emergency ingress and egress shall be evaluated consistent with the City's adopted Fire Code (2025 California Fire Code, as amended), including the fire apparatus access road requirements set forth in California Fire Code Section 503, as enforced by the Los Angeles County Fire Department. Nothing in this subsection is intended to establish a zoning-based prohibition on ADUs or JADUs. Compliance with Fire Code and Building Code requirements is required; however, such requirements shall not be used as a zoning-based basis to deny an ADU or JADU that must be approved ministerially under State law."; and 2) recommending that the City Council approve revised Zoning Text Amendment No. 25-003, an amendment to Title 17 (Zoning) of the Malibu Municipal Code to update regulations related to Accessory Dwelling Units (ADU) and Junior ADUs.

The question was called and the motion carried 4-1, Vice Chair Mazza dissenting.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

A. Planning Commission and Staff Comments and Inquiries

None.

ADJOURNMENT

CONSENSUS At 11:15 p.m., the meeting was adjourned by unanimous consensus.

Approved and adopted by the Planning Commission of the City of Malibu on February 2, 2026.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 4.A.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Magda Gonzalez, Contract Senior Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting date: February 2, 2026

Subject: Coastal Development Permit No. 21-045 – An application to construct a new 594 square-foot Accessory Dwelling Unit/Second Unit on a proposed second building pad in the Malibu Country Estates Overlay (Continued from December 1, 2025)

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 26-02 (Exhibit A) determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit (CDP) No. 21-045 for a new detached 594 square-foot Accessory Dwelling Unit/Second Unit (ADU/Second Unit) on a proposed second building pad in the Malibu Country Estates (MCE) Overlay District and Single Family Medium (SFM) zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

DISCUSSION: This item was continued from the December 1, 2025 Regular Planning Commission meeting at the request of the applicant. The Resolution number, recitals and meeting date were updated to reflect the continuance to February 2, 2026 (Exhibit A). The agenda report and supplemental report for the December 1, 2026 meeting are provided in Exhibit B. The correspondence received for the December 1, 2026 meeting and prior to publication of this agenda report is provided in Exhibit C. There have been no changes made to the recommended action, Local Coastal Program Analysis or Local Implementation Plan findings.

EXHIBITS:

A. Planning Commission Resolution No. 26-02
B. December 1, 2026 Regular Planning Commission meeting agenda report and supplemental report
C. Correspondence

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOES NOT APPLY TO PROJECTS THAT A PUBLIC AGENCY REJECTS OR DISAPPROVES, AND DENYING COASTAL DEVELOPMENT PERMIT NO. 21-045 TO CONSTRUCT A NEW 594 SQUARE-FOOT ACCESSORY DWELLING UNIT/SECOND UNIT ON A PROPOSED SECOND BUILDING PAD IN THE MALIBU COUNTRY ESTATES OVERLAY DISTRICT LOCATED AT 24507 VANTAGE POINT TERRACE (MEISSNER FAMILY TRUST)

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

SECTION 1. Recitals.

A. On September 23, 2021, the subject application was submitted to the City of Malibu Planning Division by Keystone Strategic Planning, on behalf of property owner, the Meissner Family Trust. The application was routed to the City Biologist, City Public Works Department, City geotechnical consultant reviewers, Los Angeles County Waterworks District No. 29 (WD29), and Los Angeles County Fire Department (LACFD) for review. The proposed development is located in the Malibu Country Estates (MCE) Overlay District, included within the City's certified Local Coastal Program (LCP) Local Implementation Plan (LIP) as LIP Section 3.4.1(D).

B. On August 26, 2024, the applicant notified the Planning Division that it will not be requesting relief from various objective development standards in the LIP through variances and requested the Planning Division continue to process the application for development on a proposed second building pad within the MCE Overlay District.

C. On October 9, 2025, the applicant requested the subject application be agendized for the Planning Commission. On October 10, 2025, the Planning Division scheduled the application for the next available Planning Commission meeting. To date, the Planning Division has been unable to deem the project application complete based on the information submitted by the applicant.

D. On November 13, 2025, the Planning Division issued a Notice of Hearing Requirements letter to the California Coastal Commission (CCC) and the project applicant stating that the project would be heard at a public hearing before the Planning Commission and was not appealable to the CCC.

E. On October 30, 2025, the applicant posted a Notice of Application sign at the subject site.

F. On November 20, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the project site and to all interested parties.

G. On December 1, 2025, the Planning Commission continued the item to the February 2, 2026 Regular Planning Commission meeting prior to opening the public hearing.

H. On February 2, 2026, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project and finds that, pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects that a public agency rejects or disapproves.

SECTION 3. Coastal Development Permit Findings.

Based on evidence contained within the record, including the agenda report for the project and the hearing on February 2, 2026, and pursuant to the LIP including Sections 13.7(B) and 13.9, the Planning Commission adopts the findings of fact, and denies CDP No. 21-045 for a 594 square-foot Accessory Dwelling Unit/Second Unit (ADU/Second Unit) proposed on a second building pad on property located in the MCE Overlay District and Single Family Medium (SFM) zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

The project has been determined to be inconsistent with all applicable LCP codes, standards, goals, and policies. The required findings of denial are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

This finding cannot be made because the proposed location of the ADU/Second Unit is not consistent with the MCE Overlay standards in LIP Section 3.4.1.(D) or residential development standards in LIP Section 3.6(N)(1) and, therefore, does not meet the requirements for LIP Chapter 3 (Zoning). Furthermore, the proposed location does not comply with LIP Chapter 8 (Grading) and compliance with LIP Chapter 11 (Archaeological/Cultural Resources) cannot be determined based on the information submitted.

1. The proposed project fails to meet various requirements outlined in LIP Chapter 3 including: LIP §3.4.1(D)(2)(c) which requires rear yard setback to be at least 15 feet (4 feet proposed); LIP §3.4.1(D)(4)(a) which stipulates that “no walls…in excess of 6 feet shall be allowed within the required rear…yard setback areas” (wall heights associated with the proposed structure extend above 6 feet in the rear yard setback); LIP §3.4.1(D)(5) which limits structure height to additions/remodels of an existing structure, a new structure on a vacant parcel, or where an existing structure is replaced (no modifications to the existing structure are proposed, the site is not vacant, and the proposed structure is not associated with the replacement of the existing residence); LIP §3.4.1(D)(6), which stipulates that the site of construction for all development is limited to one single building pad and that no structures shall be sited downhill from the existing building pad (the project proposes a second building pad and has located the proposed second building pad downhill of the existing building pad); LIP §3.4.1(D)(7) which strictly limits impermeable surfaces on the existing building pad (the proposed structure is located on a proposed second building pad); LIP §3.4.1(D)(8) which states grading shall only be permitted for the construction of swimming pools and spas and that no grading occur for purposes of extending the existing building pad (proposed grading associated for a use other than a

swimming pool or spa and proposed for an additional building pad); LIP §3.4.1(D)(10)(b) which limits roof materials to clay tile, concrete tile or similar material (proposed roof materials include Class "A" fire-rated architectural shingles); and LIP §3.6(N)(c)(i) that requires a second residential unit be located within the required development area for the project site and clustered with the primary dwelling unit (the proposed second unit is located downhill from the existing residence, is not within the required development area as stipulated in the MCE Overlay standards, and is not clustered with the existing residence).

The proposed development is inconsistent with LIP Chapter 8 (Grading). The MCE Overlay standards provide more strict regulations for grading of property within the MCE Overlay District (LIP Section 3.4.1(D)(8)) by prohibiting grading on existing building pads except for export of 500 cubic yards associated with the construction of a swimming pool and spa, with additional provisions for cut and fill grading and remedial grading subject to the approval of a Site Plan Review. Based on the applicant's submitted materials, the proposed second building pad proposes remedial and re-compaction grading for the upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of 3 feet beyond the proposed footprint. The proposed grading is for a use other than a swimming pool or spa and, therefore, does not comply with LIP Section 3.4.1(D)(8) or LIP Chapter 8 pursuant to the provision in LIP Section 8.2. Additionally, the LIP Section 8.3(G) defines remedial grading as "grading necessary to mitigate an environmental hazard as recommended by a geotechnical report approved by the City Geotechnical staff. No such remedial grading will be allowed when it could be avoided by changing the position or location of the proposed development." Remedial grading appears to be avoidable by changing the location of the proposed development to an area within the existing building pad.

Based on the information submitted by the applicant, the Planning Division is unable to determine if the proposed project complies with LIP Chapter 11 (Archaeological/Cultural Resources). Although the project site has been evaluated for potential impacts to archeological resources and it has been determined that due to the previous grading activities to create the existing building pad and MCE community, the project has very low probability of disturbing archaeological resources for construction proposed on the existing building pad. It is not clear if the proposed second building pad would have potential impacts given that it is proposed downhill from the existing building pad in an undeveloped area and has not been evaluated for potential impacts during construction. The applicant has not provided information demonstrating that the proposed second building pad has been evaluated for impacts to archeological resources.

In the event there is a conflict between a provision of the LCP and a provision of the General Plan or of any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and the other provision, pursuant to LIP Section 1.3.1, the LCP governs. Consequently, the development may not be approved unless it complies with the LCP provision.

For the reasons provided herein, the proposed ADU/Second Unit does not conform to the current LIP's objective development requirements and the applicant has not requested relief pursuant to the provisions in LIP Section 13.26 (Variances). Therefore, the Planning Division cannot make the required finding per LIP Section 13.9 in support of the requested CDP.

2. The subject parcel is not located between the first public road and the sea. The project site is located inland and not located along the shoreline. Therefore, this finding does not apply.

3. As discussed in Finding 1, the applicant stated that the proposed location on a proposed second building pad downhill of the existing building pad is the only suitable location due to the site's sewer and water line easements and steep slopes. However, the applicant did not provide an alternate location or adequately justify why the ADU/Second Unit could not be developed within the existing building pad in compliance with the MCE Overlay standards. Furthermore, the applicant did not demonstrate that an alternate location within the residence as part of a conversion or adjacent to the residence on a flat portion of the existing building pad was infeasible. Additionally, the applicant did not provide information indicating that the proposed second building pad has been evaluated for potential impacts to archaeological/cultural resources.

As part of the Planning Division's review of the subject application, alternate locations for development appeared feasible and would maintain consistency with the MCE Overlay standards, as well as consistency with LIP Chapters 3, 8 and 11. The alternate locations do not appear to necessitate the extent of proposed grading to accommodate the second building pad or result in the need for relief from the MCE Overlay standards. As proposed, the second building pad location is not considered to be the least environmentally damaging alternative.

4. The LCP Environmentally Sensitive Habitat Area (ESHA) and Marine Resources Map does not identify any ESHA on the subject property or on any adjacent properties. The subject property is not in a designated ESHA or ESHA buffer and, therefore, Environmental Review Board review was not required. This finding does not apply.

B. Native Tree Protection (LIP Chapter 5)

There are three unidentified trees adjacent to the proposed second building pad. Based on the information provided by the applicant, it is unclear if the trees are native or not native. Therefore, the findings for LIP Chapter 5 conformance cannot be determined based on the information provided by the applicant.

C. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The MCE Overlay District was established approximately 50 years ago at which time each parcel was graded and designated one building pad to create terraced views of the surrounding mountains and/or the Pacific Ocean. The elevation of each building pad has been documented with specified height and grading controls for development, and applicants are not permitted to alter the elevation of each building pad. Because the standards of the MCE Overlay District are intended to maximize the protection of scenically impressive views from public viewing areas, including scenic roads, strict adherence to the MCE Overlay standards specified in LIP Section 3.4.1(D) ensures compliance with the relevant standards of LIP Chapter 6. As previously described in CDP Findings 1 and 3 above, the proposed second building pad and proposed structure do not comply with several MCE Overlay

standards. Therefore, the findings for LIP Chapter 6 conformance cannot be determined under the current proposal.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby denies CDP No. 21-045.

SECTION 5. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of February 2026.

ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to LIP Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 246.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-02 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 2nd day of February 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

Commission Agenda Report

Planning Commission Meeting
12-01-25
Item 5.D.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Magda Gonzalez, Contract Senior Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: November 20, 2025 Meeting date: December 1, 2025

Subject: Coastal Development Permit No. 21-045 – An application to construct a new 594 square-foot Accessory Dwelling Unit/Second Unit on a proposed second building pad in the Malibu Country Estates Overlay District

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 25-86 (Attachment 1) determining that the California Environmental Quality Act does not apply to projects that a public agency rejects or disapproves, and denying Coastal Development Permit (CDP) No. 21-045 for a new detached 594 square-foot Accessory Dwelling Unit/Second Unit (ADU/Second Unit) on a proposed second building pad in the Malibu Country Estates (MCE) Overlay District and Single Family Medium (SFM) zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

DISCUSSION: This agenda report provides a project overview with a description of the project background, site and scope, a summary of surrounding land uses and project setting, and an analysis of the project's inconsistency with applicable provisions of the certified Local Coastal Program (LCP). The analysis and findings contained herein demonstrate the project is not consistent with the LCP.

Background and Project Overview

The subject property is a rectangular-shaped lot located on the inland side of Pacific Coast Highway (PCH) adjacent to John Tyler Drive. Pursuant to the City's Post-LCP Certification Permit and Appeal Jurisdiction Map, the downhill portion of the subject property is located within the Appeal Jurisdiction of the California Coastal Commission (CCC). However, pursuant to LIP 2.1 General Definitions for Appealable Coastal Development Permit the proposed project is not appealable to the California Coastal Commission (CCC). The subject property is situated within the MCE Overlay District which includes specific development standards (MCE Overlay standards) in LCP Local Implementation Plan (LIP) Section 3.4.1(D) applicable to all properties within the MCE Overlay District. The parcel is currently developed with a 3,572 square-foot single-family residence that was constructed in 1988 on one building pad located on the flatter portion of the site. The existing building pad is also occupied by a swimming pool, spa, and wooden deck located immediately to the rear of the existing residence. The rest of the site slopes downward to John Tyler Drive. The subject property is served by a centralized wastewater treatment system. With exception to a vacant parcel immediately north of the subject property, the project site is in a neighborhood that is similarly developed with one- and two-story single-family residences within the MCE Overlay District, with each parcel having one building pad developed in compliance with the MCE Overlay standards.

The original application proposed a 623 square-foot ADU/Second Unit with an 11-foot 8-inch height. On April 9, 2024, the applicant provided updated plans with a reduced size of 594 square-foot and an 11-foot 2-inch height for the proposed structure. In both versions, the applicant has sited the ADU/Second Unit on a proposed second building pad located downhill on the property near John Tyler Drive. The proposed development area is not located within the CCC's appealable jurisdiction. Despite having been informed by the Planning Division that the MCE Overlay standards limit all development to one building pad per parcel, the applicant has requested the Planning Division continue to process the project. The Planning Division has explained to the applicant that the proposed second building pad does not meet other MCE Overlay standards and staff requested additional details on the proposed structure which have not been provided. The applicant was informed that relief from the MCE Overlay standards would need to be requested with written findings justifying the request. The applicant has not requested variances for this project.

As discussed herein, the proposed project is not in compliance with the MCE Overlay standards and variance requests have not been submitted. Further, the applicant has not provided an alternative design demonstrating feasibility/infeasibility of whether the requested ADU/Second Unit could be sited on the existing building pad. On August 26, 2024, the applicant notified the Planning Division that it will not be requesting relief through variances and requested the City continue to process the application as an ADU/Second Unit on a proposed second building pad within the rear yard. The applicant stated that the proposed location is the only suitable location due to the site's sewer and water line

easements and steep slopes; however, the applicant has not provided an alternate design depicting existing constraints to development on the existing building pad or project feasibility/infeasibility at an alternate location. Therefore, absent this information and based on the Planning Division's review of the site and existing development, it appears the applicant has design options adjacent to the existing residence on side and/or front yards that could accommodate an ADU/Second Unit. This could be in the form of an attached structure to the residence and/or converted space associated with the residence or garage. An alternate design also appears feasible given that the existing building pad is sufficient in size to support other existing uses including a swimming pool, spa, and wooden deck.

The proposed second building pad is situated approximately 25 feet downhill from the existing building pad in an undeveloped area. As described in Table 3, the proposed project is inconsistent with several requirements in the MCE Overlay District including an approximate 73% reduction in the required rear yard setback (from 15 feet to 4 feet), impermeable coverage, structure height, grading, wall height in setbacks and roofs. The proposed second building pad is also inconsistent with LIP Chapter 8 (Grading as otherwise limited pursuant to LIP Section 8.2) and LIP Chapter 11 (Archaeological Resources).

As previously mentioned, the parcel is located within the MCE Overlay District which restricts development for all properties to one building pad per parcel and prohibits the creation of a secondary building pad pursuant to LIP Section 3.4.1(D)(6)(a), (b), and (c):

a. *All development, excluding walls and fences, shall be limited to the existing building pad.*
b. *There shall be no more than one building pad per lot.*
c. *No structure, excluding walls and fences, shall extend beyond, or be cantilevered over, any downhill slope extending from the existing building pad.*

LIP Section 3.4.1(D)(d) provides the following definition of a building pad in the MCE Overlay District:

d. *For the purposes of this Overlay District, a building pad shall be defined as a single, continuous, graded area, not exceeding 3 percent in slope, designed to accommodate development.*

As currently designed, the Planning Division is unable to recommend that the required findings per LIP 13.9 can be made in support of the requested CDP, including (A) that the project as described in the application and accompanying materials conforms with the certified LCP, and (C) the project is the least environmentally damaging alternative. The project is inconsistent with the MCE Overlay standards and variance requests have not been included. Additionally, alternate designs to development appear feasible on the existing building pad. On October 9, 2025, the applicant requested the subject application

be agendized for the Planning Commission. On October 10, 2025, the Planning Division scheduled this item on the next available Planning Commission meeting, which was December 1, 2025.

Surrounding Land Uses and Project Setting

The subject property is located within the MCE Overlay District within a neighborhood served by a centralized wastewater treatment system. The existing 3,572 square-foot single-family residence was constructed in 1988, and the building pad is shared by a swimming pool, spa, and wood deck. Wooden steps are located on the north-eastern portion of the parcel at the top of the slope. The lower portion of the site where the proposed second building pad is requested is vacant and comprised of grass with three unidentified trees adjacent to the proposed second building pad and hedges along the property lines.

Table 1 below outlines the surrounding land uses:

Table 1 – Surrounding Land Uses				
Direction	**APN**	**Size**	**Zoning**	**Land Use**
North	4458-033-005	16,849 SF	SFM	Vacant
East	4458-030-042	1,234,912 SF	No Zone	John Tyler Drive / Pepperdine University
South	4458-033-031	42,495 SF	SFM	Single-Family Residential
West	4458-033-010	13,416 SF	SFM	Single-Family Residential

Source: Malibu CityGIS and LA County Tax Assessor

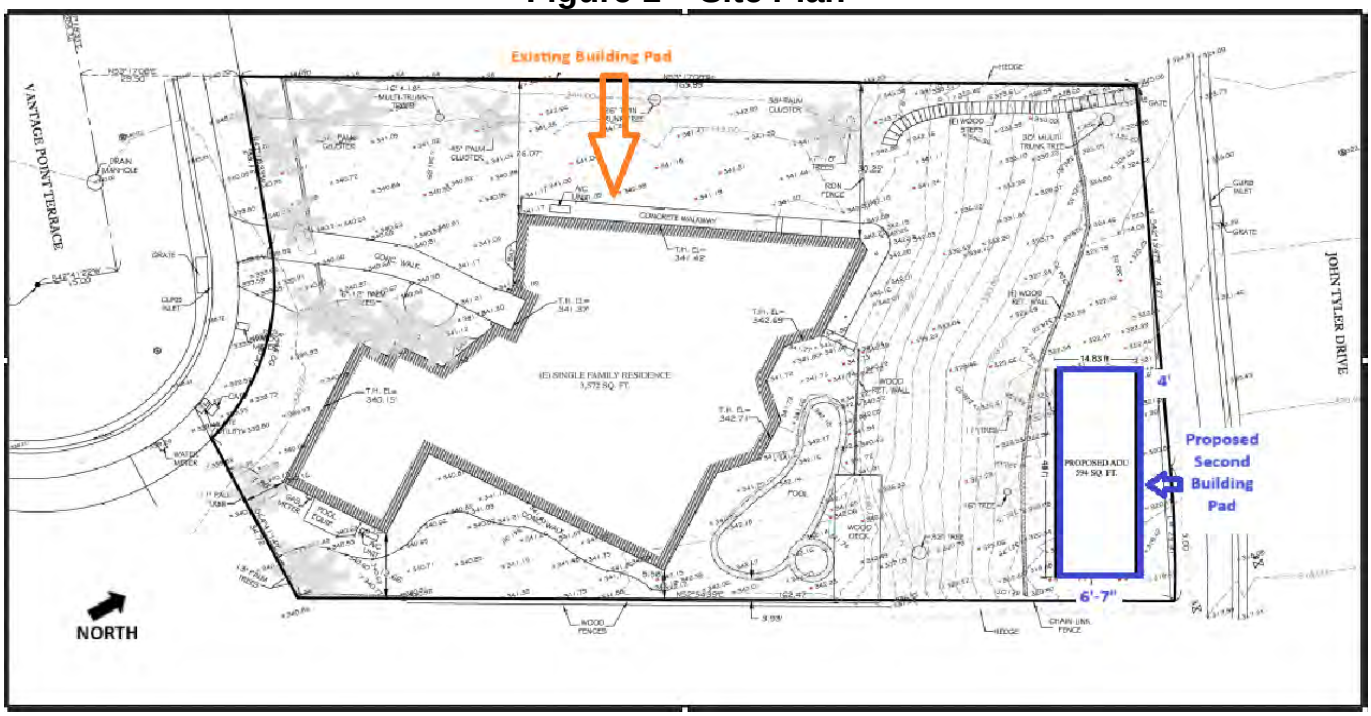
Table 2 provides a summary of the dimensions and area of the subject parcel.

Table 2 – Property Data	
Lot Depth	160 feet
Lot Width	95 feet
Gross Lot Area	16,862 square feet (0.38 acres)
Area of Easements	1,600 square feet
Area of 1:1 Slopes	628 square feet
Net Lot Area *	14,634 square feet (0.33 acres)

*Net Lot Area = Gross Lot Area minus the area of public or private access easements and 1:1 slopes.

In Figure 1, the existing building pad is located at the top of the slope accessed from Vantage Point Terrace. The existing building pad includes a residence, garage, driveway, front and side yards, walkways, swimming pool, spa, and wooden deck. A 14.83-foot by 40-foot ADU/Second Unit is shown on the rear portion of the parcel downhill from the existing building pad. The ADU/Second Unit is proposed with a 4-foot rear yard setback and a 6-foot 7-inch interior yard setback.

Figure 1 – Site Plan



Source: Project Plans (Attachment 2)

Figure 2 – Illustrative & Project Elevations









Source: Project Plans (2024)

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies to implement the Coastal Act in Malibu. The LIP carries out the policies of the LUP and contains specific policies and regulations to which every project requiring a CDP must adhere. There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) Onsite Wastewater Treatment Systems (OWTS). These chapters are discussed under the *LIP Conformance Analysis* section.

The nine remaining LIP chapters contain required findings: 1) CDP findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. For the reasons described in this report, including the project site, the scope of work and substantial evidence in the record, only the following chapters and associated findings are applicable to the project: CDP. These chapters are discussed in the *LIP Findings* section of this report.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Division, City Biologist, City Public Works Division, City geotechnical consultant reviewers, Los Angeles County Waterworks District No. 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 3 – Department Review Sheets).

Zoning (LIP Chapter 3)

The proposed project is subject to non-beachfront residential development and design standards set forth under LIP Sections 3.4.1(D) (MCE Overlay District). Table 3 provides a project conformance summary with the relevant standards of the LIP. As summarized below, the proposed project does not comply with LIP Chapter 3.

Table 3 – LCP Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
SITE OF CONSTRUCTION	All development limited to existing building pad; one building pad per lot; no structures downhill from existing building pad	Proposed development extended to proposed second building pad; proposed second building pad on lot; proposed structure located downhill from existing building pad	Does not comply with the LIP §3.4.1(D)(6)
REAR YARD SETBACK	15 ft.	4 ft.	Does not comply with LIP §3.4.1(D)(2)(c)
IMPERMEABLE COVERAGE	No maximum; all impermeable surfaces shall be on the existing building pad	Proposed structure on proposed second building pad	Does not comply with LIP §3.4.1(D)(7)
STRUCTURE HEIGHT	Limits structure height to additions/remodels of existing structure, vacant parcels or where an existing structure is replaced	No modifications to existing structure; proposed second structure not associated with existing structure	Does not comply with LIP §3.4.1(D)(5)(d)(i-ii)
GRADING	Grading for swimming pools and spas; no grading for purposes of extending the existing building pad	Proposed grading associated for use other than swimming pool or spa; proposed grading for second building pad	Does not comply with LIP §3.4.1(D)(8)

Table 3 – LCP Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
WALL HEIGHT WITHIN SETBACK	No walls exceeding 6 ft in height within required rear yard	Proposed walls associated with the structure extend above 6 ft within required rear yard	Does not comply with LIP §3.4.1(D)(4)(a)
ROOFS	Roof materials limited to clay tile, concrete tile or similar	Proposed roof materials Class "A" fire-rated architectural shingles	Does not comply with LIP §3.4.1(D)(10)(b)

Grading (LIP Chapter 8)

Unless otherwise limited in the LIP pursuant to LIP Section 8.2, LIP Section 8.3 ensures that new development minimizes the visual resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards per lot of single-family development. The MCE Overlay standards provide more strict regulations for grading of property within the MCE Overlay District (LIP Section 3.4.1(D)(8)) by prohibiting grading on existing building pads except for export of 500 cubic yards associated with the construction of a swimming pool and spa, with additional provisions for cut and fill grading and remedial grading subject to the approval of a Site Plan Review. Based on the applicant's submitted materials, the proposed second building pad proposes remedial and re-compaction grading for the upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of 3 feet beyond the proposed footprint. As noted in Table 3, the proposed grading is for a use other than a swimming pool or spa. The proposed project does not comply with LIP Section 3.4.1(D)(8) and, therefore, does not comply with LIP Chapter 8 pursuant to the provision in LIP Section 8.2. Additionally, the LIP Section 8.3(G) defines remedial grading as "grading necessary to mitigate an environmental hazard as recommended by a geotechnical report approved by the City Geotechnical staff. No such remedial grading will be allowed when it could be avoided by changing the position or location of the proposed development." Remedial grading appears to be avoidable by changing the location of the proposed development to an area within the existing building pad.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures to be followed to determine potential impacts on archeological resources. The project site has been evaluated for potential impacts to archeological resources per the adopted City of Malibu Cultural Resources Map and it has been determined that due to the previous grading activities to create the existing building

pad and MCE community, the project has very low probability of disturbing archaeological resources for construction proposed on the existing building pad. However, given the location of the proposed second building pad downhill from the existing building pad, the proposed project site has not been evaluated for potential impacts to important cultural resources that may be found in the course of construction. The applicant has not provided information that demonstrates the proposed second building pad has been evaluated for potential impacts to archaeological resources. The Planning Division is unable to determine if the proposed project complies with LIP Chapter 11.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. In the event the project were to comply with the relevant standards of the LCP for issuing CDPs, standard conditions of approval were provided to the Planning Division. These include the implementation of storm water management plans during construction activities and management of runoff from the proposed development.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all CDPs.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with certified City of Malibu Local Coastal Program.

This finding cannot be made because the proposed location of the ADU/Second Unit is not consistent with the MCE Overlay standards in LIP Section 3.4.1.(D) or residential development standards in LIP Section 3.6(N)(1) and, therefore, does not meet the requirements for LIP Chapter 3 (Zoning). Furthermore, the proposed location does not comply with LIP Chapter 8 (Grading) and compliance with LIP Chapter 11 (Archaeological/Cultural Resources) cannot be determined based on the information submitted.

The proposed project fails to meet various requirements outlined in LIP Chapter 3 including: LIP §3.4.1(D)(2)(c) which requires rear yard setback to be at least 15 feet (4 feet proposed); LIP §3.4.1(D)(4)(a) which stipulates that “no walls…in excess of 6 feet shall be allowed within the required rear…yard setback areas” (wall heights associated with the proposed structure extend above 6 feet in the rear yard setback); LIP §3.4.1(D)(5) which limits structure height to additions/remodels of an existing structure, a new structure on a vacant parcel, or where an existing structure is replaced (no modifications to the existing structure are proposed, the site is not vacant, and the proposed structure is not

associated with the replacement of the existing residence); LIP §3.4.1(D)(6), which stipulates that the site of construction for all development is limited to one single building pad and that no structures shall be sited downhill from the existing building pad (the project proposes a second building pad and has located the proposed second building pad downhill of the existing building pad); LIP §3.4.1(D)(7) which strictly limits impermeable surfaces on the existing building pad (the proposed structure is located on a proposed second building pad); LIP §3.4.1(D)(8) which states grading shall only be permitted for the construction of swimming pools and spas and that no grading occur for purposes of extending the existing building pad (proposed grading associated for a use other than a swimming pool or spa and proposed for an additional building pad); LIP §3.4.1(D)(10)(b) which limits roof materials to clay tile, concrete tile or similar material (proposed roof materials include Class "A" fire-rated architectural shingles); and LIP §3.6(N)(c)(i) that requires a second residential unit be located within the required development area for the project site and clustered with the primary dwelling unit (the proposed second unit is located downhill from the existing residence, is not within the required development area as stipulated in the MCE Overlay standards, and is not clustered with the existing residence).

The proposed development is inconsistent with LIP Chapter 8 (Grading). The MCE Overlay standards provide more strict regulations for grading of property within the MCE Overlay District (LIP Section 3.4.1(D)(8)) by prohibiting grading on existing building pads except for export of 500 cubic yards associated with the construction of a swimming pool and spa, with additional provisions for cut and fill grading and remedial grading subject to the approval of a Site Plan Review. Based on the applicant's submitted materials, the proposed second building pad proposes remedial and re-compaction grading for the upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of a 3 feet beyond the proposed footprint. The proposed grading is for a use other than a swimming pool or spa and, therefore, does not comply with LIP Section 3.4.1(D)(8) or LIP Chapter 8 pursuant to the provision in LIP Section 8.2. Additionally, the LIP Section 8.3(G) defines remedial grading as "grading necessary to mitigate an environmental hazard as recommended by a geotechnical report approved by the City Geotechnical staff. No such remedial grading will be allowed when it could be avoided by changing the position or location of the proposed development." Remedial grading appears to be avoidable by changing the location of the proposed development to an area within the existing building pad.

Based on the information submitted by the applicant, the Planning Division is unable to determine if the proposed project complies with LIP Chapter 11 (Archaeological/Cultural Resources). Although the project site has been evaluated for potential impacts to archeological resources and it has been determined that due to the previous grading activities to create the existing building pad and MCE community, the project has very low probability of disturbing archaeological resources for construction proposed on the existing building pad. It is not clear if the proposed second building pad would have potential impacts given that it is proposed downhill from the existing building pad in an undeveloped

area and has not been evaluated for potential impacts during construction. The applicant has not provided information demonstrating that the proposed second building pad has been evaluated for impacts to archeological resources.

In the event there is a conflict between a provision of the LCP and a provision of the General Plan or of any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and the other provision, pursuant to LIP Section 1.3.1, the LCP governs. Consequently, the development may not be approved unless it complies with the LCP provision.

For the reasons provided herein, the proposed ADU/Second Unit does not conform to the current LIP's objective development requirements and the applicant has not requested relief pursuant to the provisions in LIP Section 13.26 (Variances). Therefore, the Planning Division cannot make the required finding per LIP Section 13.9 in support of the requested CDP.

Finding 2. If the project is located between the first public road and the sea. The project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The subject parcel is not located between the first public road and the sea. The project site is located inland and not located along the shoreline. Therefore, this finding does not apply.

Finding 3. The project is the least environmentally damaging alternative.

As discussed in Finding 1, the applicant stated that the proposed location on a proposed second building pad downhill of the existing building pad is the only suitable location due to the site's sewer and water line easements and steep slopes. However, the applicant did not provide an alternate location or adequately justify why the ADU/Second Unit could not be developed within the existing building pad in compliance with the MCE Overlay standards. Furthermore, the applicant did not demonstrate that an alternate location within the residence as part of a conversion or adjacent to the residence on a flat portion of the existing building pad was infeasible. Additionally, the applicant did not provide information indicating that the proposed second building pad has been evaluated for potential impacts to archaeological/cultural resources.

As part of the Planning Division's review of the subject application, alternate locations for development appeared feasible and would maintain consistency with the MCE Overlay standards, as well as consistency with LIP Chapters 3, 8 and 11. The alternate locations do not appear to necessitate the extent of proposed grading to accommodate the second building pad or result in the need for relief from the MCE Overlay standards. As proposed, the second building pad location is not considered to be the least environmentally damaging alternative.

Finding 4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explain why it is not feasible to take the recommended action.

The LCP ESHA and Marine Resources Map does not identify any ESHA on the subject property or on any adjacent properties. The subject property is not in a designated ESHA or ESHA buffer and, therefore, Environmental Review Board review was not required. This finding does not apply.

B. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The subject property is not in a designated ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, the findings of LIP Section 4.7.6 are not applicable.

C. Native Tree Protection (LIP Chapter 5)

There are three unidentified trees adjacent to the proposed second building pad. Based on the information provided by the applicant, it is unclear if the trees are native or not native. Therefore, the findings for LIP Chapter 5 conformance cannot be determined based on the information provided by the applicant.

D. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The MCE Overlay District was established approximately 50 years ago at which time each parcel was graded and designated one building pad to create terraced views of the surrounding mountains and/or the Pacific Ocean. The elevation of each building pad has been documented with specified height and grading controls for development, and applicants are not permitted to alter the elevation of each building pad. Because the standards of the MCE Overlay District are intended to maximize the protection of scenically impressive views from public viewing areas, including scenic roads, strict adherence to the MCE Overlay standards specified in LIP Section 3.4.1(D) ensures compliance with the relevant standards of LIP Chapter 6. As previously described in CDP Findings 1 and 3 above, the proposed second building pad and proposed structure do not comply with several MCE Overlay standards. Therefore, the findings for LIP Chapter 6 conformance cannot be determined under the current proposal.

E. Transfer of Development Credit (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

F. Hazards (LIP Chapter 9)

The project does not have the potential to create adverse impacts to the site stability or structural integrity; therefore, this finding does not apply.

G. Shoreline and Bluff Development (LIP Chapter 10)

The project is not located within a shoreline or bluff; therefore, this finding does not apply.

H. Public Access (LIP Chapter 12)

LIP Section 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
B. New development between the nearest public roadway and the sea.
C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the subject property and the proposed project do not meet any of these criteria in that no trails are identified on the LCP Park Lands Map on or adjacent to the property, the property is not located near a recreational area, and the property is not located between the first public road and the shoreline. Additionally, bluff-top, trail, and recreational access are not applicable given the subject property's location. Therefore, the requirement for public access of LIP Section 12.4 does not apply and further findings are not required.

I. Land Division (LIP Chapter 15)

This project does not include land division. Therefore, findings from this chapter do not apply.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project and finds that, pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects that a public agency rejects or disapproves.

CORRESPONDENCE: At the time of writing this report, no public correspondence has been received by staff concerning the proposed project.

PUBLIC NOTICE: On November 20, 2025, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 4).

SUMMARY: The required findings cannot be made that the project complies with the LCP. Based on the analysis contained in this report and the accompanying resolution, staff recommends denial of this project by the adoption of Planning Commission Resolution No. 25-86.

Should the Planning Commission determine that the findings can be made in support of the application, the Planning Commission will need to make a series of findings including that the project is categorically exempt from CEQA, that the requested CDP can be supported by LIP Sections 13.9(A-D) and LIP Section 6.4(A)(1-5), adherence to LIP Chapters 5 and 11 can be determined, and variances can be supported by LIP Section 13.26.5 to provide relief from relevant MCE Overlay standards and LIP Chapter 3 residential development standards. The Planning Commission would need to direct staff to return with an approval resolution at a future public hearing.

ATTACHMENTS:

1. Planning Commission Resolution No. 25-86
2. Project Plans
3. Department Review Sheets
4. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 25-86

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU DETERMINING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOES NOT APPLY TO PROJECTS THAT A PUBLIC AGENCY REJECTS OR DISAPPROVES, AND DENYING COASTAL DEVELOPMENT PERMIT NO. 21-045 TO CONSTRUCT A NEW 594 SQUARE-FOOT ACCESSORY DWELLING UNIT/SECOND UNIT ON A PROPOSED SECOND BUILDING PAD IN THE MALIBU COUNTRY ESTATES OVERLAY DISTRICT LOCATED AT 24507 VANTAGE POINT TERRACE (MEISSNER FAMILY TRUST)

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

SECTION 1. Recitals.

A. On September 23, 2021, the subject application was submitted to the City of Malibu Planning Division by Keystone Strategic Planning, on behalf of property owner, the Meissner Family Trust. The application was routed to the City Biologist, City Public Works Department, City geotechnical consultant reviewers, Los Angeles County Waterworks District No. 29 (WD29), and Los Angeles County Fire Department (LACFD) for review. The proposed development is located in the Malibu Country Estates (MCE) Overlay District, included within the City's certified Local Coastal Program (LCP) Local Implementation Plan (LIP) as LIP Section 3.4.1(D).

B. On August 26, 2024, the applicant notified the Planning Division that it will not be requesting relief from various objective development standards in the LIP through variances and requested the Planning Division continue to process the application for development on a proposed second building pad within the MCE Overlay District.

C. On October 9, 2025, the applicant requested the subject application be agendized for the Planning Commission. On October 10, 2025, the Planning Division scheduled the application for the next available Planning Commission meeting. To-date, the Planning Division has been unable to deem the project application complete based on the information submitted by the applicant.

D. On November 13, 2025, the Planning Division issued a Notice of Hearing Requirements letter to the California Coastal Commission (CCC) and the project applicant stating that the project would be heard at a public hearing before the Planning Commission and was not appealable to the CCC.

E. On October 30, 2025, the applicant posted a Notice of Application sign at the subject site.

F. On November 20, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the project site and to all interested parties.

G. On December 1, 2025, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

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SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project and finds that, pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects that a public agency rejects or disapproves.

SECTION 3. Coastal Development Permit Findings.

Based on evidence contained within the record, including the agenda report for the project and the hearing on December 1, 2025, and pursuant to the LIP including Sections 13.7(B) and 13.9, the Planning Commission adopts the findings of fact, and denies CDP No. 21-045 for a 594 square-foot Accessory Dwelling Unit/Second Unit (ADU/Second Unit) proposed on a second building pad on property located in the MCE Overlay District and Single Family Medium (SFM) zoning district at 24507 Vantage Point Terrace (Meissner Family Trust).

The project has been determined to be inconsistent with all applicable LCP codes, standards, goals, and policies. The required findings of denial are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

This finding cannot be made because the proposed location of the ADU/Second Unit is not consistent with the MCE Overlay standards in LIP Section 3.4.1.(D) or residential development standards in LIP Section 3.6(N)(1) and, therefore, does not meet the requirements for LIP Chapter 3 (Zoning). Furthermore, the proposed location does not comply with LIP Chapter 8 (Grading) and compliance with LIP Chapter 11 (Archaeological/Cultural Resources) cannot be determined based on the information submitted.

1. The proposed project fails to meet various requirements outlined in LIP Chapter 3 including: LIP §3.4.1(D)(2)(c) which requires rear yard setback to be at least 15 feet (4 feet proposed); LIP §3.4.1(D)(4)(a) which stipulates that "no walls…in excess of 6 feet shall be allowed within the required rear…yard setback areas" (wall heights associated with the proposed structure extend above 6 feet in the rear yard setback); LIP §3.4.1(D)(5) which limits structure height to additions/remodels of an existing structure, a new structure on a vacant parcel, or where an existing structure is replaced (no modifications to the existing structure are proposed, the site is not vacant, and the proposed structure is not associated with the replacement of the existing residence); LIP §3.4.1(D)(6), which stipulates that the site of construction for all development is limited to one single building pad and that no structures shall be sited downhill from the existing building pad (the project proposes a second building pad and has located the proposed second building pad downhill of the existing building pad); LIP §3.4.1(D)(7) which strictly limits impermeable surfaces on the existing building pad (the proposed structure is located on a proposed second building pad); LIP §3.4.1(D)(8) which states grading shall only be permitted for the construction of swimming pools and spas and that no grading occur for purposes of extending the existing building pad (proposed grading associated for a use other than a swimming pool or spa and proposed for an additional building pad); LIP §3.4.1(D)(10)(b) which limits roof materials to clay tile, concrete tile or similar material (proposed roof materials include Class "A" fire-rated architectural shingles); and LIP §3.6(N)(c)(i) that requires a second residential unit be located

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within the required development area for the project site and clustered with the primary dwelling unit (the proposed second unit is located downhill from the existing residence, is not within the required development area as stipulated in the MCE Overlay standards, and is not clustered with the existing residence).

The proposed development is inconsistent with LIP Chapter 8 (Grading). The MCE Overlay standards provide more strict regulations for grading of property within the MCE Overlay District (LIP Section 3.4.1(D)(8)) by prohibiting grading on existing building pads except for export of 500 cubic yards associated with the construction of a swimming pool and spa, with additional provisions for cut and fill grading and remedial grading subject to the approval of a Site Plan Review. Based on the applicant's submitted materials, the proposed second building pad proposes remedial and re-compaction grading for the upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of 3 feet beyond the proposed footprint. The proposed grading is for a use other than a swimming pool or spa and, therefore, does not comply with LIP Section 3.4.1(D)(8) or LIP Chapter 8 pursuant to the provision in LIP Section 8.2. Additionally, the LIP Section 8.3(G) defines remedial grading as "grading necessary to mitigate an environmental hazard as recommended by a geotechnical report approved by the City Geotechnical staff. No such remedial grading will be allowed when it could be avoided by changing the position or location of the proposed development." Remedial grading appears to be avoidable by changing the location of the proposed development to an area within the existing building pad.

Based on the information submitted by the applicant, the Planning Division is unable to determine if the proposed project complies with LIP Chapter 11 (Archaeological/Cultural Resources). Although the project site has been evaluated for potential impacts to archeological resources and it has been determined that due to the previous grading activities to create the existing building pad and MCE community, the project has very low probability of disturbing archaeological resources for construction proposed on the existing building pad. It is not clear if the proposed second building pad would have potential impacts given that it is proposed downhill from the existing building pad in an undeveloped area and has not been evaluated for potential impacts during construction. The applicant has not provided information demonstrating that the proposed second building pad has been evaluated for impacts to archeological resources.

In the event there is a conflict between a provision of the LCP and a provision of the General Plan or of any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and the other provision, pursuant to LIP Section 1.3.1, the LCP governs. Consequently, the development may not be approved unless it complies with the LCP provision.

For the reasons provided herein, the proposed ADU/Second Unit does not conform to the current LIP's objective development requirements and the applicant has not requested relief pursuant to the provisions in LIP Section 13.26 (Variances). Therefore, the Planning Division cannot make the required finding per LIP Section 13.9 in support of the requested CDP.

2. The subject parcel is not located between the first public road and the sea. The project site is located inland and not located along the shoreline. Therefore, this finding does not apply.

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3. As discussed in Finding 1, the applicant stated that the proposed location on a proposed second building pad downhill of the existing building pad is the only suitable location due to the site's sewer and water line easements and steep slopes. However, the applicant did not provide an alternate location or adequately justify why the ADU/Second Unit could not be developed within the existing building pad in compliance with the MCE Overlay standards. Furthermore, the applicant did not demonstrate that an alternate location within the residence as part of a conversion or adjacent to the residence on a flat portion of the existing building pad was infeasible. Additionally, the applicant did not provide information indicating that the proposed second building pad has been evaluated for potential impacts to archaeological/cultural resources.

As part of the Planning Division's review of the subject application, alternate locations for development appeared feasible and would maintain consistency with the MCE Overlay standards, as well as consistency with LIP Chapters 3, 8 and 11. The alternate locations do not appear to necessitate the extent of proposed grading to accommodate the second building pad or result in the need for relief from the MCE Overlay standards. As proposed, the second building pad location is not considered to be the least environmentally damaging alternative.

4. The LCP Environmentally Sensitive Habitat Area (ESHA) and Marine Resources Map does not identify any ESHA on the subject property or on any adjacent properties. The subject property is not in a designated ESHA or ESHA buffer and, therefore, Environmental Review Board review was not required. This finding does not apply.

B. Native Tree Protection (LIP Chapter 5)

There are three unidentified trees adjacent to the proposed second building pad. Based on the information provided by the applicant, it is unclear if the trees are native or not native. Therefore, the findings for LIP Chapter 5 conformance cannot be determined based on the information provided by the applicant.

C. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The MCE Overlay District was established approximately 50 years ago at which time each parcel was graded and designated one building pad to create terraced views of the surrounding mountains and/or the Pacific Ocean. The elevation of each building pad has been documented with specified height and grading controls for development, and applicants are not permitted to alter the elevation of each building pad. Because the standards of the MCE Overlay District are intended to maximize the protection of scenically impressive views from public viewing areas, including scenic roads, strict adherence to the MCE Overlay standards specified in LIP Section 3.4.1(D) ensures compliance with the relevant standards of LIP Chapter 6. As previously described in CDP Findings 1 and 3 above, the proposed second building pad and proposed structure do not comply with several MCE Overlay standards. Therefore, the findings for LIP Chapter 6 conformance cannot be determined under the current proposal.

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SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby denies CDP No. 21-045.

SECTION 5. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 1st day of December 2025.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to LIP Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 246.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

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I CERTIFY THAT THE FOREGOING RESOLUTION NO. 25-86 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 1st day of December 2025 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

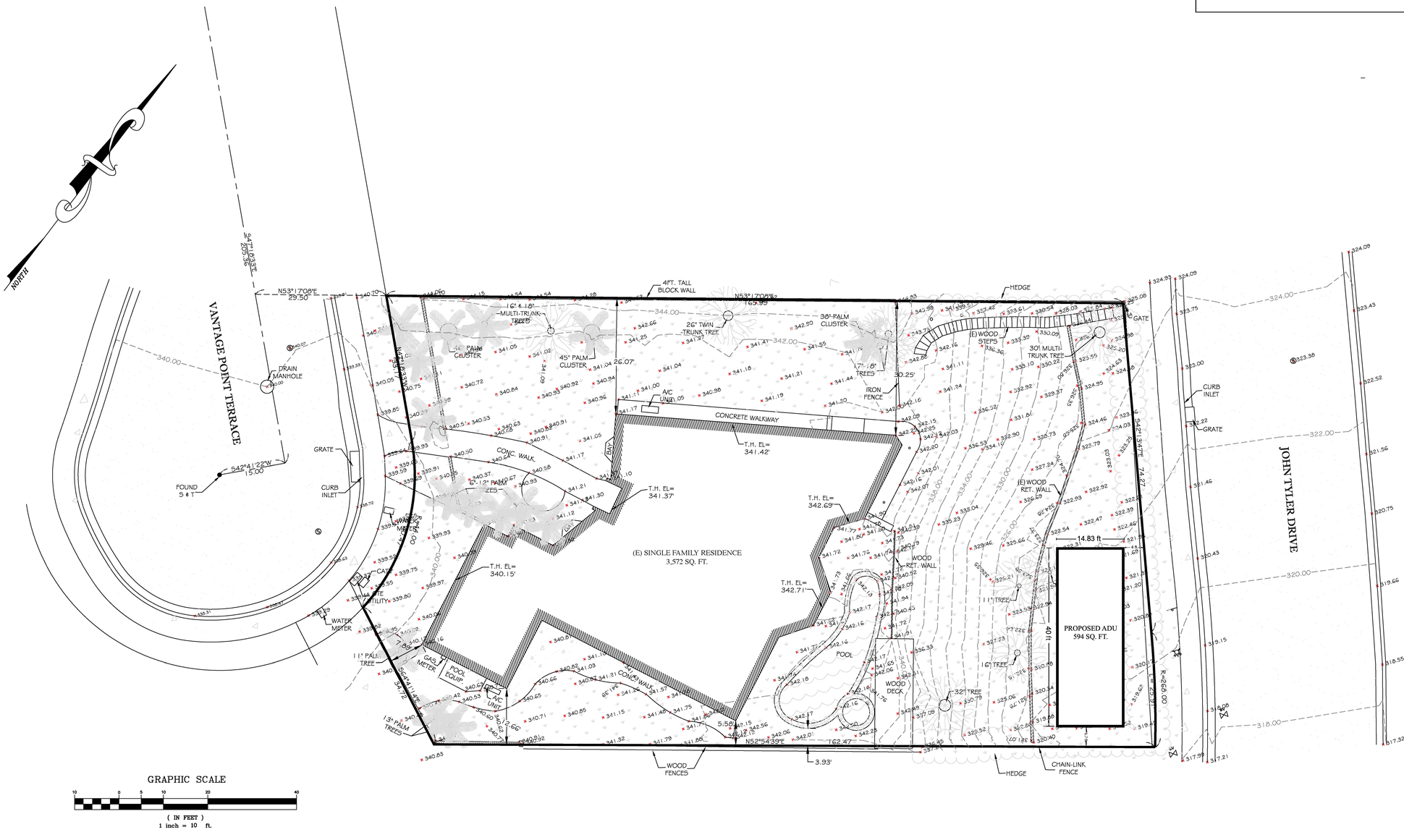
PROPERTY DATA

APN:	4468-033-066
JURISDICTION:	CITY OF MALIBU
ZONING:	SFM
LCD ZONING OVERLAY:	MALIBU COUNTRY ESTATES
LOT SIZE:	0.36 ACRES

PROJECT SCOPE OF WORK

NEW ONE-STORY 594 SQ. FT. PRE-MANUFACTURED ACCESSORY DWELLING UNIT (ADU).

24507 VANTAGE POINT TERR. MALIBU, CA 90265



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

4/9/2024

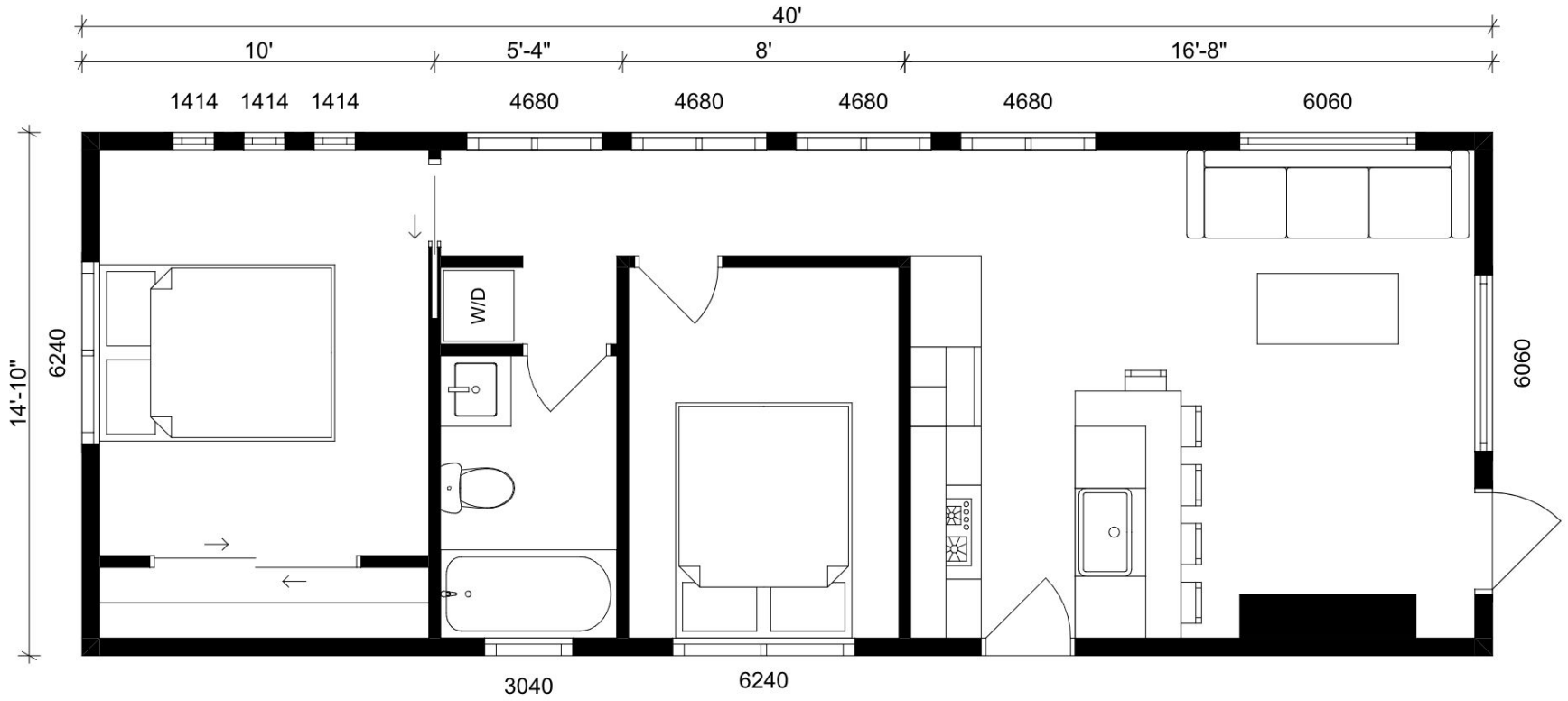
REVISIONS	

SITE PLAN

A1

ATTACHMENT 2

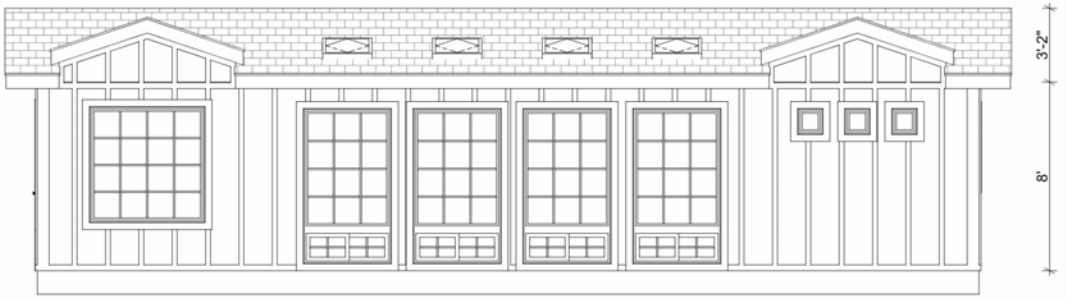


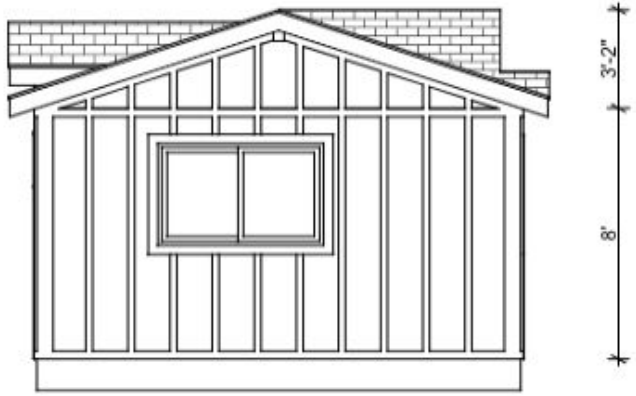

40'
10'
5'-4"
8'
16'-8"
1414
1414
1414
4680
4680
4680
4680
6060
14'-10"
6240
W/D
6060
3040
6240








3'-2"
8'


3'-2"
8'


3'-2"
8'


3'-2"
8'

LOS ANGELES COUNTY WATERWORKS DISTRICTS *

P. O. Box 1460
Alhambra, CA 91802
Telephone: (626) 300-3306

260 East Avenue K-8
Lancaster, CA 93535
Telephone: (661) 942-1157

23533 Civic Center Way
Malibu, CA 90265
Telephone: (310) 317-1389

TO:

☐ Los Angeles County
Department of Public Health
Environmental Health:
Drinking Water / Land Use Program
5050 Commerce Drive
Baldwin Park, CA 91706-1423

☐ Los Angeles County
Department of Public Works
Building & Safety Division

☐ Los Angeles County
Fire Department

☐ City of Lancaster
Building Department
44933 N. Fern Ave.
Lancaster, CA 93534

☒ City of Malibu
Building Department
23815 W. Stuart Ranch Rd.
Malibu, CA 90265

☐ City of Palmdale
Building Department
38300 N. Sierra Hwy.
Palmdale, CA 93550

RE: **24507 VANTAGE POINT TERRACE** (Address) **MALIBU** (City) **90265** (Zip Code)

APN # 4458-033-006

Los Angeles County Waterworks District No. 29

***Will serve* water to the above *single lot* property subject to the following conditions:**

☐	Annexation of the property into Los Angeles County Waterworks District is required. **Water service to this property will not be issued until the annexation is completed.**
☐	The appropriate fees must be paid to the District and other related water agencies.
☒	The appropriate service connection fees have been paid to Waterworks Districts for the existing 1" service connection.
☒	The property has an existing 3/4"x1" water meter.
☐	The appropriate connection fees have been paid to Waterworks Districts for the proposed service.
☐	Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the District.
☒	Water meter serving the property must be installed in accordance with Waterworks' District standards.
☒	Public water system and sewage disposal system must be in compliance with Health Department separation requirements.
☐	A portion of the existing fronting water main may be required to be replaced or upgraded if the water service tap cannot be made or if damage occurs to the water main.
☒	Property may experience low water pressure and / or shortage in high demand periods.
☐	The District **CAN NOT** serve water to this property at this time.
☐	Must comply with and satisfy City of Malibu requirements in order to obtain Water Service.
☒	A USC approved backflow device is required for this property and is to be installed and maintained by the property owner and tested annually.
☒	This Will Serve Letter is for an ADU, FEPC2021-3415.

By:	William Johnson	(310) 317-1389	4/6/2022
Signature	Print Name	Phone Number	Date
	Senior Civil Engineer		

**** THIS WILL SERVE LETTER WILL EXPIRE ONE YEAR AFTER THE DATE OF ISSUANCE.***

Rev. 06/09

ATTACHMENT 3

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

FIRE DEPARTMENT REVIEW
REFERRAL SHEET

TO: Los Angeles County Fire Department

FROM: City of Malibu Planning Department **DATE:** 9/23/2021

PROJECT NUMBER:	ACDP 21-045
JOB ADDRESS:	24507 VANTAGE POINT TER
APPLICANT / CONTACT:	Matt & Martin Jewett & Rasmussen, Keystone Stra
APPLICANT ADDRESS:	4859 West Slauson Avenue Los Angeles, CA 90056
APPLICANT PHONE #:	(503)866-1249
APPLICANT FAX #:	
PROJECT DESCRIPTION:	(N) ADU with Minor Modification for rear yard setback modification.

TO: Malibu Planning Department and/or Applicant
FROM: Fire Prevention Engineering Assistant

Compliance with the conditions checked below is required prior to Fire Department approval.

The project DOES require Fire Department Plan Review and Developer Fee payment	✓
The project DOES NOT require Fire Department Plan Review	
The required fire flow for this project is 1,250 gallons per minute at 20 pounds per square inch for a 1 hour duration. (Provide flow information from the water dept.)	✓
The project is required to have an interior automatic fire sprinkler system.	✓
Final Fuel Modification Plan Approval is required prior to Fire Department Approval	✓

Conditions below marked "not approved" shall be corrected on the site plan and resubmitted for Fire Department approval.

	App'd	N/app'd
Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project.	✓	
Required and/or proposed Fire Department Vehicular Turnaround	✓	
Required 5 foot wide Fire Department Walking Access (including grade %)	✓	
Width of proposed driveway/access roadway gates	✓	

*County of Los Angeles Fire Department Approval Expires with City Planning permits expiration, revisions to the County of Los Angeles Fire Code or revisions to Fire Department regulations and standards.

**Minor changes may be approved by Fire Prevention Engineering, provided such changes achieve substantially the same results and the project maintains compliance with the County of Los Angeles Fire Code valid at the time revised plans are submitted. Applicable review fees shall be required.

R. Gonzalez — SIGNATURE

04/26/2022 — DATE

Additional requirements/conditions may be imposed upon review of complete architectural plans.
The Fire Prevention Engineering may be contacted by phone at (818) 880-0341or at the Fire Department Counter:
26600 Agoura Road, Suite 110, Calabasas, CA 91302; Hours: Monday – Thursday between 7:00 AM and 11:00 AM

Rev 04/21/10 mr

FIRE DEPARTMENT NOTES:

6 X 4 X 2 1/2 FIRE HYDRANTS
All fire hydrants shall measure 6"" x 4"" x 2-1/2"", brass or bronze, conforming to American Water Works Association Standard C503, or approved equal.

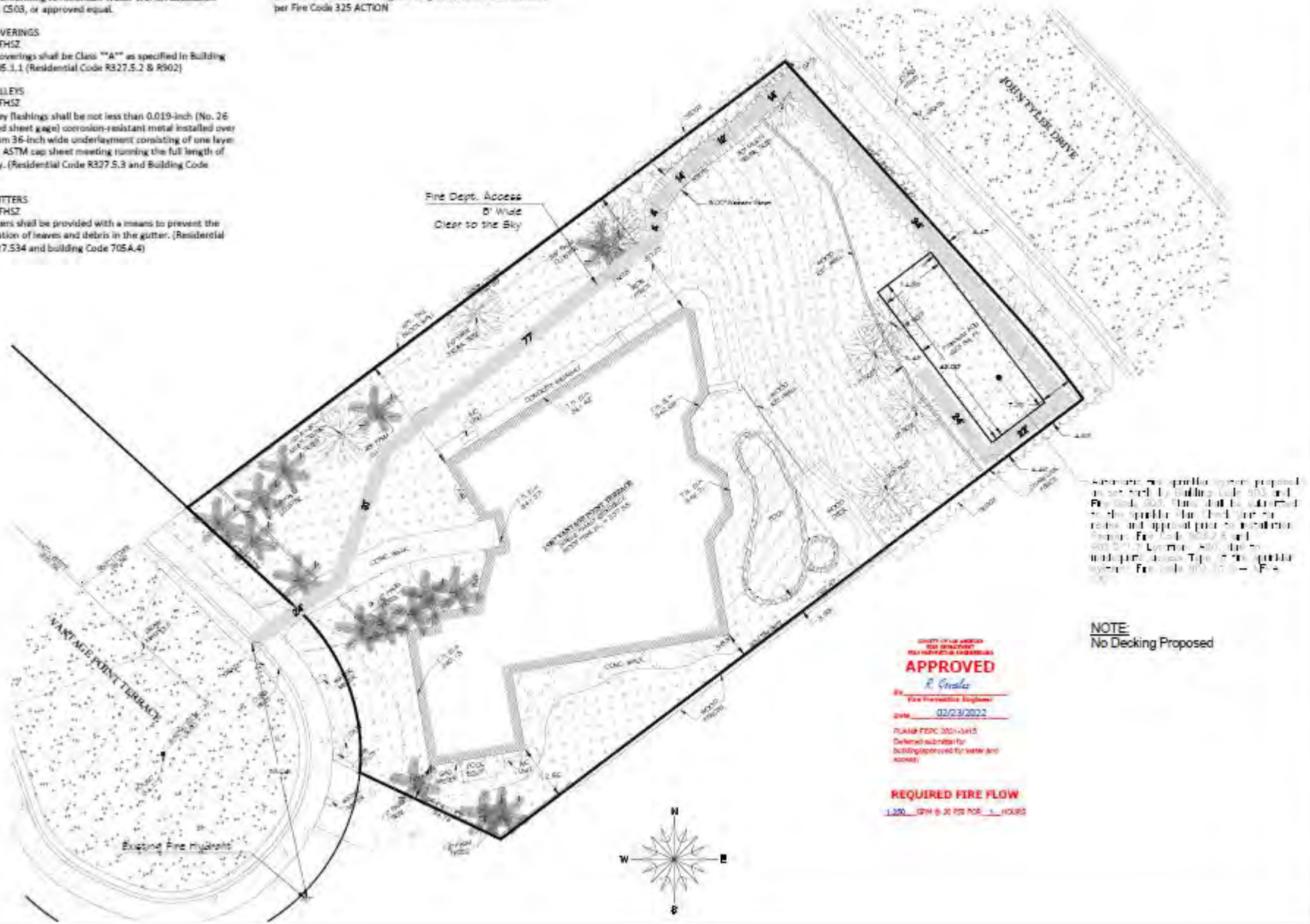
ROOF COVERINGS
FBU - VHFHSZ
All roof coverings shall be Class ""A"" as specified in Building Code 1505.1.1 (Residential Code R327.5.2 & R902)

ROOF VALLEYS
FBU - VHFHSZ
Roof valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch wide underlayment consisting of one layer of No. 72 ASTM cap sheet meeting running the full length of the valley. (Residential Code R327.5.3 and Building Code 705A.3)

ROOF GUTTERS
FBU - VHFHSZ
Roof gutters shall be provided with a means to prevent the accumulation of leaves and debris in the gutter. (Residential Code R327.534 and building Code 705A.4)

FIRE DEPARTMENT NOTES (CONTINUED):

BRUSH CLEARANCE
FBU - VHFHSZ
Clearance of brush and vegetative growth shall be maintained per Fire Code 325 ACTION



APPROVED
R. Gonzalez
02/23/2022
Deferred submittal for building approval for water and access

REQUIRED FIRE FLOW
1,250 GPM @ 20 PSI FOR 4 HOURS

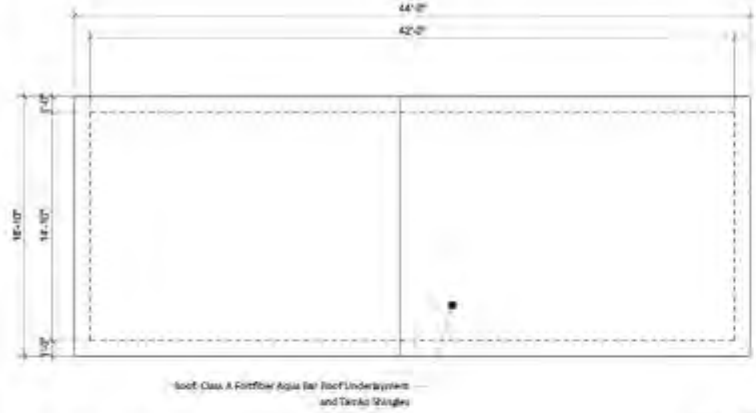
NOTE:
No Decking Proposed

24507 Vantage Point
Fire Access Plan
APN: 4468-033-006
Malibu, CA 90265
2022-01-21

Date:	Description:	By:

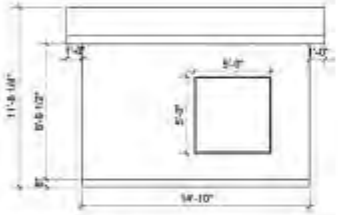
SCALE: 1"=10'

SHEET NUMBER
1 of 2

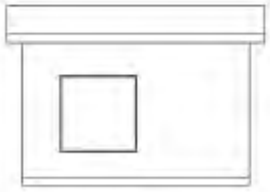


Roof: Class A Fortifiber Aqua Bar Roof Underlayment and Tamko Shingles

4 MARS - ROOF PLAN



5 MARS - ELEVATION - RIGHT



6 MARS - ELEVATION - LEFT



GENERAL CROSS SECTION

General Cross Section Detail
Scale: Not to Scale

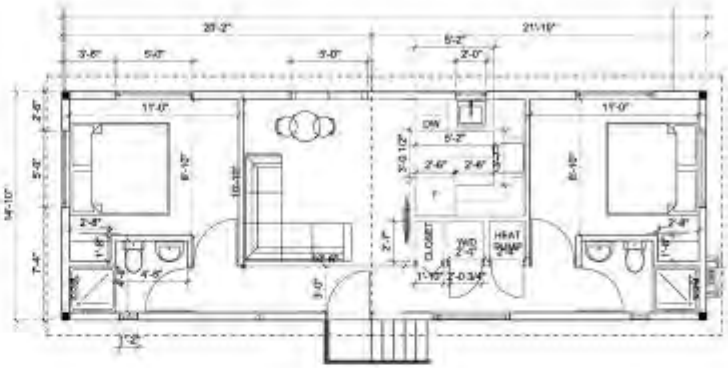
FIRE DEPARTMENT NOTES:

ROOF COVERINGS
FBU - VHFHSZ
All roof coverings shall be Class "A" as specified in Building Code 1505.1.1 (Residential Code R327.5.2 & R902)

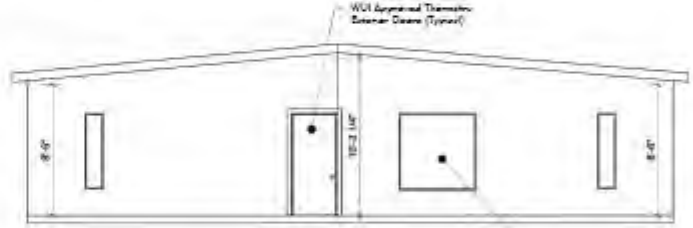
ROOF VALLEYS
FBU - VHFHSZ
Roof valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch wide underlayment consisting of one layer of No. 72 ASTM cap sheet meeting running the full length of the valley. (Residential Code R327.5.3 and Building Code 705A.3)

ROOF GUTTERS
FBU - VHFHSZ
Roof gutters shall be provided with a means to prevent the accumulation of leaves and debris in the gutter. (Residential Code R327.534 and building Code 705A.4)

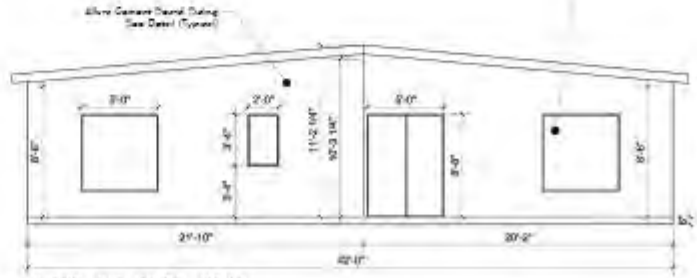
BRUSH CLEARANCE
FBU - VHFHSZ
Clearance of brush and vegetative growth shall be maintained per Fire Code 325 ACTION



1 MARS - FLOOR PLAN



2 MARS - ELEVATION - FRONT



3 MARS - ELEVATION - BACK

24507 Vantage Point
Floor and Elevations Plan

APN: 4468-033-006
Malibu, CA 90265

2022-01-21

Date:	Description:	By:

SHEET NUMBER 2 of 2

SCALE: AS SHOWN

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist

FROM: City of Malibu Planning Department **DATE:** 9/23/2021

PROJECT NUMBER:	ACDP 21-045
JOB ADDRESS:	24507 VANTAGE POINT TER
APPLICANT / CONTACT:	Matt Jewett, Keystone Strategic Planning
APPLICANT ADDRESS:	4859 West Slauson Avenue Los Angeles, CA 90056
APPLICANT PHONE #:	(425)753-6115
APPLICANT FAX #:	
APPLICANT EMAIL:	mjewett@keystoneplanners.com
PLANNER:	Didier Murillo
PROJECT DESCRIPTION:	(N) ADU with Minor Modification for rear yard setback modification.

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design** (See Attached).

X **The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.**

_____ **The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).**

Signature

10/6/21
Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:
Courtney McCammon, City Biologist, Biology@malibucity.org, (310) 456-2489, extension 277

City of Malibu

Biology • Planning Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Matt Jewett, Keystone Strategic Planning mjewett@keystoneplanners.com		
Project Address:	**24507 VANTAGE POINT TER** Malibu, CA 90265		
Planning Case No.:	ACDP 21-045		
Project Description:	(N) ADU with Minor Modification for rear yard setback modification		
Date of Review:	October 6, 2021		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	9/23/21
Site Survey:	9/23/21
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**CANNNOT APPROVE AS SUBMITTED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
	☐	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

Recycled Paper

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height, or change 500/2,500 square feet or more (new residence/existing residence)of the existing landscaping area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

   B. Grading shall be scheduled only during the dry season from April 1 - October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

   C. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.

   D. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas. Up-lighting is prohibited.

-o0o-

If you have any questions regarding the above requirements, please contact the City Biologist office at your earliest convenience.

cc: Planning Project file
Planning Department

City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	February 8, 2022	**Review Log #:**	**4811**
Site Address:	24507 Vantage Point Terrace		
Lot/Tract/PM #:	n/a	**Planning #:**	**ACDP 21-045**
Applicant/Contact:	Matt Jewett, mjewett@keystoneplanners.com	**BPC/GPC #**	
Contact Phone #:	425-753-6115 **Fax #:**	**Planner:**	**To be Determined**
Project Type:	New pre-manufactured accessory dwelling unit (ADU)		

Submittal Information

Consultant(s)/Report Date(s): *(Current submittal(s) in **Bold**.)*	GeoSoils Consultants, Inc. (Miller, GE 2257; Ruberti, CEG 1708): **12-15-2021 (revised 1-14-2022)**, 10-12-2020 Architectural plans prepared by Keystone Strategic Planning dated October 20, 2020. Structural plans prepared by Chapman Home Builders, Inc. dated April 30, 2020 (in geotechnical report).
Previous Reviews:	10-11-2021

Review Findings

Coastal Development Permit Review

☒ The proposed ADU is **APPROVED** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage approval.

☐ The proposed ADU is **NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to approval.

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

☐ **APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ **NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.

Remarks

The referenced response geotechnical report was reviewed by the City from a geotechnical perspective. The project includes the construction of a new 623 square foot pre-manufactured ADU adjacent to John Tyler Road on the property. R & R grading is proposed.

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Review Comments:

None.

Building Plan-Check Stage Review Comments:

1. Please provide a plan check review fee of $1,016.00 for City geotechnical staff to review the plans upon Building Plan Check submittal.
2. Please submit a grading plan that implements the Project Geotechnical Consultant's recommendations for removal and re-compaction grading (upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of 3 feet beyond the ADU footprint).
3. A drainage plan prepared by a licensed civil engineer is to be included as part of the plans.
4. Include the following note on all the foundation plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Engineer prior to placement of reinforcing steel.*"
5. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests, a dry density and optimum moisture maximum curve(s), a map depicting the limits of fill, locations and elevations of all density tests, locations and elevations of all removal bottoms, and the expansion index of the sandstone bedrock used for foundation embedment. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.
6. HARD COPY PLANS: Three sets of grading and ADU plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer.** City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet. **Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.**
7. ELECTRONIC PLANS: If final foundation and civil plans are digitally signed and stamped by the Project Geotechnical Consultant, as allowed under Board of Registration for Professional Engineers and Land Surveyors (2020 PE &PLS Board Rules (16 CCR §§400-476), the Plan Review Letter must contain the following:

    - Project description – Address, scope, including structures being permitted (e.g., pool, guest house etc.).
    - Plan set information – The date and preparer of the plan set reviewed; this must match the plan set that was submitted to the city for final approval.
    - Report references – All applicable geotechnical or coastal engineering reports need to be referenced.
    - Approval of specific plan sheets reviewed – List all plan sheets approved, e.g., civil (grading and drainage) as well as structural.
    - Licensed Professional signature and stamp – The letter must be signed and stamped by all licensed professionals who signed the reports.

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by: _____ 2-8-2022

Christopher Dean, C.E.G. #1751, Exp. 9-20-2022 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

Engineering Geology Review by: _____ 2-8-2022

Franklin Fong, GE #315, Exp. 12-31-23 Date
Geotechnical Engineering Reviewer (909-860-7515)
Email: ffong@ffongge.com

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

City of Malibu

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

The following standard items should be incorporated into Building Plan-Check submittals, as appropriate:

1. One set of grading and ADU plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.**
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Swimming pool plans.
3. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel.*"
4. The Foundation Plans for the proposed swimming pool and spa shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
5. Show the onsite wastewater treatment system on the Site Plan.
6. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.
7. A comprehensive Site Drainage Plan, incorporating the Project Geotechnical Consultant's recommendations, shall be included in the Plans. Show all area drains, outlets, and non-erosive drainage devices on the Plans. Water shall not be allowed to flow uncontrolled over descending slopes.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Project Geotechnical Consultant, on the Plans.
2. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional concerns may be raised at that time which may require a response by the Project Geotechnical Consultant and applicant.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **DATE:** 9/23/2021

PROJECT NUMBER:	ACDP 21-045
JOB ADDRESS:	24507 VANTAGE POINT TER
APPLICANT / CONTACT:	Matt Jewett, Keystone Strategic Planning
APPLICANT ADDRESS:	4859 West Slauson Avenue Los Angeles, CA 90056
APPLICANT PHONE #:	(425)753-6115
APPLICANT FAX #:	
APPLICANT EMAIL:	mjewett@keystoneplanners.com
PROJECT DESCRIPTION:	(N) ADU with Minor Modification for rear yard setback modification.

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

_____ The following items described on the attached memorandum shall be addressed and resubmitted.

__X__ The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.

SIGNATURE

10/25/21
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Danh Duong PE., Assistant Civil Engineer

Date: October 25, 2021

Re: Proposed Conditions of Approval for 24507 Vantage Point Terrace - ACDP 21-045

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

STORMWATER

1. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

Recycled Paper

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANOUS

2. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, December 1, 2025, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

COASTAL DEVELOPMENT PERMIT NO. 21-045 AND MINOR MODIFICATION NO. 21-018 - An application to construct a new 594 square-foot Accessory Dwelling Unit/second unit on a second building pad in the Malibu Country Estates Overlay Zone

LOCATION / APN / ZONING:	**24507 Vantage Point Ter** / 4458-033-006 / Single-family Medium (SFM)
APPLICANT / OWNER:	Meissner Family Trust
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Section 15270
APPLICATION FILED:	September 23, 2021
CASE PLANNER:	Magda Gonzalez, Contract Planner, mgonzalez@4leafinc.com (925) 789-7160

A written staff report will be available at or before the hearing for the projects. All persons wishing to address the Commission regarding these matters will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

YOLANDA BUNDY, Community Development Director Date: November 20, 2025

Supplemental Commission Agenda Report

Planning Commission Meeting
12-01-25
Item 5.D.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Magda Gonzalez, Contract Senior Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: November 26, 2025 Meeting date: December 1, 2025

Subject: Coastal Development Permit No. 21-045 – An application to construct a new 594 square-foot Accessory Dwelling Unit/Second Unit on a proposed second building pad in the Malibu Country Estates Overlay District.

Location: 24507 Vantage Point Terrace, partially within the appealable coastal zone
APN: 4458-033-006
Owner: Meissner Family Trust

RECOMMENDED ACTION: Continue the item to the February 2, 2026 Regular Planning Commission meeting at the applicant's request.

Received
01/20/26
Planning Div.

From: **Andrew Tuck** atuck@keystoneplanners.com
Subject: Rebuttal to Staff Report - 24507 Vantage Point Terrace - Coastal Development Permit No. 21-045
Date: January 19, 2026 at 8:28 PM
To: Teaton@malibucity.org, MGonzalez@4leafinc.com, JSmith@malibucity.org
Cc: Matt Jewett mjewett@keystoneplanners.com, Whitney Wetherill admin@keystoneplanners.com

Dear Malibu Planning Staff,

Our office was retained by the applicant of the above-referenced application to assist with addressing various questions and concerns raised leading up to the upcoming hearing. Please see attached an analysis of the questions/concerns raised in the Staff Report for Coastal Development Permit No. 21-045.

Also attached are the accompanying alternatives analysis and two updated exhibits: an updated Floor Plan and Elevations plan that reflect the use of updated roofing materials, from shingles to tiles, and a site plan identifying four previously unidentified trees. These materials are provided to ensure the record accurately reflects the project's constraints, the applicable standards, feasible options available, and responses to outstanding questions/concerns that the Staff Report indicates may not have been sufficiently addressed previously.

Thank you for your time and attention to these items, and if you need any additional information or would like clarification on any portion of the submittal, we would be happy to assist and/or discuss further at your convenience.

Sincerely,

KEYSTONE
Strategic Planning

Andrew Tuck
Keystone Strategic Planning
4859 West Slauson Avenue #753 Los Angeles, CA 90056
C: 310.912.2758 O: 310.361.9033 atuck@keystoneplanners.com www.keystonestrategicplanning.com

Vantage Point Rebuttal with Bookmarks_Final.pdf
20.8 MB



EXHIBIT C

KEYSTONE
Strategic Planning

Received
01/20/26
Planning Div.

City of Malibu
Planning Department
ATTN: Tyler Eaton, Assistant Community Development Director
23825 Stuart Ranch Rd
Malibu, CA 90265

RE: CDP Application 21-045 – 24507 Vantage Point Terrace Staff Report Comments and Additional Information

Dear Mr. Eaton,

We are in receipt of the Staff Report prepared for the above-referenced application, dated November 20, 2025. The below analysis and supporting documentation are intended to correct/clarify and provide additional information pertaining to the statements/findings made within the staff report to assist in moving the application forward, consistent with applicable State and Local laws that govern the proposed development. In particular, this correspondence is intended to address and clarify unique circumstances that pertain to Accessory Dwelling Units (ADUs) and their treatment under State law, the role of the California Coastal Act, the historical record for development of the subject property/neighborhood with respect to building pad establishment, and the history, purpose and appropriate application of the local Malibu Country Estates (MCE) Overlay District to the subject application.

It appears that Staff's conclusions rest on a series of assumptions that may be inaccurate or incomplete—most notably that the MCE Overlay categorically limits all parcels within the Overlay District to a single building pad, and that such a limitation derives from or is mandated by the Coastal Act. As discussed further below, certain critical assumptions and conclusions made by Staff appear to be inconsistent with the history and facts surrounding original tract map and CC&Rs, the evolution of local regulatory controls, the physical conditions of what was then Lot 85 (now 24507 Vantage Point Terrace), and the statutory framework governing ADUs. Based upon our evaluation of the property's history and relevant governing regulations, it appears that the subject parcel contains two approved and existing building pads that predate the Coastal Act and the LCP, that the proposed ADU is sited entirely on an existing, compliant pad, and that neither the Coastal Act nor the LIP provides a lawful basis to deny the proposed project.

One Building Pad per Parcel

The principal issue raised by staff is the assertion that the Malibu Country Estates (MCE) Overlay District limits all development to one building pad per parcel. Staff relies on LIP Section

One Building Pad per Parcel

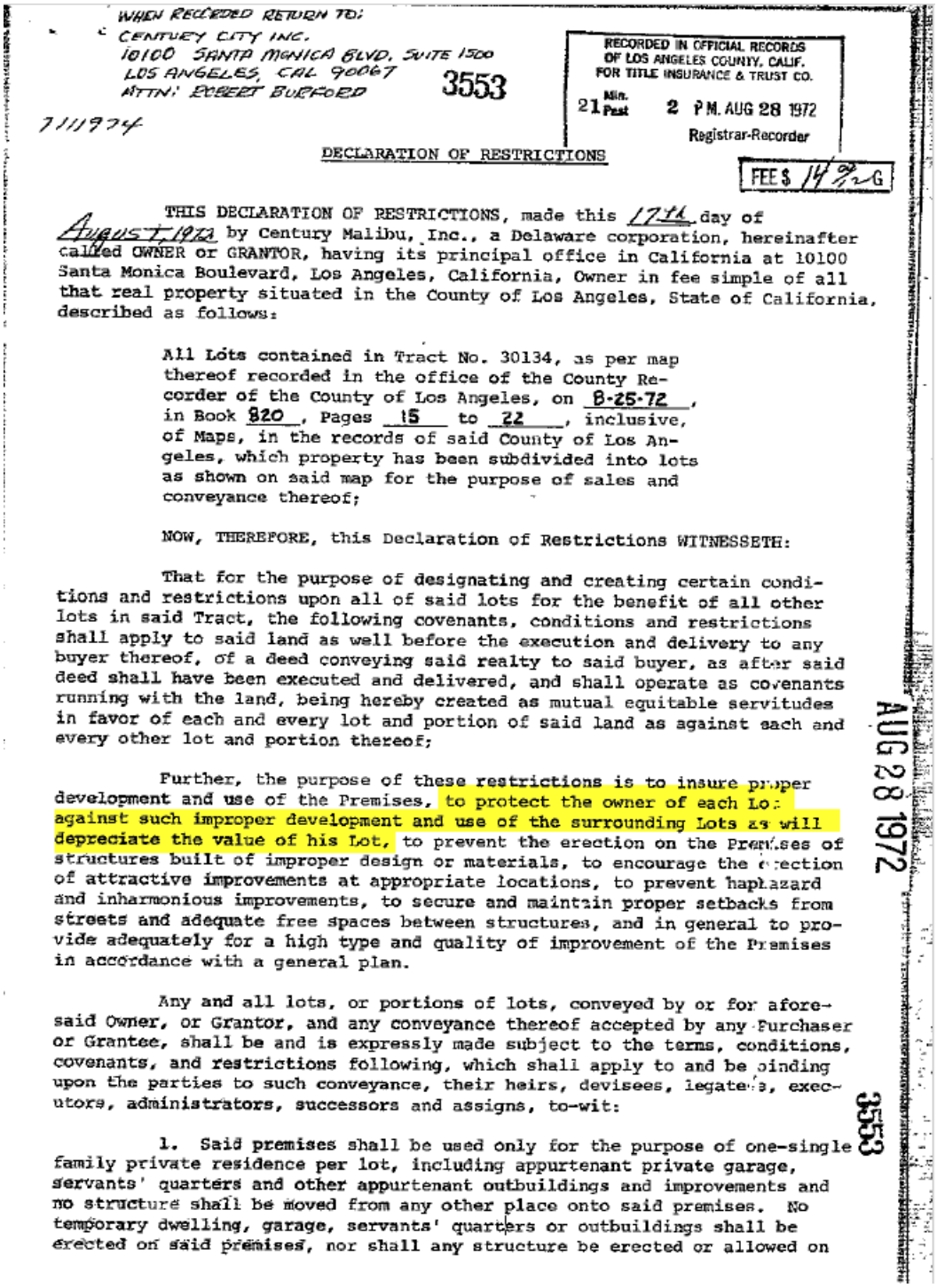
The principal issue raised by staff is the assertion that the Malibu Country Estates (MCE) Overlay District limits all development to one building pad per parcel. Staff relies on LIP Section 3.4.1(D), which provides the following standards for building pads within the MCE Overlay District:

a. All development, excluding walls and fences, shall be limited to the existing building pad.
b. There shall be no more than one building pad per lot.
c. No structure, excluding walls and fences, shall extend beyond, or be cantilevered over, any downhill slope extending from the existing building pad.
d. A building pad is defined as a single, continuous, graded area, not exceeding three percent slope, designed to accommodate development.

As demonstrated below, staff's interpretation is inconsistent with the historical record, the legal framework governing ADUs, and the physical conditions of the subject parcel.

Historical Background of Malibu Country Estates

Staff claims the "*MCE Overlay District was established approximately 50 years ago.*" While the Overlay District technically was not established until the mid-nineties, the Malibu Country Estates neighborhood was originally developed in the 1970s. The original CC&Rs, recorded in 1972, expressly state their purpose was *"to protect the owner of each Lot against such improper development and use of the surrounding Lots as will depreciate the value of his Lot."* [**Attachment A**]



WHEN RECORDED RETURN TO:
CENTURY CITY INC.
10100 SANTA MONICA BLVD, SUITE 1500
LOS ANGELES, CAL 90067
ATTN: ROBERT BURFORD

3553

7111974

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CALIF.
FOR TITLE INSURANCE & TRUST CO.
21 Min. Past 2 P.M. AUG 28 1972
Registrar-Recorder

FEE $ 14.00 G

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS, made this 17th day of August, 1972 by Century Malibu, Inc., a Delaware corporation, hereinafter called OWNER or GRANTOR, having its principal office in California at 10100 Santa Monica Boulevard, Los Angeles, California, Owner in fee simple of all that real property situated in the County of Los Angeles, State of California, described as follows:

All Lots contained in Tract No. 30134, as per map thereof recorded in the office of the County Recorder of the County of Los Angeles, on 8-25-72, in Book 820, Pages 15 to 22, inclusive, of Maps, in the records of said County of Los Angeles, which property has been subdivided into lots as shown on said map for the purpose of sales and conveyance thereof;

NOW, THEREFORE, this Declaration of Restrictions WITNESSETH:

That for the purpose of designating and creating certain conditions and restrictions upon all of said lots for the benefit of all other lots in said Tract, the following covenants, conditions and restrictions shall apply to said land as well before the execution and delivery to any buyer thereof, of a deed conveying said realty to said buyer, as after said deed shall have been executed and delivered, and shall operate as covenants running with the land, being hereby created as mutual equitable servitudes in favor of each and every lot and portion of said land as against each and every other lot and portion thereof;

Further, the purpose of these restrictions is to insure proper development and use of the Premises, to protect the owner of each Lot against such improper development and use of the surrounding Lots as will depreciate the value of his Lot, to prevent the erection on the Premises of structures built of improper design or materials, to encourage the erection of attractive improvements at appropriate locations, to prevent haphazard and inharmonious improvements, to secure and maintain proper setbacks from streets and adequate free spaces between structures, and in general to provide adequately for a high type and quality of improvement of the Premises in accordance with a general plan.

Any and all lots, or portions of lots, conveyed by or for aforesaid Owner, or Grantor, and any conveyance thereof accepted by any Purchaser or Grantee, shall be and is expressly made subject to the terms, conditions, covenants, and restrictions following, which shall apply to and be binding upon the parties to such conveyance, their heirs, devisees, legatees, executors, administrators, successors and assigns, to-wit:

1. Said premises shall be used only for the purpose of one-single family private residence per lot, including appurtenant private garage, servants' quarters and other appurtenant outbuildings and improvements and no structure shall be moved from any other place onto said premises. No temporary dwelling, garage, servants' quarters or outbuildings shall be erected on said premises, nor shall any structure be erected or allowed on

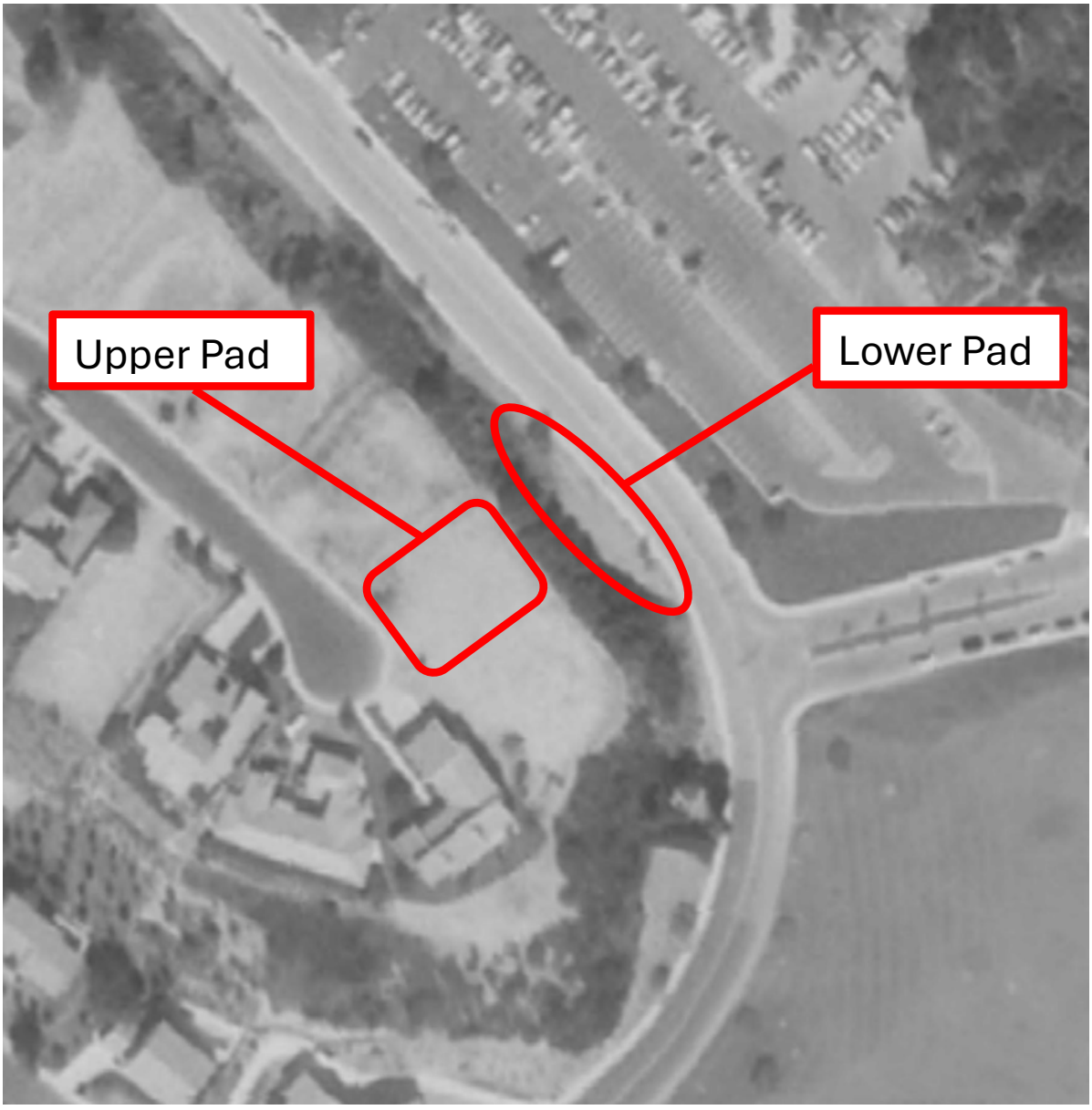
AUG 28 1972

3553

These original community standards restrictions were understandably intended to protect private property interests and value at the time. However, there is no intent to protect public coastal resources, as that is not the purpose of CC&Rs, and the MCE CC&Rs predate the California Coastal Act and the Malibu Local Coastal Program.

The CC&Rs specifically restricted development within areas designated as “Restricted Use Areas” on portions of lots 12, 13, 30, 31, 88, 89, 90, 91, 92, 93, 94, 100, 101, 102, 103, 104, 105, 106, and 107, as shown on Tract No. 30134 [**Attachment B**]. Lot 85 (now 24507 Vantage Point Terrace) was not among the parcels subject to Restricted Use Areas.

An aerial photograph from 1980 clearly shows that Lot 85 contained two distinct graded pads at that time—prior to the City’s incorporation and adoption of local zoning ordinances, the MCE Overlay District, and the Malibu LCP.





Evolution of Regulatory Controls

In the mid-1990s, the Malibu Country Estates HOA and the City collaborated to adopt Custom Subdivision Development Criteria, which effectively codified HOA-based development standards derived from the above-referenced 1972 CC&Rs. On September 10, 1993, then Planning Director Robert Bernard reached out to the Malibu Country Estates HOA to initiate the process of applying for Custom Development Criteria [**Attachment C**]. The Malibu City Council passed an ordinance (#122) in March 1995, thereby establishing the Malibu Country Estates Overlay District.

The Local Coastal Program (LCP/LIP) was later certified in 2002, incorporating many existing development standards and criteria derived from Malibu's existing local Zoning laws, including portions of the MCE Overlay District, which was derived from the HOA CC&Rs.

It appears that the originally limited, parcel-specific restrictions broadened to limit all development to a single building pad on every MCE parcel, regardless of the existing site conditions or the site-specific restricted use areas called out on the original tract map and CC&Rs. Given the history of the MCE Overlay District/CC&Rs, Staff's analysis appears to grant undue weight as it pertains to the primacy of this Overlay District through reference to the Coastal Act—despite originating as private view-protection measures, not public resource protections.

LCP vs. State ADU Law

The LCP consists of the Land Use Plan (LUP) and the Local Implementation Plan (LIP). The LUP establishes policies to implement the Coastal Act, while the LIP contains the regulatory provisions applicable to individual projects.

California Civil Code §4751 provides that "*Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the requirements of Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code, is void and unenforceable.*"

Several conclusions in the Staff Report stem from the mistaken assumption that all elements included in the LCP automatically prevail over State ADU law. While Government Code § 66329 states that ADU law does not supersede the Coastal Act: "*Except as provided in subdivision (b), nothing in this article shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)*", the 1972 CC&Rs and the MCE Overlay District standards are not referenced or alluded to in any way in the Coastal Act and do not acquire Coastal Act authority simply because certain private property restrictions for the benefit of private property owners were added to the LCP, amidst the public resource protection policies of the Coastal Act that the LCP is required to implement.

If local jurisdictions could insulate ADU-prohibitive policies merely by incorporating them into an LCP, State ADU law would be rendered toothless within the coastal zone—an outcome clearly inconsistent with the legislative intent of State ADU law to enhance housing affordability.

The MCE Overlay District is also part of the local zoning ordinance (MMC 17.42.020(D)), which predates the adoption of the LCP and contains the same requirements. State ADU law supersedes local zoning ordinances. Subdivisions (a) and (b) of § 66325 state:

"(a) *Except as provided in subdivision (b), this article shall supersede a conflicting local ordinance.*

(b) *This article does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit."*

The Coastal Act's central purpose is protection of public coastal resources, including public views—not the preservation of private views between neighboring parcels nor to maintain high property values, as stated in the CC&Rs.

Correction to Staff Project Description of Project Site

The Staff report describes the parcel as containing a single flat pad with the remainder of the site sloping downward to John Tyler Drive. Based upon the foregoing, this description appears to be inaccurate. The site clearly consists of a flat pad, a slope, and a second flat pad. The omission of the existing lower pad materially affects staff's analysis and conclusions regarding building pad limitations and slope development. Ultimately, it leads to the erroneous conclusion that findings cannot be made to recommend approval of the proposed ADU.

Building Pads and Development Area

The proposed ADU is not located on a "*proposed building pad*" as staff asserts, but on an existing building pad. As evidenced above, aerial photographs demonstrate that this pad has been in existence since at least 1980. The proposed structure is sited on a pad of less than 3 percent grade, not a slope, and does not extend beyond or cantilever over any downhill slope in accordance with the development standards of the MCE Overlay District.

The parcel contains two existing, legally established building pads. As documented in the attached geotechnical report, the manufactured slope and flat base are comprised of "*well graded*", compacted, artificial fill, which demonstrates that the existing lower pad was the result of intentional grading. The submitted Geology Report states as follows:

> *We offer the following general description of materials encountered during our subsurface explorations.*
>
> *Artificial fill (af): Approximately 20-feet of certified compacted fill blankets the site. The fill can be described as silty gravelly sand with clay binder. The fill is light grey brown to brown, slightly moist to moist at depth, well compacted, dense with abundant cobble and well graded. The lab work revealed that the upper 2 to 3 feet of material has been disturbed. All undisturbed fill materials are unsuitable for structural support. The fill materials below 3 feet are suitable for use as a base for the placement of compacted fill.* (Geotechnical Report Page 5, **Attachment D**)

And later:

> *In areas of proposed development, the upper 3 feet of compacted fill shall be removed and recompacted. Following grading, the building pad area shall be underlain by a minimum of 3 feet of compacted fill. The limits of fill shall extend a minimum of three feet beyond the building footprint. Grading within areas of proposed hardscape shall consist of removing previous fill to expose firm compacted fill and the placement of new fill to design grades. (Geotechnical Report Page 11*, **Attachment D***)*

LIP Section 3.4.1(D)(6)(d) states, "*For the purposes of this Overlay District, a building pad shall be defined as a single, continuous, graded area, not exceeding 3 percent in slope, designed to accommodate development*." The conditions present in the lower building pad meet all objective criteria for the definition of a building pad. It is a uniformly graded whole (per page 5 of the geotechnical report cited above) that does not exceed 3 percent in slope (shown on the slope map below). In summary, contrary to the assessment provided in the Staff Report, the proposed building site is an existing, legally established, graded pad. No new pad is proposed, no grading to extend a pad is proposed, and no grading to create a new pad is proposed.



Other parcels within Malibu Country Estates were subject to Restricted Use Areas under the original tract map; Lot 85 was not. Accordingly, Lot 85 cannot now be artificially limited to one pad when two pads have long existed.

Views – Public vs. Private

The MCE Overlay's building pad provisions were designed to preserve private views as demonstrated in the previously cited 1972 MCE CCRs, not public coastal views. No public views are impacted by the proposed ADU. Moreover, no private views are impacted, given an 11-foot 2-inch height for the proposed structure and an approximately 20-foot slope, which shields it from view from uphill neighbors.



(Attachment E)

Public Resources Code section 30251 states,

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

The proposed ADU siting will not impact public views, in accordance with the Coastal Act. Additionally, the proposed ADU is sited on an existing graded and manufactured pad. Therefore, no alteration of natural landforms is proposed.

Similarly, chapter 6 of the LIP directs new development to minimize adverse visual impact.

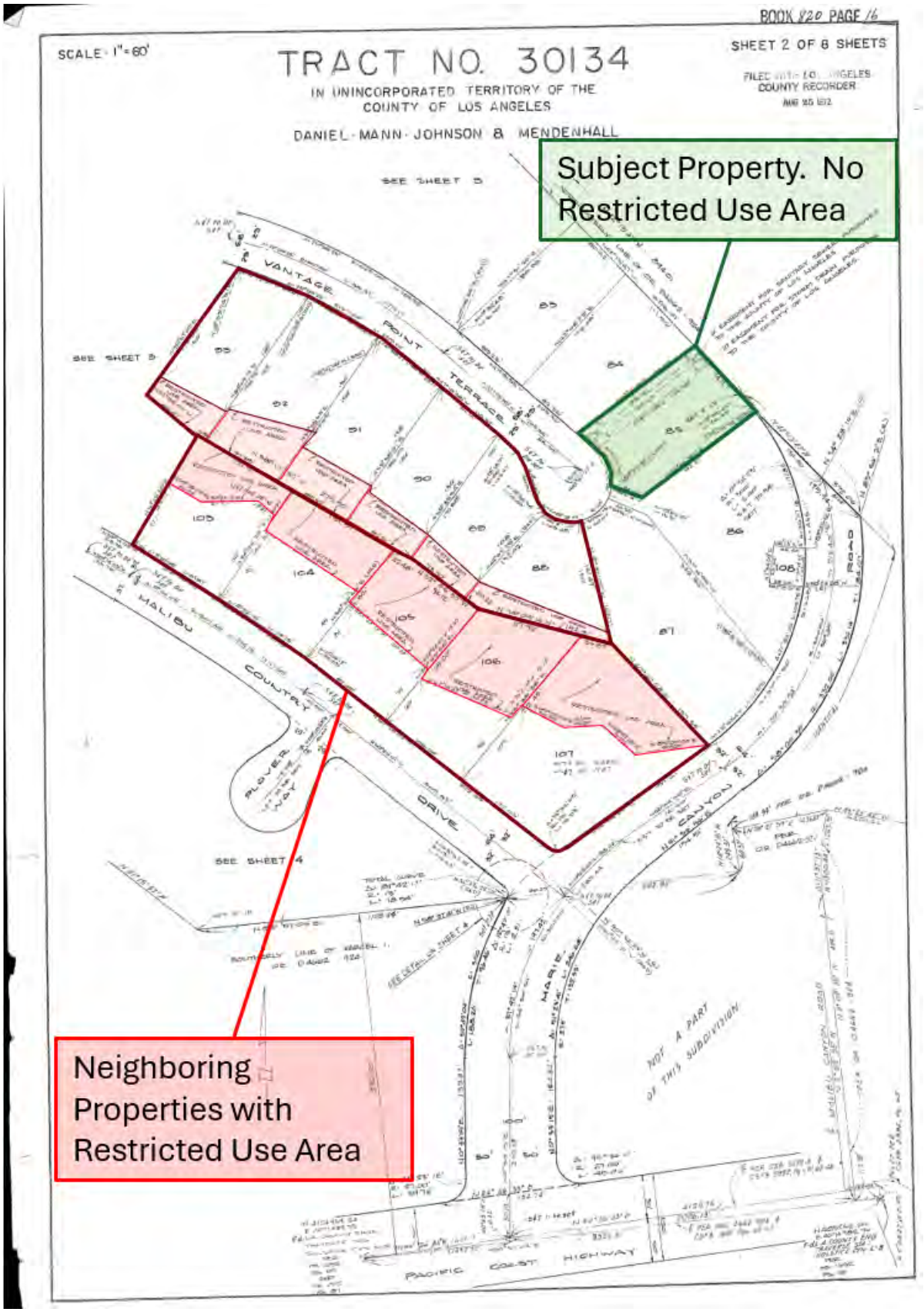
> *6.5. DEVELOPMENT STANDARDS A. Development Siting 1. New development shall be sited and designed to minimize adverse impacts on scenic areas from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas from scenic highways or public*

viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site"

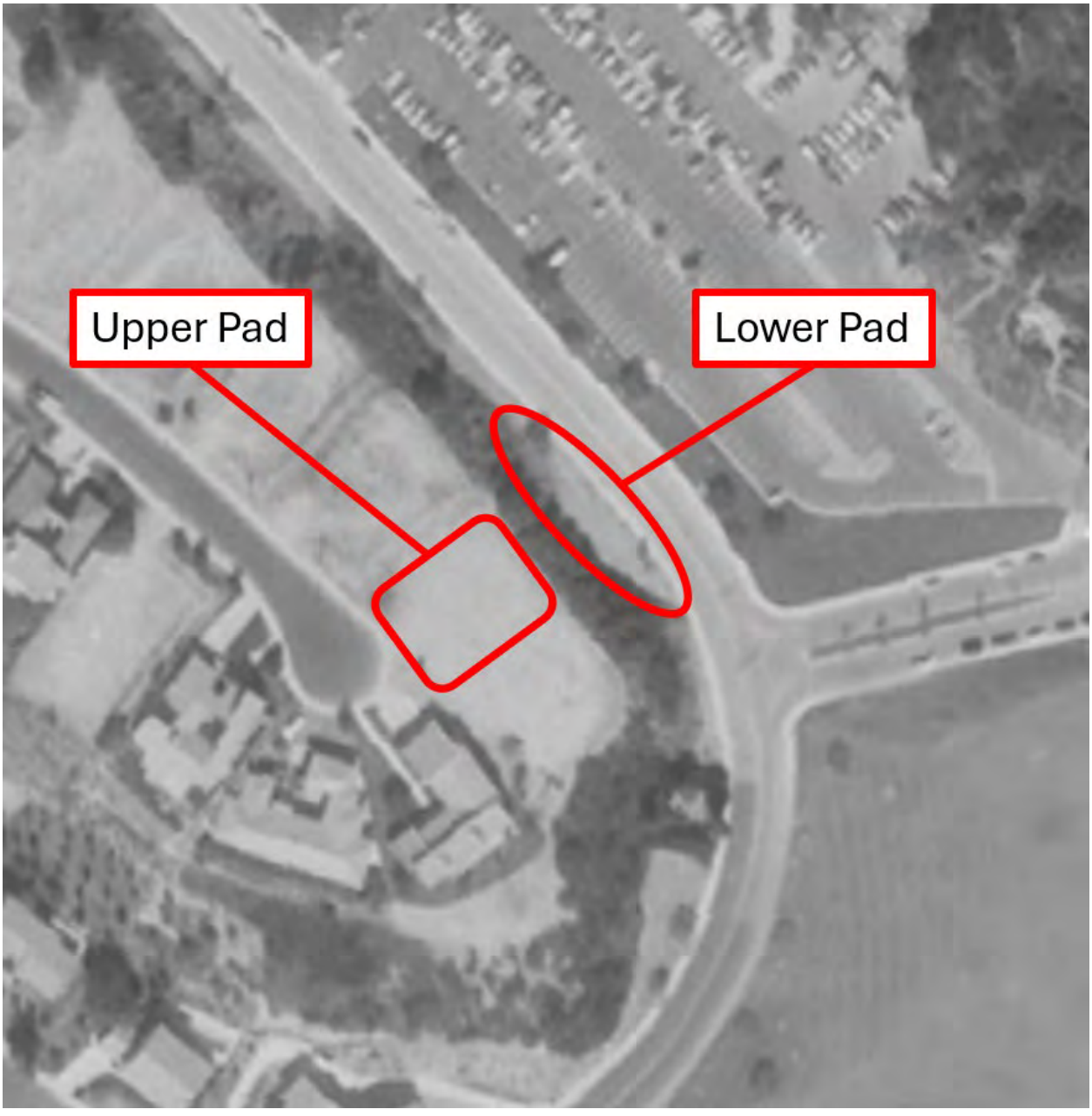
Siting the ADU on the existing lower building pad conforms with the LIP in that it is the least visible portion of the site.

Single Building Pad

In discussing LIP Chapter 6, staff asserts that each parcel was designated a single building pad at that time. This does not appear to be supported by the record. The tract map (**Attachment B**) recorded August 25, 1972, identifies Restricted Use Areas on specific parcels only, and Lot 85 was not among them.


BOOK 820 PAGE 16
SCALE 1"=60'
TRACT NO. 30134
IN UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES
DANIEL MANN JOHNSON & MENDENHALL
SHEET 2 OF 8 SHEETS
COUNTY RECORDER
SEE SHEET 5
SEE SHEET 3
SEE SHEET 4
VANTAGE POINT TERRACE
E. MALIBU COUNTRY
PLOVER WAY
DRIVE
CANYON ROAD
MARIE
NOT A PART OF THIS SUBDIVISION
PACIFIC COAST HIGHWAY
Subject Property. No Restricted Use Area
Neighboring Properties with Restricted Use Area

The 1980 aerial photograph further confirms the presence of a second lower pad on Lot 85.



(Attachment E)

MCE Overlay District Intent

Staff asserts that "*the standards of the MCE Overlay District are intended to maximize the protection of scenically impressive views from public viewing areas, including scenic roads.*" This is inconsistent with the express intent of the CC&Rs. Nowhere in the CC&Rs is there mention of protecting public views. Quite the opposite. They exist to protect the

owner of each lot. As stated in the CC&Rs, *"The purpose of these restrictions is to insure proper development and use of the Premises, to protect the owner of each Lot."*

Alternative Design Analysis

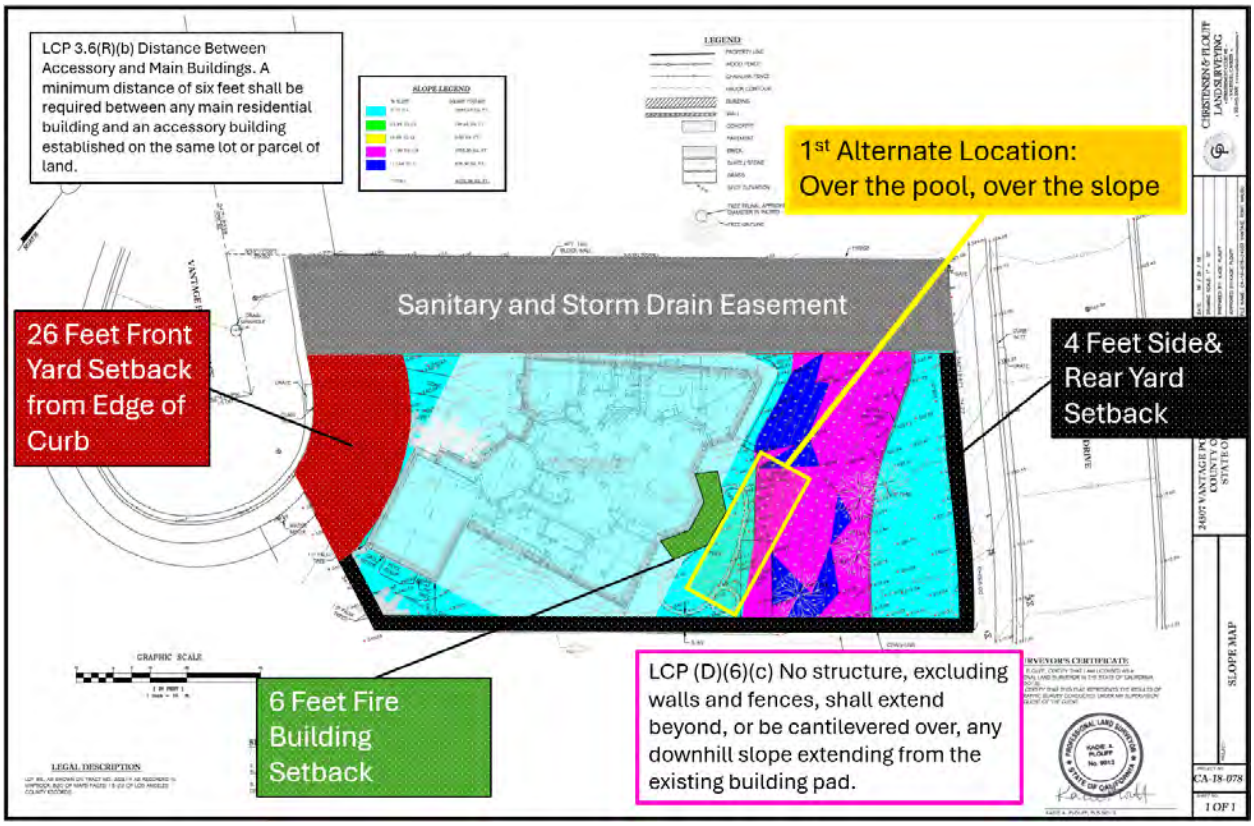
The Staff Report states that, *"the applicant has not provided an alternate design depicting existing constraints to development on the existing building pad or project feasibility/infeasibility at an alternate location."* To clarify, the applicant submitted a constraints map to City staff on September 7, 2022, which demonstrated significant constraints for development of an ADU on the upper portion of the lot. In order to further clarify the implications of these constraints, our office has included an expanded alternatives analysis, submitted with this response, that clearly depicts the impracticality and infeasibility of siting the ADU in alternative locations.

The Staff report suggests that conversion of the existing garage to an ADU might be a feasible alternative. However, this option would eliminate required on-site covered parking and require property owner vehicles to be parked on a cul-de-sac with limited street parking. This would be in opposition to one of the stated purposes of the LCP: "1.2. PURPOSE (H.) *To lessen congestion on the streets and provide for adequate off-street parking."*

It appears that converting the garage to an ADU and ignoring the on-site parking requirements would be less consistent with the requirements of the LCP than the provisions of the MCE Overlay District that are cited by Staff as a basis for denial. Unlike the siting of the proposed ADU on the lower pad, garage conversion and off-site parking would have meaningful adverse impacts to neighbors' use and enjoyment of their property, parking for guests, etc.

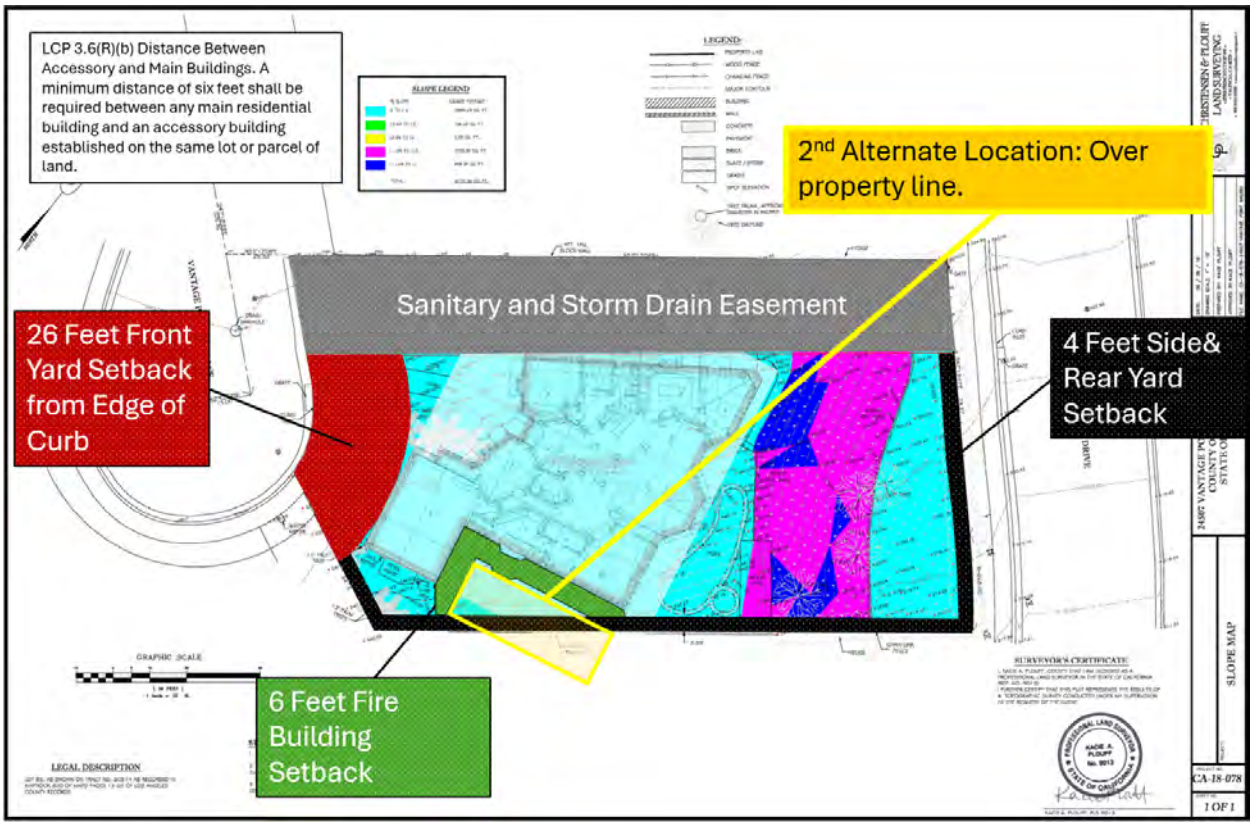
Staff asserts an *"alternate design also appears feasible given that the existing building pad is sufficient in size to support other existing uses including a pool, spa, and wooden deck."* However, the presence of recreational amenities does not demonstrate capacity for an ADU. The presence of a chimney or a bay window would not demonstrate the capacity for an ADU on a building pad any more than the presence of a pool. Capacity for one type of use is not inherently interchangeable with another. It is unclear whether Staff is proposing that the applicant remove the existing pool or deck in order to construct the ADU. However, that is not proposed, and it is not the applicant's desire to remove/trade existing development for the ADU, when the proposed development meets the requirements of State ADU law. Additionally, there are other considerations/constraints that make trading out the pool or deck for an ADU infeasible.

Even if the applicant were to remove the pool, the existing area would not support the proposed ADU. The alternatives analysis 1st Alternate Location clearly shows the infeasibility of this location for siting the ADU as it would extend over the slope beyond the building pad. Additionally, LCP Section 3.6(R)(b) requires *"A minimum distance of six feet…between any main residential building and an accessory building established on the same lot or parcel of land."* Finally, with or without the 6 ft. separation requirement, locating the ADU in the area of the pool/deck would block light/air to the living room, dining room, and primary (master) bedroom, significantly diminishing the use, enjoyment, and habitability of the existing residence.



Alternatives Analysis – 1st Alternate Location

The alternatives analysis' 2nd Alternate Location clearly shows the infeasibility of siting the ADU on the side yard, as there is not enough space between the main residence and the property line, even when utilizing the reduced setbacks afforded by State ADU Law. The proposed location is the only alternative that sufficiently meets the requirements/allowances for an ADU under State Law, the Coastal Act, and relevant local ordinances.



Alternatives Analysis – 2nd Alternate Location

Dimensional Standards: Setbacks

Staff asserts that, *"the proposed project is inconsistent with several requirements in the MCE Overlay District including an approximate 73% reduction in the required rear yard setback (from 15 feet to 4 feet)."* However, the proposed 4-foot rear yard setback and 6-foot 7-inch interior yard setback comply with State ADU law, which permits *"four-foot side and rear setbacks* [Gov. Code, § 66321, subd. (b)(3)]." Setbacks from property lines (i.e. yard setbacks) are a function of local zoning regulations, which State ADU law explicitly supersedes. The yard setbacks contained within the LCP are the same as those contained

within the City's local zoning ordinance and therefore do not fall under ADU law provisions to adhere to Coastal Resource protection policies of the Coastal Act.

Dimensional Standards: Walls

The staff report asserts: "The proposed project fails to meet various requirements outlined in LIP Chapter 3 including…LIP §3.4.1(D)(4)(a) which stipulates that, *"no walls…in excess of 6 feet shall be allowed within the required rear…yard setback areas," (wall heights associated with the proposed structure extend above 6 feet in the rear yard setback)."* Walls are defined in the LCP §2.1 as *"artificially constructed barriers…erected to enclose or screen an area of land."* This definition does not apply to the wall of a residential structure. Clearly, the exclusions listed in LIP Section 3.4.1(D)(6)(a) "*All development, excluding walls and fences, shall be limited to the existing building pad"* and (c) *"No structure, excluding walls and fences, shall extend beyond, or be cantilevered over, any downhill slope extending from the existing building pad."* would make no sense if it were referring to the walls of a structure. In this case, the term "wall" is being used in the technical sense defined in the LCP rather than the more commonly used vernacular.

Regardless, Government Code §66314 (d)(7) allows "*a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure"*, and the project complies.

Dimensional Standards: Structure Height

The Staff Report asserts that the proposed ADU does "*not comply with LIP"* as it pertains to height and cites §3.4.1(D)(5)(d)(i-ii) (highlighted below and shown in context).

> *§3.4.1(D)*
> *5. Structure Height:*
> *a. No building or structure shall exceed one story and 18 feet in height to the highest point on the roof, except for chimneys, for those parcels located in Area "A" of this Overlay District as designated on the Zoning Map.*
> *b. No building or structure shall exceed two stories and 28 feet in height to the highest point on the roof, except for chimneys, for those parcels located in Area "B" of this Overlay District as designated on the Zoning Map.*
> *c. No building or structure shall exceed 18 feet in height to the highest point on the roof, except for chimneys, for the portion of the structure within 34 feet of the front property line and shall not exceed two stories and 28 feet in height to the highest point on the roof for the remaining portions of the building for those parcels located in Area "C" of this Overlay District as designated on the Zoning Map.*

d. The reference point for structure height measurements described in subsections a, b and c above shall be as follows:

i. For an addition or remodel of an existing structure, the height shall be measured from the finished first floor except that the new structure height shall not exceed that of the existing structure at its highest point on the roof, excluding chimneys.

ii. For the case where no structure exists or when an existing structure is removed to rebuild or replace, the height shall be measured from the control point set forth in the chart below.

iii. The finished first floor level of any part of any building shall not be more than 3 feet above the control point shown in the ***chart below****.*

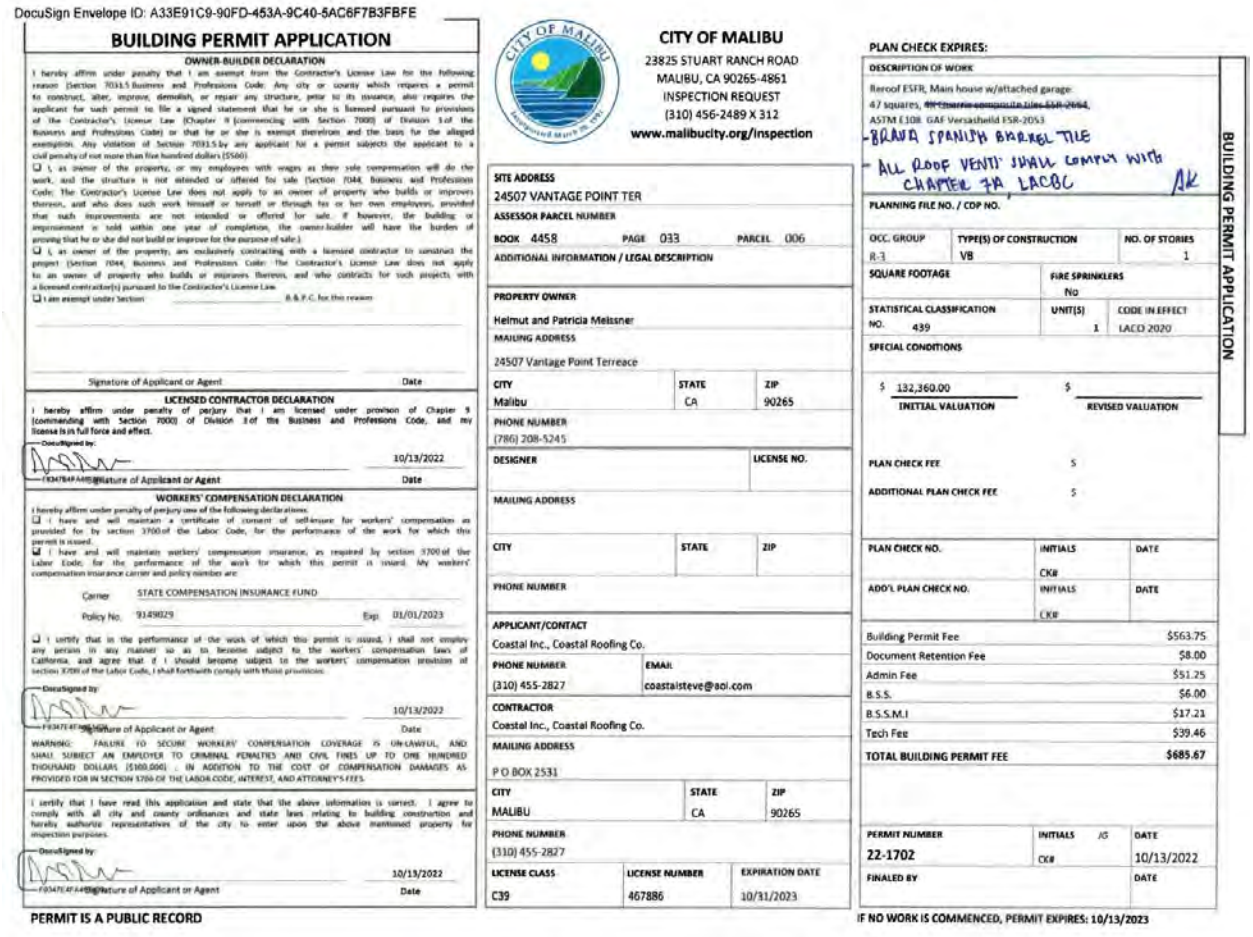
The Staff Report erroneously concludes that the above code "Limits structure height to additions/remodels of existing structure, vacant parcels or where an existing structure is replaced." This analysis does not appear to construe and apply the code correctly; the code appears instead to indicate the proper height and relative control point elevation for all construction cases. For addition or remodel of an existing structure "i" is in effect. For cases where no structure exists *or* when an existing structure is removed to rebuild or replace "ii" is in effect. The ADU is proposed to be constructed on the lower building pad where no structure exists, thus per the code "the height shall be measured from the control point set forth in the chart below."

Additionally, the "chart below" referenced in LIP Section 3.4.1(D)(5)(d)(ii and iii) does, in fact, not exist anywhere in the LIP. It appears in the local zoning ordinance (MMC 17.42.020(D)) from which the MCE Overlay standards were derived, but it was never adopted into the LCP. This omission, where the reference was copied but the referent was not, further demonstrates how MCE Overlay standards contained in the LCP derive from local zoning (in an incomplete manner), not the Coastal Act, and are superseded by State ADU law. The Staff Report conclusions and even the code itself are both incomplete and convoluted, when the proposed project's consistency with regards to height is abundantly clear and simple. The proposed ADU is consistent with the lowest maximum allowable height within the MCE Overlay District at less than 18 ft. in height, as the proposed ADU is only 11 ft. 2 inches in height.

Roofing Materials

Although enhanced requirements for certain roof aesthetics do not fall under the purview of the Coastal Act and could be construed as an undue cost imposed on an ADU under State ADU law, the applicant has agreed to revise the roofing materials from the previously proposed architectural shingles to Mediterranean Brava tile. This tile matches exactly the tiles approved for the primary residence in 2022 and is fully consistent with LIP Section 3.4.1(D) *"Roof materials shall be limited to clay tile, concrete tile or similar material."* This

modification addresses concerns with regards to LCP consistency as it pertains to roofing materials.



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BUILDING PERMIT APPLICATION

OWNER-BUILDER DECLARATION

I hereby affirm under penalty that I am exempt from the Contractor's License Law for the following reason (Section 7031.5 Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500):

☐ I, as owner of the property, or my employees with wages as their sole compensation will do the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.).

☐ I, as owner of the property, am exclusively contracting with a licensed contractor to construct the project (Section 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a licensed contractor(s) pursuant to the Contractor's License Law.

☐ I am exempt under Section _____ B & P.C. for this reason

Signature of Applicant or Agent — Date

LICENSED CONTRACTOR DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provison of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

DocuSigned by: 10/13/2022

Signature of Applicant or Agent — Date

WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

☐ I have and will maintain a certificate of consent of self-insure for workers' compensation as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☑ I have and will maintain workers' compensation insurance, as required by section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: STATE COMPENSATION INSURANCE FUND

Policy No. 9149829 Exp: 01/01/2023

☐ I certify that in the performance of the work of which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provision of section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DocuSigned by: 10/13/2022

Signature of Applicant or Agent — Date

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of the city to enter upon the above mentioned property for inspection purposes.

DocuSigned by: 10/13/2022

Signature of Applicant or Agent — Date

PERMIT IS A PUBLIC RECORD

CITY OF MALIBU
23825 STUART RANCH ROAD
MALIBU, CA 90265-4861
INSPECTION REQUEST
(310) 456-2489 X 312
www.malibucity.org/inspection

SITE ADDRESS
24507 VANTAGE POINT TER

ASSESSOR PARCEL NUMBER
BOOK 4458 PAGE 033 PARCEL 006

ADDITIONAL INFORMATION / LEGAL DESCRIPTION

PROPERTY OWNER
Helmut and Patricia Meissner

MAILING ADDRESS
24507 Vantage Point Terreace

CITY: Malibu | STATE: CA | ZIP: 90265

PHONE NUMBER
(786) 208-5245

DESIGNER | **LICENSE NO.**

MAILING ADDRESS

CITY | STATE | ZIP

PHONE NUMBER

APPLICANT/CONTACT
Coastal Inc., Coastal Roofing Co.

PHONE NUMBER: (310) 455-2827 | **EMAIL**: coastalsteve@aol.com

CONTRACTOR
Coastal Inc., Coastal Roofing Co.

MAILING ADDRESS
P O BOX 2531

CITY: MALIBU | STATE: CA | ZIP: 90265

PHONE NUMBER
(310) 455-2827

LICENSE CLASS	LICENSE NUMBER	EXPIRATION DATE
C39	467886	10/31/2023

PLAN CHECK EXPIRES:

DESCRIPTION OF WORK
Reroof ESFR, Main house w/attached garage
47 squares, ~~BP Chemie composite tiles ESR-2654~~,
ASTM E108 GAF Versashield ESR-2053
-BRAVA SPANISH BARREL TILE
- ALL ROOF VENTS SHALL COMPLY WITH CHAPTER 7A, LACBC

PLANNING FILE NO. / CDP NO.

OCC. GROUP	TYPE(S) OF CONSTRUCTION	NO. OF STORIES
R-3	VB	1

SQUARE FOOTAGE | **FIRE SPRINKLERS**: No

STATISTICAL CLASSIFICATION NO.	UNIT(S)	CODE IN EFFECT
439	1	LACO 2020

SPECIAL CONDITIONS

$ 132,360.00 INITIAL VALUATION — $ _____ REVISED VALUATION

PLAN CHECK FEE $

ADDITIONAL PLAN CHECK FEE $

PLAN CHECK NO.	INITIALS CK#	DATE
ADD'L PLAN CHECK NO.	INITIALS CK#	DATE

Building Permit Fee	$563.75
Document Retention Fee	$8.00
Admin Fee	$51.25
B.S.S.	$6.00
B.S.S.M.I	$17.21
Tech Fee	$39.46
TOTAL BUILDING PERMIT FEE	**$685.67**

PERMIT NUMBER	INITIALS JG CK#	DATE
22-1702		10/13/2022
FINALED BY		DATE

IF NO WORK IS COMMENCED, PERMIT EXPIRES: 10/13/2023

BUILDING PERMIT APPLICATION

(Attachment F)

Archaeological Resources

The Staff Report discusses archaeological resources and seems to imply that there are potentially some questions in this regard. However, Staff did not request any information or documentation prior to issuance of the Staff Report, as confirmed by the submitted checklist pictured below wherein Staff checked the box that an Archaeology Survey would not be required. The original determination is understandable, given that the Staff Report notes the *"project site has been evaluated for potential impacts to archeological resources per the adopted City of Malibu Cultural Resources Map and it has been determined that due to the previous grading activities to create the existing building pad and MCE community,* ***the project has very low probability of disturbing archaeological resources for construction proposed on the existing building pad****."* Based upon the foregoing, it appears that appropriate Staff level review has been completed under the requirements of LIP Chapter 11 and findings should be made that the project is consistent with the LCP as

it pertains to Archaeological Resources.

City of Malibu

Coastal Development Permit Submittal Checklist

NOTE To submit a new application with the City of Malibu Planning Department, all required items as specified by City Staff on the Submittal Checklist, including application fees and those materials required by City Departments, must be provided at the time of submittal. **Incomplete application submittals WILL NOT be accepted.** An appointment is required for submittals. For an appointment, call 310-456-2489, ext. 485, or email mplanning@malibucity.org. See the New Application Submittal Guide for more information. For more information, visit the Planning Department website.

Staff Only - General Project Information

Date_____
Address / Location: (N) ADU
Project Description:_____

Fees: □ CDP Level: 1 $ 873 □ SPR $_____ □ MM $_____
□ VAR $_____ □ Other $_____ □ Other $_____
*The City will charge a service fee for credit card transactions.

Woolsey Fire Fee Waiver: □ Project Eligible □ Project Ineligible (all fees apply)

Requires the following discretionary requests:_____

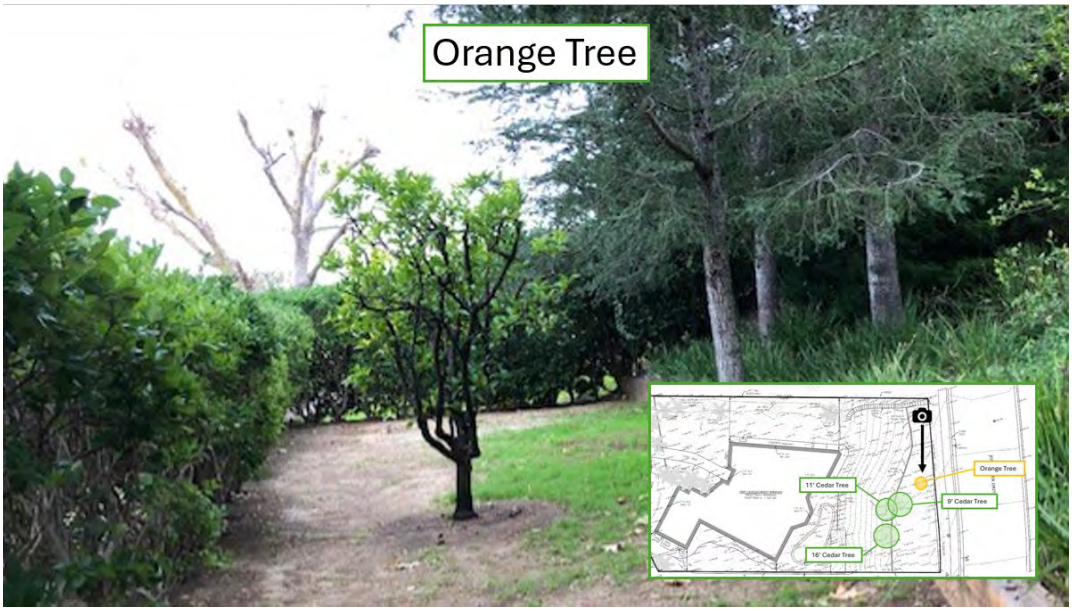
A **complete submittal** shall consist of the following City / County Department reviews, submittal documents, and fees:

Departments	Planning Review		Building Plan Check		Date	Submitted
	Req'd	Not Req'd	Req'd	Not Req'd		
Planning	✓	-	✓	-		☐
Archaeological Survey If needed, submit as separate application. Guide	☐	☒	☐	NA		☐

(Attachment G)

Trees

The Staff Report references four trees that were not explicitly identified on the site survey and allude to uncertainties about whether the project is in compliance with Native Tree protection policies of the LCP. To clarify, the identified trees consist of three cedar trees and one orange tree. These are non-native species and are not among the protected trees listed in LCP Chapter 5 (oak, walnut, sycamore, alder, and toyon).







(Attachment H)

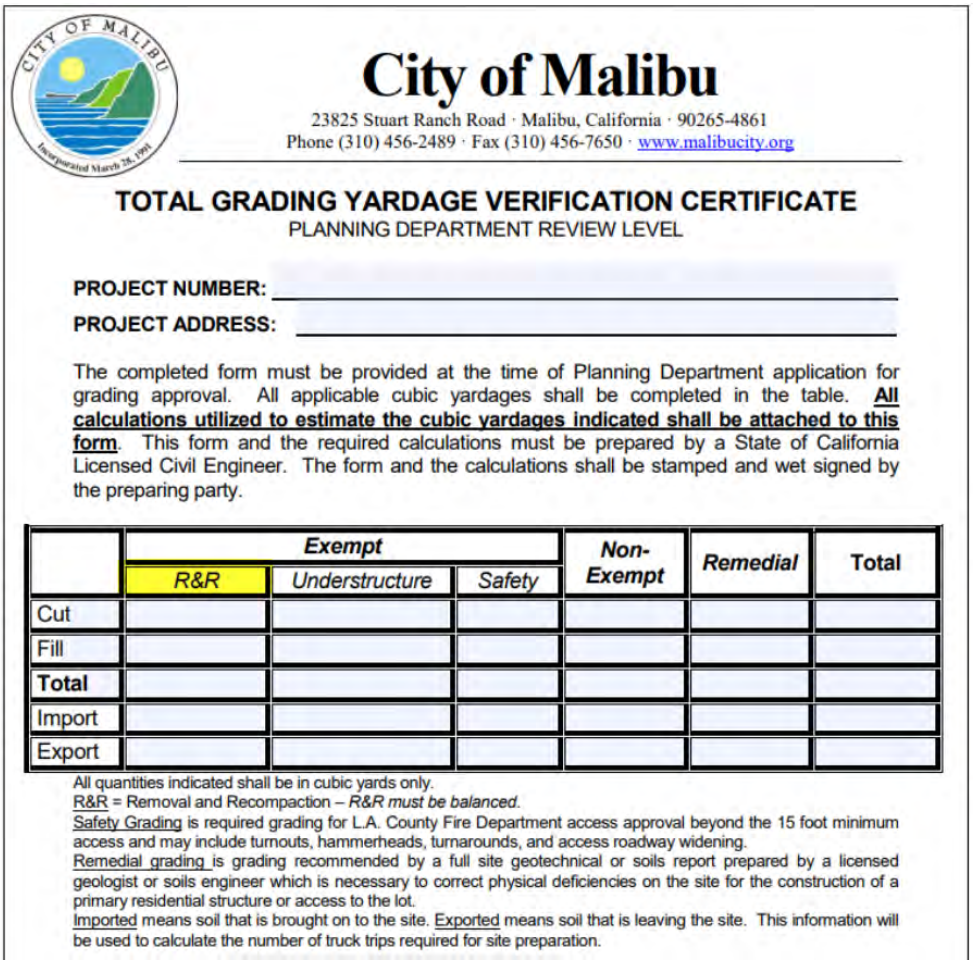
Impermeable Coverage

The Staff Report states that LIP §3.4.1(D)(7) *"strictly limits impermeable surfaces on the existing building pad (the proposed structure is located on a proposed second building pad)."* As discussed previously, the ADU is proposed to be sited on the existing lower building pad as defined in LCP Section 3.4.1(D)(6)(d). Thus, per LIP §3.4.1(D)(7) *"Impermeable Coverage: There shall be no maximum impermeable coverage limitation. However, including any structures, impermeable surfaces shall only be permitted on the existing building pad…"* Contrary to the Staff Report's assertion that there are strict limits on impermeable surfaces, the Code explicitly states that there is "no maximum impermeable coverage limitation" in the MCE Overlay, provided construction takes place on an existing building pad, which is what the applicant is proposing, as outlined above. Therefore, it is our understanding that the project complies with LCP impermeable coverage allowances/requirements.

Grading

Per the Staff Report, the *"building pad proposes remedial and re-compaction grading for the upper 3 feet of previously compacted fill to be removed and recompacted to a minimum of 3 feet beyond the proposed footprint."* The City's Grading Verification Form

that Staff utilizes to verify compliance with the LCP has separate columns for "Remedial" and "R&R" (further defined as "Removal and Recompaction"). It is unclear which was intended in Staff's reference to "remedial and re-compaction grading".



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: _____

PROJECT ADDRESS: _____

The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form**. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut						
Fill						
Total						
Import						
Export						

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

To clarify, the only grading proposed is the removal/recompaction for the foundation per the recommendations of the Geotechnical Report, which states that:

In areas of proposed development, the upper 3 feet of compacted fill shall be removed and recompacted. Following grading, the building pad area shall be underlain by a minimum of 3 feet of compacted fill. The limits of fill shall extend a minimum of three feet beyond the building footprint. Grading within areas of proposed hardscape shall consist of removing previous fill to expose firm compacted fill and the placement of new fill to design grades. (Geotechnical Report Page 11, **Attachment D***)*

This type of grading is explicitly exempted per the LCP 8.3. DEVELOPMENT STANDARDS I. *"Exceptions. Excavation for foundations and other understructure excavation and*

incremental excavation for basements and safety purposes ***shall be excluded from grading limitations****."* This is further verified by the City's Total Grading Yardage Verification Certificate, which notes that R&R grading is exempt. Therefore, contrary to the Staff Report analysis, the proposed project complies with the LCP as it pertains to grading, as the proposed R&R grading for the foundation is excluded from LCP grading limitations.

Conclusion

In summary, the Staff Report's recommendation is premised on a misunderstanding and/or mischaracterization of the site, an overextension of the MCE Overlay District's intent and authority under ADU law, and a conflation of private, HOA-derived view protections with the Coastal Act's mandate to protect public coastal resources. The historical record confirms that Lot 85 was not originally subject to a single-pad restriction, that two graded pads have existed on the parcel for decades, and that the proposed ADU fully complies with the objective definition of a building pad under the LIP. The project is sited on the least visible portion of the site, does not impact public views, proposes no non-exempt grading/landform alteration or new pad, maintains existing required on-site covered parking to avoid adverse impacts to neighbors, conforms to applicable Coastal Act and LIP standards for Coastal resource protection, and is entitled to the protections afforded by State ADU law, which supersedes conflicting local zoning provisions. Additionally, the project has no impacts to public access or Environmentally Sensitive Habitat Areas and is compliant with all provisions/allowances/requirements of State ADU law. For these reasons, we believe that the proposed ADU should be found consistent with the LCP as applied under relevant State Law/requirements and approved accordingly.

Thank you for your time, attention, and consideration of this additional information. If there are any questions, please let us know.

Sincerely,

Keystone Strategic Planning



Matt Jewett

Principal

Attachment A

1972 Malibu Country Estates CC&Rs

WHEN RECORDED RETURN TO:
CENTURY CITY INC.
10100 SANTA MONICA BLVD. SUITE 1500
LOS ANGELES, CAL 90067
ATTN: ROBERT BURFORD

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RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CALIF.
FOR TITLE INSURANCE & TRUST CO.
21 Min. Past 2 P.M. AUG 28 1972
Registrar-Recorder

7111974

DECLARATION OF RESTRICTIONS

FEE $ 14.00

THIS DECLARATION OF RESTRICTIONS, made this 17th day of August 1972 by Century Malibu, Inc., a Delaware corporation, hereinafter called OWNER or GRANTOR, having its principal office in California at 10100 Santa Monica Boulevard, Los Angeles, California, Owner in fee simple of all that real property situated in the County of Los Angeles, State of California, described as follows:

> All Lots contained in Tract No. 30134, as per map thereof recorded in the office of the County Recorder of the County of Los Angeles, on 8-25-72, in Book 820, Pages 15 to 22, inclusive, of Maps, in the records of said County of Los Angeles, which property has been subdivided into lots as shown on said map for the purpose of sales and conveyance thereof;

NOW, THEREFORE, this Declaration of Restrictions WITNESSETH:

That for the purpose of designating and creating certain conditions and restrictions upon all of said lots for the benefit of all other lots in said Tract, the following covenants, conditions and restrictions shall apply to said land as well before the execution and delivery to any buyer thereof, of a deed conveying said realty to said buyer, as after said deed shall have been executed and delivered, and shall operate as covenants running with the land, being hereby created as mutual equitable servitudes in favor of each and every lot and portion of said land as against each and every other lot and portion thereof;

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Further, the purpose of these restrictions is to insure proper development and use of the Premises, to protect the owner of each Lot against such improper development and use of the surrounding Lots as will depreciate the value of his Lot, to prevent the erection on the Premises of structures built of improper design or materials, to encourage the erection of attractive improvements at appropriate locations, to prevent haphazard and inharmonious improvements, to secure and maintain proper setbacks from streets and adequate free spaces between structures, and in general to provide adequately for a high type and quality of improvement of the Premises in accordance with a general plan.

Any and all lots, or portions of lots, conveyed by or for aforesaid Owner, or Grantor, and any conveyance thereof accepted by any Purchaser or Grantee, shall be and is expressly made subject to the terms, conditions, covenants, and restrictions following, which shall apply to and be binding upon the parties to such conveyance, their heirs, devisees, legatees, executors, administrators, successors and assigns, to-wit:

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1. Said premises shall be used only for the purpose of one-single family private residence per lot, including appurtenant private garage, servants' quarters and other appurtenant outbuildings and improvements and no structure shall be moved from any other place onto said premises. No temporary dwelling, garage, servants' quarters or outbuildings shall be erected on said premises, nor shall any structure be erected or allowed on

said premises which is not designed, built, maintained and used exclusively for private residential purposes or for making said premises more convenient for residence thereon. When the construction of any residence or structure is once begun, work thereon shall be prosecuted diligently and must be completed within a reasonable time. No shack, tent or trailer shall at any time be used on said premises as a residence, either temporarily or permanently, except that during the construction of a residence and upon written approval of the trailer to be used, and its proposed location, a trailer may be used on said premises for the purpose of construction efficiency for a period not to exceed eight months, provided the trailer and its use conform to all requirements of the County of Los Angeles.

2. All oil and mineral rights have been reserved by a former owner but with no right of surface entry. No well for the production of, or from which there is produced oil, gas or water, shall be drilled, dug or operated on said premises; nor shall any excavation be made on said premises, unless such excavation is necessary in connection with the erection of an approved structure thereon. No rubbish or debris of any kind or character shall ever be placed or permitted to accumulate upon said premises so as to render said premises unsanitary, unsightly, offensive, or detrimental to any other lot or lots in said Tract, or to the occupants thereof.

3. No building or other structure of any nature whatsoever, nor any addition to any building or other structure, shall be erected, maintained or permitted on said premises or the erection or construction thereof begun thereon, until complete Plans and Specifications prepared under the supervision of a registered architect or registered building designer shall have first been approved in writing by the Committee hereinafter provided for. Preliminary Plans must be submitted for approval prior to completion of the Final Plans and it is suggested that in order to avoid unnecessary planning and revision costs, schematic plans may be submitted before Preliminary Plans. Three sets of Final Plans and Specifications for any and all buildings, structures, walls, fences, and any alterations thereof or additions thereto, together with proposed exterior colors to be approved, shall be submitted to said Committee for approval, and all such Final Plans and Specifications shall show in detail the nature, kind, shape, height, material, color scheme and elevation of any such structure, and shall likewise show in detail the lot or building site plan indicating the location of such building or structure, and all outbuildings on any building site, and, when specifically requested, the grading plan of the building site to be built upon; said Plans and Specifications shall in every case be complete and detailed, and no structure of any kind shall be erected, maintained or permitted on said premises if the plans, elevations and specifications of such structure have not received the written approval of said Committee or which does not fully comply with such approved Plans, Specifications and Elevations, or which is not located on the building site upon which the same is to be erected according to said Plans and Specifications. One set of any such Plans and Specifications shall be retained by said Committee.

Final Plans submitted for approval, in addition to showing setbacks and other details, shall show the relation of the finished first floor level or floor levels of the house, to the highest point of the front street curb of such lot and shall include a Plot Plan showing contour lines of the existing pad and any proposed changes therein. Such plans shall also show:

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a. The total number of square feet in such house as determined in accordance with Paragraph 8 hereof.

b. The relation in terms of feet of the maximum roof height of the house, to the highest point of the front street curb of such lot, in accordance with paragraph 10 hereof.

c. The relation in terms of feet of the garage floor to the finished floor level or levels of the house in accordance with paragraph 10 hereof.

In the event that said Committee fails to approve or disapprove such plans within thirty (30) days after submission of the plans to it, then such approval will be deemed to have been given; PROVIDED, HOWEVER, that all other restrictions and conditions contained in this Declaration of Restrictions, including any Amendments thereto made with the concurrence of all the lot owners, shall remain applicable to such plans and all structures to be erected on the lot or building site to which the plans refer.

If the plans as submitted are approved by the Committee, such approval shall be limited solely to approval of the exterior architectural design of the buildings, walls, fences and other structures to be erected on the premises to which the plans refer. Approval for use on any lot of any plans or specifications shall not be deemed a waiver of the Committee's right, in its discretion, to disapprove such plans, features or elements, which are subsequently submitted for approval for use on any other lot or lots.

The owner of each respective lot in said Tract No. 30134 has the sole responsibility at all times of determining that all plans and specifications for the structures to be erected on such lot and the erection of all buildings, walls, fences and other structures on such lot conform and comply in all respects with this Declaration of Restrictions and all amendments hereto, with the covenants and recitals in the deed to such lot and with all building codes, rules, orders and regulations of the proper governmental authority, and that the exterior architectural design and color of all structures, when completed, conform with the exterior architectural design and color as approved by the Committee.

The Committee shall have the authority and right to inspect premises under construction for the purpose of determining that all construction complies with the plans, elevations and specifications as approved by it, but shall have no responsibility to take such action. Grantor may from time to time at any reasonable hour, enter and inspect any lot, structure or other property subject to these restrictions for the purpose of determining compliance herewith.

4. The Committee hereinabove referred to shall consist of not less than three (3) members. Any action by said Committee may be taken by a majority thereof, and the members of said Committee may act without a meeting. CENTURY MALIBU, INC., Grantor, shall have the right, and it shall be the duty of said Company to appoint the initial three members of such Committee; one of which may be replaced by a member to be appointed by a majority of the lot purchasers within the Tract after the first 50 lots have been sold. CENTURY MALIBU, INC., Grantor, shall have the right at any time to remove any of the three (3) members of said Committee so appointed by it, and to fill any vacancies caused by such removal or by the death,

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resignation, or other inability to act, of said Committee members. In the event and whenever said CENTURY MALIBU, INC., Grantor, desires to be relieved of the responsibility of maintaining such Committee, it may do so by filing, in the office of the County Recorder of the County of Los Angeles, a notice to that effect, and thereafter the right of appointing and removing members of said Committee shall be vested in the persons owning lots in said Tract, who may act by a majority of such lot owners, either at a meeting of such lot owners or in writing without a meeting. In no event, however, shall CENTURY MALIBU, INC. be liable for the consequences of action or inaction by said Committee or any member or members thereof whether appointed by CENTURY MALIBU, INC., Grantor, or otherwise.

5. Roofs shall be covered with wood shingle, wood shake, clay tile, concrete tile, or such other material and color as may be approved by the Committee, provided, however, that no flat roof shall exceed 20% of the total roof area, and provided further that no composition shingle, asphalt shingle, composition sheet, rock or gravel roof shall be used on any of the roof area except the above-mentioned flat area which shall not exceed 20% of the total roof area. No simulated mansard roof shall be used and any true mansard design shall be covered with metal sheeting or wood shingles, the design, material and treatment of which shall be approved by the Committee. For the purpose of these restrictions, any roof or portion thereof having a pitch flatter than 8 feet horizontally to 1 foot vertically shall be construed to be a flat roof.

No air conditioning unit nor air conditioning vents shall be exposed above the roof of any structure, and air conditioning units and vents, pump equipment and motors for swimming pools, etc., if any, shall be enclosed in a manner in keeping with the architecture of the home structure and shall be soundproofed so as not to be a nuisance to adjacent or nearby homeowners.

Patio walls and roofs shall be of the same design and material as the main part of the house, and the roof thereof shall be subject to the same provisions as above. Roll-back or sliding canvas covers or awnings may be used over patios provided the design and colors are approved by the Committee.

6. All exterior stucco shall be painted.

7. No lot may be subdivided for any reason whatsoever, except that three or more adjacent lots may be combined and the resulting total area divided into a smaller number of lots, with the approval of the County of Los Angeles, provided each resulting lot is larger than any one of the original lots so combined.

8. No residence building shall ever be erected, maintained or permitted on said premises which building contains less than 2,000 square feet of floor area.

In determining the number of square feet contained within any residence building erected or to be erected on said premises, the space contained within covered or uncovered porches, covered or uncovered entries, balconies, garage (whether or not it is an integral part of the residence), covered or uncovered patios, basement or cellar, shall not be considered in computing the square footage contained in any such building. For the purpose of computing the "minimum required floor area", it shall be deemed to include the total floor area of the residence building, measurements to be taken for this purpose from the outer faces of exterior walls.

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9. All buildings on lots 1, 2, 5 to 14, inclusive, 16 to 30 inclusive, 35 to 38 inclusive, 41, 45 to 49 inclusive, 57 to 75 inclusive, 79 to 98 inclusive, and 107 shall not exceed one story in height above the finished first floor level.

Buildings on lots 3, 4, 15, 31 to 34 inclusive, 39, 40, 50 to 56 inclusive and 76 to 78 inclusive, shall not exceed two stories in height above the finished first floor level.

Buildings on lots 42 to 44 inclusive, and 99 to 106 inclusive, may have the rear portion of the building two stories in height, provided no portion of the building within the first 34 feet back from the front property line exceeds one story in height above the finished first floor level.

10. The highest point of the roof (chimneys excepted) of buildings on lots 1, 2, 5 to 14 inclusive, 16 to 30 inclusive, 35 to 38 inclusive, 41, 45 to 49 inclusive, 57 to 75 inclusive, 79 to 98 inclusive, and 107 shall not exceed eighteen (18) feet above the control point designated for each respective lot on the schedule hereinafter shown as Schedule 10A.

The highest point of the roof (chimneys excepted) for all buildings on lots 3, 4, 15, 31 to 34 inclusive, 39, 40, 50 to 56 inclusive and 76 to 78 inclusive, shall not exceed twenty eight (28) feet above the control point designated for each respective lot on Schedule 10A.

The highest point of the roof (chimneys excepted) of all portions of buildings limited to one story in height as per Paragraph 9 above on lots 42 to 44 inclusive and 99 to 106 inclusive, shall not exceed eighteen (18) feet above the control point designated for each respective lot on Schedule 10A. That portion of buildings limited to two stories in height on the above lots shall not exceed twenty eight (28) feet above the control point designated for each respective lot on Schedule 10A.

The finished first floor level of any part of any building shall not be more than 3 feet above the control point shown in Schedule 10A.

The finished floor level of any garage shall not be more than eight (8) feet below the height control point for each respective lot as shown in Schedule 10A, and no retaining wall adjacent to and parallel with either side of a driveway shall exceed three (3) feet in height within the front setback area of any lot.

11. No residence or any part of any residence, garage or any other building or structure, exclusive of walls and fences, shall be placed on any lot nearer than 26 feet from the front of the front curb of said lot; and front, side and rear building setback lines on each lot shall conform in all respects to requirements of the County of Los Angeles, provided that no structure, including a porch, balcony, patio or terrace, but excluding walls and fences, shall extend down or be cantilevered or otherwise constructed over or on any downhill slope beyond the front, side or rear lines of the manufactured pad; and provided further that in the case of corner lots, any driveway entering said lot from the secondary street shall have at least 26 feet of driveway between the curb on said secondary street and the entrance doors to the garage.

The right has been dedicated to the County of Los Angeles to restrict the erection of buildings or other structures within areas designated as "Restricted Use Areas" on portions of lots 12, 13, 30, 31, 88, 89, 90, 91, 92, 93, 94, 100, 101, 102, 103, 104, 105, 106 and 107 on the map of Tract No. 30134.

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SCHEDULE 10A

The following schedule has been establi hed to set a control point for each lot (which control point represents the height of the approximate center of each lot pad) from which the maximum roof height and the maximum finished first floor level shall be measured. The control point for each lot pad is above or below the highest point of the curb of each respective lot, as follows:

	Number feet above or below high point of curb		Number feet above or below high point of curb		Number feet above or below high point of curb
Lot No. 1	- 1.6	22	- 2.1	43	+ 0.8
2	+14.2	23	- 0.3	44	+ 0.7
3	+26.7	24	+ 0.2	45	-14.9
4	+20.1	25	- 1.3	46	- 5.2
5	-12.9	26	- 1.5	47	- 2.4
6	- 3.2	27	- 9.7	48	- 0.6
7	- 5.0	28	- 5.7	49	+ 0.4
8	- 5.1	29	+ 1.5	50	+ 4.3
9	- 6.6	30	+ 1.4	51	+ 4.4
10	- 6.0	31	+ 3.4	52	+ 8.3
11	- 0.6	32	+ 3.1	53	+ 3.1
12	- 1.9	33	+ 1.1	54	- 6.4
13	- 3.9	34	- 0.2	55	+ 7.0
14	- 1.2	35	+ 0.5	56	+ 6.1
15	+15.2	36	+ 1.8	57	+ 0.5
16	+11.2	37	- 3.3	58	+ 3.4
17	+12.4	38	+ 3.1	59	+ 2.2
18	+ 4.7	39	+24.8	60	+ 0.3
19	-14.4	40	+22.9	61	+ 1.0
20	+15.7	41	- 0.4	62	+ 1.2
21	+ 1.5	42	+ 2.6	63	+ 0.8

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SCHEDULE 10A (CONT.)

Lot No.	Number feet above or below high point of curb		Number feet above or below high point of curb		Number feet above or below high point of curb
64	+ 0.4	79	- 2.1	94	- 0.8
65	+ 0.9	80	-13.1	95	+ 2.4
66	+ 1.8	81	- 3.3	96	- 0.7
67	+ 2.2	82	- 4.4	97	- 0.5
68	+ 1.7	83	- 3.3	98	-14.5
69	+ 1.3	84	- 0.7	99	- 3.2
70	+ 1.4	85	+ 0.4	100	- 4.4
71	-11.6	86	+ 1.5	101	- 2.5
72	- 4.5	87	+ 1.3	102	- 6.4
73	+ 0.6	88	+ 1.0	103	- 7.6
74	+ 0.8	89	+ 0.7	104	- 2.9
75	+10.8	90	- 0.1	105	+ 0.9
76	+15.1	91	- 3.9	106	+ 4.1
77	+13.8	92	- 1.6	107	- 2.6
78	+ 1.0	93	- 0.6		

Note:

In the case of a corner lot, the highest point of the curb (from which the above measurement has been made) may be located on the primary or secondary street. In the case of Lot 56, the measurement has been made from the highest point of the curb on Malibu Country Drive.

The above control points for each lot are intended to represent the height of the approximate center of each lot pad as originally graded. If a subsequent certified survey indicates that the approximate center of any of the above lots as originally graded is different from the control point so designated, said control point to be used for the respective lot shall be adjusted to the correct control point.

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In addition to the above, no structure, wall or fence in excess of six feet in height shall be constructed on any area of the following lots which area is located more than the number of feet designated below, as measured from the front of the curb of such lot:

Lots 62 - 64 inclusive - 137 feet
Lots 90 - 93 inclusive - 137 feet
Lots 94 - 96 inclusive - 117 feet

IT IS EXPRESSLY UNDERSTOOD, however, that any eave or roof overhang extending beyond the wall of such structure or structures a distance of 48 inches or less shall not be considered a violation of these restrictions. Any garage structure not connected with the residence as an integral part thereof shall be located not nearer than the required setback for the main structure from the FRONT property line of said building site.

12. If driveway curb cut and apron are in place on a given lot, the driveway shall remain at such location, unless a different location is approved by the Committee and the existing curb cut is replaced with curb and sidewalk of design typical of Tract 30134 and using the typical concrete mixture specified below. On other lots, the driveway curb cut and apron may be at such location as may be approved by the Committee and shall be of design typical of Tract 30134 and paved with concrete having a typical formula mixture of two pounds lamp black to each cubic yard of concrete mixture. Driveways between street and garage may be of black top, concrete having typical lamp black mixture as above, or such other material as may be approved by the Committee.

The following lots shall have reciprocal easements for driveway purposes: lots 2 and 3, lots 4 and 5, lots 15 and 16, lots 39 and 40, and lots 76 and 77. These double driveways shall be improved with paving 20 feet wide. Such driveways may be of blacktop or concrete provided that, if concrete, mixture shall be two pounds lamp black to each cubic yard of concrete mixture, or such other material as may be approved by the Committee.

Single access strip-type driveways serving Lots 17 and 29 shall be improved with paving 15 feet wide and may be of blacktop or of the typical concrete mixture specified above, or such other material as may be approved by the Committee.

The 15 foot driveway adjacent to Lot 52 is not a part of Tract 30134 and is not intended to serve Lot 52. This driveway will be the access driveway for a future lot to be created to the north of Lot 52.

The fire access roadway between Marie Canyon Road and Forest Gate Circle (as shown on the Final Map for Tract 30134) is not available for parking and must be kept free of parked cars at all times.

13. All walls and fences shall be maintained in good condition and be painted or stained if of wood or iron. If standard plain cememt or slumpstone cememt blocks are used, said walls shall be constructed of block not over four inches in height and painted. If standard cement blocks are used which are more than four inches in height, the wall shall be covered with stucco and shall be painted. Pattern or custom cement blocks shall not be used unless such blocks are of unusual custom design and unless the size of the blocks, design and wall are specifically approved by the Committee. In front of the front setback line, no wall or fence shall exceed five (5) feet in height above the surface of the ground upon which it is located, nor shall a wall or fence exceed six (6) feet in height to the

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rear of said front setback line unless said wall or fence is not within the side or rear setback areas. No hedge shall be planted or maintained in front of the front setback line at a greater height than five (5) feet from the ground, nor shall any hedge exceed six (6) feet in height to the rear of said front setback line unless said hedge is not within the side or rear setback lines.

In cases where the side or rear property line of a lot is at the top of the slope adjacent to the pad level of an upper lot, the owner of the lower lot shall not build a wall or fence on the said side or rear property line or on the slope adjacent thereto which wall or fence extends more than three feet above the pad level of the adjacent upper lot unless a written agreement and approval to do so is obtained from the owner of the upper lot and duly recorded.

No tennis court shall be constructed on any lot or combination of lots without the owner thereof having first obtained and recorded the written approval of the owner of every lot in Tract 30134 which is adjacent to such lot or combination of lots.

14. Each owner of a lot in said tract shall not in any way interfere with the established drainage in or over any lot in said Tract. In the event it is necessary to change the established drainage over any lot, adequate provisions for proper drainage shall be made therefor. For the purpose hereof "Established Drainage" is defined as the drainage as the same existed at the time of the overall grading of said Tract, including the landscaping of each lot in said Tract as completed by the undersigned.

Each lot owner shall provide continuous maintenance for all planted slopes within his lot and for all drainage benches, drainage channels and/or slopes to prevent drainage from overflowing onto other property. The owner of each lot shall keep said lot free and clear of weeds, debris and rubbish and keep the premises neat and in good order. Excepting homes not yet sold by Grantor, upon completion of a residence building, the lot owner shall within ninety (90) days plant and maintain lawns or otherwise landscape the front yard, and in the case of corner lots also the side street yard. The Grantor, its successors or assigns, hereby reserves the right, in the event of default in the performance of this covenant, after notice in writing to said lot owner to cure said default and lot owner's failure to do so within thirty days thereafter, to enter upon said lot and remove all weeds, debris and rubbish in accordance with this covenant and the expense thereof shall become due and payable from said lot owner to the Grantor within thirty (30) days after written demand therefor.

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15. No aerial or antenna for T.V., radio, ham radio, or any other purpose shall be installed on any lot except as may be installed under the roof and within the attic area of the home erected thereon. Spot or flood lights, if any, used for illumination or for accent lighting of landscaping, etc., shall be directed and/or controlled in such a manner as not to be an annoyance or nuisance to adjacent or nearby homeowners.

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16. No sign shall be placed or maintained on any lot prior to, during or after the erection of a residence thereon without the prior written consent of the Grantor, its successors or assigns, or duly authorized agent other than one ordinary 18" x 24" "Open for Inspection" "For Rent", "For Sale" or "Sold" sign of design approved by the Committee; and in the event any sign or signs shall be placed or maintained upon said premises in violation of these restrictions, said Grantor, or its successors or assigns, or duly authorized agent, may and is hereby authorized to enter upon said premises and to remove any and all such unauthorized signs.

Nothing contained in these restrictions and conditions shall operate to prohibit the Grantor, its successors, assigns, or its duly authorized agent from maintaining upon any lot or lots in said Tract a real estate Tract Office, together with suitable advertising signs for the purpose of conducting the proper development, sale and management of property in said Tract.

17. No trade, business or commercial activity of any sort shall be carried on upon said premises, nor shall anything be done thereon which may be or become an annoyance or nuisance to adjacent homeowners or a detriment to the neighborhood. No auction or public sale of real or personal property shall be conducted upon said premises, nor shall said premises or any part thereof be sold or offered for sale through an auction or public sale.

18. Any trailer, travel trailer, motor home, truck, boat, or other recreational or commercial vehicle shall not be used as additional living quarters, and shall be parked at all times within the garage of the respective home, except during reasonable loading, waiting, and/or unloading periods.

19. No livestock, dog, cat or other animal breeding, raising or care of a commercial nature shall be permitted. No hogs, sheep, bee hives, goats, cows or horses shall be permitted on said premises. No poultry shall be permitted or maintained on said property.

20. Violation or breach of any restriction herein contained shall give to Grantor and every owner of property subject to these restrictions the right to enter upon the property upon or as to which said violation or breach exists and to summarily abate and remove, at the expense of the owner or lessee thereof, any structure, thing or condition that may be or exist thereon contrary to the intent and meaning of the provisions hereof, or to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of these restrictions to enjoin or prevent them from doing so, to cause said violation to be remedied or to recover damages.

The result of every action or omission whereby any restrictions herein contained is violated in whole or in part is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an owner, either public or private, shall be applicable against every such result and may be exercised by Grantor or by any owner of property subject to these restrictions.

In any legal or equitable proceeding for the enforcement or to restrain the violation of this Declaration or any provision hereof, the losing party or parties shall pay the attorney's fees and court costs of the prevailing party or parties, in such amount as may be fixed by the Court in such proceedings. All remedies provided herein or at law or in equity shall be cumulative and not exclusive.

The failure of Grantor or any property owner to enforce any restriction herein contained shall in no event be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other restriction.

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21. If at any time any of said Paragraphs 1 to 19, inclusive, or any part thereof, shall be adjudged or held to be illegal, or invalid, such illegality or invalidity shall in no way affect or render illegal or invalid any of the other terms, conditions, covenants, and restrictions of said paragraph, or of any other paragraph or part thereof, but each and all of said other terms, conditions, covenants, and restrictions, notwithstanding said illegality or invalidity, shall be and remain in full force and effect.

Each and all of the conditions herein contained shall in all respects terminate and end and be of no further effect, either legal or equitable, either on said property or any part thereof, or on the parties thereto, their heirs, successors, devisees, executors, administrators or assigns, on or after January 1, of the year 2010 unless prior to said date and effective thereon, a written instrument shall be executed by the record owners of the majority of the lots in said property and duly recorded providing for an extension of these restrictions to a later date.

This Declaration, or any provision hereof, may also be modified or amended with the written consent of 100% of the Lots by recordation of the same in the Official Records of Los Angeles County.

Notwithstanding anything herein contained to the contrary, no breach of any of the foregoing conditions or any re-entry by reason of such breach shall defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to said property or any part thereof; but said conditions shall be binding upon and effective against any owner of said property whose title thereto was acquired by foreclosure, trustee's sale, or otherwise.

The foregoing conditions and restrictions constitute the minimum conditions and restrictions applying to any lot or lots in said Tract 30134. The right is reserved by the Grantor, in the case of any unsold lot or lots, to add other conditions and restrictions, to increase the requirements thereof as to setback lines, square footage content of buildings and otherwise to increase and supplement but not to diminish, the restrictions on said property.

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IN WITNESS WHEREOF, said Century Malibu, Inc. has hereunto caused its corporate name and seal to be affixed by its Officers thereunto duly authorized, on the day and year first hereinbefore written.

(S) By R. C. Hatfield
President

(CORPORATE SEAL)

(S) By L. W. Kempf
Secretary

STATE OF CALIFORNIA)
: SS.
COUNTY OF LOS ANGELES)

ON THIS 17th day of August, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. C. Hatfield, known to me to be the President and L. W. Kempf, known to me to be the Secretary of Century Malibu, Inc., the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation herein named, and acknowledged to me that such Corporation executed the same

WITNESS my hand and official seal the day and year in this Certificate first above written.

OFFICIAL SEAL
JUNE L. WALKUP
NOTARY PUBLIC-CALIFORNIA
LOS ANGELES COUNTY
My Commission Expires Dec. 2, 1974
1900 Ave. of the Stars, Ste. 1500, Los Angeles, Ca. 90067

June L. Walkup (SEAL)
Notary Public and and for said
County and State

My Commission Expires 12-2-74

Recorded _____
as instrument No. _____
in Book _____, at Page _____,
Official Records of Los Angeles County,
California

AUG 28 1972

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Attachment B

Malibu Country Estates Tract Map

SCALE: 1"=60'

TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

BEING A SUBDIVISION OF A PORTION OF RANCHO TOPANGA MALIBU SEQUIT PER PATENT RECORDED IN BOOK 1, PAGE 407 ET. SEQ. OF PATENTS OFFICIAL RECORDS OF LOS ANGELES COUNTY, STATE OF CALIFORNIA

DANIEL · MANN · JOHNSON · & MENDENHALL

FILED
AT REQUEST OF OWNER
AUG. 25, 1972
MIN. 27 PAST 4 PM
IN BOOK 820
AT PAGE 15
OF MAP RECORDS
LOS ANGELES COUNTY, CALIF.
COUNTY RECORDER
BY
$19.00
Deputy

We hereby certify that we are the owners of, or are interested in the land included within the subdivision shown on the annexed map and we consent to the preparation and filing of said subdivision as shown within the colored border lines, and we hereby dedicate to the public use all highways, streets and other public ways shown on said map. We further certify that except as shown on a copy of this map on file in the office of the County Road Commissioner we know of no easement or structure existing within the easements hereby offered for dedication to the public, other than publicly owned water lines, sewers or storm drains. That we will grant no right or interest within the boundaries of said easements offered to the public except where such right or interest is expressly made subject to the said easements. And we hereby dedicate to the County of Los Angeles the easements for storm drain, (access) and sanitary sewer purposes and for emergency vehicular access over the strips of land so designated on said map, and all uses incident thereto including the right to make connections therewith from adjoining properties. As a dedication to public use while all of Marie Canyon Road adjacent to this subdivision remains a public highway and for such time only we hereby abandon all rights of direct ingress and egress to said highway so that the owners of lots 85 to 87 inclusive, and 107 abutting this highway during such time will have no rights of access whatever in the highway as such except the general easement of travel which belongs to the whole public. If any change of alignment or width of such highway results in the vacation of any part adjacent to this subdivision, such vacation terminates the above dedication as to the part vacated. We hereby dedicate to the County of Los Angeles the right to prohibit construction of more than one residence and related accessory buildings on lots 1, 3 to 5 inclusive, 9, 11 to 15 inclusive, 29 to 34 inclusive, 39, 40, 50, 51, 75, 76, 79, 84, 86, 87, and 107. We hereby dedicate to the County of Los Angeles the right to restrict the erection of residential buildings or other structures within those areas designated on the map as restricted use areas. We hereby grant Lot 108 in fee simple to the County of Los Angeles.

CENTURY MALIBU, INC., A DELAWARE CORPORATION
(OWNERS)
AND
(EASEMENT HOLDER)

Granted by deeds recorded in Book D-4663, Page 624 Official Records and in Book D-4663, Page 634 Official Records, said easements are blanket in nature.

By Robert C. Hatfield
President

By J.W. Kempf
Secretary

By Merritt H. Adamson
Merritt H. Adamson, Owner

By Rhoda-May Adamson Dallas
Rhoda-May Adamson Dallas, Owner

By Sylvia R.A. Neville
Sylvia R.A. Neville, Owner

IN RE TRACT NO. 30134
IT IS ORDERED THAT THE MAP OF TRACT NO. 30134 IS HEREBY APPROVED; THAT THE BOND IN THE AMOUNT OF $44,875.00 FILED WITH THIS BOARD TO INSURE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES BE APPROVED; THAT ALL STREETS, HIGHWAYS AND OTHER PUBLIC WAYS AND EASEMENTS SHOWN ON SAID MAP AND OFFERED FOR DEDICATION BE AND THE SAME ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC. *THAT THE OFFER OF THE RIGHT TO RESTRICT THE ERECTION OF BUILDINGS OR OTHER STRUCTURES BE AND THE SAME IS HEREBY ACCEPTED ON BEHALF OF THE PUBLIC. THAT THE OFFER OF THE RIGHT TO PROHIBIT THE CONSTRUCTION OF MORE THAN ONE RESIDENTIAL BUILDING BE AND THE SAME IS HEREBY ACCEPTED ON BEHALF OF THE PUBLIC. THAT THE OFFER OF DEDICATION FOR ABANDOINMENT OF THE RIGHTS OF INGRESS AND EGRESS BE AND THE SAME IS HEREBY ACCEPTED ON BEHALF OF THE PUBLIC. THAT THE GRANT OF LOT 108 IN FEE SIMPLE BE AND THE SAME IS HEREBY ACCEPTED ON BEHALF OF THE PUBLIC.*

I HEREBY CERTIFY THAT THE FOREGOING ORDER WAS ADOPTED BY THE BOARD OF SUPERVISORS AT A MEETING HELD Aug. 24 1972

JAMES S. MIKE, EXECUTIVE OFFICER -
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY Frances M. Brenby DEPUTY

I hereby certify that I have examined this map, that it conforms substantially to the tentative map and all approved alterations thereof; that all provisions of applicable State law and local subdivision ordinances have been complied with; and that I am satisfied that this map is technically correct.

Dated: August 25, 1972

Harvey T. Brandt
COUNTY ENGINEER
By
Deputy

I hereby certify that I am a Licensed Land Surveyor of the State of California, that this map consisting of 8 sheets correctly represents a true and complete survey made under my supervision September '71 that the monuments of the character and location shown hereon are in place or will be in place within twenty four months from filing date of this map; that said monuments are sufficient to enable the survey to be readily retraced and that tie notes to all centerline monuments shown hereon as to be set by me will be on file in the office of the County Engineer within twenty four months from filing date of this map.

Licensed Land Surveyor No. 2836

Basis of Bearings:

All bearings shown on this map are based on the California State Coordinate System, Zone 7, Lambert Grid. The bearing of N84°57'05"E between Los Angeles County Engineer Traverse Stations Solstice Canyon K-9 and L-8 was used as the basis of bearings for this map.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } SS.

On JANUARY 27, 1972 before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT C. HATFIELD known to me to be the ——— President, and L.W. KEMPF ———, known to me to be ——— Secretary of CENTURY MALIBU, INC., the Corporation that executed the within Instrument, and known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Signature June L. Walkup
JUNE L. WALKUP
Name (Typed or Printed)

STATE OF CALIFORNIA
COUNTY OF Los Angeles } SS.

On FEBRUARY 3, 1972 before me, the undersigned, a Notary Public in and for said County and State, personally appeared MERRITH. ADAMSON, RHODA-MAY ADAMSON DALLAS, & SYLVIA R.A. NEVILLE known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same

Roseann Buddy Smith
Signature of Notary

ROSEANN BUDDY SMITH
Name (Typed or Printed) of Notary

The signature of the State of California, owner of easement as disclosed in Book 20743, Page 271, Official Records of Los Angeles County, has been omitted under the provisions of Section 11587 (a) of the Subdivision Map Act, their interest is such that it cannot ripen into a fee title and said signature is not required by the governing body.

The present owners of all mineral, oil, petroleum, asphaltum, gas, coal and other mineral and hydrocarbon substances reserved in the deeds recorded May 19, 1965 in Book D-2910 Page 176 Official Records, December 31, 1968 in Book D-4239 Page 596, Official Records; March 20, 1970 in Book D-4662 Page 924, Official Records and August 14, 1970 in Book D-4803 Page 161 of Official Records, and May 3, 1971, in Book D-5045 Page 769, Official Records (of Los Angeles County), have been omitted as necessary parties to sign the map under the provisions of Section 11587 C-(1) of the Subdivision Map Act inasmuch as such ownership does not include a right of entry on the surface of the land. Certain of said rights of entry on the surface were relinquished by deed recorded March 20, 1970 in Book D4662 Page 881, Official Records, Records of Los Angeles County.

MONUMENT NOTE:
2"I.P. DENOTES A 2" IRON PIPE 30" LONG WITH CEMENT PLUG AND SEAL STAMPED L.S. 2836 AND SET FLUSH
S.&T. DENOTES A 6" BOAT SPIKE, WASHER AND TIN STAMPED L.S. 2836

BOOK 820 PAGE 16

SCALE: 1" = 60'

TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON & MENDENHALL

SHEET 2 OF 8 SHEETS

FILED WITH LOS ANGELES
COUNTY RECORDER
AUG 25 1972

SEE SHEET 3

SEE SHEET 3

SEE SHEET 4

VANTAGE POINT TERRACE

MALIBU COUNTRY PLOVER WAY

MALIBU COUNTRY DRIVE

MALIBU CANYON ROAD

PACIFIC COAST HIGHWAY

NORTHEASTERLY LINE OF OR. D46662 - 924

N 42° 13' 47" W - 894.01'

6' EASEMENT FOR SANITARY SEWER PURPOSES TO THE COUNTY OF LOS ANGELES

10' EASEMENT FOR STORM DRAIN PURPOSES TO THE COUNTY OF LOS ANGELES.

RESTRICTED USE AREA

92 91 90 89 88 87 86 85 84 83 93 103 104 105 106 107 108

107
0.79 AC. GROSS
0.49 AC. NET

SET 2" I.P.

N 84° 57' 05" E 1108.44'

SOUTHERLY LINE OF PARCEL 1, O.R. D46662 - 924

SEE DETAIL ON SHEET 4

TOTAL CURVE
Δ = 81° 42' 17"
R = 13'
L = 18.54'

N 51° 15' 37" W

N 51° 56' 56" E 154.51'

582.95'

188.94' PER O.R. D46662 - 924

N 83° 25' 42" W RADIAL

PER O.R. D46662-924

NOT A PART OF THIS SUBDIVISION

IDENTICAL

N 0° 33' 15" E - 139.97'

N 0° 33' 15" E - 124.84'

390.00'

209.73'

50'

50'

N 84° 56' 33" E 154.74'

N 84° 56' 33" E 1432.72'

1432.70'

N 84° 51' 05" E

3556.81'

4125.75'

2006.13'

℄ PER CSB 5022-3 & CSFB 2992, Pg's 57, 65-68

℄ PER ORD. 4662-924 & CSFB 1652 Pgs. 65-67

℄ MALIBU CANYON ROAD N 5° 02' 55" W 402.11'

PER O.R. D46662 - 924

N 5° 03' 27" W 0.55'

N 4124939.24
E 4071439.75
Fd. LA. COUNTY ENGR. TRAVERSE STA. SOLSTICE CYN. K-8 PER FB 1652 PG. 65 AND FB 1312 PG. 87

N 4125252.25
E 4074982.70
Fd L.A. COUNTY ENG. TRAVERSE STA.: SOLSTICE CYN. L-8 PER FB. 1652 PG. 67

F/L ℄ PER CSFB. 2992, PG. 65

S & T to be set

SET 2" I.P.

#2

323/17

BOOK 820 PAGE 17

SCALE 1"= 60'

TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON & MENDENHALL

SHEET 3 OF 8 SHEETS

FILED WITH LOS ANGELES
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N 42° 13' 47" W 894.01'
N 42° 13' 47" W 698.07'
NORTHEASTERLY LINE OF O.R. D4662 - 924
NORTHEASTERLY LINE OF O.R. D 5490-890 AND O.R D 5490-893
R=1393.00' Δ=15°33'10" L=378.11'
Δ=7°38'28" L=185.77'
N47°24'18"E (RAD)
SET 2" I.P.
210.15'
152.89'
160.12'
112.01'
30' EASEMENT TO COUNTY OF LOS ANGELES FOR EMERGENCY VEHICLE ACCESS PURPOSES
L=496.36
N40°07'45"E (RAD.)
N 54° 27' 51" E - 124.80'
Δ=18°57'34" R=1500'
76
77
SEE DETAIL
78
79
80
81
82
N 73° 23' 50" W 120.48'
N 82° 25' 57" W (RAD)
Δ=15°18'55" L=11.76'
244.30'
127.47'
N 44° 17' 12" E
N 47°51'20"E. 180.98'
FOREST GATE CIRCLE
R=28.00'
L=43.47'
S.F.T. to be set
TERRACE
Δ=8°16'22" L=90.82'
Δ=7°46'17" L=85.68'
R=629.00' L=285.32'
R=600.00' T=138.47' L=272.17'
R=571.00' L=259.01'
Δ=25°59'25"
Δ=6°10'3" L=32.32'
N73°18'03"W 14.25'
Δ=96°11'01" R=13' L=21.82'
Δ=5°21'58" L=102.82'
Δ=3°45'00" R=268' L=17.55'
Δ=96°28'49" R=13' L=22.51'
Δ=13°14'28" L=69.33'
Δ=15°24'55" R=300.00' T=51.32'
Δ=21°52'31" L=96.63'
Δ=21°52'31" L=287.58'
R=257.00' L=260.53' T=147.08'
R=1193.00' L=223.48'
Δ=40°45'00" L=137.27'
Δ=7°33'42" L=25.47'
Δ=15°24'55" L=50.95'
Δ=10°27'15"
Δ=8°57'44" L=43.67'
Δ=1°51'34" L=18.52'
R=279.22 L=94.62' N73°16'03"W
N 53° 53' 04" W 105.77'
73.83'
31.94'
31.83'
N 14° 34' 25" E (RAD.)
N 1° 06' 10" E 51.61'
N 89° 15' 10" E 23.80'
N 30° 45' 10" E 103.12'
180.00'
44.78'
N 54° 27' 51" E 32.10'
N 58° 14' 50" W 136.63'
N 58° 38' 24" W 196.80'
N 58° 09' 41" W (RAD)
N 39° 52' 34" W (RAD) 104.09'
N 10° 08' 38" E (RAD)
N 22° 52' 58" E (RAD) 52.44'
N 32° 21' 15" E (RAD.)
N 32° 21' 47" E (RAD)
N 25° 39' 41" E (RAD)
N 23° 52' 12" E (RAD)
N 20° 08' 34" E (RAD)
N 26° 05' 51" E (RAD)
N 23° 22' 36" E
N 18° 33' 26" E (RAD)
N 35° 57' 20" E 179.93'
N 25° 39' 41" E (RAD)
N 36° 07' 45" E 150.29'
N 36° 09' 56" E 143.81'
N 39° 23' 14" E (RAD.) 155.10'
N 75° 10' 54" W 42.84'
N 52° 39' 07" W
N 48° 00' 11" W 65.00' 84.11'
N 48° 00' 11" W - 300'
N 41° 59' 49" E 158.03'
N 41° 59' 49" E 125.00'
N 41° 59' 49" E 137.75'
N 41° 59' 49" E 137.68'
N 41° 59' 49" E 126.37'
N 41° 59' 49" E 147.97'
N 41° 59' 49" E 100'
N 59° 46' 21" E 177.64'
N 59° 46' 21" E 129.87'
N 59° 46' 21" E 32.16'
N 54° 29' 53" E (RAD.)
N 57° 47' 57" E 117.47'
N 7° 19' 13" E 137.68'
N 78° 41' 24" W 14.86'
N 23° 51' 01" W (RAD) 114.00'
N 5° 24' 14" W 63.57'
N 12° 11' 46" W (R) 112.37'
N 43° 27' 25" W 50.69'
N 35° 05' 45" W 67.83'
N 78° 41' 43" W 11.18'
N 55° 37' 11" E 70.09'
N 53° 48' 02" E 99.84'
N 35° 01' 06" W 111.94'
N 81° 28' 09" W - 18.68'
N 47° 23' 09" E - 13.20'
N 60° 01' 03" W 58.66'
N 36° 07' 45" E 150.20'
N 37° 42' 28" E (RAD) 152.57'
N 41° 59' 49" E 132.31'
N 63° 44' 10" W 61.56'
N 76° 26' 08" W 36.15'
N 26° 08' 34" E (RAD)
N 22° 52' 58" E (RAD) 52.44'
N 48° 00' 11" W 39.11'
N 12° 11' 46" W (R) 43.80'
N 5° 24' 14" W 112.37'
N 58° 46' 21" E 41.77'
N 59° 46' 21" E 32.16'
N 54° 29' 53" E (RAD.)
N 59° 14' 05" W 53.76'
N 59° 14' 05" W 53.76'
N 48° 00' 11" W 298.04'
N 48° 00' 11" W 67.27'
N 48° 00' 11" W 298.04'
N 48° 00' 11" W 120.03'
N 48° 00' 11" W 298.04'
N 48° 00' 11" W 90.00'
N 41° 00' 32" E 43.06'
N 41° 00' 32" E 75.23'
N 41° 00' 32" E 43.06'
N 41° 00' 32" E 32.16'
N 41° 00' 32" E 10.39'
N 41° 00' 32" E 44.22'
N 41° 00' 32" E 43.06'
N 41° 00' 32" E 43.06'
N 41° 00' 32" E 43.06

FILED WITH LOS ANGELES
COUNTY RECORDER
AUG 25 1972

BOOK 820 PAGE 18

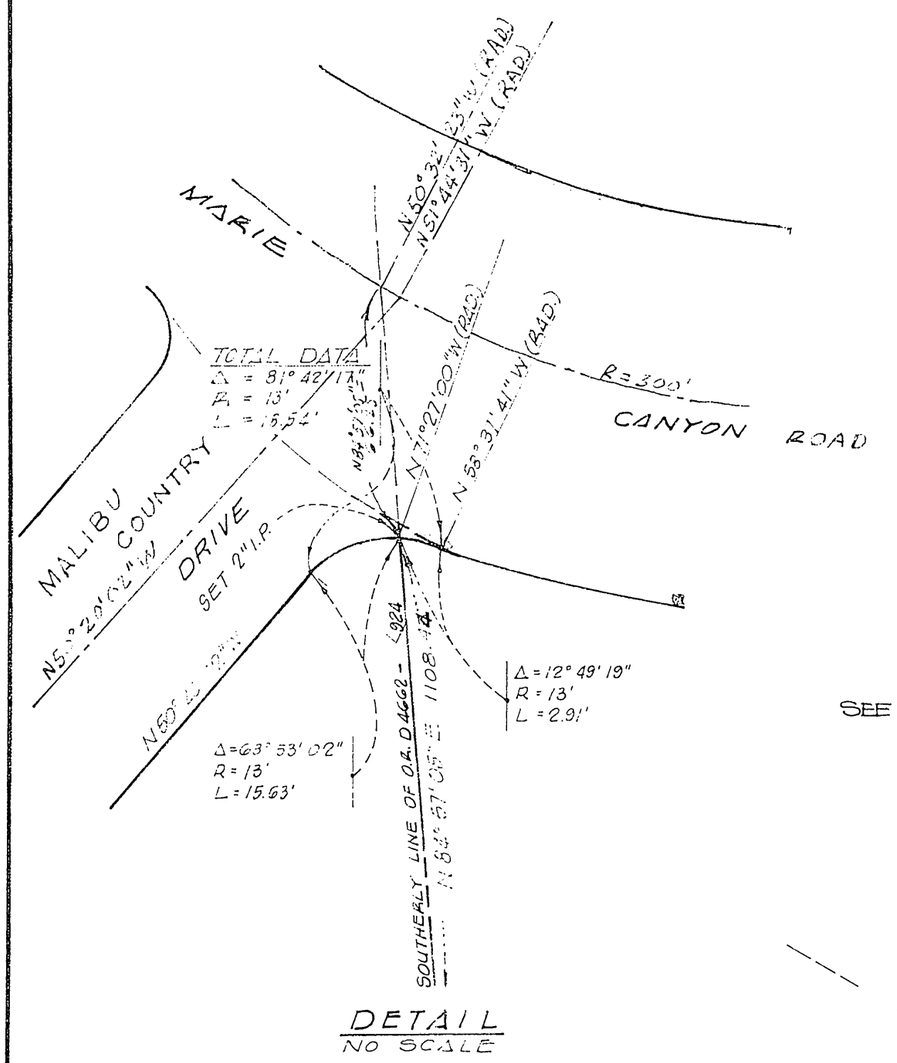
SCALE: 1"=60'

TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON · & MENDENHALL

SHEET 4 OF 8 SHEETS



820/19

BOOK 820 PAGE 19

SCALE: 1"=60'

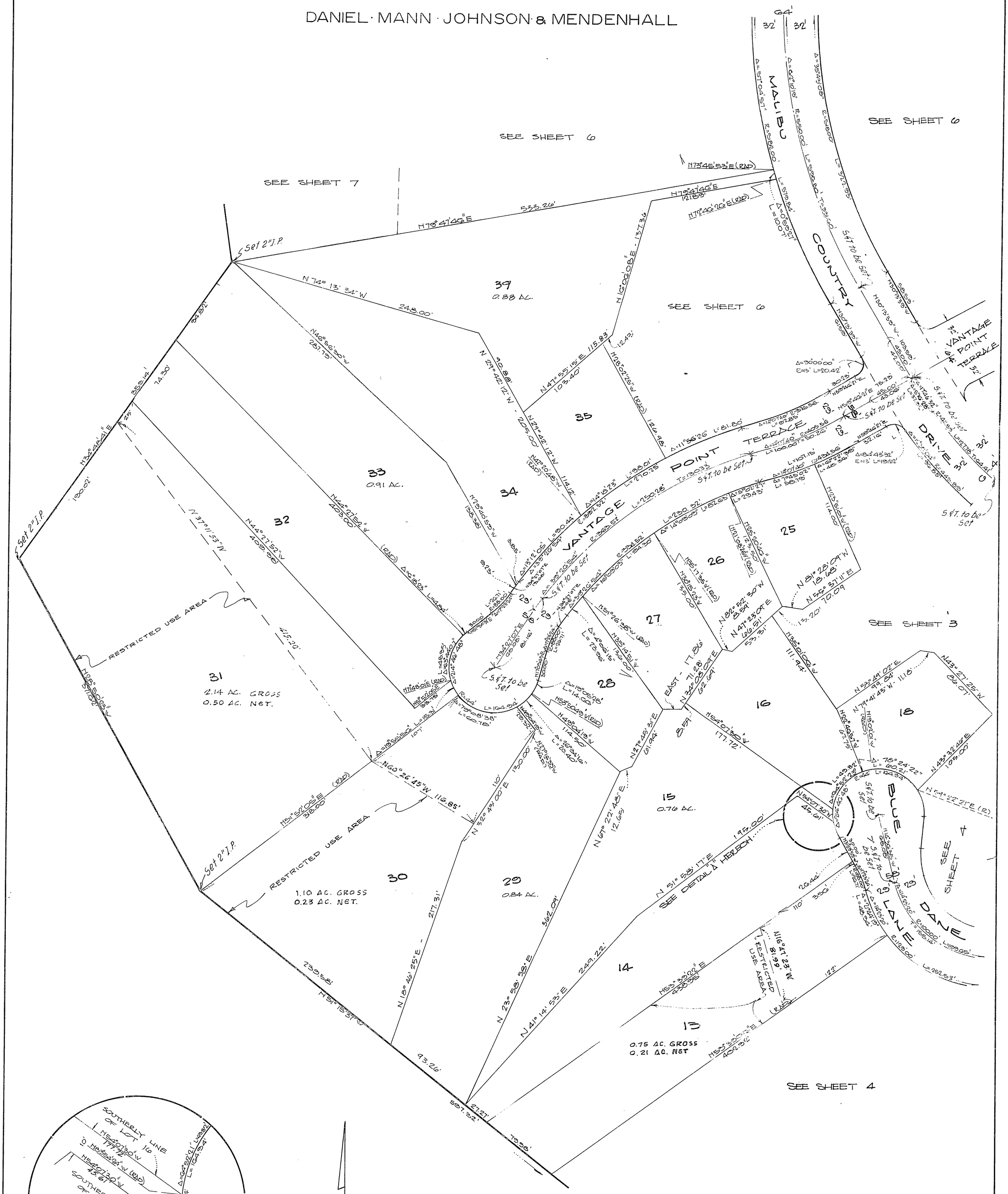
TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON & MENDENHALL

SHEET 5 OF 8 SHEETS

FILED WITH ... ANGELES
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SEE SHEET 6
SEE SHEET 7
SEE SHEET 6
SEE SHEET 6
SEE SHEET 3
SEE SHEET 4
SEE SHEET 4
MALIBU COUNTRY
VANTAGE POINT TERRACE
VANTAGE POINT DRIVE
BLUE DANUBE LANE
39
0.88 AC.
35
33
0.91 AC.
34
32
31
2.14 AC. GROSS
0.50 AC. Net.
RESTRICTED USE AREA
30
1.10 AC. GROSS
0.23 AC. NET.
RESTRICTED USE AREA
29
0.84 AC.
28
27
26
25
16
18
15
0.76 AC.
14
13
0.75 AC. GROSS
0.21 AC. NET
Set 2" I.P.
Set 2" I.P.
Set 2" I.P.
S 6° 57' 10" E 1377.36'
N 79° 47' 46" E 533.26'
N 74° 13' 34" W 248.00'
N 47° 55' 15" E 115.83'
N 29° 42' 12" W 205.00'
N 44° 27' 52" W 403.00'
N 44° 27' 52" W 409.98'
N 37° 11' 53" W
N 23° 58' 38" E 362.09'
N 41° 14' 53" E 249.22'
N 18° 46' 25" E 217.31'
S 51° 15' 37" W 239.58'
N 32° 43' 00" E 130.00'
N 60° 26' 45" W 116.85'
N 67° 22' 48" E 12.65'
N 51° 58' 17" E
SEE DETAIL "A" HEREON
N 81° 28' 09" W 18.68'
N 56° 37' 11" E 70.09'
N 82° 52' 30" W 8.59'
N 47° 23' 09" E 66.51'
EAST - 17.80'
N 34° 08' 09" E 62.09'
N 27° 45' 31" E 61.94'
S 89° 22' 27" E 27.27'
T.P.
T.P.
T.P.

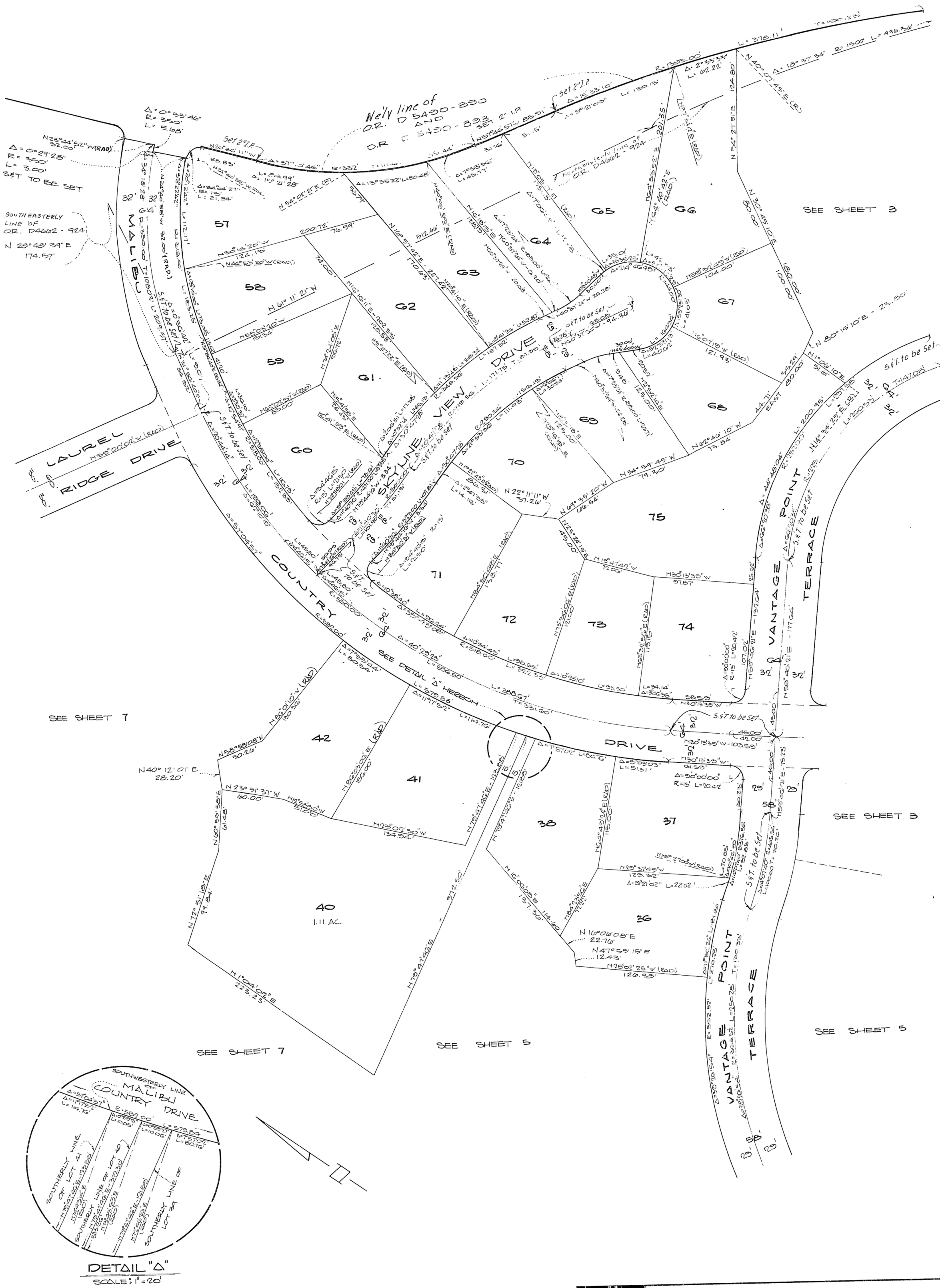
SCALE: 1"=60'

TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES
DANIEL · MANN · JOHNSON · & MENDENHALL

SHEET 6 OF 8 SHEETS

FILED WITH LOS ANGELES
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MALIBU COUNTRY DRIVE
LAUREL RIDGE DRIVE
SKYLINE VIEW DRIVE
VANTAGE POINT TERRACE
Δ = 0° 55' 46" R = 350' L = 5.68'
N23°44'52"W(RAD) 32.00'
Δ = 0° 29' 28" R = 350' L = 3.00' S&T TO BE SET
SOUTHEASTERLY LINE OF OR. D4662 - 924 N 28° 48' 39" E 174.57'
Set 2" I.P.
N24°40'38"W(RAD)
Δ=34°18'28" R=350.00' T=108.03' L=209.57'
Δ=0°55'46" R=350' L=5.68'
S&T to be set
Δ=90°44'14" R=32.00' L=50.69'
Δ=90°44'14" R=32.00' L=50.69'
Δ=62°10'05" R=32.00' L=34.72'
Δ=35°43'08" R=550.00' L=343.08'
Δ=40°29'23" L=596.80'
Δ=7°55'44" L=80.54'
Δ=11°17'52" L=114.76'
Δ=7°51'01" L=80.76'
Δ=5°03'03" L=51.31'
Δ=90°00'00" R=13' L=20.42'
Δ=44°48'04" R=352.52' L=275.46'
Δ=39°16'54" R=352.52' L=241.68'
Δ=3°21'02" L=22.02'
Δ=140°12'40" R=405.54' L=992.64' T=50.32'
Δ=140°12'40" R=405.54' L=992.64' T=50.32'
Δ=39°16'54" R=352.52' L=241.68'
Δ=44°48'04" R=352.52' L=275.46'
Δ=90°00'00" R=13' L=20.42'
Δ=5°03'03" L=51.31'
Δ=7°51'01" L=80.76'
Δ=11°17'52" L=114.76'
Δ=7°55'44" L=80.54'
Δ=40°29'23" L=596.80'
Δ=35°43'08" R=550.00' L=343.08'
Δ=62°10'05" R=32.00' L=34.72'
Δ=90°44'14" R=32.00' L=50.69'
Δ=90°44'14" R=32.00' L=50.69'
Δ=0°55'46" R=350' L=5.68'
Δ=34°18'28" R=350.00' T=108.03' L=209.57'
Δ=0°29'28" R=350' L=3.00' S&T to be set
N23°44'52"W(RAD) 32.00'
Δ=0°55'46" R=350' L=5.68'
Nely line of O.R. D 5430-890 AND O.R. D 5430-893
Set 2" I.P.
Set 2" I.P.
N57°46'57"W 855.91'
Δ=15°33'10" L=130.13'
Δ=59°21'09"
R=1303.00'
Δ=2°33'33" L=62.22'
L=378.11'
T=190.12
N40°07'45"E (R)
Δ=18°57'34" R=1500' L=496.36'
N 54° 27' 51" E 124.80'
N64°33'52"E (RAD.)
N64°40'42"E (RAD.)
N 30° 45' 10" E 180.00'
100.00'
SEE SHEET 3
N58°32'43"W(RAD) 104.00'
N 80° 15' 10" E - 23.80'
N 11° 06' 10" E 51.61'
35.29' 80.00'
44.71' EAST
N 62° 46' 10" W 73.84'
N 54° 59' 45" W 79.30'
N 69° 35' 20" W 106.54'
N 22° 11' 11" W 251.26'
N 23° 24' 15" E 45.00'
N 18° 47' 40" W 92.08'
N 30° 13' 39" W 97.87'
N 59° 46' 21" E - 177.64'
N 59° 46' 21" E - 132.64'
N 59° 46' 21" E - 75.23'
N 30° 13' 39" W - 103.59'
N 30° 13' 39" W 61.59'
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BOOK 820 PAGE 21

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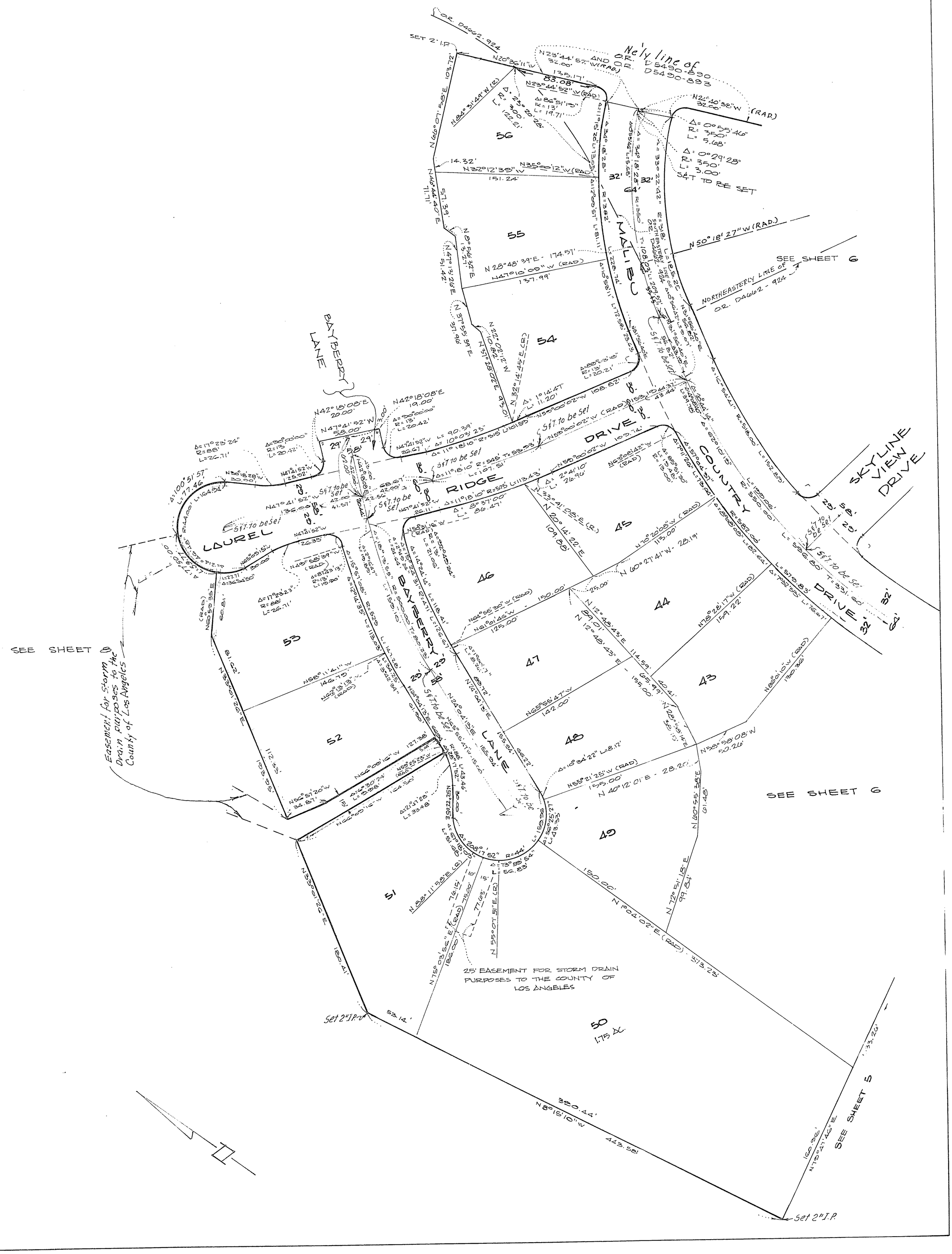
TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON & MENDENHALL

SHEET 7 OF 8 SHEETS

FILED WITH LOS ANGELES
COUNTY RECORDER
AUG 25 1972



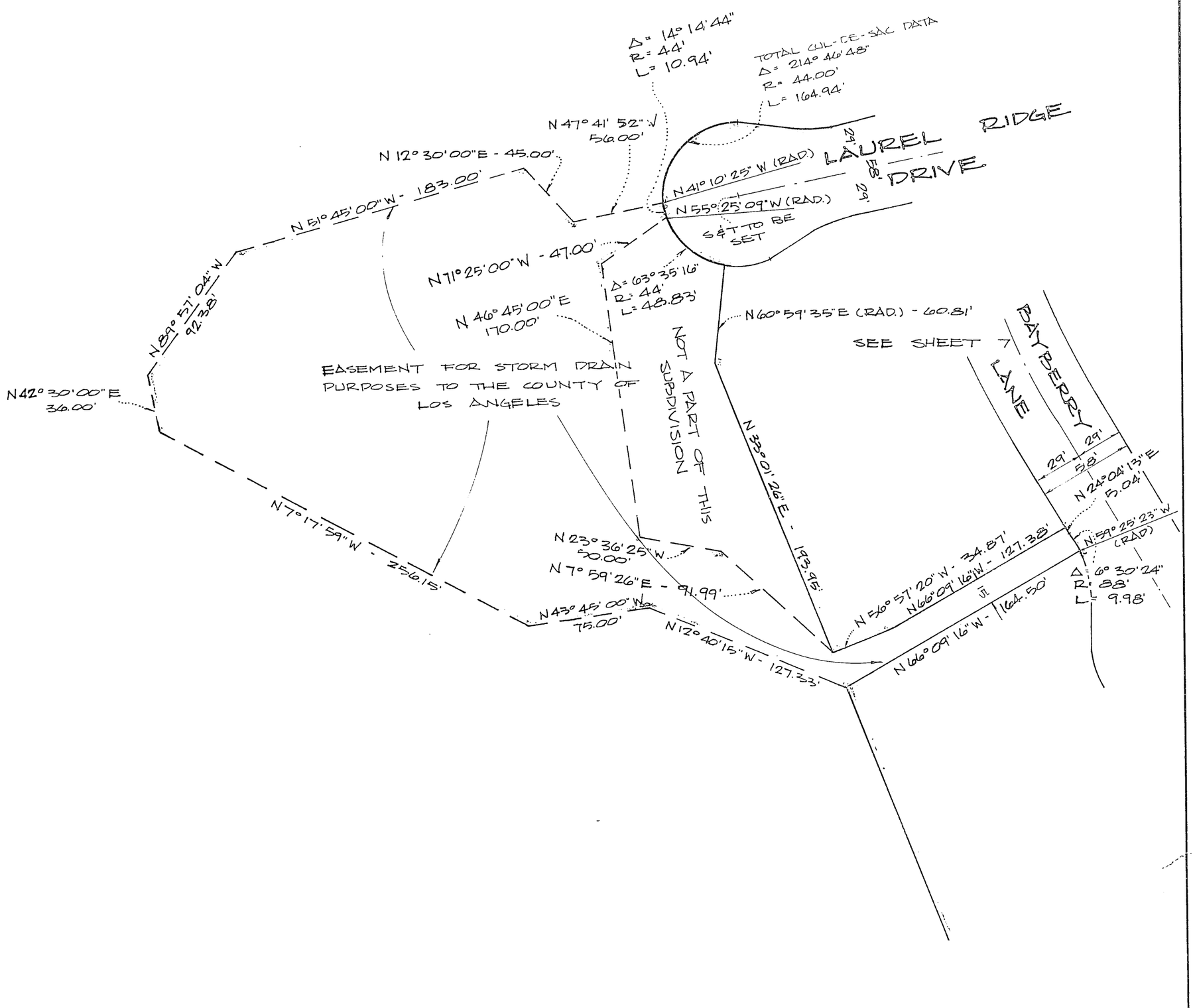
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TRACT NO. 30134

IN UNINCORPORATED TERRITORY OF THE
COUNTY OF LOS ANGELES

DANIEL · MANN · JOHNSON & MENDENHALL

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COUNTY RECORDER
AUG 25 1972



Attachment C

Custom Development Criteria

City of Malibu

23805 Stuart Ranch Road, Suite 245 Malibu, California 90265 (310) 456-2489 Fax (310) 456-3356

Planning Department

September 10, 1993

Malibu Country Estates HOA
c/o Marilyn Santman
24633 Vantage Point Terrace
Malibu, CA 90265

Re: Custom Development Criteria

Dear Homeowner Association:

The Interim Zoning Ordinance of the City of Malibu provides for existing Homeowner's Associations and neighborhoods to apply to the City Council for consideration of custom development criteria. Such custom development criteria would allow for development in established neighborhoods to be consistent with existing Conditions, Covenants and Restrictions (C, C & R's) or neighborhood standards in-lieu of the Property Design and Development Criteria specified in the Interim Zoning Ordinance.

Attached is Chapter 9215 of the Interim Zoning Ordinance which authorizes the creation of Custom Subdivision Development Criteria. Additionally, an information and application submittal requirements sheet is included which provides directions as to how to apply for this review. Finally, a sample form is provided which can be used to verify that the required percentage of homeowners have accepted the proposed custom development criteria.

Please call if you have any questions regarding this matter.

Sincerely,

Robert Benard
Planning Director

Attachment D

Geotechnical Report

GEOLOGIC AND GEOTECHNICAL ENGINEERING INVESTIGATION,
PROPOSED MANUFACTURED ACCESSORY DWELLING UNIT (ADU),
24507 Vantage Point Terrace,
Malibu, California 90265

for

HELMUT MEISSNER

October 12, 2020 W.O. 7508

MDN 21724

GeoSoils Consultants Inc.

GeoSoils Consultants Inc.
GEOTECHNICAL GEOLOGIC ENVIRONMENTAL

October 12, 2020
W.O. 7508

MR. HELMUT MEISSNER
24507 Vantage Point Terrace
Malibu, California 90265

Subject: **Geologic and Geotechnical Engineering Investigation, Proposed Manufactured Accessory Dwelling Unit (ADU), 24507 Vantage Point Terrace, Malibu, California 90265**

INTRODUCTION

As requested, GeoSoils Consultants, Inc. (GSC) has performed a geologic and geotechnical engineering investigation for the subject site. The purpose of this investigation was to evaluate the geologic and geotechnical engineering conditions on the site and their impact on the proposed development. Proposed development will consist of a new manufactured accessory dwelling unit located at the toe of the slope.

This report has been prepared in accordance with generally accepted geotechnical engineering practices in the City of Malibu at the time it was prepared. The report presents a brief description of the site, the geotechnical engineering characteristics of the area, the seismicity of the area, an engineering analysis of the site characteristics, conclusions, and preliminary recommendations to development the site.

Opinions presented in this report are based on an inspection of the site, geologic mapping at the site, logging of test pit excavations, a review of the regional geologic maps and seismic hazard reports, review of available geotechnical reports for the surrounding area, and our general knowledge of the geologic and soils engineering conditions in the site area. The opinions presented have been arrived at through the exercise of the generally understood standard of care for our profession and standard of engineering practice, as we understand it.

6634 Valjean Avenue, Van Nuys, California 91406 Phone: (818) 785-2158 Fax: (818) 785-1548

SCOPE OF SERVICES

This geotechnical engineering study included:

a. Research of available data from the City of Malibu online public records system. Copies of available data are presented in Appendix D.

b. Research of published geologic and seismic hazard reports.

c. Excavating, sampling, and logging of two hand dug test pits. The test pit locations are shown on the enclosed Plate 1, Geologic Map. The test pit logs (Plates TP-1 and TP-2) are provided in Appendix A along with a general description of the field operations.

d. Laboratory testing of selected samples to determine the engineering properties of the on-site soils. The results of laboratory testing are presented in Appendix B

e. Engineering analyses of the data and information obtained from our field study and laboratory testing.

f. Preparation of this report summarizing our findings, conclusions, and recommendations.

SITE DESCRIPTION

The subject site is located at the south end of the Vantage Point Terrace cul de sac (Figure 1). The existing site conditions are shown on the Geologic Map, Plate 1. The property consists of a generally level artificial fill building pad that descends down to John Tyler Drive. A descending fill slope is located to the east of the existing residence and descends down to the lower street grade. The descending slope is approximately 20 feet high at angles of approximately 2H:1V.

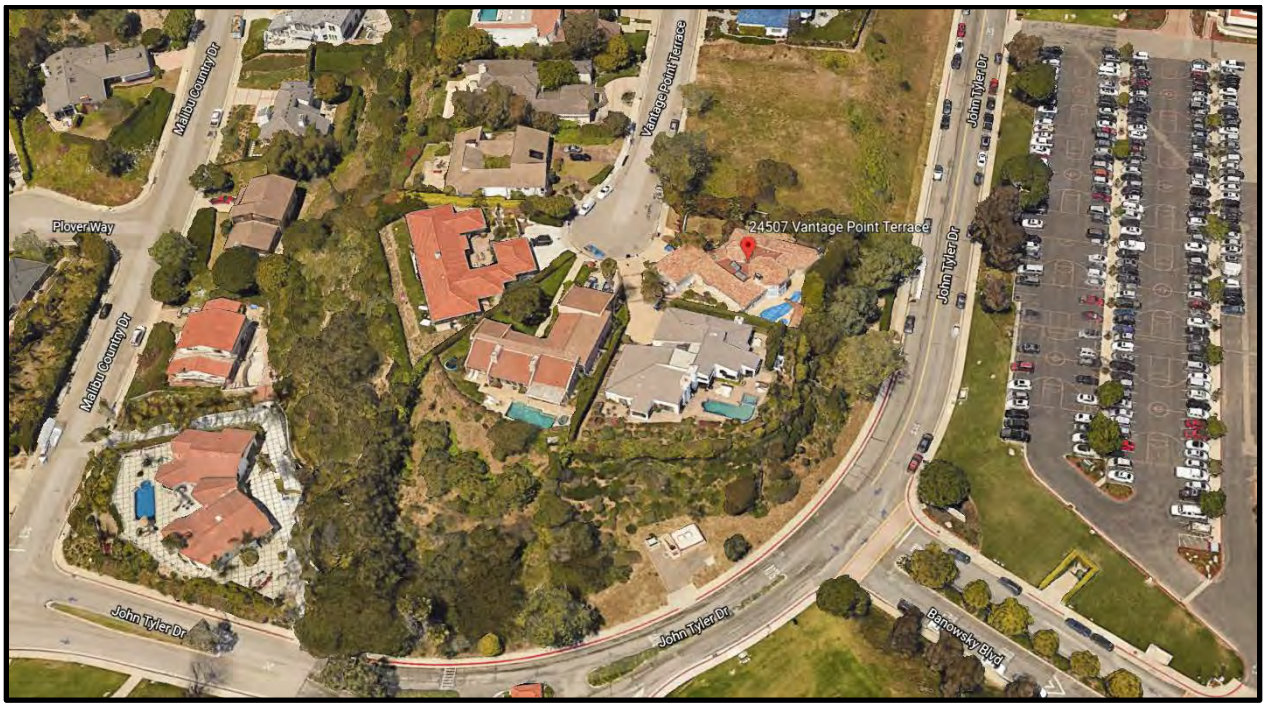


Figure 1: Site Location Map

PROPOSED DEVELOPMENT

The proposed development consists of a manufactured ADU that is located in the flat area along the toe of the slope and John Tyler Drive. Foundation plans are included as SPA-24-3F, Drawings 1 to 3. A perimeter footing will be provided around the structure and pier footings will be supported on concrete pads.

CITY RESEARCH

The City of Malibu files were researched via the OnBase Portal online public records system. For the subject site, soil reports were on file for the recently constructed pool and spa. The report and subsequent addendum were prepared circa late 2016. Per the report prepared by Schick Geotechnical, Inc. dated September 21, 2016, the lot was graded as part of Tract 30134 in the early 1970s and the home was constructed circa 1987. The original reports prepared by James E. Slosson & Associates for the graded tract were not available from the City of Malibu online public records system. However, portions of the reports were referenced in the addendum report by Schick Geotechnical, Inc. dated November 5, 2016.

GEOLOGIC CONDITIONS

Geologic conditions of the site were determined through research, field mapping, and subsurface exploration, and the results were superimposed on the Geologic Map, Plate 1. During construction, a representative from GSC should be present to confirm the geologic conditions encountered on the site are consistent with those presented herein. The following sections present our findings concerning subsurface soil conditions, groundwater conditions, and expansion potential.

Regional Geologic Setting

The subject property is located within the southwestern portion of the Transverse Ranges Geomorphic province of California. The Transverse Ranges consist of generally east-west trending mountains and valleys, which contrast with the north-northwest regional trend elsewhere in the state. The structure of the Transverse Ranges is controlled by the effects of north-south compressive deformation (crustal shortening), which is attributed to convergence between the big bend of the San Andreas fault north of the San Gabriel Mountains and the motion of the Pacific Plate. The valleys and mountains of the Transverse Ranges are typically bounded by a series of east-west trending, generally north dipping reverse faults with left-lateral oblique movement.

Local Regional Setting

The subject site is located within the Malibu Beach USGS 7.5-minute quadrangle. The site is underlain by approximately 20-feet of certified compacted fill and bedrock of the Sespe Formation. A Local Regional Setting Map is presented in Figure 2.

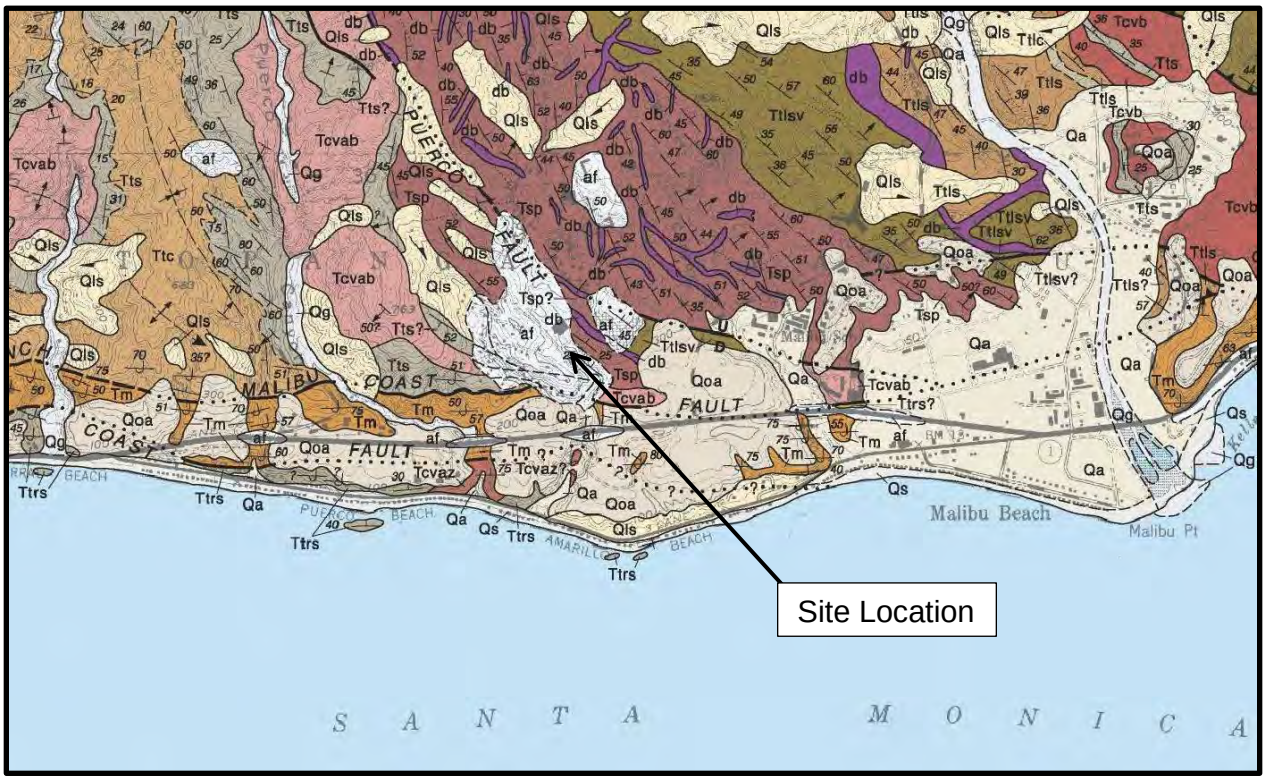


Figure 2: Local Geologic Setting

SUBSURFACE CONDITIONS

The following sections present our findings concerning subsurface soil conditions and expansion potential of surficial site soils.

We offer the following general description of materials encountered during our subsurface explorations.

Artificial fill (af): Approximately 20-feet of certified compacted fill blankets the site. The fill can be described as silty gravelly sand with clay binder. The fill is light grey brown to brown, slightly moist to moist at depth, well compacted, dense with abundant cobble and well graded. The lab work revealed that the upper 2 to 3 feet of material has been disturbed. All undisturbed fill materials are unsuitable for structural support. The fill materials below 3 feet are suitable for use as a base for the placement of compacted fill.

Bedrock, Sespe Formation (Tsp): Bedrock was observed in TP-2. The bedrock consists of claystone and sandstone. The bedrock was observed via the hand auger and sampler at 20-feet and was grey, moist, moderately hard, and dense. The bedrock is suitable for structural support.

The enclosed test pits, which are included in Appendix A, provide a detailed description of the soil strata encountered in our subsurface exploration.

Expansion Potential and Chemical Content of Surficial Site Soils

For preliminary foundation design purposes, the certified fill should be considered to have a low expansion potential with an expansion index of 34.

Chemical series was performed for the onsite soils. The results are presented in Appendix B. The material has a moderate sulfate content and is severely corrosive to ferrous metals.

WATER

Surface Water

Surface water consists of sheet flow from precipitation falling directly on the site and landscape watering.

Groundwater

No groundwater was encountered in our test pits excavated on the site to a maximum depth of 20 feet. However, perched groundwater levels typically fluctuate and may vary in response to season, precipitation patterns, on or off-site construction activities, site utilization, and other factors. Groundwater is not anticipated to pose a problem during development of this site.

FAULTING AND SEISMICITY

The project site is not within an Alquist-Priolo Earthquake Fault Zone or FER-229. A portion of the Malibu Coast Fault is mapped across the southern portion of the property. As stated in the response letter by Schick Geotechnical, Inc. dated November 5, 2016, the fault was

determined to be inactive by Leighton and Associates. As a result, fault trench is not required on the site. However, this site has experienced earthquake-induced ground shaking in the past and can be expected to experience further shaking in the future. Therefore, earthquake resistant design is recommended.

The site is not located within a zone of potential liquefaction; however, the fill slope on-site is located within a zone of potential seismic instability (Figure 3).

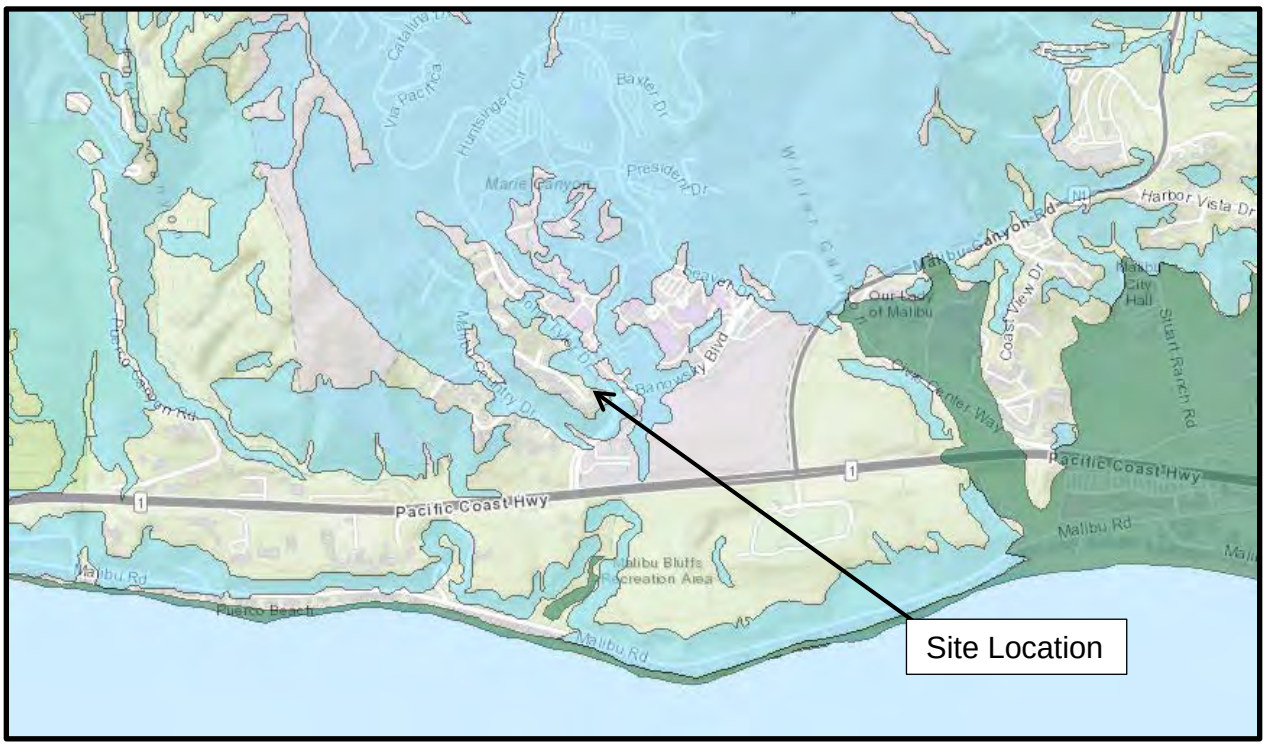


Figure 3: Seismic Hazard Zones of Required Investigation

Seismic Design Criteria

The 2019 CBC (California Building Code) seismic coefficient criteria are provided here for structural design consideration (Table 1).

Under the Earthquake Design Regulations of Chapter 16, Section 1613 of the CBC 2019, and based on the mapped values, the following coefficients and factors apply to the lateral-force design for the proposed structure at the site. The site is underlain by compacted fill and Class D is recommended.

TABLE 1 2019 CBC SECTION 1613, EARTHQUAKE LOADS	
Site Class Definition	D
Mapped Spectral Response Acceleration Parameter, S_s (Table 1613.3.1 for 0.2 second)	1.684
Mapped Spectral Response Acceleration Parameter, S_1 (Table 1613.3.1 for 1.0 second)	0.593
Site Coefficient, F_a (Table 1613.3.3(1) short period)	1.2
Site Coefficient, F_v (Table 1613.3.3(2) 1-second period)	null
Adjusted Maximum Considered Earthquake Spectral Response Acceleration Parameter S_{MS} (Eq. 16-37)	2.021
Adjusted Maximum Considered Earthquake Spectral Response Acceleration Parameter S_{M1} (Eq. 16-38)	null
Design Spectral Response Acceleration Parameter, S_{DS} (Eq. 16-39)	1.347
Design Spectral Response Acceleration Parameter, S_{D1} (Eq. 16-40)	null
Notes: Location: Longitude: -118.7093, Latitude: 34.0367 1. Site Class Designation: Class D is recommended based on subsurface condition. 2. Ss, SMs, and SDs are spectral response accelerations for the period of 0.2 second. 3. S1, SM1, and SD1 are spectral response accelerations for the period of 1.0 second.	

Conformance to the above criteria for seismic excitation does not constitute any kind of guarantee or assurance that significant structural damage or ground failure will not occur if a maximum level earthquake occurs. The primary goal of seismic design is to protect life and not to avoid all damage, since such design may be economically prohibitive. Following a major earthquake, a building may be damaged beyond repair, yet not collapse.

Secondary Earthquake Effects

Ground shaking produced during an earthquake can result in a number of potentially damaging phenomena classified as secondary earthquake effects. These secondary effects include ground rupture, landslides, lurching, seiches and tsunamis, seismically-induced settlement, and liquefaction. Descriptions of each of these phenomenons and how it could potentially affect the site are described below:

Ground Rupture

Ground surface rupture results when the movement along a fault is sufficient to cause a surface gap or rupture along the upper edge of the fault zone. Since there are no known active faults on the site, the potential for ground rupture is considered remote.

Landsliding

Landslides are slope failures that occur where the horizontal seismic forces act to induce soil and/or bedrock failures. The most common failure occurs by the reactivation or movement of a pre-existing landslide. Typically, existing slides that

are stable under static conditions (i.e., factor-of-safety at or greater than one) become unstable and move during strong ground shaking. The subject site is located in an earthquake induced landslide area as per the seismic hazard map of the Malibu Beach Quadrangle. However, the slope consists of a graded fill slope and slope stability analysis was not deemed necessary and has not been performed.

Seiches and Tsunamis

Seiches are generally caused by seismic excitation of a body of water, which causes surface oscillations that vary in period from a few minutes to several hours. Tsunamis are large sea waves produced by submarine earthquakes or volcanic eruptions. Due to the proximity of the site relative to the ocean, seiches and tsunamis are not considered a hazard to the site.

Liquefaction – General

Liquefaction describes a phenomenon where cyclic stresses, which are produced by earthquake-induced ground motion creates excess pore pressures in cohesionless soils. These soils may thereby acquire a high degree of mobility, which can lead to lateral sliding, consolidation and settlement of loose sediments, sand boils, and other damaging deformation. This phenomenon occurs only below the water table, but after liquefaction has developed, it can propagate upward into overlying, non-saturated soils as excess pore water escapes.

Liquefaction susceptibility is related to numerous factors and the following conditions must exist for liquefaction to occur: 1) sediments must be relatively young in age and must not have developed large amounts of cementation, 2) sediments must consist mainly of cohesionless sands and silts, 3) the sediments must not have a high relative density, 4) free groundwater must exist in the sediment, and 5) the site must be exposed to seismic events of a magnitude large enough to induce straining of soil particles.

This site is outside of the designated area of liquefaction potential presented on the State of California Seismic Hazard Zone map. In addition, the site is underlain by compacted fill and bedrock. Therefore, it is our opinion that liquefaction is not considered a potential hazard on this site.

Seismic Settlement Analysis

Seismically-induced settlement in unsaturated (dry) and saturated soils generally occur due to the dissipation of pore pressure.

The potential for seismically-induced settlement is greatest in loose granular soils (i.e., sands, silty sands, sandy silts), whereas cohesive soils (i.e., clays and silts) are generally not prone to settlement. It should be realized that granular soils are susceptible to settlement during a seismic event whether the soils liquefy or not.

As discussed above, compacted fill and bedrock underlies the site and will be used to support the planned improvements. Therefore, seismic settlement is not considered to be a hazard to the site provided the recommendations contained in this report are followed during design and construction.

CONCLUSIONS AND RECOMMENDATIONS

The proposed development is feasible from a geologic and geotechnical engineering perspective, provided the recommendations contained herein are incorporated into the final design and construction phase of the proposed site improvements. All structures should satisfy current slope setback requirements.

GSC anticipates that the proposed site improvements consisting of the residence will be founded into compacted fill.

The recommendations provided in this report are applicable for improvements on the lot provided yard areas have positive drainage that is maintained away from the structures. Therefore, it is important that information regarding drainage and site maintenance be passed on to future homeowners.

As in most of Southern California, the site lies within a seismically-active area, therefore earthquake resistant structural design is recommended.

Site Preparation Recommendations

In areas of proposed development, the upper 3 feet of compacted fill shall be removed and recompacted. Following grading, the building pad area shall be underlain by a minimum of 3 feet of compacted fill. The limits of fill shall extend a minimum of three feet beyond the building footprint. Grading within areas of proposed hardscape shall consist of removing previous fill to expose firm compacted fill and the placement of new fill to design grades. At this time, a grading plan is not available and should be forwarded to this office when complete. Grading guidelines are presented in Appendix C.

The following geologic and geotechnical recommendations for utility trench backfill, foundation design, and drainage should be incorporated into final design and construction. All such work and design shall be in conformance with local governmental regulations or the recommendations contained herein, whichever is more restrictive.

FOUNDATION DESIGN RECOMMENDATIONS

We offer the following site-specific recommendations and comments for purposes of footing design and construction. All structures must satisfy current slope setback requirements per the 2019 CBC Section 1808.7. The proposed improvements should be founded into compacted fill.

All footing subgrades should consist of compacted fill. Under no circumstances should footings be cast atop loose, soft, or slough, debris, existing artificial fill, topsoil, or surfaces covered by standing water. We recommend that a representative of GSC verify the condition of all subgrades before any concrete is placed. The following recommendations are suitable for the proposed manufactured ADU.

Foundation Criteria

1. An allowable soil bearing of 1,500 pounds per square foot may be used in the design of the perimeter footings founded into competent material. Perimeter footings should be continuous and should have a minimum width of 18 inches and a minimum embedment depth of 12 inches below lowest adjacent grade.

2. A coefficient of friction for concrete on competent soil of 0.3 and a lateral bearing value of 200 pounds per square foot per foot of depth may be employed to resist lateral loads. When combining passive pressure and frictional resistance, the passive pressure should be reduced by one third.

3. Seismic piers that support the raised floor should consist of adjustable jacks and be supported on a minimum 12 by 12 inch concrete pad, founded 6 inches into competent material and placed per manufacturer's guidelines.

Utility Trenching and Backfill

Utility Trenching

Open excavations and excavations that are shored shall conform to all applicable Federal, State and local regulations.

Backfill Placement

Approved on-site or imported fill material shall be evenly placed, watered, processed, and compacted in controlled horizontal layers not exceeding eight inches in loose thickness, and each layer should be thoroughly compacted with approved equipment. All fill material should be moisture conditioned, as required to obtain at least optimum moisture, but not greater than 120 percent of optimum moisture content. The fill should be placed and compacted on a horizontal plane, unless otherwise recommended by the Geotechnical Engineer.

Backfill Compaction Criteria

Each layer of utility trench backfill shall be compacted to at least 90 percent of the maximum laboratory density determined by ASTM D-1557-12. The field density shall be determined by the ASTM D-1556-07 method or equivalent. Where moisture content of the fill or density testing yields compaction results less than 90 percent, additional compaction effort and/or moisture conditioning, as necessary, shall be performed until the compaction criteria is reached.

Exterior Trenches Adjacent to Footings

Exterior trenches, paralleling a footing and extending below a 1H: 1V plane projected from the outside bottom edge of the footing should be compacted to 90 percent of the laboratory standard. Sand backfill, unless it is similar to the in-place fill, should not be allowed in these trench backfill areas. Density testing, along with probing, should be accomplished to verify the desired results.

Pipe Bedding

We recommend that a minimum of six inches of bedding material should be placed in the bottom of the utility trench. All bedding materials shall extend at least four inches above the top of utilities which require protection during subsequent trench backfilling. All trenches shall be wide enough to allow for compaction around the haunches of the pipe or materials, such as pea gravel, or controlled density fill (CDF) shall be used below the spring line of the pipes to eliminate the need for mechanical compaction in this portion of the trenches.

Construction Considerations

Erosion Control

Erosion control measures, when necessary, should be provided by the Contractor during grading and prior to the completion and construction of permanent drainage controls.

Compaction Equipment

It is also the Contractor's responsibility to have suitable and sufficient compaction equipment on the project site to handle the amount of fill being placed and the type of fill material to be compacted. If necessary, excavation equipment should be shut down to permit completion of compaction in accordance with the recommendations contained herein. Sufficient watering devices/equipment should also be provided by the Contractor to achieve optimum moisture content in the fill material.

Final Grading Considerations

Care should be taken by the Contractor during final grading to preserve any berms, drainage terraces, interceptor swales, or other devices of a permanent nature on or adjacent to the property.

On-Site Drainage

Seasonal precipitation and/or landscape water should not be allowed to pond within the site, especially next to foundations of any structures. Surface runoff should be collected and disposed of in such a manner as to prevent concentrated erosion. Roof gutters, downspouts, and yard drains should be provided in accordance with the City of Malibu requirements. We recommend that all planters proposed adjacent to structures be self-contained, provided with a subdrain system, and/or allowed to have positive drainage away from structure to drain excess landscape water.

LIMITATIONS

The findings and recommendations of this report were prepared in accordance with generally accepted professional geotechnical engineering principles and practice for the City of Malibu at this time. We make no other warranty, either express or implied.

The conclusions and recommendations contained in this report are based on site conditions disclosed in our subsurface investigation. However, soil conditions can vary significantly between test pits; therefore, further refinements of our recommendations contained herein may be necessary due to changes in the building plans or what is encountered during site grading.

The recommendations provided in this report are applicable for preliminary development planning for the referenced lot provided that surface water will be kept from infiltrating into the subgrade adjacent to the house foundation system. This may include, but not be limited to rainwater, roof water, landscape water and/or leaky plumbing. We caution against constructing open draining planters adjacent to the houses or obstructing the yard drainage in any way.

Since our investigation was based on the site conditions observed, selective laboratory testing, and engineering analysis, the conclusions and recommendations contained herein are professional opinions. Further, these opinions have been derived in accordance with standard engineering practices, and no warranty is expressed or implied.
If the conditions encountered during grading are not consistent with the findings presented in this report, or if proposed construction is moved from the location investigated, this office shall be notified immediately so that the condition or change can be evaluated and appropriate action taken.

“111” STATEMENT

Provided that the recommendations in this report are implemented, it is GSC’s opinion that the proposed development will be safe from the hazards of landslide, settlement or slippage. Furthermore, the development will not adversely affect the stability of the adjacent properties nor be adversely affected by adjacent properties.

We appreciate this opportunity to be of continued service to you. If you have any questions regarding the content of this report or any other aspects of the project, please do not hesitate to contact us.

Very truly yours,

GEOSOILS CONSULTANTS, INC.

KAREN L. MILLER
GE 2257

RUDY F. RUBERTI
CEG 1708

Encl: References
Plate 1, Geologic Map
Drawings 1 to 3, Manufactured Home Foundation System Plans SPA 24-3F
Appendix A, Field Exploration Procedures
Plates TP-1 and TP-2, Test Pit Logs
Appendix B, Laboratory Testing Procedures and Results
Plates C-1 and C-2, Consolidation Diagrams
Plate L-1, Chemical Test Results
Appendix C, Grading Guidelines
Appendix D, Outside Research

cc: (3) Addressee

MDN 21724

REFERENCES

1. Campbell, B.A., et al, undated, “Preliminary Geologic Map of the Point Dume Quadrangle, Los Angeles County, California, 70-53”

2. California Division of Mines and Geology, October 3, 1994, “Fault Evaluation Report FER 229, Malibu Coast Fault, Los Angeles County, California”

3. Department of Conservation, Division of Mines and Geology, 2001, “Seismic Hazard Report for the 7.5 Minute Malibu Beach Quadrangle, Los Angeles and Ventura Counties, California”

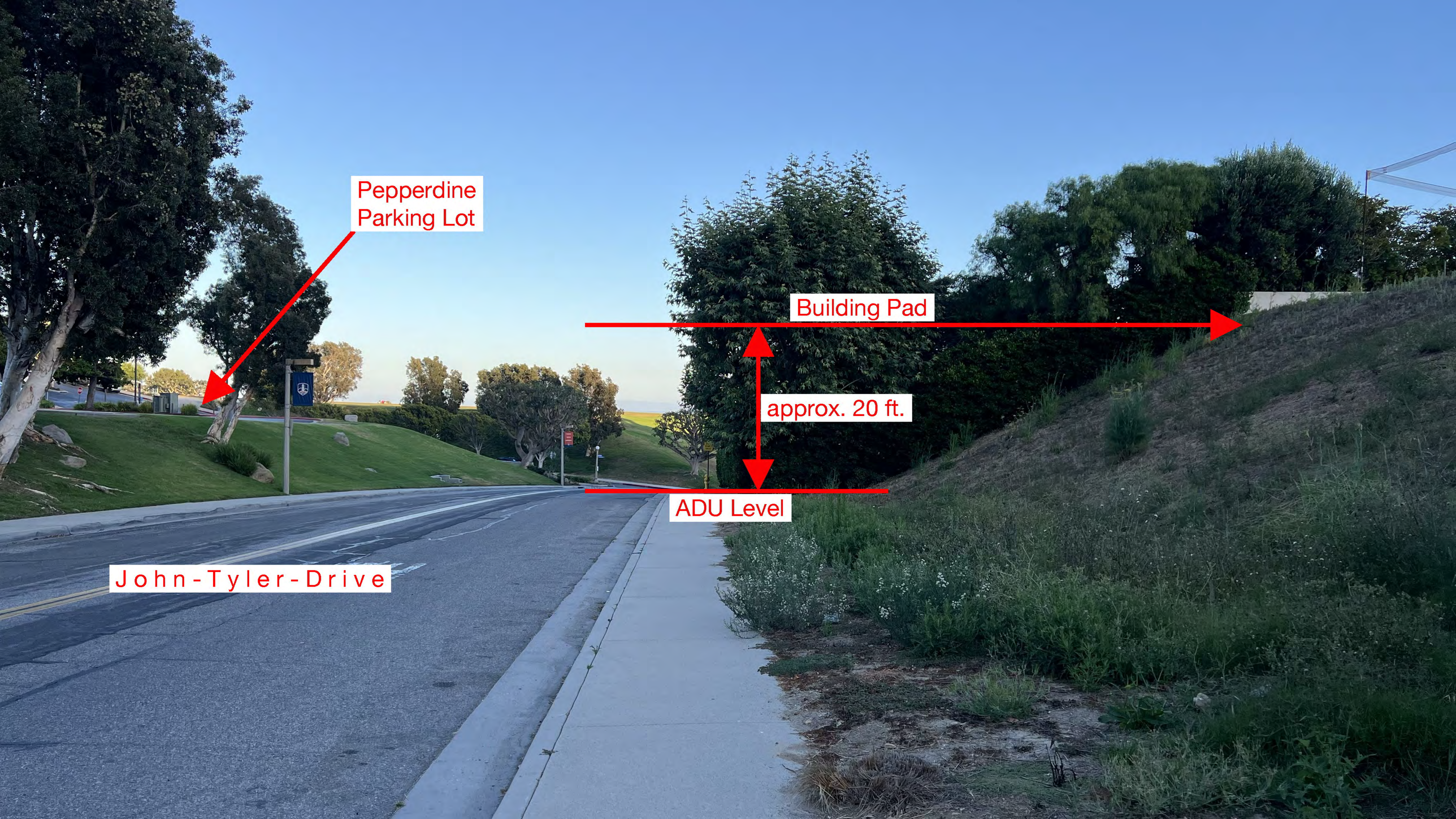
4. Dibblee, T.W., 1993, “Geologic Map of the Malibu Beach Quadrangle, Los Angeles and Ventura Counties, California”

Attachment E

Two Pads


UCSB Aerial Imagery


Upper Pad
Lower Pad


Pepperdine
Parking Lot
Building Pad
approx. 20 ft.
ADU Level
John-Tyler-Drive

Attachment F

Building Permit Application

DocuSign Envelope ID: A33E91C9-90FD-453A-9C40-5AC6F7B3FBFE

BUILDING PERMIT APPLICATION

OWNER-BUILDER DECLARATION

I hereby affirm under penalty that I am exempt from the Contractor's License Law for the following reason (Section 7031.5 Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).

☐ I, as owner of the property, or my employees with wages as their sole compensation will do the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

☐ I, as owner of the property, am exclusively contracting with a licensed contractor to construct the project (Section 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a licensed contractor(s) pursuant to the Contractor's License Law.

☐ I am exempt under Section _____ B.&.P.C. for this reason

Signature of Applicant or Agent — Date

LICENSED CONTRACTOR DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provison of Chapter 9 (commending with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

DocuSigned by: F9347E4FA4[illegible] — 10/13/2022

Signature of Applicant or Agent — Date

WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

☐ I have and will maintain a certificate of consent of self-insure for workers' compensation as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☑ I have and will maintain workers' compensation insurance, as required by section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: STATE COMPENSATION INSURANCE FUND

Policy No.: 9149029 Exp.: 01/01/2023

☐ I certify that in the performance of the work of which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provision of section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DocuSigned by: F9347E4FA4[illegible] — 10/13/2022

Signature of Applicant or Agent — Date

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UN-LAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000) , IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of the city to enter upon the above mentioned property for inspection purposes.

DocuSigned by: F9347E4FA4[illegible] — 10/13/2022

Signature of Applicant or Agent — Date

PERMIT IS A PUBLIC RECORD

CITY OF MALIBU
23825 STUART RANCH ROAD
MALIBU, CA 90265-4861
INSPECTION REQUEST
(310) 456-2489 X 312
www.malibucity.org/inspection

SITE ADDRESS
24507 VANTAGE POINT TER

ASSESSOR PARCEL NUMBER
BOOK 4458 PAGE 033 PARCEL 006

ADDITIONAL INFORMATION / LEGAL DESCRIPTION

PROPERTY OWNER
Helmut and Patricia Meissner

MAILING ADDRESS
24507 Vantage Point Terreace

CITY	STATE	ZIP
Malibu	CA	90265

PHONE NUMBER
(786) 208-5245

DESIGNER	LICENSE NO.

MAILING ADDRESS

CITY	STATE	ZIP

PHONE NUMBER

APPLICANT/CONTACT
Coastal Inc., Coastal Roofing Co.

PHONE NUMBER	EMAIL
(310) 455-2827	coastalsteve@aol.com

CONTRACTOR
Coastal Inc., Coastal Roofing Co.

MAILING ADDRESS
P O BOX 2531

CITY	STATE	ZIP
MALIBU	CA	90265

PHONE NUMBER
(310) 455-2827

LICENSE CLASS	LICENSE NUMBER	EXPIRATION DATE
C39	467886	10/31/2023

PLAN CHECK EXPIRES:

DESCRIPTION OF WORK
Reroof ESFR, Main house w/attached garage.
47 squares, ~~4K Quarrin composite tiles ESR-2664~~,
ASTM E108. GAF Versasheild ESR-2053
- BRAVA SPANISH BARREL TILE
- ALL ROOF VENTS SHALL COMPLY WITH CHAPTER 7A, LACBC AK

PLANNING FILE NO. / CDP NO.

OCC. GROUP	TYPE(S) OF CONSTRUCTION	NO. OF STORIES
R-3	VB	1

SQUARE FOOTAGE	FIRE SPRINKLERS
	No

STATISTICAL CLASSIFICATION	UNIT(S)	CODE IN EFFECT
NO. 439	1	LACO 2020

SPECIAL CONDITIONS

$ 132,360.00 — INITIAL VALUATION
$ _____ — REVISED VALUATION

PLAN CHECK FEE	$
ADDITIONAL PLAN CHECK FEE	$

PLAN CHECK NO.	INITIALS	DATE
	CK#	
ADD'L PLAN CHECK NO.	INITIALS	DATE
	CK#	

Building Permit Fee	$563.75
Document Retention Fee	$8.00
Admin Fee	$51.25
B.S.S.	$6.00
B.S.S.M.I	$17.21
Tech Fee	$39.46
TOTAL BUILDING PERMIT FEE	**$685.67**

PERMIT NUMBER	INITIALS	DATE
22-1702	JG CK#	10/13/2022
FINALED BY		DATE

IF NO WORK IS COMMENCED, PERMIT EXPIRES: 10/13/2023

BUILDING PERMIT APPLICATION

Attachment G

Development Checklist

City of Malibu

Coastal Development Permit Submittal Checklist

NOTE To submit a new application with the City of Malibu Planning Department, all required items as specified by City Staff on the Submittal Checklist, including application fees and those materials required by City Departments, must be provided at the time of submittal. **Incomplete application submittals WILL NOT be accepted.** An appointment is required for submittals. For an appointment, call 310-456-2489, ext. 485, or email mplanning@malibucity.org. See the New Application Submittal Guide for more information. For more information, visit the Planning Department website.

Staff Only - General Project Information

Date_____
Address / Location: (N) ADU
Project Description:_____

Fees: □ CDP Level: 1 $ 872 □ SPR $_____ □ MM $_____
□ VAR $_____ □ Other $_____ □ Other $_____
*The City will charge a service fee for credit card transactions.

Woolsey Fire Fee Waiver: □ Project Eligible □ Project Ineligible (all fees apply)

Requires the following discretionary requests:_____

A **complete submittal** shall consist of the following City / County Department reviews, submittal documents, and fees:

Departments	Planning Review		Building Plan Check		Date	Submitted
	Req'd	Not Req'd	Req'd	Not Req'd		
Planning	✓	-	✓	-		☐
Archaeological Survey If needed, submit as separate application. Guide	☐	☑	☐	NA		☐
City Biologist	☑	☐	☐	☐		☐
City Environmental Health	☐	☑	☐	☐		☐
City Public Works Department	☑	☐	☐	☐		☐
City Geotechnical Staff Review	☑	☐	☐	☐		☐
City Coastal Engineer Review	☐	☑	☐	☐		☐
Code Enforcement Review	☐	☑	☐	☐		☐
* Los Angeles County Fire Department	☑	☐	☐	☐		☐
* Los Angeles County Water District	☑	☐	☐	☐		☐

Standard Requirements

Item #	Description	Required	Submitted
1	Submittal Checklist	✓	☐
2	Uniform Application	✓	☐
3	Proof of Ownership	✓	☐
4	Letter of Authorization	✓	☐
5	Declaration Regarding Previously Issued Coastal Development Permits & Deed Restrictions	✓	☐
6	Grading Yardage Verification Certificate OR Letter stating none proposed	✓	☐
7	Application Fees	✓	☐
8	CD or Thumbdrive of All Documents	✓	☐
9	Hardcopy Sets of Plans See Project Plan Requirements	✓	☐

Digital Submittal

8. **A CD or thumbdrive, <u>which will not be returned</u>, of all submittal materials is required <u>with the exception of the Uniform Application and Submittal Checklist.</u>** All documents should be saved as an Adobe PDF.
-Each document shall be saved as a separate PDF. All documents should be numbered in the corresponding order of the submittal checklist, preferably titled with the same subject matter. For example:
    3. Proof of Ownership
    4. Letter of Authorization
    5. Declaration Regarding previously issued CDPS & Deed Restrictions
    5a. Coastal Commission Permit_1992
    5b. Coastal Commission Permit_1996
    6. Grading Yardage Verification
-Plans shall be grouped and named by discipline (e.g. architectural, grading, civil, etc.).

Discretionary Requests Requirements

Item #	Description	Required	Submitted
10	Written Statement(s) Justifying EACH Discretionary Request	☐	☐
		☐	☐

Biological / Landscape Requirements

Item #	Description	Required	Submitted
11	Landscape Plan, Hardscape, Fence Plan OR letter stating none proposed	✓	☐
12	Landscape Water Conservation Ordinance Documentation Package	☐	☐
	a. Cover Sheet	-	☐
	b. Water Budget Calculation Worksheet	-	☐
	c. Landscape Design Plan	-	☐
	d. Soil Report	-	☐
	e. Irrigation Design Plan	-	☐

Outdoor Lighting Submittal Requirements

Item #	Description	Required	Submitted
13	Outdoor Lighting Plan OR letter stating none proposed	✓	☐
14	Outdoor Lighting Plan shall include:	☐	☐
	a. Site Plan depicting the location of existing (e) and proposed (n) outdoor light fixtures	-	☐
	b. Manufacturer Specifications/Fixture Exhibit including details regarding the lumen counts and Kelvin for each fixture	-	☐
	d. A photometric plan	-	☐

Beachfront Lots Submittal Requirements

Item #	Description	Required	Submitted
15	Public Beach Access Locations/Information	☐	☐
16	CA State Lands Commission Determination Letter	☐	☐

Project Plan Requirements

Item #	Description	Required	Submitted
17	Project Plans	☐	☐
	a. Cover Sheet	☐	☐
	b. Site Survey	☐	☐
	c. Site Plan	☐	☐
	d. Architectural Plans	☐	☐
	e. Demolition Plan	☐	☐
	f. Preliminary Foundation Plan	☐	☐
18	Grading, Drainage, Erosion and Storm Water Management Plan **OR** Letter Stating None Propose	☐	☐
19	Color-coded Slope Analysis	☐	☐
20	Landscape Plan (see Item #11)	NA	NA
21	Irrigation Plans (see Item #12)	NA	NA

Plan Size and Quantities - In addition to a digital version, the following shall be submitted:

- Two (2) 24" x 36" size hardcopy sets dimensioned to ¼" = 1' or ⅛" = 1' scale and collated stapled and folded
- One additional set of plans per review from each department
- Coded Slope Analysis – One (1) original 24" x 36" color copy
- Landscape plan – Three (3) 24" x 36" size hardcopy sets dimensioned to ¼" = 1' or ⅛" = 1' scale and collated stapled and folded. (2 for City Biologist / 1 for Planning Staff)
- Irrigation Design Plan – Three (3) 24" x 36" size hardcopy sets dimensioned to ¼" = 1' or ⅛" = 1' scale and collated stapled and folded. (2 for City Biologist / 1 for Planning Staff)
- Requirements for each type of plan is provided for in the Submittal Document Guide.

Other Requirements

Item #	Description	Required Upon Submittal	Required Prior to Deeming Complete	Submitted
22	Will Serve Letter	☐	☐	☐
23	Visual Analysis	☐	☐	☐
24	Major Remodel Agreement	☐	☐	☐
25	Structural Plans	☐	☐	☐
26	Story Pole Plans & Certification	☐	☐	☐
27	Title Report	☐	☐	☐
28	Feasible Alternatives Report	☐	☐	☐
29	Notice of Coastal Development Permit Posting Affidavit	-	✓	-
30	Property Owner / Occupant Mailing Data & Radius Map	-	✓	☐
31	Plan Sets for Hearing	-	✓	-

Land Division

Item #	Description	Required	Submitted
32	Land Division - Set of Plans	☐	
	a. Site Survey	☐	
	b. Site Plan	☐	
	c. Tentative Parcel / Tract Map	☐	
	d. Color-Coded Slope Analysis		
33	Documents Relating to Legality of the Lots	☐	☐
	a. Assessor's Map	☐	☐
	b. Deed History	☐	☐
	c. Legal Description	☐	☐
	d. Plat Map	☐	☐
	e. Title Report (see Item #25)	☐	☐

Additional Documents

Item #	Description	Required	Submitted
34	Rebuild Option Acknowledgement Form (in lieu of a Planning Verification)	☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
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		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

City Department Requirements

If a Department is marked as "Required" on page 1 of this form, please obtain fees and comments from each Department in the designated boxes below.

City Biologist Review

□ **Review required / No fee** □ **Review required / Fee required**

□ Level:____ = $ 430

Comments:

Required Documents:

Biological Report Submittal Guide & Other Landscaping Requirements

City Public Works Department Review

□ **Review required / No fee** □ **Review required / Fee required**

□ Public Works Review = $ 892

□ Traffic Review = $_____

□ Land Division = $_____

Comments:

Required Documents:

Public Works Project Plans and Report Requirement

+City Department Requirements

If a Department is marked as "Required" on page 1 of this form, please obtain fees and comments from each Department in the designated boxes below.

City Environmental Health Administrator Review (for staff use only) Initials:_____Date:_____

□ **Review required / No fee** □ **Review required / Fee required** □ **No Review Required**

□ **No Review required: Defer to Building Plan Check** **TOTAL:**_____

□ Non-OWTS* Review Simple $833 □ OWTS* Review-Complex $2,187
□ OWTS* Complex Commercial $7,080
□ OWTS* Complex 3rd Party Review $4000 (710 Account) □ Operating Permit Fee:_____

□ Hourly fee = $_____ Document Retention Fees □ $26 and/or □ $6
*Onsite Wastewater Treatment System (OWTS)

Comments:

Environmental Health Submittal Requirements

Item #	Description	Required Upon Submittal	Required Upon Deeming Complete	Submitted
EH.1	**Project Plans** (see Project Plans under Project Plan Requirements)	☐	☐	☐
EH.2	**Grading Plans** (see Grading, Drainage, Erosion and Storm Water Management Plan under Project Plan Requirements)	☐	☐	☐
EH.3	**Landscape/Hardscape/Irrigation Plans** (see Landscape Plan and Landscape Water Conservation Ordinance Document Package under Biological / Landscape Requirements)	☐	☐	☐
EH.4	Certified/Original Fixture Unit Worksheet	☐	☐	☐
EH.5	OWTS Plot Plan	☐	☐	☐
EH.6	Prohibition Policy Acknowledgment Form	☐	☐	☐
EH.7	OWTS Inspection Report	☐	☐	☐
EH.8	Operating Permit Required	☐	☐	☐
EH.9	Compliance Agreement	☐	☐	☐
EH.10	OWTS Design Report	☐	☐	☐
EH.11	Soils Analysis / Percolation / Infiltration Report	☐	☐	☐
EH.12	OWTS Supporting Geology / Soils Report	☐	☐	☐
EH.13	Architect/Engineer Certification for Reduction In Setbacks to Buildings or Structures	☐	☐	☐
EH.14	Geotechnical Report	☐	☐	☐
EH.15	Hydrogeological Report (Water Wells)	☐	☐	☐
EH.16	Coastal Engineer Report (Beachfront Property Only)	☐	☐	☐

City Geotechnical Staff Review (for staff use only) Initials:_____Date:_____

□ **Review required / No fee** □**Review required / Fee required** **TOTAL:** $3194

Fees
□ Level:____ $_____ □ Document Retention $26 Time & Materials + 30% = $_____

Comments:

Required Documents:

Geology Report Submittal Requirements

Item #	Description	Required Upon Submittal	Required Upon Deeming Complete	Submitted
GEO.1	**Project Plans** (see item #16 under Project Plan Requirement)	☑	☑	☐
GEO.2	**Grading Plans** (see items #17,#18 under Project Plan Requirements)	☐	☐	☐
GEO.3	**Landscape/Hardscape/Irrigation Plans** (items #19,#20 under Project Plan Requirement)	☐	☐	☐
GEO.4	OWTS Plot Plan	☐	☐	☐
GEO.5	OWTS Design Report	☐	☐	☐
GEO.6	Soils Analysis / Percolation / Infiltration Report	☐	☐	☐
GEO.7	OWTS Supporting Geology / Soils Report	☐	☐	☐
GEO.8	Architect/Engineer Certification for Reduction In Setbacks to Buildings or Structures	☐	☐	☐
GEO.9	Geotechnical Report	☑	☐	☐
GEO.10	Hydrogeological Report (Water Wells)	☐	☐	☐
GEO.11	Other items:	☐	☐	☐

City Coastal Engineer Review (Beachfront Properties) Initials:_____Date:_____

□ **Review required / No fee** □ **Review required / Fee required** **TOTAL:**_____

□ Reports required (2 copies, wet-stamped with wet-signature by a registered coastal / civil engineer, and CD and Electronic Signature Page)

□ Complex $3,236 □ Standard $1,618 □ Minor $750 □ Hourly fee =$_____
□ Document Retention $26

Comments:

Required Documents:

Coastal Engineering Report Submittal Requirements

Item #	Description	Required Upon Submittal	Required Upon Deeming Complete	Submitted
CO.1	**Project Plans** (see item #16 under Project Plan Requirement)	☐	☐	☐
CO.2	**Grading Plans** (see items #17,#18 under Project Plan Requirements)	☐	☐	☐
CO.3	**Landscape/Hardscape/Irrigation Plans** (items #19,#20 under Project Plan Requirement)	☐	☐	☐
CO.4	Coastal Engineer Report (Beachfront Property Only)	☐	☐	☐
CO.5	Geotechnical Report	☐	☐	☐
CO.6	OWTS Plot Plan	☐	☐	☐
CO.7	OWTS Design Report	☐	☐	☐
CO.8	Soils Analysis / Percolation / Infiltration Report	☐	☐	☐
CO.9	OWTS Supporting Geology / Soils Report	☐	☐	☐
CO.10	Architect/Engineer Certification for Reduction In Setbacks to Buildings or Structures	☐	☐	☐
CO.11	Other items:	☐	☐	☐

Code Enforcement Review

□ **Review required / No fee** □ **Review required / Fee required**

□ Hourly fee =$_____

Code Enforcement Officer Signature:_____ Date _____

Comments:

STAFF USE ONLY

Complete Submittal Date: _____

By: _____
(Print Name, Title)

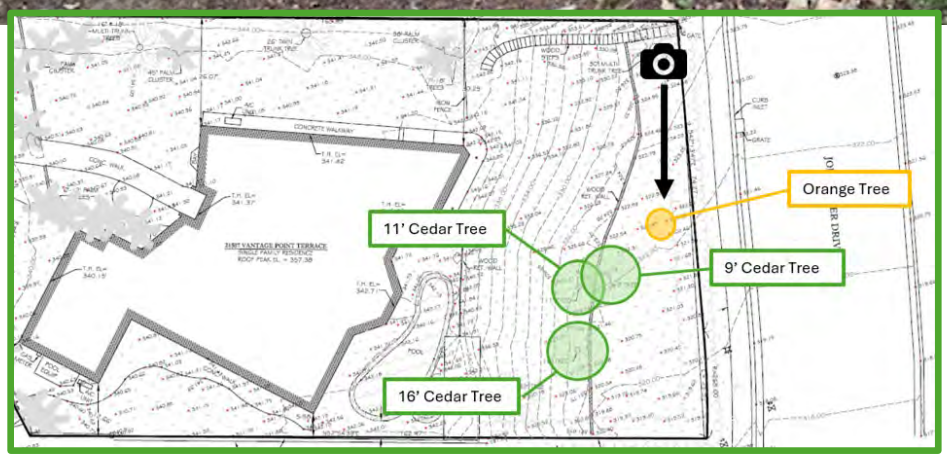
Note: A conformance review will begin after the time of submittal, and additional documentation may be requested.

Attachment H

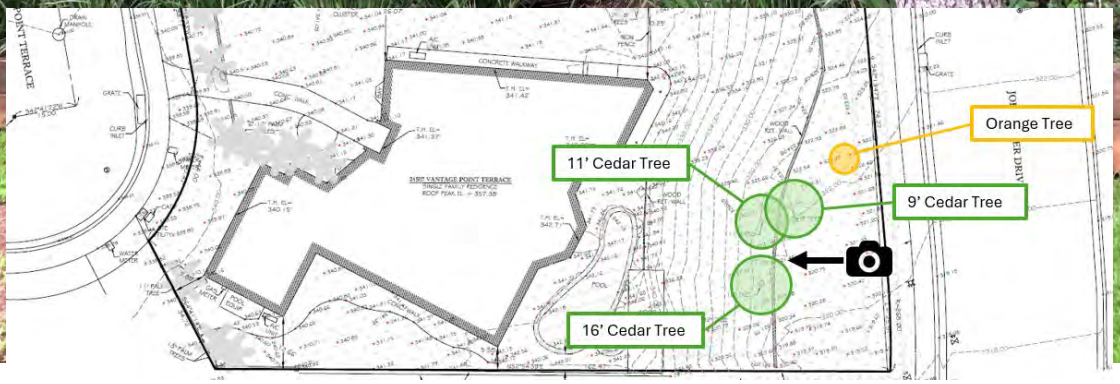
Trees

Orange Tree



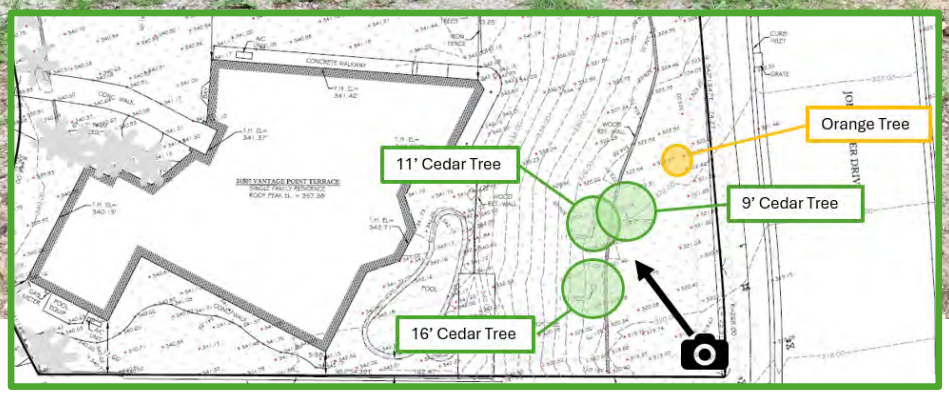


Cedar Trees

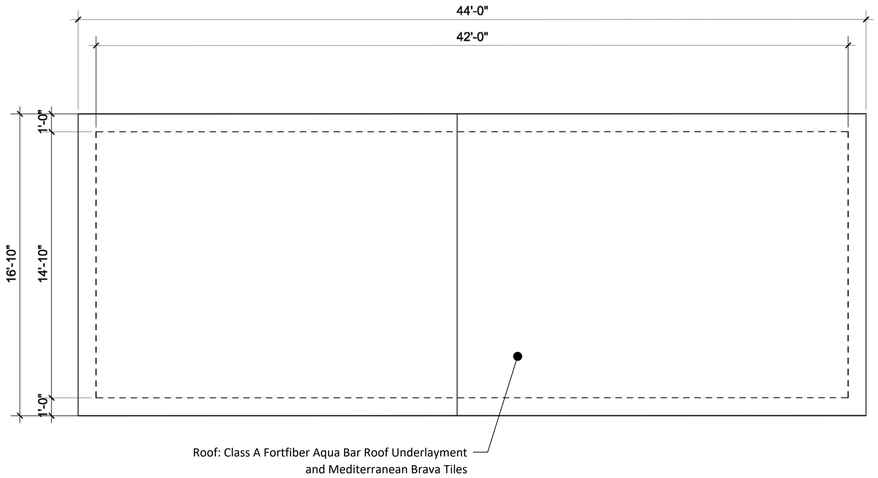


Cedar Trees

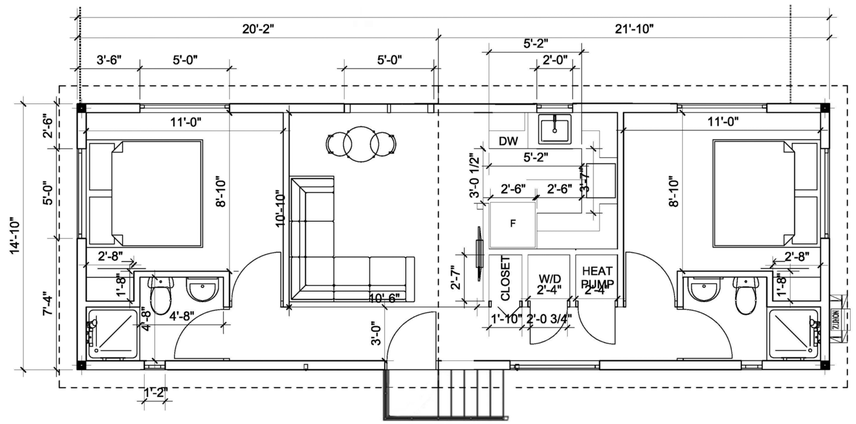
Alternate View



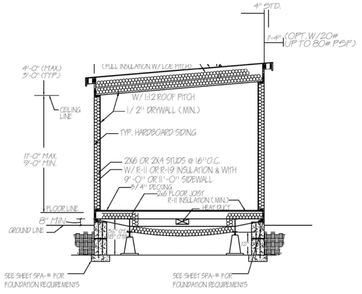
Received
01/20/26
Planning Div.



4 MARS - ROOF PLAN
SCALE: 1/4



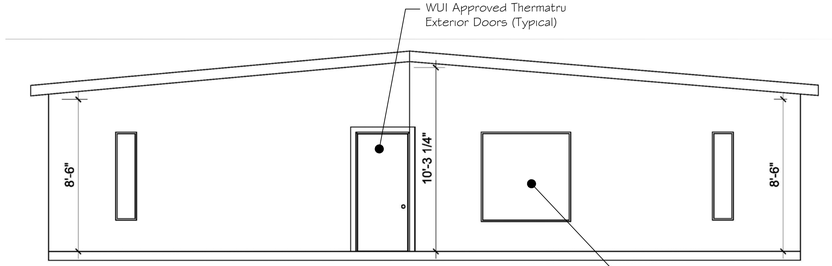
1 MARS - FLOOR PLAN
SCALE: 1/4



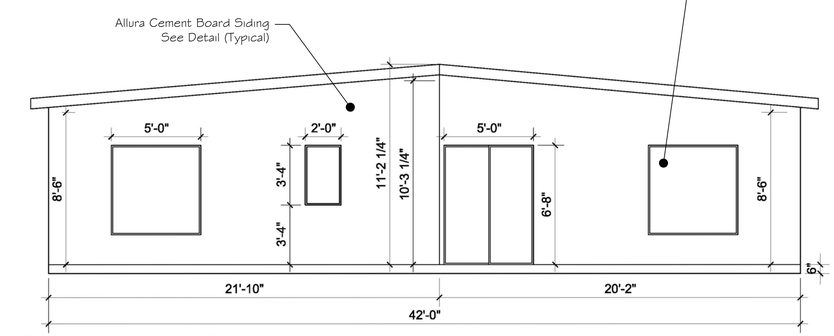
GENERAL CROSS SECTION

1. DETAILS & SPECIFICATIONS CALLED OUT ARE MINIMUM ONLY. OTHER EQUIVALENTS OR STRONGER MATERIALS MAY BE USED.
2. EXTERIOR SHALL BE VERTICAL OR HORZ. LAP, PLYWOOD, COMP. PNL, HARDBOARD, OR OTHER EQUIVALENT MATERIALS. (ALTERNATE EXTERIOR STUCCO USE MULTI-TEX STUCCO SYSTEM MANUFACTURED BY MULTICOAT CORP.)
3. ROOFING SHALL BE EPDM OR METAL OR OTHER APPROVED MATERIAL APPLIED PER MANUFACTURES INST.
4. NO CARPET OR PAD UNDER EXTERIOR SHEAR, OR BEARING WALLS.
5. ALL RAFTERS ARE APPROVED BY TEST OR CALCULATIONS. ALL TRUSSES ARE AN APPROVED I. STEEP ASSEMBLY.
6. ALL CEILING MATERIAL SHALL BE CLASS C RATED OR BETTER
7. APPLY VAPOR BARRIER ON WARM SIDE.
8. INTERIOR WALL & CEILING SHALL HAVE A FLAME SPEAD RATING NOT TO EXCEED 75.
9. INTERIOR WALLS & CEILING ARE SHEATHED W/ 1/ 2" GIPSUM WAL. BOARD.
10. FOR WATT-LINE LOAD REQUIREMENTS SEE SHEET SP-1/CO AND THE INSTALLATION MANUAL PAGE 17
11. ALL ROOFING, VENTS, AND EXTERIOR COVERING SHALL COMPLY WITH 2019 CBC CHAPTER 7A WHEN REQUIRED

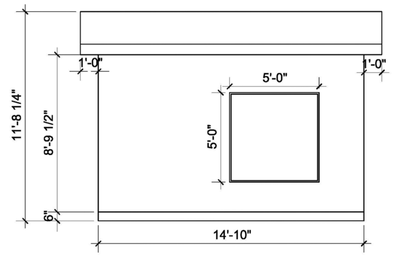
General Cross Section Detail
Scale: Not to Scale



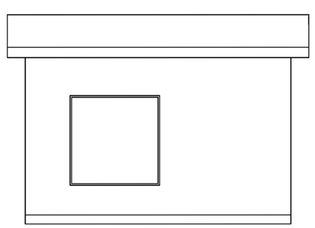
2 MARS - ELEVATION - FRONT
SCALE: 1/4



3 MARS - ELEVATION - BACK
SCALE: 1/4



5 MARS - ELEVATION - RIGHT
SCALE: 1/4



6 MARS - ELEVATION - LEFT
SCALE: 1/4

FIRE DEPARTMENT NOTES:

ROOF COVERINGS
FBU - VHFHSZ
All roof coverings shall be Class ""A"" as specified in Building Code 1505.1.1 (Residential Code R327.5.2 & R902)

ROOF VALLEYS
FBU - VHFHSZ
Roof valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch wide underlayment consisting of one layer of No. 72 ASTM cap sheet meeting running the full length of the valley. (Residential Code R327.5.3 and Building Code 705A.3)

ROOF GUTTERS
FBU - VHFHSZ
Roof gutters shall be provided with a means to prevent the accumulation of leaves and debris in the gutter. (Residential Code R327.534 and building Code 705A.4)

BRUSH CLEARANCE
FBU - VHFHSZ
Clearance of brush and vegetative growth shall be maintained per Fire Code 325 ACTION

24507 Vantage Point
Floor and Elevations Plan

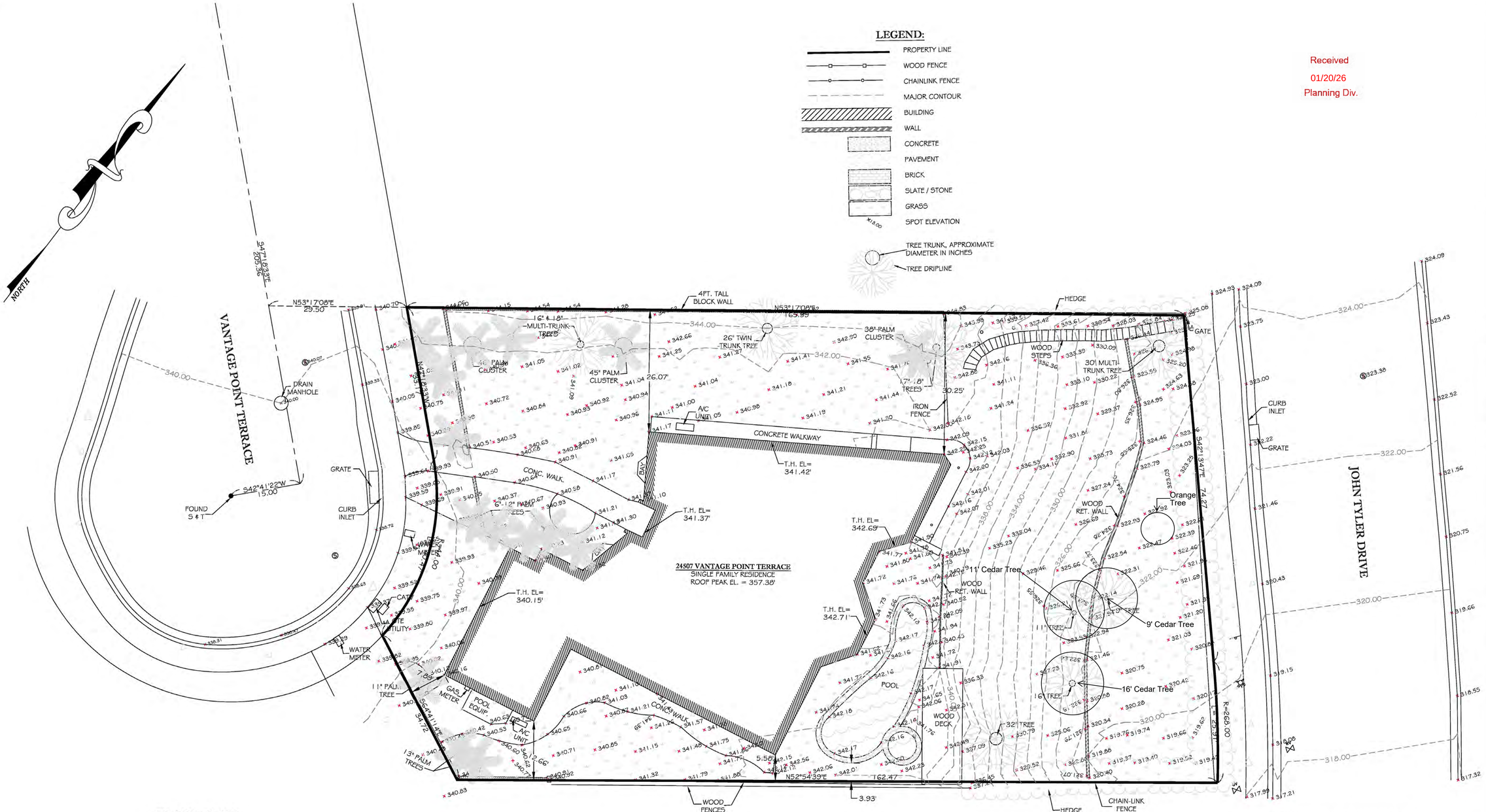
APN: 4468-033-006
Malibu, CA 90265

2025-12-29

Date:	Description:	By:

SCALE: AS SHOWN

SHEET NUMBER
2 of 2



Received
01/20/26
Planning Div.

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

LEGAL DESCRIPTION

LOT 85, AS SHOWN ON TRACT NO. 30314 AS RECORDED IN MAPBOOK 820 OF MAPS PAGES 15-22 OF LOS ANGELES COUNTY RECORDS.

SURVEYOR'S NOTES

1. ELEVATIONS ARE ON ASSUMED DATUM.

2. ONLY TREES 6" AND ABOVE WERE LOCATED ON THIS SURVEY, SMALLER TREES AND SHRUBS ARE NOT SHOWN.

3. DISTANCES SHOWN HEREON AREA EXPRESSED IN FEET AND DECIMALS THEREOF.

SURVEYOR'S CERTIFICATE

I, KACIE A. PLOUFF, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA (REF. NO. 9013)
I FURTHER CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A TOPOGRAPHIC SURVEY CONDUCTED UNDER MY SUPERVISION AT THE REQUEST OF THE CLIENT.

PROFESSIONAL LAND SURVEYOR
KACIE A. PLOUFF
No. 9013
STATE OF CALIFORNIA

KACIE A. PLOUFF, PLS 9013

CHRISTENSEN & PLOUFF
LAND SURVEYING
• 27801 FREMONT COURT #6 •
• VALENCIA, CA 91355 •
• 661.645.0300 • www.cplandsurveying.com •

DATE: 06 / 06 / 18
DRAWING SCALE: 1" = 10'
PREPARED BY: KACIE PLOUFF
APPROVED BY: KACIE PLOUFF
FILE NAME: CA-18-078-24507 VANTAGE POINT MALIBU

24507 VANTAGE POINT TERRACE, MALIBU
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

TOPOGRAPHIC SITE PLAN

PROJECT:

PROJECT NO.
CA-18-078

SHEET NO.
1 OF 1

KEYSTONE
Strategic Planning

City of Malibu
Planning Department
ATTN: Tyler Eaton, Assistant Community Development Director
23825 Stuart Ranch Rd
Malibu, CA 90265

January 19, 2026

Re: RPPL2023003558 – CDP Application 21-045 – 24507 Vantage Point Terrace Alternatives Analysis

Dear Malibu Planning Staff,

In response to questions, comments, and concerns raised in the Staff Report for the above-referenced project application, please see below/attached an updated and expanded Alternatives Analysis demonstrating the impracticality/infeasibility of constructing an ADU on the upper building pad.

Proposed Location: Existing Lower Building Pad

Here we have the applicant's proposed location on the lower building pad at the toe of the slope, in the northeast corner of the property adjacent to John Tyler Drive. Each exhibit delineates the 26-foot front yard setback (shown in red), 4-foot rear and side reduced setbacks allowed pursuant to State ADU Law (shown in black), and the sanitary and storm drain easement that dominate the North side of the property (shown in gray). A slope separates the existing upper and lower building pads. This lower building pad that has been present since at least 1980 and therefore does not involve the creation of a new pad or alteration of natural landforms. Siting the ADU here places development in the least visible portion of the property, avoiding impacts to public coastal views and private views alike, and is more consistent with Coastal Act and LIP policies favoring reduced visual impacts than any alternative location. This location represents the only feasible and compliant site, and satisfies State ADU law, Coastal Act policies, and applicable local standards while avoiding environmental, visual, and neighborhood impacts.

1st Alternate Location: Over the pool, over the slope

As implied in the staff report, the pool could theoretically be removed and the ADU sited there, *"given that the existing building pad is sufficient in size to support other existing uses including a pool, spa, and wooden deck."* However, there is insufficient area to support the proposed ADU. LCP (D)(6)(c) states, "*No structure, excluding walls and fences, shall extend beyond, or be*

cantilevered over, any downhill slope extending from the existing building pad." Given that there must be a 6-foot building setback per the LCP 3.6(R)(b) *"Distance Between Accessory and Main Buildings. A minimum distance of six feet shall be required between any main residential building and an accessory building established on the same lot or parcel of land."*
The East-facing living room features a prominent bay window that provides primary light, air, and view to the residence. Light, air, and views would all be blocked by the presence of the ADU, even if it were to fit. This placement, however, results in roughly half of the area of proposed ADU extending beyond and cantilevered over the downhill slope, which would result in a height greater than 18 ft. and/or new site grading/landform alteration on the existing slope. Therefore, this alternative is not feasible practically, would result in greater visual impacts, and does not achieve any greater consistency with relevant policies/regulations than the proposed location.

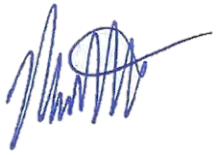
2nd Alternate Location: Over the property line

Along the southeastern side, behind the garage and adjacent to the Primary (Master) Bathroom, there is a right triangle of area where it might be assumed that an ADU could be sited. This second alternate shows clearly how after accounting for the master bath's bay window and the required 6-foot building setback, there is not nearly enough space to squeeze the ADU between the house and the property line, even with the benefit of State ADU law side yard setback reductions. The other half would spill into the setback and over the property line. Therefore, this location is not feasible.

Conclusion

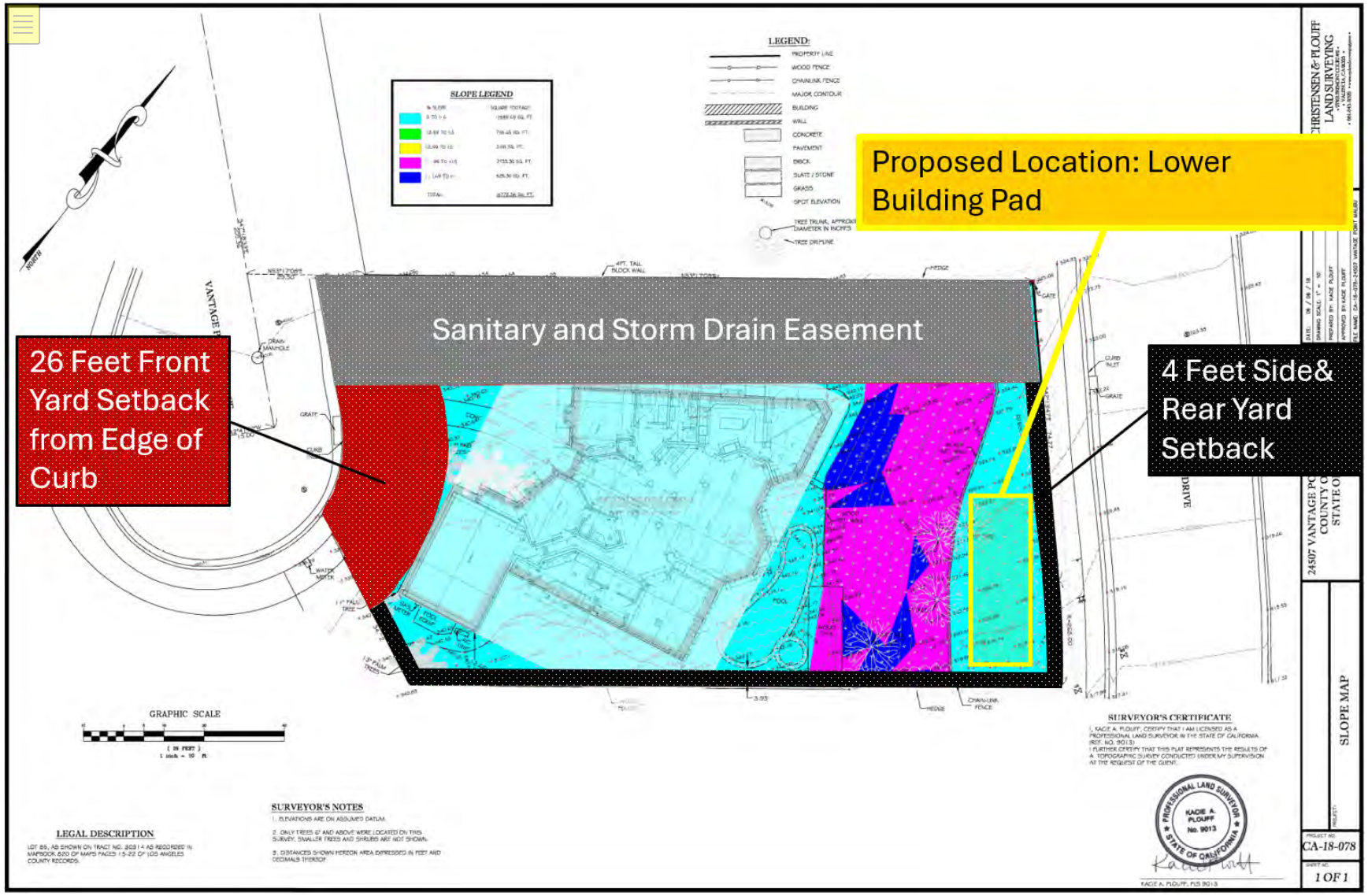
Based on the above analysis, the proposed location appears to be the only feasible location for the proposed ADU, consistent with State ADU law and relevant local ordinances. The proposed location is situated within the allowable front, rear, and side yard setbacks and easements, as required by State ADU law. It does not intrude into neighboring properties. It is not cantilevered over the slope and does not require any non-exempt landform alteration/grading. This location involves the least visible portion of the property, and satisfies State ADU law, Coastal Act policies, and applicable local standards while minimizing environmental, visual, and neighborhood impacts. Thank you for your time and attention to this application.

Sincerely,
Keystone Strategic Planning

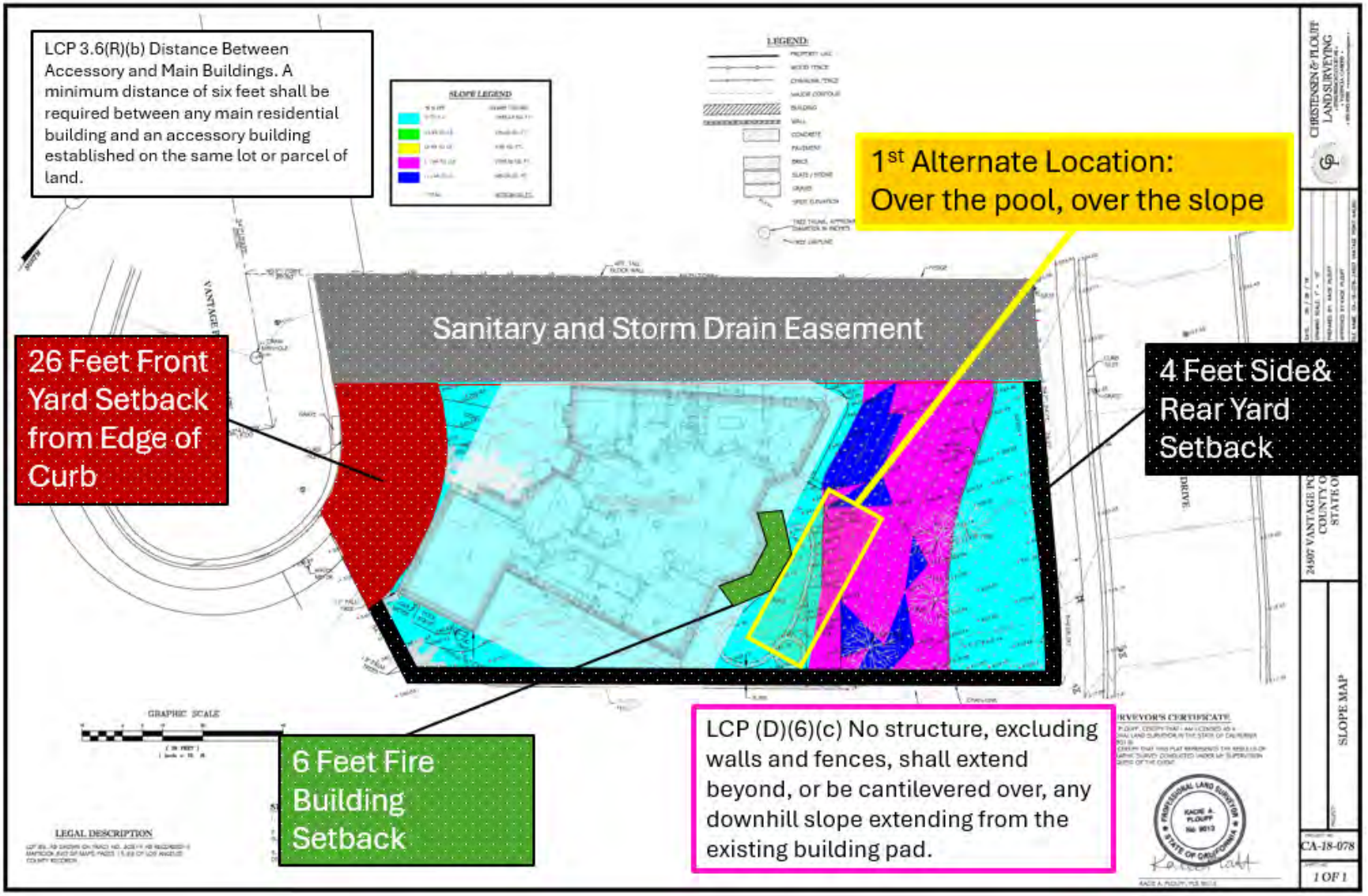


Matt Jewett
Principal

Proposed Location: Lower Building Pad

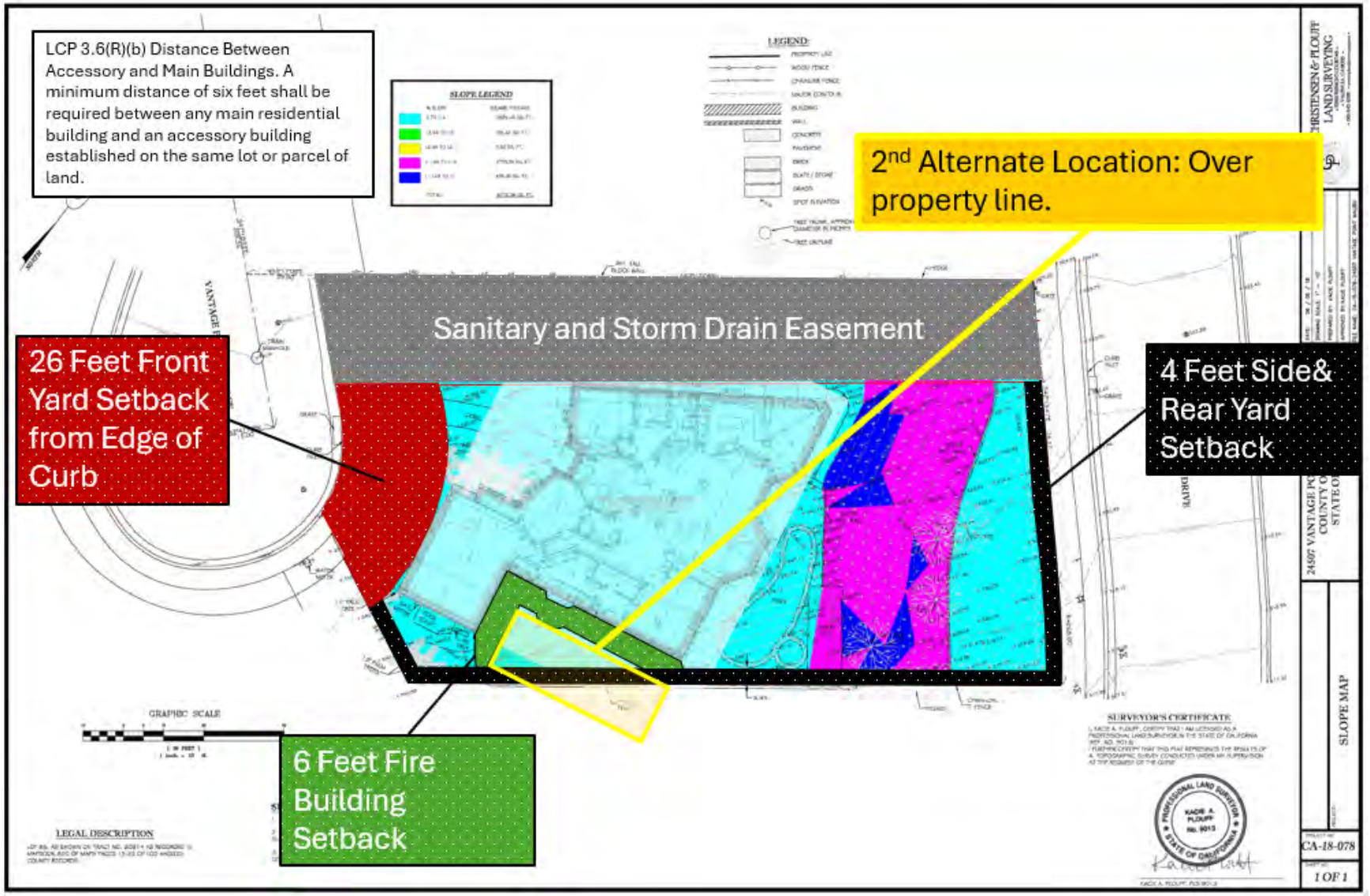


1st Alternate Location: Over the pool, over the slope



Received
01/20/26
Planning Div.

2nd Alternate Location: Over the property line



Received
11/24/25
Planning Div.

From: DOUGLAS DE LUCA
To: Planning Commission
Subject: ADU Application 24507 Vantage Point Ter (ACDP 21-045) Hearing Date Dec 1, 2025
Date: Friday, November 21, 2025 6:04:21 PM

Dear Planning Commissioners,
I am a homeowner in the Malibu Country Estates and live on the same street as the subject property. Homeowners in MCE should not be denied the opportunity to build an ADU as long as there is appropriate space on the lot, and the ADU does not impact the view of any neighbor. I do not have any objections, especially because there is no view impact with the ADU's roofline being lower than the building pad of the main house. Due to the property's location at the edge of our neighborhood, facing Pepperdine, none of the community's homeowners will even be able to see the proposed structure from their residences since it will be hidden behind vegetation at the bottom of a slope. Therefore, I fully support this ADU. Thank you for your consideration.

Regards,
Doug DeLuca
[redacted]
Malibu, ca 90265

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/24/25 Time 7:30 a.m.
Planning Commission meeting of 12/01/25
Agenda Item No. 5D
Total No. of Pages 1

Received
12/1/25
Planning Div.

From: Eran Eliyahoo
To: Planning Commission
Subject: ADU Application 24507 Vantage Point Ter (ACDP 21-045) Hearing Date Dec 1, 2025
Date: Sunday, November 30, 2025 5:23:10 PM

Hello,

To whom it may concern, We own a property in the Malibu Country Estates that is directly next to the lot the subject ADU is planned for. The project does not pose any view impact since it is at the very bottom of the slope facing the large Pepperdine parking lot on John Tyler. There being no other concerns from our side, there is no reason for us to object and we recommend to approve the application.

Best regards,
Eran Eliyahoo

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 12/1/25 Time 7:30 a.m.
Planning Commission meeting of 12/1/25
Agenda Item No. 5D
Total No. of Pages 1

Received
12/1/25
Planning Div.

From: emmanuel gonzalez
To: Planning Commission
Subject: ADU Application 24507 Vantage Point Ter (ACDP 21-045) Hearing Date Dec 1, 2025
Date: Saturday, November 29, 2025 4:15:35 PM

Dear Planning Commissioners:

Our home is immediately adjacent to the Meissners' property. We have seen the plans and feel comfortable with the project. Therefore, we may ask you to approve it.

Happy Holidays-

Emmanuel Gonzalez

Sent from my iPhone

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 12/1/25 Time 7:30 a.m.
Planning Commission meeting of 12/1/25
Agenda Item No. 5D
Total No. of Pages 1

Received
11/21/25
Planning Div.

From: Teresa LeGrove
To: Planning Commission
Subject: ADU Application 24507 Vantage Point Ter (ACDP 21-045) Hearing Date Dec 1, 2025
Date: Friday, November 21, 2025 3:01:07 PM
Attachments: AIorK4xXdTTrLyEUj2uxyaPqM07M6SN89yiQN1i-tUX1jBAUDwEln-LrYmb7Mx_eqJST5BOl_c03ffY.png
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AIorK4z6pTulkSK7Ckq9Lc6i0jKk-ur43pG5CwsNPCYsxhm9siZcnNF0SDOvLJ8oDjV5HnnhSlRRRG0.png

Dear City of Malibu Planning Department,

I'm writing as both a Malibu Country Estates resident and a local Realtor who works closely with families, students, and professionals in our community. I want to express my full support for my neighbor's proposed ADU project, as well as the broader effort to encourage well-planned ADUs in Malibu.

ADUs provide meaningful benefits in a city where housing costs continue to rise. They offer flexible options for those who work or study in Malibu, but cannot afford traditional rental prices. They also give homeowners a way to support aging parents, young adults who are just launching, or long-term local employees who are essential to the fabric of our community. When a property has the space to responsibly accommodate an ADU, it becomes an opportunity to strengthen our neighborhood without changing its character.

From both a resident's and a Realtor's perspective, I've seen how thoughtfully designed ADUs increase stability, improve housing accessibility, and help maintain the economic diversity that keeps Malibu vibrant.

Thank you for your time and consideration. I fully support this project and hope you will too.

Warm regards,

Teresa LeGrove

Malibu Country Estates Resident

Realtor®, Coldwell Banker Malibu

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 11/21/25 Time 3:01 p.m.
Planning Commission meeting of 12/01/25
Agenda Item No. 5D
Total No. of Pages 1

From:	Planning Commission
To:	Magda Gonzalez
Cc:	Rebecca Evans; Gail Duncan
Subject:	FW: Support of ADU application 24507 Vantage Point Terrace, Malibu (ACDP-21-045)
Date:	Tuesday, January 13, 2026 5:20:38 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png

Received
01/07/26
Planning Div.

Hi Magda,

Please see this correspondence regarding CDP 21-045. It should be added with any other correspondence received since the agenda report was last published for this packet when this item next goes to the planning commission.

Regards,

Gail Duncan
Administrative Assistant
Community Development Department
Office: 310.456.2489, ext. 309
23825 Stuart Ranch Road | Malibu, CA 90265

From: Dana Harger [redacted]>
Sent: Wednesday, January 7, 2026 7:56 AM
To: Planning Commission <planningcommission@malibucity.org>
Subject: Support of ADU application 24507 Vantage Point Terrace, Malibu (ACDP-21-045)

Dear Commissioners,

I am writing to register my support of the above mentioned project at 24507 Vantage Point Terrace in Malibu. I am a neighbor living at [redacted] Vantage Point Terrace, only a few homes away, and I have no opposition to the project going forward.

As a senior citizen living in Malibu I have given much thought to how I might be able to remain in my home. I believe having a separate living space for a caregiver will afford me the best opportunity to stay in my home. As the planning commission surely knows, we have a lack of housing for caregivers in the community and as many in the city of Malibu are over 60 and would surely like to remain in their homes, one solution would be to allow ADU's.

Thank you for taking the time to consider my position regarding this project.

Best,
Dana Harger

BREDEFELD & ASSOCIATES, P.C.

CERTIFIED PUBLIC ACCOUNTANTS
125 MAPLE AVENUE, SUITE C
CHESTER, NEW JERSEY 07930
(732) 764-9292
FAX: (732) 764-8988

Received
01/12/26
Planning Div.

M. BREDEFELD, CPA

23805 STUART RANCH ROAD, SUITE 101
MALIBU, CALIFORNIA 90265
(310) 317-4608

January 12, 2026

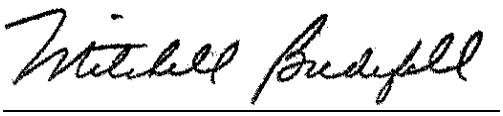
Dear Commissioners:

I am a homeowner in the Malibu Country Estates and live on the same street as the applicant. I know from personal experience about the importance of live-in caregivers when a family member needs them.

However, not all properties in our neighborhood lend themselves to a live-in situation. That's why those lots which have sufficient space in their backyard should be allowed to add a small ADU to their home. In the case of the Meissners' property, there is a building pad along John-Tyler Drive available for such purposes. Having an ADU at that location cannot possibly bother any neighbor because you can only see it when you walk through the campus. Based on the foregoing, I fully support the subject application.

Thank you for your consideration.

Sincerely yours,



Mitchell Bredefeld
MB/

Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 4.B.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Coli Turner, MUP, Assistant Planner

Reviewed by: Didier Murillo, Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting Date: February 2, 2026

Subject: View Preservation Permit No. 25-001 – An application requesting corrective action to restore the views recorded at 7132 Dume Drive under Primary View Determination No. 12-009 with regard to the foliage located at 29119 Cliffside Drive (Continued from December 16, 2025)

Claimant Name:	Mark DiPaola, Managing Member of Napa Malibu LLC
Claimant Address:	7132 Dume Drive
Claimant APN:	4466-014-014
Foliage Owner Name:	Nancy Alder Esq.
Foliage Owner Address:	29119 Cliffside Drive
Foliage Owner APN:	4466-014-008

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 26-08, determining the action is categorically exempt from the California Environmental Quality Act (CEQA), and approving View Preservation Permit (VPP) No. 25-001 to require alteration and maintenance of foliage at 29119 Cliffside Drive at the height of the horizon, as shown in Primary View Determination (PVD) No. 12-009, in order to restore the primary view documented in PVD No. 12-009; or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: This agenda report provides an analysis of the action's consistency with applicable provisions of the Malibu Municipal Code (MMC), and the environmental review pursuant to CEQA.

Background

In 2012, the City Council adopted Ordinance No. 361, which established MMC Chapter 17.45 (Citywide View Restoration Ordinance). In 2014, the ordinance was amended and the title of MMC Chapter 17.45 was changed to the Citywide View Preservation and Restoration Ordinance. MMC Chapter 17.45 allows a residence's private view within 1,000 feet to be preserved based on a PVD established on or after February 13, 2012. If the preserved view is then obstructed by new foliage or growth from existing foliage, the PVD holder, otherwise known as the claimant, can take the necessary steps to restore their view. In order to restore a view documented in a PVD, the claimant must do the following as required by MMC Section 17.45.060:

- Request informal discussion between the claimant and foliage owner with a registered or certified letter with return receipt requested;
- If informal discussion is unsuccessful, then the claimant is to request from the foliage owner mediation by a registered or certified letter with return receipt; and
- If mediation is then declined or unsuccessful after 60 days, the claimant is to request binding arbitration by a registered or certified letter with return receipt to settle the dispute.

If informal discussion, mediation, or binding arbitration settles the dispute, the agreement can be documented in a VPP approved by the Community Development Director. If the issue is not settled after 60 days of the binding arbitration attempt, the claimant can apply for a VPP to be determined by the Planning Commission. As will be described below, the claimant has attempted all the negotiation requirements of the VPP process unsuccessfully and is requesting the Planning Commission render a decision on the matter.

On December 16, 2025, the Planning Commission continued the item to the February 2, 2026 Regular Planning Commission meeting due to lack of time. The resolution number was updated to reflect the year of the new hearing date. Resolution No. 26-08 recitals and public hearing dates have also been updated to reflect the continuance but no substantive changes have been made to the staff report and resolution provided for December 16, 2025.

Claimant's View Restoration Process and Setting

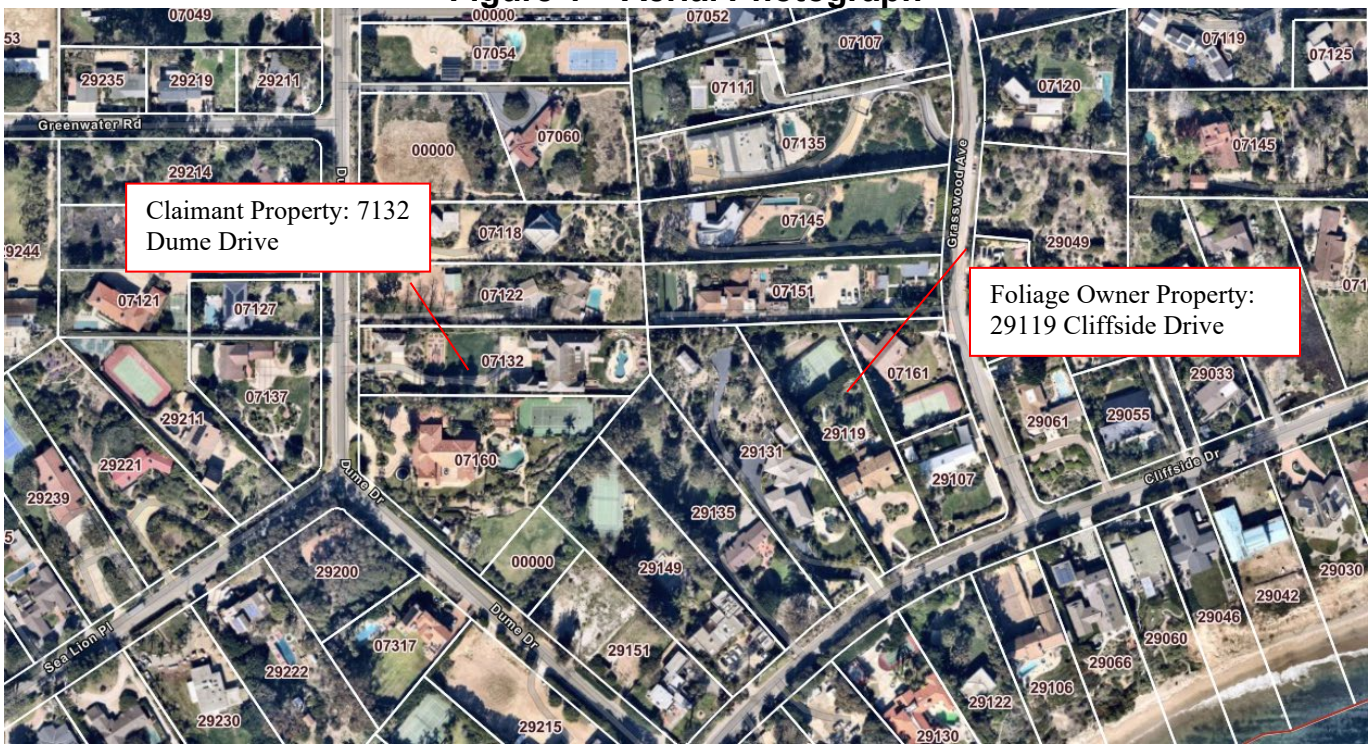
On April 5, 2012, staff conducted a PVD for 7132 Dume Drive (Attachment 1). Staff documented the primary view from an outdoor deck about four feet in front of the primary living area, a location selected by the former property owner. As required by MMC Section 17.45.060, the claimant attempted to negotiate with the foliage owner at 29119 Cliffside Drive; however, these efforts were unsuccessful (Attachment 4). The claimant subsequently undertook the following actions:

- On July 2, 2024, the claimant requested, through certified mail, that the foliage owner maintain their trees to restore the view depicted in PVD No. 12-009. The letter also included the claimant's agreement to pay to trim and maintain the trees at 29119 Cliffside Drive. This offer remained until July 31, 2024, after that the responsibility would be on the foliage owner as stated in PVD No. 12-009.
- On September 9, 2024, the claimant requested, through certified mail, mediation between both parties. Mediation was never agreed to.
- On November 15, 2024, the claimant requested, through certified mail, binding arbitration between both parties. Binding arbitration was never agreed to.

On March 3, 2025, the claimant submitted an application for a VPP to request the foliage owner trim or remove foliage in order to restore the view conditions documented in PVD No. 12-009.

Both the claimant's and the current foliage owner's properties are located on the inland side of Dume Drive, south of Cliffside Drive, within the Point Dume neighborhood. As shown in Figure 1 below, the claimant's property at 7132 Dume Drive is situated inland and slightly north of 29119 Cliffside Drive. The Dume Drive property sits at a higher elevation, and from the primary view location, ocean views extend over the 29119 Cliffside Drive property, which is positioned closer to the coastal bluff.

Figure 1 – Aerial Photograph



Source: Malibu City GIS, 2025

Discussion

On May 19, 2025, staff conducted a site visit to the claimant's property and re-took the photographs from PVD No. 12-009, as required by MMC Section 17.45.060(E)(2). Photographs from this site visit are included in Attachment 3. Only some of the subject foliage appeared to be present.

Comparing the photographs available in PVD No. 12-009 and the staff photos taken in May of 2025, staff determined that two main areas of overgrown foliage may qualify as an obstruction. Shown within the red circles in Figures 2(a) and 2(b) below; both areas demonstrate view obstructions of what is documented in PVD No. 12-009.

Figure 2(a): View from Primary View Looking Southwest



Source: PVD No. 12-009, April 2012



Source: VPP 25-001, Staff Site Visit, May 2025

Figure 2(b): View from Primary View Looking Southeast



Source: PVD No. 12-009, April 2012



Source: VPP 25-001, Staff Site Visit, May 2025

Figure 2(c): View from Primary View Looking Southeast



Source: PVD No. 12-009, Staff Site Visit, April 2012



Source: VPP 25-001, Staff Site Visit, May 2025

As shown in the photos above, foliage belonging to the foliage owner has been reduced within the documented view under PVD No. 12-009, resulting in some improvement. However, portions of the foliage remain within the primary view corridor. Staff is unable to

conclusively determine whether a violation exists, based on the information available. The primary view could be further restored if the vegetation in question is trimmed or removed to a height consistent with the guidelines in PVD No. 12-009, as shown in Figure 2(c).

Current Conditions

The claimant's property is under construction under Over-the-Counter (OC) No. 25-018 for an interior remodel. The frame of the primary living area was left intact to allow staff to re-take photographs from the original PVD 12-009 case.

Staff made several attempts to contact the foliage owner to assist in resolving the disputed view obstruction. On June 9, 2025, staff mailed and emailed a letter to the foliage owner (Attachment 5). On June 30, 2025, the foliage owner emailed staff to schedule a site visit. Staff followed up on multiple occasions following the owner's contact but did not receive a further response. As a result, staff were unable to conduct a site visit on the foliage owner's property.

Staff continued efforts to coordinate a resolution and contacted the foliage owner by email to inform them of the public hearing scheduled for December 16, 2025, in hopes of reaching an agreement prior to the hearing. These efforts were unsuccessful. On December 4, 2025, a Notice of Public Hearing was mailed to all interested parties, including the foliage owner.

VPP Findings

Pursuant to MMC Chapter 17.45.060(E)(4), the Planning Commission may issue a VPP to require removal or alteration and maintenance of foliage at the designated maximum height, including trimming, thinning, or reducing the height or width of foliage, on a foliage owner's property if it makes all five of the required findings.

Based on evidence in the record, staff has provided the following required findings for VPP No. 25-001 for the Planning Commission to consider and determine:

Finding 1. The claimant has provided evidence of attempt at informal discussion, mediation, and binding arbitration to resolve view dispute.

As discussed previously, the claimant has provided evidence of attempts at informal discussion, mediation, and binding arbitration. They waited 60 days between the mediation and binding arbitration letters and another 60 days with no agreement with the foliage owner as required by MMC Section 17.45.060.

Finding 2. The claimant has a primary view that has been significantly obstructed by foliage that is not exempt pursuant to MMC Section 17.45.140.

The foliage under dispute does not qualify as exempt per MMC Section 17.45.140.

According to MMC Section 17.45.040, the following criteria shall be considered in determining whether a significant obstruction has occurred in view preservation and view restoration disputes:

A. The extent of the foliage obstructs a pre-existing view and/or primary view, both currently and at foliage maturity.
B. The location of the obstruction within a view frame; foliage located within the center of a primary view is more likely to be found to create an obstruction than obstruction located on the outer edge of a primary view.
C. The quality of the primary view being obstructed, including obstruction of landmarks, vistas, or other unique features.
D. The extent to which the primary view has been diminished over time by factors other than tree growth, such as new additions or residences.
E. The extent to which the primary view contributes to the economic value and/or enjoyment of the claimant's property.

As discussed above, obstruction has occurred where foliage growth obstructs views of the Pacific Ocean previously documented in PVD No. 12-009.

The location of these obstructions is within the center-left (southeast) of the view looking towards the Pacific Ocean, which is documented in PVD No. 12-009. Should growth continue without mitigation, additional view obstruction of the ocean would likely occur.

Finding 3. Alteration or removal of the foliage will not have a substantial adverse impact on a hillside, drainage, or erosion control.

PVD No. 12-009 can be restored if the vegetation in question was trimmed and maintained to be no taller than the horizon as depicted in PVD No. 12-009. Removal of the trees would bring the site closer to compliance with the MMC, but removal is not required.

Finding 4. If the recommended restorative actions include removal, that all other restorative actions are ineffective in restoring the primary view while preserving the health of the foliage.

The claimant's requested restorative action includes removal or trimming. However, the trees in question appear to be present in the 2012 PVD documentation; therefore, removal is not required under the MMC. The foliage owner may choose to remove the vegetation at their discretion to avoid ongoing maintenance requirements. While removal of the trees may further improve the claimant's view and bring the foliage owner's property closer to compliance with the MMC, it is not mandated as a part of this determination.

Finding 5. The recommended restorative action is the minimum required to restore the claimant's primary view, unless restorative action will result in future stump growth in which case, more aggressive action is preferred.

The recommended restorative action includes trimming the foliage to the horizon as documented in PVD 12-009, which is the minimum necessary to restore the claimant's primary view. The foliage owner may also wish to remove the trees entirely. This would require less maintenance in the future and bring the property closer to compliance with the MMC.

CONCLUSION: The required VPP findings can be made in support of or in denial of the request. The Planning Commission may impose such restrictions or conditions, including restorative action, as deemed necessary or proper to restore a primary view; protect the foliage owner's privacy; protect the public health, safety, or welfare; or any combination thereof.

If this VPP is approved, the claimant shall be responsible for paying the cost of the restorative action required to return the view conditions to those documented by PVD No. 12-009, and the foliage owner shall be responsible for paying the costs of any subsequent maintenance of the subject foliage, unless otherwise agreed to by the parties or required pursuant to any final arbitration decision or court order.

The Planning Commission's decision regarding this VPP shall be binding on all current and future owners of the claimant's property and foliage owner's property, and such decision must be disclosed by each owner to subsequent owners of the properties.

Staff is unable to conclusively determine whether a violation exists, based on the information presented in this report. If, after reviewing all available evidence, the Planning Commission determines that a violation is present, it may approve the VPP subject to the conditions of approval outlined in Section 5 of Planning Commission Resolution No. 26-08.

Failure to abide by the adopted terms and conditions of Planning Commission Resolution No. 26-08 shall constitute a violation punishable in accordance with MMC Section 1.16.010. In addition to all penalties authorized by Section 1.16.010 or any other provision of law, violations of the VPP are subject to the administrative penalty provisions of MMC Chapter 1.10. Each day that a violation continues shall constitute a separate offense. To the extent any foliage is in violation of the terms of the VPP, it shall constitute a public nuisance. Should the VPP be approved, staff recommends that a 30-day grace period (10-day appeal period plus an additional 20 days) be allowed for the claimant and foliage owner to work out dates to cut the subject vegetation before citations can be issued.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Community Development Director has analyzed the proposed project, which includes the trimming of the foliage at 29119 Cliffside Drive. The Community Development Director found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the proposed project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines section 15301(h) – Maintenance of Existing Landscaping. The Community Development Director has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines section15300.2).

CORRESPONDENCE: To date, staff has not received correspondence regarding this application, other than the documentation attached to this report.

PUBLIC NOTICE: On December 4, 2025 staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all interested parties, the claimant, the foliage owner, and the record owners and occupants of all properties on which the foliage at issue in the VPP application is located (Attachment 7).

ATTACHMENTS:

1. Planning Commission Resolution No. 26-08
2. Claimant Primary View Determination No. 12-009
3. Staff Photographs Recreating Primary View in May 2025
4. Letters Requesting Discussion, Mediation, and Arbitration and Receipts of Delivery
5. Staff Correspondence
6. View Preservation Process Flow Chart
7. Public Hearing Notice

All referenced City Council and Planning Commission records are available for review at http://www.malibucity.org/onbase.

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE ACTION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING VIEW PRESERVATION PERMIT NO. 25-001 TO REQUIRE ALTERATION AND MAINTENANCE OF FOLIAGE AT 29119 CLIFFSIDE DRIVE AT THE HEIGHT OF THE HORIZON, AS SHOWN IN PRIMARY VIEW DETERMINATION NO. 12-009, IN ORDER TO RESTORE THE PRIMARY VIEW DOCUMENTED IN PRIMARY VIEW DETERMINATION NO. 12-009

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On April 5, 2012, staff conducted Primary View Determination (PVD) No. 12-009 at 7132 Dume Drive.

B. On July 2, 2024, a letter requesting informal discussions between the claimant and owner of the property located at 29119 Cliffside Drive (foliage owner) was sent by the property owner of 7132 Dume Drive via certified mail.

C. On September 9, 2024, a letter requesting mediation between the claimant and the foliage owner was sent by representatives of the claimant to the foliage owner via certified mail.

D. On November 15, 2024, a letter requesting binding arbitration between the claimant and the foliage owner was sent by representatives of the claimant to the foliage owner via certified mail.

E. On March 3, 2025, the claimant submitted an application for View Preservation Permit (VPP) No. 25-001.

F. On May 19, 2025, staff conducted a site visit to document the existing view conditions from the primary view location at 7132 Dume Drive.

G. On June 9, 2025, staff sent a letter to the foliage owner notifying them of the application and requesting a site visit via email and standard mail.

H. On September 17, 2025, staff called and sent an email to the foliage owner explaining the public hearing to be held on December 16, 2025, and to attempt a site visit before the hearing.

I. On December 4, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and mailed the notice to all interested parties, the claimant, the foliage owner, and the record owners and occupants of all properties on which the foliage at issue in the view preservation permit application is located.

J. On December 16, 2025, the Planning Commission continued the item to the February 2, 2026 Regular Planning Commission meeting.

K. On February 2, 2026e, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines section 15301(h) - Existing Facilities - Maintenance of Existing Landscaping. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines section 15300.2).

SECTION 3. View Preservation Permit Findings.

Based on all the evidence contained within the record and testimony and deliberations at the December 16, 2025, Planning Commission meeting, and pursuant to the Malibu Municipal Code (MMC), including MMC Chapter 17.45, the Planning Commission adopts the findings of fact below, and approves VPP No. 25-001 to require alteration and maintenance of foliage at 29119 Cliffside Drive at the height of the foliage in order to restore the documented primary view documented in PVD No. 12-009.

1. The claimant has provided evidence of attempts at informal discussion, mediation and binding arbitration. They waited 60 days between the mediation and binding arbitration letters and another 60 days with no agreement with the foliage owner as required by MMC Section 17.45.060.

2. The foliage under dispute does not qualify as exempt per MMC Section 17.45.140. Foliage growth obstructs views of the Pacific Ocean which were documented in PVD No. 12-009. The location of these obstructions is within the center-left (southeast) of the view looking towards the Pacific Ocean, which is documented in the PVD. The new obstructions block views of the ocean.

3. PVD No. 12-009 can be restored if the vegetation in question was trimmed and maintained to be no taller than the horizon as depicted in PVD No. 12-009. The proposed modification of the foliage is not expected to have an adverse impact on the vegetation.

4. The recommended restorative action does not include removal.

5. The recommended restorative action includes trimming the foliage to line, which is the minimum necessary to restore the claimant’s primary view, as documented in PVD No. 12-009.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves VPP No. 25-001, subject to the following conditions.

SECTION 5. Conditions of Approval.

1. The claimant, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. The foliage located at 29119 Cliffside Drive blocks ocean views documented in PVD No. 12-009 must be trimmed and maintained to be no taller than the horizon line, as shown in PVD No. 12-009.

3. The claimant shall be responsible for paying the cost of the restorative action required to return the view conditions to those documented by PVD No. 12-009, and the foliage owner shall be responsible for paying the costs of any subsequent maintenance of the subject foliage unless otherwise agreed to by the parties or required pursuant to any final arbitration decision or court order.

4. A 20-day grace period, after the 10-day appeal period, shall be allowed for the claimant and foliage owner to agree in good faith to dates to cut the subject vegetation before the citations can be issued.

5. The claimant and foliage owner must sign and notarize an affidavit of acceptance of conditions of approval prior to commencement of any restorative actions.

6. The Planning Commission's decisions regarding view preservation shall be binding on all current and future owners of the claimant's property and foliage owner's property, and such decisions must be disclosed by each owner to subsequent owners of the property.

7. Any decision of the Planning Commission made pursuant to MMC Section 17.45.060 takes effect ten (10) calendar days from the date of adoption of a resolution unless an appeal is filed. If appealed, the effective date is the date on which final action is taken by the city council.

8. The City shall not be liable for any damages, injuries, costs or expenses which are the result of a decision issued by a city employee or official or any agreements or determinations resulting from mediation, arbitration or litigation concerning view restoration claims or claimant's assertions pertaining to views granted or conferred herein. Nor shall the City have any liability because a particular neighborhood or overlay district is granted or denied an exemption pursuant to MMC Section 17.45.140.

9. Under no circumstances shall the City have any responsibility or liability to enforce or seek any legal redress, civil or criminal, for any decision that any other person or entity makes concerning a VPP.

10. Nothing in this Resolution shall be construed as preventing a claimant or foliage owner from bringing a civil action to enforce the terms of a VPP.

11. Failure to abide by the terms and conditions of this VPP shall constitute a violation punishable in accordance with MMC Section 1.16.010.

12. In addition to all penalties authorized by MMC Section 1.16.010 or any other provision of law, violations of this VPP are subject to the administrative penalty provisions of MMC Chapter 1.10. Each day that a violation continues shall constitute a separate offense.

13. To the extent any foliage is in violation of the terms of this VPP, it shall constitute a public nuisance.

SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of February 2026.

ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

REBECCA EVANS, Recording Secretary

LOCAL APPEAL - Pursuant to Malibu Municipal Code Section 17.45.060(E)(7) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days of the planning commission's adoption of its resolution regarding the view preservation permit and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, extension 246.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-08 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 2nd day of February 2026 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
REBECCA EVANS, Recording Secretary

City of Malibu

23825 Stuart Ranch Rd. Malibu, California 90265-4861
(310) 456-2489 FAX (310) 456-7650 www.malibucity.org

PLANNING DEPARTMENT
PRIMARY VIEW DETERMINATION

Primary View Determination: 7132 Dume Drive, Richard and Elizabeth Keller

On April 5, 2012, staff conducted a primary view determination at 7132 Dume Drive. Staff documented the primary view standing on an outdoor deck located approximately four feet in front of the family room, a location chosen by the property owner. The location is denoted by a red stair in the aerial below.



On April 5, 2012, the view from this location on the property is as follows, from north to south:

ATTACHMENT 2


04/05/2012


04/05/2012


04/05/2012


04/05/2012

Zoomed In Photographs:







ATTACHMENT 3
















SUNBELT RENTALS
S-65


TV
NO TIRAR


TV
NO TIRAR

[redacted]

July 2, 2024

Nancy Alder Esq.
Azipa Abedissian Esq.
[redacted]

Dear Nancy:

I hope this letter finds you well. I am writing you regarding the trees growing along the perimeter of your property at 29119 Cliffside Drive. These trees block our primary view of the Pacific Ocean and Point Dume, which is protected by our Primary View determination dated April 5, 2012, on file with the City of Malibu for 7132 Dume Drive.

Our arborist estimates these trees are 40' or more in height, well above the 6' guideline, and also present a significant fire and wind hazard.

Before writing this letter, I spoke to you on March 6, and it sounded like you were willing to work with me in good faith. However, subsequent texts and calls on March 11, 15, and 21st went without response.

We have subsequently emailed and I appreciate that you have other, more pressing priorities. However, now 4 months have passed with no progress.

You have said that the trees could not possibly have grown that much in 12 years, however the photo clearly shows it is the same tree (as evidenced by the unique tree on the left side). More importantly, whether they are the same trees or not is not relevant to our right to maintain our view. If there is a tree on your property blocking our documented view, you must lower it.

You also said you do not believe they are on your property. In response, I have sent detailed photographs depicting the trunks on your side of the fence. Your neighbor has also indicated their willingness to allow us to trim them if, perchance, the trees are on their property.

Your neighbors have been cooperative and helpful in lowering their trees to a mutually agreeable height which protects their privacy and opens up the view for us. I would like to work on a similar plan with you.

While the Primary View Determination directs that maintenance costs will be done at the foilage-owner's expense (yours), I have offered to trim *at my expense* because I would like to make this easy for you. However, this offer will expire on July 31, at which point you will bear the responsibility for compliance costs.

Please feel free to reach out to me by phone or email at your convenience for any clarifications, as well as advising me of your intentions in writing, return-receipt requested, no later than 60 days from the date you receive this letter. I truly hope we can work out mutually acceptable solution that preserves your privacy while opening up the views we are entitled to.

Sincerely,

Mark DiPaola
Managing Member of Napa Malibu LLC

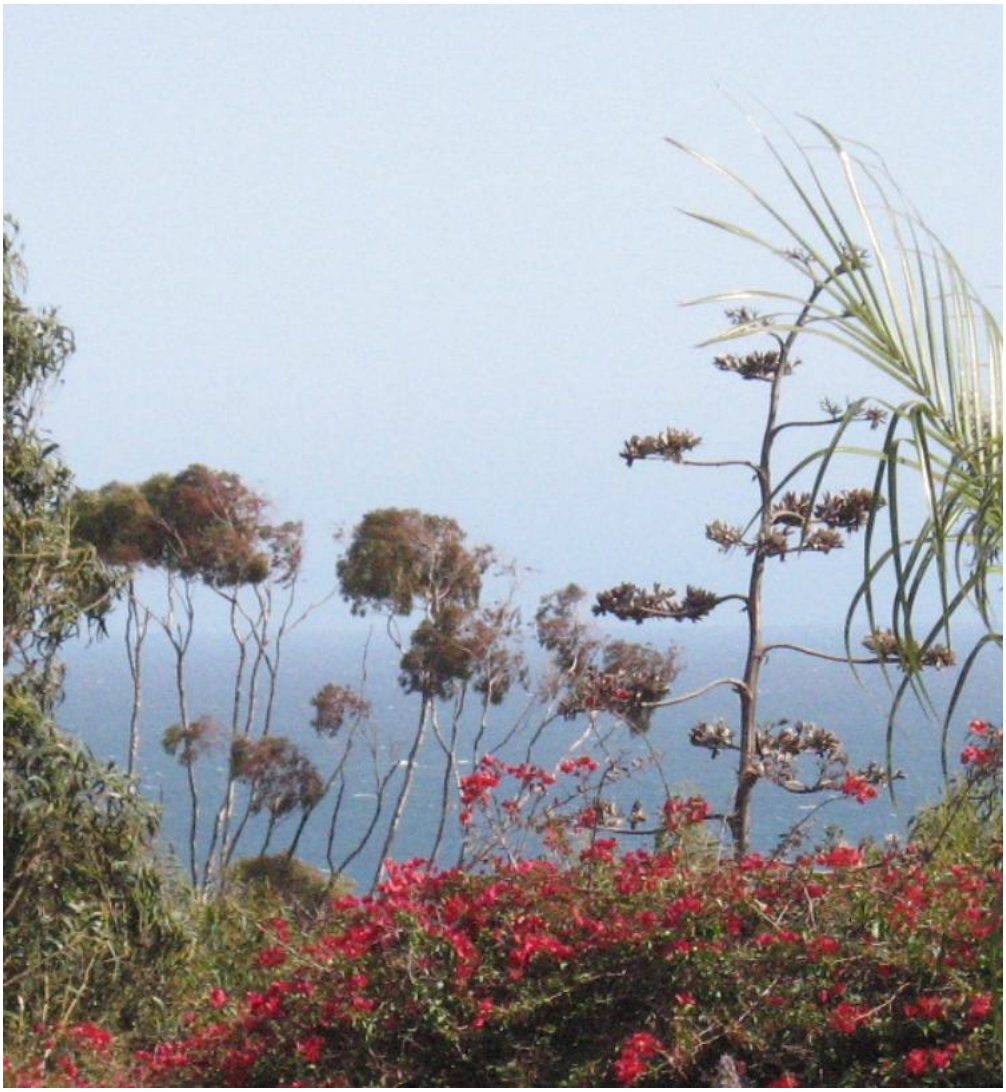


Photo of your trees on file with City of Malibu with our Primary View Determination, dated April 5, 2012



Photo of same view in April 2024

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Nancy Alder Esq.
Azipa Abedissian Esq
[redacted]

9590 9402 8703 3310 4793 48

2. Article Number *(Transfer from service label)*

9589 0710 5270 1819 6950 33

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [signature] ☑ Agent ☐ Addressee

B. Received by *(Printed Name)*: Erwin Cardona

C. Date of Delivery: 07-05-24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

9589 0710 5270 1819 6950 33

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Los Angeles, CA 90064

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Certified Mail Fee	$4.40
Extra Services & Fees *(check box, add fee as appropriate)*	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$1.63
Total Postage and Fees	$9.68

0211 07

POINT DUME STATION POST OFFICE USPS
Postmark Here
JUL - 2 2024
07/01/2024
MALIBU, CA 90265

Sent To: Nancy Alder Esq / Azipa Abedissian Esq
[redacted]

See Reverse for Instructions

28884 Cliffside Dr.
Malibu, CA 90265

September 6, 2024

Nancy Alder
Azipa Abedissian
[redacted]

Dear Nancy:

Over 60 days have elapsed since my July 2nd letter, and I have not received a letter in response as required by the View Preservation Process.

Given that we have been unable to work this out formally (via the previous letter) or informally (via discussions over email and text), the next step in the prescribed View Preservation Process is Mediation.

I would like to use the American Arbitration Association (AAA). With your agreement, I will open an Arbitration proceeding with them, and I suggest we split the costs evenly. Please confirm your agreement by writing me within 60 days of the date of this letter.

Sincerely,

Mark DiPaola
Managing Member of Napa Malibu LLC

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Extra Services & Fees *(check box, add fee as appropriate)*
- ☐ Return Receipt (hardcopy) $ _____
- ☐ Return Receipt (electronic) $ _____
- ☐ Certified Mail Restricted Delivery $ _____
- ☐ Adult Signature Required $ _____
- ☐ Adult Signature Restricted Delivery $ _____

Postage
$

Total Postage and Fees
$

Postmark Here

Sent To NANCY ALDER

[redacted]

7015 1660 0000 1735 3551

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for

Santa Monica Mailbox & Shipping
406 Broadway
Santa Monica, CA 90401
Tel: (310)395-5177

USPS First Class Mail 9.69
Track #: 70151660000017353551

SUBTOTAL 9.69
TAX 0.00
TOTAL 9.69
TEND ATM 9.69

Total shipments: 0
Customer: None selected

09/09/2024
11:33 AM

Host: 0 - Master Workstation

28884 Cliffside Dr.
Malibu, CA 90265

November 14, 2024

Nancy Alder
Azipa Abedissian
[redacted]

Dear Nancy:

Over 60 days have elapsed since my September 6 letter.

I received your letter dated October 25. In it, you state that that the "before" photo dated April 5, 2012 ("Exhibit A, pg 3 of 4") "[has] been grossly distorted." However, this photo is the photo the City took on 4/5/2012, appearing on page 4 of our granted Primary View Determination. Indeed, you included the very same photo that you dispute in the copy of the View Determination you attached as Exhibit D, pg 4 of 8.

I have merely cropped it to highlight the relevant area, with no change in zoom whatsoever. Further, as it is plainly evident from the unusual plant in the right foreground, the "before" and "after" photos are indeed the same angle and depict the same trees.

Your other points are simply not relevant to this issue. Our view of the water is protected by our View Determination, and the growth of your trees over the last ~12 years has obstructed that view.

To the extent it is helpful, I have never suggested that we trim your trees "down to a level equal to the height of [your] fence, which is 8 feet tall." Rather, I have repeatedly emphasized the importance of maintaining your privacy by keeping the trees around your roofline, and maintaining their natural beauty, as I did with your neighbors' trees. Now that

Fall's heavy winds have begun and we've already had our first fire nearby, I would hope you consider trimming these trees for your home's safety and your own benefit, not just ours.

Nonetheless, given that we have been unable to agree on Mediation, the next step in the prescribed View Preservation Process is Arbitration.

I would like to use the American Arbitration Association (AAA). With your agreement, I will open an Arbitration proceeding with them, and I suggest we split the costs evenly. Please confirm your agreement by writing me within 60 days of the date of this letter.

Sincerely,

Mark DiPaola
Managing Member of Napa Malibu LLC

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

[redacted]

9590 9402 8703 3310 4788 77

2. Article Number *(Transfer from service label)*

9589 0710 5270 1819 7002 18

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)* Irene O.

C. Date of Delivery 11/9/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ ...sured Mail
- ☐ ...sured Mail Restricted Delivery ...er $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1819 7002 18

[redacted]

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Extra Services & Fees *(check box, add fee as appropriate)*	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$0.00
Postage	$0.73
Total Postage and Fees	$9.83

Postmark Here
NOV 15 2024
POINT DUME STATION POST OFFICE USPS
MALIBU, CA 90265
11/15/24
0211

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

June 9, 2025

Nancy Alder Esq.
29119 Cliffside Drive
Malibu, CA 90265

Re: View Preservation Permit No. 25-001

To Nancy Alder Esq. (via standard mail and email):

On March 3, 2025, a View Preservation Permit application was submitted by Mark DiPaola of 7132 Dume Drive to the City of Malibu Planning Department for review.

A View Preservation Permit is considered by the Planning Commission after a claimant (the property owner mentioned above) goes through a 5-step process (attached) in which they attempt to work with the foliage owner (you and any other legal property owner of 29119 Cliffside Drive) in order to preserve their documented primary view corridor that is obstructed by foliage located within 1,000 feet of the point of the main viewing area. The attached Primary View Determination conducted in 2012 shows the extent of the view that is documented with the city.

The View Preservation Permit and conditions outlining the restorative actions proposed to preserve the primary view of the claimant will be discussed and possibly issued by the Planning Commission at a scheduled Planning Commission public hearing.

For more information on this type of permit please visit the City's website here: https://www.malibucity.org/775/View-Preservation-Permit-Planning-Commis and see Chapter 17.45 of the Malibu Municipal Code.

Please email me with any questions or concerns at cturner@malibucity.org . **If you are available for and amendable to a site visit, please let me know dates and times that work best for you.**

Best Regards,

Coli Turner
Coli Turner
Planning Technician

Attachments:
1. View Preservation Permit Process Flowchart
2. Primary View Determination No. 12-009

ATTACHMENT 5

View Preservation Process

Step 1 – Primary View Determination

- The view owner can request a Primary View Determination from the City, which documents the primary view corridor from one main residence or building, per the Ordinance.
- This documented view will be the basis for all future view preservation issues.

Step 2 – Informal Discussion

- The view owner sends a letter to the foliage owner, asking to meet and work to restore the view.
- The letter should include a copy of the Primary View Determination and what the view owner would like to be done.
- Letter should be sent by registered or certified mail, with a return receipt, to the address registered with the LA County Assessor's Office.
- If no response to the letter has been received within 60 days of mailing or informal discussion does not resolve the matter, go to Step 3.

Step 3 - Mediation

- The view owner sends a second letter to the foliage owner with an invitation to participate in mediation.
- Letter should be sent by registered or certified mail, with a return receipt.
- The parties must agree on which mediator to use, with the view owner paying for any associated costs, unless the parties agree otherwise.
- If there is no response within 60 days of mailing the letter, or mediation does not resolve the matter, go to Step 4.

Step 4 – Binding Arbitration

- The view owner sends a third letter to the foliage owner with a request to participate in binding arbitration.
- Letter should be sent by registered or certified mail, with a return receipt.
- The parties must agree on which arbitrator to use, with any associated costs paid by the view owner, unless the parties agree otherwise.
- If there is no response within 60 days of sending the letter, or the parties can't agree on an arbitrator, go to Step 5.

View Preservation Permit from the Planning Director

- If during this process the parties agree to a resolution, a View Preservation Permit can be obtained from the Planning Director.
- This permit will acknowledge and memorialize the private agreement between the parties.
- Approval of the permit by the Director will be based upon finding that the agreement is in compliance with the Ordinance.

Step 5 - View Preservation Permit from the Planning Commission

- A view owner can submit an application for a View Preservation Permit (for preservation of a primary view corridor) to the Planning Commission.
- At a public hearing, the request for preservation of the documented view will be presented to the Planning Commission, who will issue a decision on the matter. A view preservation permit issued by the Planning Commission may include restrictions or conditions and require restorative action by the foliage owner.

For more information on any of the steps above, visit www.malibucity.org/view.

City of Malibu

23825 Stuart Ranch Rd. Malibu, California 90265-4861
(310) 456-2489 FAX (310) 456-7650 www.malibucity.org

PLANNING DEPARTMENT
PRIMARY VIEW DETERMINATION

Primary View Determination: 7132 Dume Drive, Richard and Elizabeth Keller

On April 5, 2012, staff conducted a primary view determination at 7132 Dume Drive. Staff documented the primary view standing on an outdoor deck located approximately four feet in front of the family room, a location chosen by the property owner. The location is denoted by a red stair in the aerial below.



On April 5, 2012, the view from this location on the property is as follows, from north to south:


04/05/2012


04/05/2012


04/05/2012


04/05/2012

Zoomed In Photographs:





View Restoration Process

Step 1 – Informal Discussion

- The view owner sends a letter to the foliage owner, asking to meet and work to restore the view.
- The letter should include pictures of the view and what the view owner would like to be done.
- Letter should be sent by registered or certified mail, with a return receipt, to the address registered with the LA County Assessor's Office.
- If no response to the letter has been received within 60 days of mailing or informal discussion does not resolve the matter, go to step 2.

Step 2 - Mediation

- The view owner sends a second letter to the foliage owner with an invitation to participate in mediation.
- Letter should be sent by registered or certified mail, with a return receipt.
- The parties must agree on which mediator to use, with the view owner paying for any associated costs, unless the parties agree otherwise.
- If there is no response within 60 days of mailing the letter or mediation does not resolve the matter, go to step 3.

Step 3 – Binding Arbitration

- The view owner sends a third letter to the foliage owner with a request to participate in binding arbitration.
- Letter should be sent by registered or certified mail, with a return receipt.
- The parties must agree on which arbitrator to use, with any associated costs paid by the view owner, unless the parties agree otherwise.
- If there is no response within 60 days of sending the letter, or the parties can't agree on an arbitrator, go to either step 4 or 5.

View Preservation Permit from the Planning Director

- If during this process the parties agree to a resolution, a View Preservation Permit can be obtained from the Planning Director.
- This permit will acknowledge and memorialize the private agreement between the parties.
- Approval of the permit by the Director will be based upon finding that the agreement is in compliance with the Ordinance.

Step 4 – Written Advisory Opinion

- A view owner can request that the Planning Director assess the situation and issue an advisory opinion on the view dispute.
- The Planning Director can decline this request. The view owner will be notified within 7 days if the request has been accepted or declined.

Step 5 – Court Action

After steps 1 through 4 have been exhausted, with documentation of all efforts, the view owner may initiate a civil action in a court of competent jurisdiction.

For more information on any of the steps above, visit www.malibucity.org/view.

ATTACHMENT 6

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Tuesday, December 16, 2025, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

VIEW PRESERVATION PERMIT NO. 25-001 - An application requesting corrective action to restore the views recorded at 7132 Dume Drive under Primary View Determination No. 12-009 with regard to foliage located at 29119 Cliffside Drive.

CLAIMENT LOCATION:	7132 Dume Drive
CLAIMENT APN:	4466-014-014
CLAIMENT NAME:	Napa Malibu LLC
FOLIAGE LOCATION:	29119 Cliffside Drive
FOLIAGE APN:	4466-014-008
FOLIAGE OWNER:	Nancy F. Alder
ZONING:	Rural Residential-One Acre (RR-1)
APPEALABLE TO:	City Council
ENVIRONMENTAL REVIEW:	Categorical Exemption CEQA Guidelines Section 15301(h)
APPLICATION FILED:	March 3, 2025
CASE PLANNER:	Coli Turner, Planning Technician, cturner@malibucity.org (310) 456-2489, ext. 295

A written staff report will be available at or before the hearing for the projects. All persons wishing to address the Commission regarding these matters will be afforded an opportunity in accordance with the Commission's procedures. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within ten days following the date of action which the appeal is made and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org/planningforms or in person at City Hall, or by calling (310) 456-2489, extension 246.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

YOLANDA BUNDY, Community Development Director — Date: December 4, 2025

ATTACHMENT 7

Commission Agenda Report

Planning Commission Meeting
02-02-26
Item 4.C.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Allison Cook, AICP, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: January 22, 2026 Meeting date: February 2, 2026

Subject: Local Coastal Program Amendment No. 23-003, Zoning Map Amendment No. 18-001, Coastal Development Permit No. 18-038, Variance Nos. 21-001, 21-002, and 21-003, Site Plan Review No. 18-044 and Conditional Use Permit No. 19-002 – An application to change the land use designation and rezone the property from Commercial Neighborhood to Community Commercial and construct a two-story 1,792 square foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, onsite wastewater treatment system, retaining walls, landscaping, and associated development; including variances for retaining wall not to exceed 24 feet in height and impact wall not to exceed 11 feet in height, construction on slopes over 2.5:1, and development and fuel modification into ESHA and ESHA buffer, a site plan review for structure height above 18 feet not to exceed 24 feet, and a conditional use permit to allow a residential care facility for the elderly in the Community Commercial zone (Continued from December 16, 2025)

Location: 22549 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-023-003
Owner: Anita Kundi

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 26-07 (Attachment A) recommending the City Council determine that the project is exempt from the California Environmental Quality Act (CEQA), adopt Local Coastal Program Amendment (LCPA) No. 23-003 to change the land use designation and zoning

designation from Commercial Neighborhood (CN) to Community Commercial (CC) in the Local Coastal Program (LCP) Land Use Plan (LUP) and Local Implementation Plan (LIP), adopt Zoning Map Amendment (ZMA) No. 18-001 to change the zoning of the property in Title 17 (Zoning) of the Malibu Municipal Code (MMC) from CN to CC, approval of Coastal Development Permit (CDP) No. 18-038 to construct a new two-story 1,792 square-foot (sf) residential care facility for assisted senior living with an additional 1,194 sf basement and 805 sf attached four-car garage, driveway, fire truck turnaround area, landscape, hardscape, terrace decks, grading, retaining walls, site walls, and an onsite wastewater treatment system (OWTS); including Variance (VAR) No. 21-001 for retaining wall and impact wall heights above six feet for a single wall, VAR No. 21-002 for construction on slopes steeper than 2.5 to 1, VAR No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) buffer and fuel modification in ESHA and ESHA buffer, Site Plan Review (SPR) No. 18-044 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, and approval of Conditional Use Permit (CUP) No. 19-002 to allow a residential care facility for the elderly use in the CC zone for a property located at 22549 Pacific Coast Highway (Anita Kundi); or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: On December 16, 2025, the Planning Commission continued the subject item to the February 2, 2026 Planning Commission meeting. This agenda report provides an addendum to the December 16, 2025 Planning Commission agenda report. The resolution number, recitals, and date of the Planning Commission's decision have been updated to reflect the continuance (Attachment A). The December 16, 2025 agenda report is provided as Attachment B. No substantive changes have been made to the previously published report (Attachment B).

This report is a "no recommendation" report and provides a project overview, a summary of surrounding land uses, a description of the project scope, an analysis of the project's consistency with applicable provisions of the LCP, MMC, and General Plan, and environmental review pursuant to CEQA. Although the Planning Division does not have a recommendation on the proposed project, all alternatives have been explored and are examined within this report. The project before the Planning Commission is the applicant's proposal after working through the relevant code requirements with the Planning Division. If the project is to be constructed as proposed, the requested variances are necessary. The Planning Commission can determine if the analysis contained herein demonstrates that the project is consistent with the LCP, MMC, and General Plan, inclusive of the discretionary requests.

ATTACHMENTS:

A. Planning Commission Resolution No. 26-07
B. December 16, 2025 Planning Commission Agenda Report

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 26-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU RECOMMENDING THE CITY COUNCIL DETERMINE THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT LOCAL COASTAL PROGRAM AMENDMENT NO. 23-003 TO CHANGE THE LAND USE DESIGNATION AND ZONING DESIGNATION FROM COMMERCIAL NEIGHBORHOOD TO COMMUNITY COMMERCIAL IN THE LOCAL COASTAL PROGRAM LAND USE PLAN AND LOCAL IMPLEMENTATION PLAN, ADOPT ZONING MAP AMENDMENT NO. 18-001 TO CHANGE THE ZONING OF THE PROPERTY IN TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE FROM COMMERCIAL NEIGHBORHOOD TO COMMUNITY COMMERCIAL, APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 18-038 TO CONSTRUCT A NEW TWO-STORY 1,792 SQUARE FOOT RESIDENTIAL CARE FACILITY FOR ASSISTED SENIOR LIVING WITH AN ADDITIONAL 1,194 SQUARE FOOT BASEMENT AND 805 SQUARE FOOT ATTACHED FOUR-CAR GARAGE, DRIVEWAY, FIRE TRUCK TURNAROUND AREA, LANDSCAPE, HARDSCAPE, TERRACE DECKS, GRADING, RETAINING WALLS, SITE WALLS, AND AN ONSITE WASTEWATER TREATMENT SYSTEM; INCLUDING VARIANCE NO. 21-001 FOR RETAINING WALL AND IMPACT WALL HEIGHTS ABOVE SIX FEET FOR A SINGLE WALL, VARIANCE NO. 21-002 FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, VARIANCE NO. 21-003 FOR DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE HABITAT AREA BUFFER AND FUEL MODIFICATION IN ENVIRONMENTALLY SENSITIVE HABITAT AREA AND ENVIRONMENTALLY SENSITIVE HABITAT AREA BUFFER, SITE PLAN REVIEW NO. 18-044 FOR CONSTRUCTION OVER 18 FEET UP TO A MAXIMUM HEIGHT OF 24 FEET FOR A FLAT ROOF, AND CONDITIONAL USE PERMIT NO. 19-002 TO ALLOW A RESIDENTIAL CARE FACILITY FOR THE ELDERLY USE IN THE COMMUNITY COMMERCIAL ZONE FOR A PROPERTY LOCATED AT 22549 PACIFIC COAST HIGHWAY (ANITA KUNDI)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On September 5, 2018, an application for a Coastal Development Permit (CDP) No. 18-038 to allow for a new residential care facility for the elderly and associated development was submitted to the Planning Division by owner Anita Kundi. On October 9, 2018, an application for Site Plan Review (SPR) No. 18-044 for building height and Zoning Map Amendment (ZMA) No. 18-001 to change the zone on the property from Commercial Neighborhood (CN) to Community Commercial (CC) was submitted to the Planning Department by the owner. On February 26, 2019, an application for a Conditional Use Permit (CUP) No. 19-002 to allow for a

residential care facility for the elderly was submitted to the Planning Department by the owner. On January 6, 2021, applications for Variances (VAR) No. 21-001 for wall heights, No. 21-002 for construction of structures in steep slopes, and No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) and ESHA buffer were submitted to the Planning Division by the owner. On December 4, 2023, an application for a Local Coastal Program Amendment (LCPA) No. 23-003 to change the land use designation and zoning on the site from CN to CC was submitted to the Planning Division by the owner. The applications were routed to the City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District 29 (WD29), and the Los Angeles County Fire Department (LACFD) for review.

B. On February 1, 2024, the application was deemed complete.

C. On March 19, 2024, a Notice of Coastal Development Permit application was posted on the subject property.

D. On November 8, 2025, a site visit was conducted by Planning Division staff to evaluate the site conditions and story pole installation.

E. On November 20, 2025, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

F. On December 16, 2025, the Planning Commission continued the item to the February 2, 2026 Regular Planning Commission meeting.

G. On February 2, 2026, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission hereby recommends the City Council find that the proposed LCPA is Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code (PRC). The certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the PRC. The proposed ZMA is corollary to the LCPA and will not become effective unless and until the LCPA is certified.

The Planning Commission hereby recommends the City Council find that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA

pursuant to Section 15303(a) – New Construction or Conversion of Small Structures. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

SECTION 3. Local Coastal Program Amendment Findings.

The project includes a request to amend the LCP's land use designation and zoning designation for the parcel from CN to CC. The changes are requested for the proposed use of a "residential care facility for the elderly," which is a conditionally allowed use in the CC zone but prohibited in the CN zone. The purpose of the facility is to provide assisted senior living services for up to four guests. When the LCP was initially certified in 2002, the subject property was designated as CC in the LCP Land Use Map and Zoning Map but was inadvertently changed to CN on February 23, 2007, as part of a subsequent certified LCPA (LCPA No. 05-001, Ordinance No. 303). The City's General Plan continues to designate the subject property as CC. Changing the subject property back to CC would re-apply the land use designation and zoning in the originally certified LCP and ensure consistency with the City's General Plan designation for the property.

Based on evidence contained within the record, including the agenda report for the project dated December 16, 2025 and the hearing on February 2, 2026, and pursuant to LCP Local Implementation Plan (LIP) Section 19.6, the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of Local Coastal Program Amendment (LCPA) No. 23-003 for a map amendment to LCP Appendix 2 Maps to change the existing and use designation and zoning of the subject property from CN to CC for the site at 22549 Pacific Coast Highway (APN 4452-023-003) as shown in Exhibits A and B, respectively, attached hereto.

A. The project is consistent with Public Resources Code, Division 20 (California Coastal Act), Chapter 3 and related LCP Land Use Plan (LUP) policies as follows.

1. The allowed uses are similar between the CN and CC zoning and land use designations, with the purpose of the CN to provide for low intensity commercial activity emphasizing service to the residents in the surrounding neighborhood, and the purpose of the CC to provide for the resident serving needs of the community similar to the CN but on parcels of land more suitable for concentrated commercial activity. The subject property is intended to be used as a residential care facility for assisted senior living. The proposed commercial use of a, "residential care facility for the elderly" is conditionally allowed in the CC zone subject to a CUP. It is also consistent with the surrounding commercial land uses and zoning, and commercial and residential development and use of the area due to its relatively small development (square footage and land area) and its use as a commercial residence for assisted senior living.

2. A residential care facility project is being processed simultaneously with the LCPA as CDP No. 18-038. The proposed project is in an area with a mix of other single and multi-story commercial uses (including a three-story motel and two-story retail shopping center), and one-story single-family and two-story multi-family residences further to the west on commercially zoned land. The proposed project consists of a 1,792 square-foot building with a 1,194 square-foot basement and an attached 805 square-foot four-car garage on a 0.27-acre parcel, which is smaller

than the nearby commercial uses, but larger than the residential uses on commercially zoned land. The proposed project is similar in height and number of stories to the adjacent retail commercial center to the south on Pacific Coast Highway (PCH). The type of use, building profile, and the amount of development is compatible with the neighborhood character. The project is consistent with Coastal Act Section 30250 by being contiguous with, and in close proximity to, existing developed areas.

3. The LCPA is consistent with LUP Chapter 5 – New Development, Land Use Plan Policies, General Policies 5.3, 5.4, 5.5, 5.6, and 5.7, listed below, as conditioned. Upon implementation of a condition of approval (Condition No. 18) that the applicant submit a certificate of compliance application and obtain approval of the certificate of compliance by the City Public Works Department to confirm that the property is a legal lot prior to the City Council consideration of the LCPA, ZMA, and other project entitlements, the lot will be considered a legal lot. The subject property can accommodate adequate off-street parking for a residential care use as required in the LIP, the City Environmental Review Board (ERB) has reviewed and made recommendations on the proposed use and development potential, any impacts to ESHA will be mitigated, and measures to minimize scenic and visual resource impacts and minimize hazard risks have been incorporated into proposed development on the property.

> General Policy 5.3: A coastal development permit may only be approved for new development on legally created lots. All applications for new development on a vacant parcel shall include evidence of the date and method by which the subject parcel was created.
>
> General Policy 5.4: Off-street parking shall be provided for all new development in accordance with the ordinances contained in the LCP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings that the provision of fewer parking spaces will not result in adverse impacts to public access.
>
> General Policy 5.5: The Environmental Review Board shall review and make written recommendations on development proposals within or adjacent to ESHA or other areas containing ESHA as identified through a biological study. The decision-making body (Planning Manager, Planning Commission, or City Council) shall make written findings relative to the project's conformance with the recommendations of the Environmental Review Board.
>
> General Policy 5.6: Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.
>
> General Policy 5.7: New development shall conform to the hillside management provisions of the LIP, including measures to minimize impacts to scenic and visual resources and to minimize the risk from hazards. The measures include but are not limited to limiting

grading and retaining walls, restricting development on steep slopes, protecting ridgelines, and applying siting and design restrictions (scenic and visual policies). The slope density criteria of the subdivision ordinance shall apply to sloping terrain and be applied in combination with the base land use designation in order to determine the maximum allowable density.

B. The project is consistent with Coastal Act Section 30251 as follows:

1. The LCPA is consistent with Coastal Act Section 30251 as the subject property can accommodate development sited and designed to protect views to and along the ocean and other scenic coastal areas, and LUP Chapter 5 – New Development, C. Land Use Policies 6.5 to 6.14, listed below, to protect scenic resources., as conditioned. The development area on the property is at the base of a hillside on the flatter portion of the property and behind existing commercial development. As a result, public views of the development area from designated scenic roads (Pacific Coast Highway) and any other public viewing areas are not anticipated to be adversely impacted by development authorized in the CC zone. Should a structure be constructed in the development area, limited portions of it would be visible from PCH east and west of the site; however, most of the structure would be blocked by existing commercial development between PCH and the subject property. A clearer view of the development north from PCH would be visible from the driveway to the retail shopping center that is located just south of the site and fronting PCH, as there is no building to block the view. Due to the location of the subject property, development of the site would not block views to the ocean or other scenic resources as none currently exist since there are no public viewing areas behind or adjacent to the property.

Land Use Policy 6.5: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

Land Use Policy 6.6: Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including resiting or reducing the height or bulk of structures.

Land Use Policy 6.7: The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure.

Land Use Policy 6.8: Prominent ridgelines and other intervening ridgelines that are visible from a public road, a beach, public viewing areas, or public hiking trails, shall be protected by setting structures below the ridgeline to avoid intrusions into the skyline where feasible. Where there are no feasible alternative building sites below the ridgeline or where the only alternative building site would result in unavoidable adverse impacts to ESHA, structures shall be limited to one-story (18 feet maximum from existing or finished grade, whichever is lower) in height to minimize visual impacts.

Land Use Policy 6.9: All new development shall be sited and designed to minimize alteration of natural landforms by:
a. Conforming to the natural topography.
b. Preventing substantial grading or reconfiguration of the project site.
c. Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level
or stepped-pad designs.
d. Requiring that man-made contours mimic the natural contours.
e. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
f. Minimizing grading permitted outside of the building footprint.
g. Clustering structures to minimize site disturbance and to minimize development area.
h. Minimizing height and length of cut and fill slopes.
i. Minimizing the height and length of retaining walls.
j. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.

Land Use Policy 6.10: New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

Land Use Policy 6.11: The length of on-site roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of visual resources or ESHA. Driveway slopes shall be designed to follow the natural topography. Driveways that are visible from a scenic road, a beach, a public viewing area, or public hiking trail shall be a neutral color that blends with the surrounding landforms and vegetation.

Land Use Policy 6.12: All new structures shall be sited and designed to minimize impacts to visual resources by:
a. Ensuring visual compatibility with the character of surrounding areas.
b. Avoiding large cantilevers or understories.
c. Setting back higher elements of the structure toward the center or uphill portion of the building.

Land Use Policy 6.13: New development in areas visible from scenic roads or public viewing areas, shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited.

Land Use Policy 6.14: The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Where feasible, long continuous walls shall be broken into sections or shall include undulations to provide visual relief. Where feasible, retaining walls supporting a structure should be incorporated into the foundation system in a stepped or split level design. Retaining walls visible from scenic highways, trails, parks, and beaches should incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.

C. The project is consistent with Coastal Act Section 30253 as follows:

1. Coastal Act Section 30253 requires the minimization of adverse impacts. Any future development authorized in the CC zone would be subject to the hazard policies of the LUP and would be considered to have been designed, and incorporated measures, to minimize hazards, particularly those related to fire and geology, and ensure site stability and structural integrity. Therefore, the project is consistent with LUP Chapter 5 0 New Development, C. Land Use Plan Policies, General Development Policies 4.2, 4.4, 4.5, 4.7, 4.8, and 4.10, listed below, regarding hazards.

General Development Policy 4.2: All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.

General Development Policy 4.5: Applications for new development, where applicable, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.

General Development Policy 4.8: Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.

General Development Policy 4.10: New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.

SECTION 4. Zoning Map Amendment Findings.

Based on evidence contained within the record, including the agenda report for the project dated December 16, 2025 and the hearing on February 2, 2026, and pursuant to the Malibu Municipal Code (MMC) Section 17.74.050, the Planning Commission hereby recommends the City Council approve ZMA No. 18-001 to change the zoning on the property from CN to CC as shown in Exhibit C attached hereto. The ZMA approval shall only take effect if the LCPA is certified.

The ZMA is consistent with the objectives, policies and general land uses in the General Plan as the property currently has a CC land use designation in the General Plan. The ZMA will allow the MMC to be amended and be consistent with the current General Plan and the amended LCP land use designation and zoning maps (LCPA No. 23-003) and is only corollary of that action. The amendment is consistent with General Plan Land Use Element Policies LU 2.1.3, 4.4.1, 6.1.1, and 6.1.2, listed below, because it allows for commercially zoned properties based on community need; establishment of small neighborhood and community serving businesses; development standards and procedures that protect the property owner's reasonable use of land consistent with the goals and policies of the General Plan; and a legal parcel to be used for a permitted or conditionally permit use that is compliant with the zoning ordinance requirements, inclusive of Condition No. 18 to verify the lot is a legal lot. .

> LU Policy 2.1.3: The City shall proportion commercially zoned properties based on community need.
>
> LU Policy 4.4.1: The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.
>
> LU Policy 6.1.1: The City shall use development standards and procedures that protect the property owners' reasonable use of their land consistent with the goals and policies of this General Plan.
>
> LU Policy 6.1.2: The City shall allow a parcel legally created and existing as of March 26, 1993, regardless of size, to be used for any purpose permitted by right or, if permits obtained, any conditionally permitted use, in the zone district in which the parcel is situated, provided that such use or any new construction complies with the requirements of the zoning ordinance.

SECTION 5. Coastal Development Permit Findings.

Based on evidence contained within the record, including the agenda report for the project dated December 16, 2025 and the hearing on February 2, 2026, and pursuant to the LIP, including Sections 13.7(B) and 13.9, and the Malibu Municipal Code (MMC), the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of CDP No. 18-038 for construction of a 1,792 square-foot senior residential care facility, 805 square-foot garage, 1,194 square-foot basement, a driveway, terrace decks, landscape, hardscape, grading,

retaining walls, an impact wall for geotechnical purposes, and an onsite wastewater treatment system located in the CC zone at 22549 Pacific Coast Highway.

With approval of the proposed ZMA Case No. 18-001 and LCPA Case No. 23-003, the project, as conditioned, is consistent with the LCP's zoning and land use designation, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed VAR Nos. 21-001, 21-002, and 21-003, SPR No. 18-044, and CUP No. 18-038, the project is consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. Inclusive of the requested ZMA and LCPA, the project is in the CC zoning district, an area designated for resident serving commercial needs of the community similar to, but more concentrated than, that of the CN zoning district. A residential care facility for the elderly is allowed in this zone subject to a CUP. The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD. Based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable commercial development standards, inclusive of the requested LCPA, ZMA, VARs, and SPR.

2. The project is not located between the first public road and the ocean. The project site is north of the Pacific Coast Highway (PCH). In addition, the subject property does not contain and is not adjacent to any trails as depicted on the LCP Park Lands Map.

3. The following alternatives to the project were considered to determine the least environmentally damaging feasible alternative:

Due to the site characteristics and proposed type of use, there are no feasible project alternatives that are more environmentally preferable than the proposed project. To create a project that does not require the construction of a retaining wall, building portion or related improvements in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the ESHA buffer and fuel modification in the ESHA and ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. Due to fuel modification encroachment into ESHA and ESHA buffer, regardless of where a building pad were located on the property, any development would already be constrained by the ESHA development standards in LIP Section 4.7.1 requiring a project's allowable development area to be limited to 25 percent of the total lot size. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a three-story building taller than 24 feet, inconsistent with the LIP and MMC, and which would be more visible from PCH. Moreover, it is anticipated that a smaller project footprint would nominally change the project's potential for environmental impacts, since a relatively flat area for the

driveway and fire truck turnaround of the same sizes as currently proposed would still be necessary and would require variances to be located on the subject property.

The ESHA buffer covers about 60 percent (about 7,300 square feet) of the parcel, leaving little room outside of the buffer for the development area (about 4,700 square feet). The southern area of the parcel also contains slopes that require retaining walls, although not to the height of the northernmost retaining wall. Therefore, shifting the development southerly to avoid the ESHA buffer would render the project infeasible. Shifting the building further south, so that less of the development is in the ESHA buffer, would conflict with an existing easement to the State of California for right of ingress and control of storm water in the southeast corner of the parcel. This shift would require additional retaining walls in the southern portion of the property, would likely encroach in the minimum required front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate the required onsite driveway and fire truck turnaround which would need to be placed at the rear of the building. Therefore, shifting the building southerly would still result in development in the ESHA buffer and would not be an environmentally preferable option.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the property in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot feasibly be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would need to be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

The proposed development will not result in adverse scenic or visual resource impacts given the location of the building and walls onsite and the location of the proposed development site within the hillside area backdrop, will not result in adverse biological impacts with implementation of mitigation measures to compensate for the loss of habitat, and is the least environmentally damaging feasible alternative. Conditions of approval would further ensure no adverse scenic or visual resource impacts by requiring the project color and materials to blend in with the natural hillside.

4. Approximately 60 percent of the subject property area is within the designated ESHA buffer as shown on the LCP ESHA and Marine Resources Map and as delineated in the biological assessment of the project site prepared by Forde Biological Consultants (October 2018). The proposed building, paved areas, walls, landscaped areas, and grading would be located within the ESHA buffer. The project also has the potential to impact special status biological resources through fuel modification Zones B and C encroachment into the ESHA offsite to the north and the ESHA buffer on either side of the property. On February 9, 2022, the City Biologist determined that review by the Environmental Review Board (ERB) was required for the project. The ERB reviewed the project on June 7, 2023.

The ERB requested that the project include native vegetation in the landscape plan. The ERB asked about the feasibility of incorporating a bioswale feature upslope behind the retaining wall on the north side of the parcel, however installation of a bioswale could adversely affect the integrity of the wall. The ERB inquired about whether an "H over 2" slope setback distance is required for the ascending slope on the property's northern portion, however the requirement does not apply in this design, and the City's geotechnical consultant reviewers and Public Works Department staff have accepted the project as currently proposed. The Building Safety Division's structural engineer consultant has accepted the retaining wall design on a conceptual basis. The ERB asked if the potential for offsite fuel modification by owners of neighboring properties was considered when staff determined the requirements for habitat impact mitigation; staff confirmed that these potential impacts were assessed in determining the appropriate mitigation. While the subject property owner has no legal authority to conduct fuel modification on other properties, owners of the adjacent properties may conduct vegetation thinning and/or removal common to fuel modification due to the proposed development. Therefore, the proposed project has the potential to result in such vegetation modification offsite. The ERB asked that the project lighting be night-sky compliant. The project does not include any exterior lighting. However, conditions of approval require compliance with the City Dark Sky Ordinance so that any exterior lighting determined necessary, such as to comply with the building code, will be designed in compliance. The ERB asked about storm water Best Management Practices (BMPs) and Americans with Disabilities Act (ADA) accessibility to parking areas and the nearest road right-of-way. The selection and approval of BMPs and compliance with ADA requirements will be addressed in the project's Building and Safety plan check stage. Other ERB comments involved clarification on project conditions, including storm water drainage and measuring building height, and were not requests of the project.

B. Variance Findings for Wall Heights (LIP Sections 3.5.3(A)(3) and (4))

1. There are special circumstances or exceptional characteristics applicable to the subject property, including size and topography, that warrant granting of the variance. The project parcel is small (0.27 acre, or 12,066 square feet), especially for a commercial use consistent with the allowed uses in the current and proposed zoning districts. Immediately adjacent parcels are 1.43 acres to the east and 1.86 acres to the south and west (this parcel borders the property on both the south and west) and zoned for commercial use, while the parcel to the north is 34.85 acres and zoned for residential use. Commercial parcels in the general vicinity range mostly range from 0.57 to 1.86 acres, with one parcel 0.11 acre. For the most part, the development areas of nearby parcels do not have as steep slopes as the subject property. More than one-half of the property consists of 3 to 1 or flatter slopes (an area of 6,345 square feet) and is generally located in the center of the property in the area of proposed development, while slopes steeper than 3 to 1 comprise 5,738 square feet. The center of the project site where there is a remnant building pad is relatively flat, but insufficient in size to accommodate the proposed use. The northern and southern portions of the property have steep topography (2.5 to 1 to over 1 to 1 slopes). To create a sufficient building pad, the project includes cutting into a portion of the slope on the north, necessitating a retaining wall of 24 feet, tall enough to contain the hillside. Shifting the building further south would conflict with an existing easement to the State of California for right of ingress and control of storm water

in the southeast corner of the property. This shift would require additional retaining walls due to slopes in the southern parcel area, would likely encroach in the front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate relocation of the and fire truck turnaround and required driveway access to the rear of the building.

The proposed impact wall of 11 feet high is required for safety purposes, to prevent a mud slide from the hillside area to the west of the proposed development site in the event of slope failure. The height of the impact wall is dictated by geotechnical engineering standards. The impact wall location, height, and design have been accepted by the City geotechnical consultant reviewers.

2. The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has conceptually approved the 24-foot-tall retaining wall design. Development would occur on the flatter portions of the property, to the extent feasible, to minimize grading. Given the limited parcel size, however, the scope includes cutting into a portion of the northern slope and construction of the 24-foot-high retaining wall. The retaining wall is proposed to safely and effectively hold back adjacent grades to create the development pad for the proposed use. As noted in Finding B.1 above, the 11-foot-high impact wall on the western side of the parcel has been designed for safety and has been accepted by the City geotechnical consultant reviewers on a preliminary basis. Both the retaining wall and impact wall will be designed to face the interior of the site, so are not expected to be visible from off-site vantage points. Therefore, granting of the proposed variance is not detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located. The walls are to protect the subject site from slope hazards and will be required to be constructed to all applicable building safety and engineering standards and codes.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed residential care facility for the elderly is consistent with the uses permitted in the applicable zoning designation of CC with a CUP. The project site is small and limited in land area for development. Surrounding properties are developed with commercial uses, and do not have hillside topography as steep as that of the subject parcel. Additionally, the existing parking lot behind the retail center located immediately south of the project site is constructed with two stacked retaining walls, the tallest being 12-feet-high, exceeding the maximum allowed six feet high. The additional height of the project walls will enable the development of the proposed commercial use and its safe operation. Development of the proposed use on the site would be infeasible without the granting of the variance. Therefore, granting the proposed variance does not constitute a special privilege to the property owner.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as Variances to retaining wall heights may be granted pursuant to LIP Sections 3.5.3(A)(4) and (5) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA request. All departmental reviewers have

determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance will enable development of the proposed use, which is an allowed use on the site with a CUP.

5. The requested VAR for wall heights does not specifically pertain to environmentally sensitive habitat or its buffer. However, approximately 60 percent of the project site, including the development of the building, paved areas, walls and landscaped planters, is in the ESHA buffer, and the requested VAR would pertain to walls proposed in the ESHA buffer. As described above for Finding A.1., there are no other feasible alternatives for siting the walls or reducing the wall heights and locating the development elsewhere on the site considering the small parcel size with steep slopes. Given the location of the site in the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 sf, pursuant to LIP Section 4.7.1. The proposed 3,016 sf development area for the project complies with the maximum allowed.

6. The proposed variance would enable the development of a residential care facility for assisted senior living with steep slopes on and adjacent to the site and will not authorize an unpermitted use or activity subject to inclusion of the LCPA and ZMA. The variance is requested to accommodate retaining and impact retaining walls necessary to construct a use that is conditionally permitted in the CC zone subject to a CUP. Retaining and other walls are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

7. The subject parcel is physically suitable for the proposed variance since the additional wall heights can be accommodated on the proposed development site. There are no alternate feasible building locations on the proposed development site that will eliminate the need for the retaining and impact wall heights to exceed the maximums allowed. Constructing a series of stacked retaining walls instead of the proposed single walls higher than the maximum allowed with the intent of reducing the wall heights would necessitate additional land on a site that is already constrained in size and constricted by steep slope areas, likely rendering the project infeasible. Additional area needed for the stacked walls may result in more development area, which would exceed the maximum allowed for a site in the ESHA buffer (3,020.25 sf per LIP Section 4.7.1). Using stacked walls would also require more grading of slopes than is currently proposed and the tallest stacked wall would need to be the same height as the proposed single retaining wall.

The City Biologist, City geotechnical review consultants, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has conceptually approved the 24-foot-tall retaining wall design. Therefore, the proposed project with the additional wall heights, along with the requested other VARs, SPR, CUP, LCPA and ZMA granted, could be found to comply with all applicable requirements of state and local law.

C. Variance Findings for Development within the ESHA and Buffer (LIP Section 4.6.4(A))

1. There are special circumstances or exceptional characteristics applicable to the subject property, such size and steep slopes (as described in Finding B.1.), and the location of ESHA buffer on most of the site, that warrant granting of a variance. The center of the project site where there is a remnant building pad is relatively flat, but insufficient in size to accommodate the proposed use. The ESHA buffer covers approximately 60 percent of the parcel from the site's center to its north, including the existing building pad. The southern portion of the site outside of the ESHA buffer is about 4,700 square feet. Restricting the proposed development to this area would result in an infeasible project due to constraints in land area. The proposed development area is 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), and the driveway and fire truck turnaround area (including OWTS) is 2,954 square feet. The required fire truck turnaround area and driveway access to it alone is 2,100 square feet. In addition, at least 40 percent of the site must be landscaped area. Therefore, the development could not feasibility be accommodated in the estimated 4,700 square feet area outside of the ESHA buffer.

2. The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has accepted the design of the 24-foot-high wall on a conceptual basis.

As proposed by the City Biologist, a condition of approval states the applicant would be required to compensate for off-site habitat impacts to ESHA resulting from potential vegetation modifying activities that may be conducted by neighboring property owners for fire-defensible space through any of the following: a detailed restoration plan, a habitat conservation plan, or evidence of payment of in-lieu fees to the Santa Monica Mountains Conservancy. The precise mitigation would be determined by the City prior to the project's final Building and Safety plan check approval.

Development in the ESHA buffer on-site will be accomplished pursuant to City building codes, in a safe manner, and in consideration of the public health, interest and welfare. In particular, the proposed retaining and impact walls will be constructed to protect people and property. They will be designed to face the interior of the site and are located behind the proposed building of 24-feet-high so are not expected to be readily visible from off-site vantage points. The walls are to protect the subject site from slope hazards and will be required to be constructed to all applicable building safety and engineering standards and codes. The area upslope of the northerly 24-foot-high-retaining wall proposed on-site will be landscaped. The project is conditioned to require native species of vegetation in this upslope area, which will provide a habitat buffer between the proposed development and the ESHA off-site and require landscaped areas on site include native species, as requested by the ERB, in consideration of the ESHA buffer on-site and neighboring off-site ESHA and ESHA buffer areas. Therefore, granting of the proposed variance could be found not to be

detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. The granting of the proposed variance would not constitute a special privilege to the applicant or property owner, as described in Findings B.1. and C.1. above, where the subject property is small and has steep slopes. To avoid the ESHA buffer, development would be relegated to the southern approximately one-third of the parcel. This estimated 4,700-square foot area would not accommodate the requested development footprint and contains slopes (although less steep than those on the north side of the parcel) and an easement to the State of California that constrain development potential. The 4,700 square-foot area would have to contain the proposed development area of 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), the driveway and fire truck turnaround area (including OWTS) of 2,954 square feet, and landscaped planters of at least 40 percent of the site area.

The combination of constraints creates challenges in developing the site for commercial use, as it is currently zoned CN and is proposed to be zoned CC. The granting of the variance would not provide special privileges to the property owner or project applicant but would allow for the development of the site for commercial uses, and specifically, for the proposed use, allowed with a CUP. Moreover, limiting development to this portion of the site will require relief from yard setback development standards.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as a variance for development in the ESHA buffer may be granted pursuant to LIP Sections 4.6.4(A) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA, SPR and other VARs. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance would enable development of the proposed "residential care facility for the elderly," a commercial use that is allowed with approval of a CUP.

5. As described in Findings A.3 and C.1 above, the southern portion of the site outside of the ESHA cannot feasibility contain the proposed development. Due to the ESHA within 100 feet of the subject site, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet (LIP Section 4.7.1.). The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

6. The proposed variance will enable the development of a senior assisted residential care facility on a site where most of the land area is within an ESHA buffer. The land area outside of the ESHA buffer is insufficient for development of the commercial use, especially in consideration of the applicable development standards of the zone and LIP (e.g., yard setbacks), and fire truck turnaround and driveway standards. The variance will not authorize an unpermitted use or activity but will accommodate a commercial use, specifically one that is permitted in the CC zone with a CUP. Therefore, the variance can be granted to allow for commercial development of the site pursuant to the existing CN and proposed CC zoning, and provide for an allowed use, inclusive of a CUP.

7. As described in Finding A.3 above, the variance is requested since the land area of the parcel outside of the ESHA buffer is insufficient to accommodate the proposed project. The development could not feasibility be accommodated in the estimated area outside of the ESHA buffer. The subject site, including the area of the ESHA buffer, as requested via the variance, can adequately accommodate the proposed project. Except for the requested variances for development in steep slopes and for walls exceeding the maximum height allowed, and the SPR for building height up to 24 feet, the project meets all development standards of the LIP and MMC.

8. The City Biologist, City geotechnical review consultants, City Environmental Health Administrator, City Public Works Department, City Building Safety consulting structural engineer, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. Therefore, the proposed development partially within the ESHA buffer onsite and offsite fuel modification in the ESHA and buffer, along with the requested CUP, LCPA, ZMA, VARs and SPR granted, will comply with all applicable requirements of State and local law. Conditions of approval require the project to comply with relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD.

D. Variance Findings for Structures on Steep Slopes (LIP Section 8.3(D))

1. There are special circumstances or exceptional characteristics of the subject property that warrant approval of this variance. As described in Finding B.1. above, the project parcel is small in comparison to surrounding parcels and has steep slopes, greater than most nearby parcels. Without the granting of this variance to allow development in slopes of 2.5:1 to 1:1 the development of the proposed use could not be accomplished.

The northern and southern portions of the site have steep topography (2.5 to 1 to over 1 to 1 slopes). To create a sufficient building pad, the project includes cutting into a portion of the slope on the north and placement of a retaining wall with a V-ditch upslope and behind the wall to properly drain the area. The building would be set against this wall and hillside. On the southern portion of the site, additional retaining walls are needed due to the slope, along with related storm water drainage mechanisms to carry water from steeper portions of the site to the drainage inlets. The southeastern portion of the building would also reach into these slopes to accommodate the required size of the facility. The northern part of the proposed impact wall on the west side of the site is within the steep slope area. The wall is required for safety purposes, to prevent a mud slide from the hillside area to the west of the site in the event of slope failure. There is no alternate location for this part of the wall, given that the need for the wall is specific to the particular hillside location.

2. The City Biologist, City Environmental Health Administrator, City geotechnical review consultants, City Public Works Department, City Building Safety consulting structural engineer, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. Development would occur on the flatter portions of the site, to the extent feasible, to minimize grading. Given the limited parcel size, however, the scope includes cutting into portions of the northern and southern steep slopes

on site to accommodate the development, including a portion of the building, retaining and other walls, and storm water drainage mechanisms. The retaining walls are designed to safely and effectively hold back adjacent grades to create the development pad for the proposed use. The impact wall on the western side of the parcel is to protect the project site development, as well as residents and employees, from the effects of a mud slide in the event of failure of the slope along the western property edge and is by necessity located in a steep slope area. The drainage facilities are required to effectively and safely convey storm water away from the walls and building that are in the steep slopes.

All proposed structures in steep slopes will be required to be constructed to all applicable building safety and engineering standards and codes. Therefore, granting of the proposed variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed project site is limited in size and contains steep topography, such that development of the full facility is infeasible outside of steep slopes. The proposed senior residential care facility is consistent with the uses permitted in the applicable zoning designation of CC with a CUP ("residential care facility for the elderly"). Surrounding properties are developed with commercial and residential uses, and while they mostly do not have hillside topography as steep as that of the subject parcel, have been at least partially built in areas with steep slopes, as evidenced by retaining walls exceeding the maximum allowed six-foot-height. The proposed structures on steep slopes on-site (building, walls, drainage facilities) will enable the development of the proposed commercial use, including its safe and effective operation with the proposed retaining and impacts walls, and storm water conveyance mechanisms. Development of the proposed use on the site would be infeasible without the granting of the variance. Therefore, granting the proposed variance would not be considered to constitute a special privilege to the property owner.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as variances for the placement of structures on slopes steeper than 3 to 1 may be granted pursuant to LIP Sections 8.3(D) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA, SPR and other VAR requests. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance will enable development of the proposed use, which is an allowed use on the site with a CUP.

5. The proposed variance does not specifically pertain to environmentally sensitive habitat or its buffer. However, approximately 60 percent of the project site, including the development of the building, walls and drainage mechanisms in slopes steeper than 3 to 1 would occur in the ESHA buffer. As described above for Finding A.3, there are no other feasible alternatives for avoiding cut and fill and placement of structures in steep slopes above 3:1 in the ESHA buffer considering the small parcel size and hillside topography, as well as most the site in

the ESHA buffer. Given the location of the site in the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet, pursuant to LIP Section 4.7.1. The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

6. The proposed variance will enable the development of a residential care facility for the elderly, consistent with the purpose and intent of the CC zone with approval of a CUP, on a site with steep slopes and will not authorize an unpermitted use or activity. The variance is requested to accommodate retaining and impact walls, portions of a building, and drainage mechanisms necessary to construct a commercial use, including one that is permitted in the CC zone with a CUP. Retaining and other walls, buildings, and storm water drainage mechanisms are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

7. The subject parcel is physically suitable for the proposed variance since the walls, building, and drainage mechanisms in steep slopes can be accommodated on the site, There are no alternate feasible building locations on the site that will eliminate the need for these structures to be located in steep slopes, given the limited parcel size of 0.27 acre and hillside topography with 47 percent of the site in steep slope areas.

8. The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. Therefore, the proposed project with grading and structures in steep slopes, along with the requested other variances, site plan review, CUP, LCPA and ZMA granted, would comply with all applicable requirements of state and local law.

E. Site Plan Review Findings for Building Height (LIP Section 3.8(A)(1)(b))

1. The project has been reviewed for all relevant policies and provisions of the LCP, including the LUP and LIP. The project is consistent with all such policies and provisions, except for those for which an SPR, VARs, and LCPA are being requested. Except for the building height for which an SPR is requested and the VAR for development in the ESHA, the location, density, and size of the building is consistent with all other regulatory provisions of the LCP, including the number of building stories, FAR, and maximum development area.

2. The proposed commercial project is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. The project includes a request for a ZMA and LCP to change the land use and zone from one commercial use (CN) to another (CC), which are both commercial zones intended to service the community. The proposed use is commercial, with the residential care facility for the elderly use allowed with a CUP. Properties surrounding the site are larger in land area. The Commercial Visitor Serving 1.43-acre parcel to east of the site has a 5,142-square-foot three-story motel building constructed in 1947 that fronts PCH but the portion of the parcel further north and

adjacent to the site is natural and undeveloped. The single CN 1.86-acre parcel that borders the site on both the west and south contains a retail shopping center along the subject site's south edge that fronts PCH. It contains a two-story 19,885-square-foot building constructed in 1991 with a parking lot built into the slope in the rear and on top of the building. Adjacent to the project site on the west, however, this area of the retail shopping center parcel is natural and vacant. The three structures built as residences to the west of the project site consist of 713, 879, and 1,302 square feet each and date from the 1950s. To the north of the subject property is a large vacant parcel zoned for low-density residential use. The proposed project consists of a 1,792 square-foot building with an attached 805 square-foot four-car garage and 1,194 square-foot basement on a 0.277-acre parcel, which is smaller than the nearby commercial uses, but larger than the residential uses. It is similar in height and number of stories to the adjacent retail shopping center. The type of use, building profile, and the amount of development is compatible with the neighborhood character.

Since the project site is in the hillside above an existing commercial development and not located south and ocean-side of any development, it will not block views to the ocean from surrounding parcels. Based on the visual impact analysis (project plans, aerial photographs, photosimulations, site visits and story pole placement), the Planning Division has determined that the building height will not obstruct views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding parcels. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, off-site views to these hillside features will remain. Based on review of project plans, photosimulation views from PCH, and story pole placement, the proposed use will only be partially visible from PCH, approaching the site from the east and west, and clearly visible to the north from PCH at the driveway of the retail shopping center just below the site that fronts PCH.

As with the retail shopping center development to the south, the project includes walls exceeding the maximum allowed height. It also exceeds the maximum allowed 18-foot height for a flat roof by six feet. The motel to the east of the project site is three stories high. The retail shopping center is two stories high, as is the proposed project. The proposed project is consistent with allowed FAR for density and number of stories, meets all setback requirements, and complies with the required amounts of open space and landscaping on-site. Based on conformance with these development standards, and existing surrounding development, the project will not have an adverse effect on neighborhood character.

3. The proposed development will not be visible from any scenic area or public viewing area. Besides a direct view to the site north from PCH, a scenic road, at the driveway to the retail shopping center just below the site that fronts PCH, the site will be only slightly visible from PCH as one approaches it from the east and west. Given the site's location approximately 200 feet north of PCH, the limited time a clear view to the site will be visible from passersby on PCH (i.e., the width of the adjacent project driveway), and the small size of the building, including additional height, would not result in adverse effects on public views from PCH. The retaining and impact wall heights will be obscured by the proposed buildings in front of the wall and/or the hillside itself (as viewed from the west). Conditions have been incorporated into the project

requiring the project to reflect earth-toned colors to blend into the hillside to further ensure protection of significant public views.

4. The project complies with all applicable requirements of State and local law, inclusive of the discretionary requests, and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed improvements, including the building of 24 feet in height, will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

5. As described in Finding E.2 above, the proposed commercial project, in which four guests and two employees would reside, is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. It is similar in height and number of stories to the adjacent retail commercial center to the south. Therefore, the project is compatible with the varied types, sizes, bulk and height of development in the adjacent area.

6. Since the project site is in the hillside, behind existing commercial development, and not located south and ocean-side of any development, it will not block views to the ocean or off-shore islands from residences. Based on the visual impact analysis (project plans, aerial photographs, photosimulations, and story pole placement), staff has determined that the building height will not obstruct views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding residences. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, off-site views to these hillside features will remain.

7. As discussed in the findings in SECTIONS 3 and 4 above, the proposed project is consistent with the LIP and LUP in that the proposed project is in an area identified for commercial use. The project is consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community. The subject parcel is set within a natural hillside area. Conditions of approval require native species to be incorporated in the landscape plant palette, in consideration of the site's location in the ESHA buffer, and for the applicant to compensate for potential habitat impacts due to fuel modification on off-site properties in the ESHA through habitat mitigation. The project minimizes work in steep slopes to the maximum feasible given the small parcel size and need to accommodate the proposed use, and the project retains 25 percent of the site as open space and 40 percent as landscaped area. The proposed project, inclusive of the LCPA, ZMA, and CUP is consistent with the applicable land use and zoning designations and all applicable development and design standards of the Municipal Code, LCP and General Plan, inclusive of the associated discretionary requests (VARs and SPR). In particular, the project would be consistent with the setback, FAR density, number of building stories, development square footage, grading quantities, open space and landscaping requirements, and other development standards.

8. The applicant is not proposing solar panels or other similar solar facilities as part of the project. The roof design would not prohibit future location of solar panels. Given the location of the site adjacent to undeveloped areas and north of a retail center parking lot, there are no other uses in the immediate area for which the project could affect solar access.

9. The site is set within a hillside area. Steep slopes are located on-site and off-site. The site does not contain sensitive biota. An ESHA is located north of the site and is characterized by coastal sage scrub habitat. The 100-foot ESHA buffer extends onto most of the project site and overlaps with portions of the development project. Any vegetation thinning or removal associated with fuel modification Zone C, which is located off-site, would overlap with the ESHA. Portions of Zone B off-site would also overlap with ESHA. As described above in Finding E.7 above, the project is conditioned to incorporate native species in the landscape plant palette, and to compensate for potential habitat impacts from off-site fuel modification. Additionally, the project is conditioned to remove a proposed plant species from the plant palette that is inconsistent with the project's location in a high severity fire hazard area. Therefore, the project will not have a significant adverse impact on natural resources and provides for the preservation of natural plant materials.

10. Given the project site's location immediately adjacent to undeveloped areas to the west east and north, and an existing commercial retail center parking lot to the south, there are no other uses in the immediate area for which the project could affect solar access by increasing the roof height from 18 feet to 24 feet. Specific to the project, the roof design would not prohibit the installation of solar panels if so proposed or required.

11. As described above in SECTIONS 3 and 4, the proposed project is consistent with the LIP and LUP and with the relevant goals and policies of the General Plan. The project minimizes work in steep slopes to the maximum feasible given the small parcel size and need to accommodate the proposed use, and the project retains 25 percent of the subject property as open space and 40 percent as landscaped area. The proposed project, inclusive of the LCPA, ZMA, CDP, VARs, SPR, is consistent with the applicable land use and zoning designations and all applicable development and design standards of the Municipal Code, LCP and General Plan. This includes project consistency with required setbacks, FAR, number of building stories, development area square footage, grading quantities, open space and landscaping requirements, and other development standards.

F. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

1. The project site is currently designated and zoned for commercial use at present (CN) and will be upon approval of the proposed ZMA and LCPA (CC). The CC zone allows a residential care facility for the elderly with a CUP. Without the variance request for development in the ESHA buffer and potential fuel modification in ESHA off-site, the project could not be constructed due to the small size of the parcel (0.27 acre) and steep topography (above 3 to 1 to over 1 to 1 slopes) and that approximately 60 percent of the parcel land area is within the ESHA buffer (about 7,300 square feet of the total approximately 12,066 square feet land area on-site). For the same reasons, the project could not be developed without the potential for fuel modification in Zones B and C possibly being conducted off-site in ESHA and ESHA buffer. While the fuel modification plan approved for the project by LACFD does not show fuel modification off-site in ESHA or the ESHA buffer, there is the potential that owners of these off-site properties may elect to conduct fuel modification on their properties given the proximity of the proposed development.

There would be no development location available on the subject property under a scenario where the entirety of fuel modification is contained onsite and completely avoids offsite ESHA and/or ESHA buffer. Therefore, without the ESHA and ESHA buffer variance, the subject property could not be developed for the commercial use permitted with a CUP. It is likely that it could not be developed for most commercial uses allowed by current or proposed commercial zoning. Moreover, single family residential use is not allowed per the current or proposed zoning.

2. The project is consistent with the LCP and complies with LIP Section 4.7. Inclusive of the requested ZMA and LCPA, the project is in the CC zoning district, an area designated for resident serving commercial needs of the community similar to, but more concentrated than, that of the CN zoning district. A residential care facility for the elderly is allowed in this zoning district inclusive of the requested CUP. The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable commercial development standards, inclusive of the requested SPR and VARs, except for the ESHA Overlay provisions for which a variance is proposed.

3. Section 4.7 of the LIP indicates that a CDP for a use other than one permitted in the ESHA Overlay district, in which the uses permitted in this district would preclude construction of a residence on an undeveloped legal parcel, shall be subject to several standards. The uses of the property and the siting, design, and size of any development approved in an ESHA or ESHA buffer shall be limited, restricted, and/or conditioned to minimize impacts to ESHA on and adjacent to the property to the maximum extent feasible. The allowable development area is 10,000 square feet or 25 percent of the parcel size, whichever is less. The proposed project has a development area of 3,016.09, while the maximum allowed is 3,020 square feet. The offsite ESHA adjacent to the project site is coastal sage scrub habitat. Fencing is permitted within coastal sage scrub ESHA however no fencing is proposed as part of the project, and the impact and retaining walls on-site are within the ESHA buffer, but not ESHA. As described in Finding C.1 above, the development could not feasibility be accommodated in the estimated 4,700 square feet area outside of the ESHA buffer. As described above in Finding E.7 above, a condition has been incorporated to compensate for potential fuel modification impacts to the ESHA off-site.

4. The operation of the residential care facility for assisted senior living would minimize impacts to the ESHA. Most of the facility operations would be indoors, except for defined terrace decks at the south and side building elevations used for passive recreation and views to the ocean. The adjacent ESHA is located north of the building, up a steep slope and beyond the 24-foot-high retaining wall proposed on-site. Therefore, the ESHA is inaccessible to users of the project site. The area upslope of the retaining wall will be landscaped. Conditions of approval require native species of vegetation in this area, which will provide a habitat buffer between the proposed development and the ESHA off-site, and require all other landscaped areas on site to include native species, in consideration of the ESHA buffer on-site and neighboring off-site ESHA and ESHA buffer areas.

G. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

1. Adverse impacts on scenic and visual resources are not anticipated from development on the subject property. The proposed development will be on a small site (0.27 acre) with a two-story 1,792 sf building above grade. The remainder of the proposed building square footage will be in the garage and basement. The two-story building will be 24-feet-high, which is the maximum allowed for a flat roof with approval of an SPR. Based on project plans, including photo simulations, story pole photos, and Planning Division site visits, there would be slight views to the site travelling on PCH from the east and west, as the site is mostly blocked from view by existing development. As viewed north from PCH travelling past the driveway to the retail shopping center that is just below the site and that fronts PCH, there will be a straight view to the building for a limited time. Views to tall walls on the northern and western portions of the site will be obscured by the facility building or the existing hillside (as viewed from the west), and the tallest one, the 24-foot-high retaining wall, will be constructed as soil nail, resembling natural rocks and so blending into the hillside. Conditions of approval require that the impact wall blend in with the natural hillside by reflecting earth tone colors. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

2. The project is not expected to have adverse visual impacts due to landscaping. The project includes 40 percent of the site area as landscaping. To ensure compatibility of the plantings with the surrounding natural hillside. Conditions of approval require the plant palette of the landscape plan to incorporate native species.

3. The project is the least environmentally damaging alternative to protect scenic views from PCH. There are no other alternative locations on the project site to locate the development to further reduce views from PCH. As described in Findings B.1 and C.1 above, the site is small and contains steep slopes, therefore there are no feasible options to relocate the development elsewhere on-site. The portion of the building above ground is 1,792 square feet, with other portions of the facility in the basement, thereby minimizing structure height above ground. The two-story building will be 24-feet-high to allow for facility needs, which is the maximum allowed for a flat roof with approval of an SPR. Views to tall walls on the northern and western portions of the site (a maximum of 24 feet high) will be obscured by the facility building, and the tallest one, the 24-foot-high retaining wall, will be constructed as soil nail, resembling natural rocks and so blending into the hillside. As described above in Finding G.1, conditions of approval require the other project walls to blend in with the natural hillside and ensures a native plant palette to blend with the natural hillside. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

4. No adverse impacts on scenic and visual resources are expected from the project. There is no feasible alternative to the development that would avoid or substantially lessen impacts on scenic and visual resources that is environmentally superior. Given the hillside location of the project, development would be slightly visible from PCH, a scenic road, travelling westerly and easterly of the site on the roadway. The development would be clearly visible to the north on PCH for a limited time as one passes directly in front of the driveway of the retail shopping center that is just below the site and that fronts PCH. To lessen the appearance of the proposed development

from the available views on PCH, the building could be reduced to one story. However, this would substantially reduce the square footage of the facility, creating an infeasible project, and would be below the maximum height of 18 feet for a flat roof allowed by the LIP. The building would still be visible from the same viewpoints on PCH. Allowing only a maximum 18-foot-high building would have a minor effect on views to the site. The proposed 11-foot-tall impact wall and the 24-foot-high retaining wall will be obscured from PCH view by the building located in front of the walls or by the hillside itself (as viewed from the west). Moreover, the proposed soil nail construction of the retaining wall results in a simulated rock appearance that would blend with the natural hillside. The project, including walls, such as the impact wall, is conditioned to be designed with colors and/or materials to blend with the hillside.

5. There are not expected to be any adverse impacts on scenic and visual resources resulting from the project. There are no other preferable locations on the project site to locate the development to further reduce views from PCH. The subject property is small and contains steep slopes along the northern, western and eastern edges, and less steep slopes on the south, therefore there are no feasible options to relocate the development elsewhere on-site. Placing the building further north on the parcel, further from PCH, would result in more impacts to the steep hillside and increase cutting and grading of the topography, as well as bring the development closer to the offsite ESHA.

H. Hazards (LIP Chapter 9)

1. Based on review of the project plans and associated project geotechnical reports by the City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The project, including the OWTS, will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed. Conditions of approval require that all recommendations contained in the above cited geotechnical reports and conditions required by the City geotechnical review consultants, City Public Works Department, and the LACFD, including foundations, OWTS, and drainage are incorporated into the project.

2. As with all properties in the City, the subject property is currently subject to wildfire hazards and development of a residential care facility for assisted senior living on the subject property will not increase the site's susceptibility to wildfire. The project is not expected to have an impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate required building materials and measures. Fuel modification Zone A and a small portion of Zone B would be located on the project site. The majority of Zone B and all of Zone C are offsite. Therefore, the proposed project has the potential to result in fuel modification offsite.

3. The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval require the project to comply with all LACFD development standards. The project landscape plan consists of artemisia californica, which is a species listed as "Undesirable Plants/Target Species" in the Plant Selection Guidelines by Zone (County Fire Department). A condition of approval requires removal of this species from the proposed plant palette. As such, the project, as designed, constructed, and conditioned, would not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

4. As indicated in Finding B.1, above, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, would not have any significant adverse impacts on the site stability or structural integrity from geologic, fire or flood hazards due to project modifications, landscaping or other conditions.

5. As described in Finding A.3 above, due to the site characteristics and proposed type of use, there are no feasible project alternatives that are more environmentally preferable than the proposed project, particularly in consideration of protection from hazards.

6. Incorporating conditions of approval described above in Findings H.1 and H.3, the project will not result in geologic hazards, including site stability or structural integrity, and there are no feasible alternatives to development that are expected to avoid or substantially lessen impacts on site stability or structural integrity. Due to the site characteristics (limited parcel size and hillside topography), there are no preferable feasible project alternatives to substantially lessen site stability and structural integrity impacts. To create a project that does not require the construction of a retaining wall, building portion and stormwater infrastructure in steep slopes, a retaining wall and impact wall exceeding the maximum allowed height, or development in the ESHA buffer and fuel modification in the offsite ESHA and buffer, and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a building taller than two stories and 24 feet, inconsistent with the LIP and MMC. Moreover, it is anticipated that a smaller project footprint would nominally lessen the potential for site stability and structural integrity impacts from work in steep slopes and construction of tall retaining and impact walls. The truck turnaround and driveway access to it of the same sizes as currently proposed would still be necessary and require a flat pad area, thereby likely requiring the same project conditions for which the VARs are being requested.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the site in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile.

Both the 24-foot-tall retaining wall and the impact wall cannot be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

7. As discussed in Findings H.4, H.5, and H.6 above, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to geologic, flood or fire hazards are anticipated. There are no other feasible locations on the subject property to locate the development to further reduce such hazards or protect sensitive resources.

SECTION 6. Conditional Use Permit Findings.

Based on evidence contained within the record, including the agenda report for the project dated December 16, 2025 and the hearing on February 2, 2026, and pursuant to Malibu Municipal Code (MMC) Section 17.66, the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of CUP No. 18-038 for construction of a 1,792 square-foot senior residential care facility, 805 square-foot garage, 1,194 square-foot basement, a driveway, terrace decks, landscape, hardscape, grading, retaining walls, an impact wall for geotechnical purposes, and an onsite wastewater treatment system located in the CC zoning district at 22549 Pacific Coast Highway.

With approval of the proposed LCPA No. 23-003, ZMA No. 18-001, VAR Nos. 21-001, 21-002, 21-003), and SPR No. 18-044, the project has been determined to be consistent with all applicable MMC standards. The CUP shall only take effect if the ZMA is adopted and the LCPA is certified.

1. A residential care facility for the elderly is a conditionally permitted use within the CC zone pursuant to MMC Section 17.24.030(I). The intended purpose of the facility is to provide assisted senior living. Upon certification of the requested LCPA and ZMA, the subject property will have a CC land use designation and zoning. The use would comply with all applicable provisions of MMC Title 17 (Zoning). The project has been reviewed and conditioned for conformance by the Planning Division, City Biologist, Building Safety Division, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. Based on submitted documentation, project plans and site investigation, the project, with required conditions of approval, complies with all applicable provisions of the MMC and the LCP subject to the associated amendments to the MMC and the LCP.

2. The residential care facility for assisted senior living is a commercial use with an anticipated overnight total of four guests and two employees. The subject property is adjacent to commercial uses and in proximity to residential uses within a commercial zone. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation, and the nature of the use as a residential care facility is not expected to create substantial noise. As such, the use would be compatible with the types of activities commonly occurring in the CC zone, as well as the residential, retail commercial, and visitor serving neighborhoods surrounding the property, and would not impair the integrity and character of the CC zone.

3. The subject site is physically suitable for the type of land use proposed. The proposed care facility is small in terms of square footage of building (3,791 sf including the garage and basement) and in anticipated number of occupants (four guests and two employees overnight). The subject property is small, totaling 0.27 acre, and portions contain steep slopes, limiting development. To create a building pad feasible for a commercial development with limited developable land area, and in consideration of the adjacent hillsides and ESHA, variances are required for wall heights due to the proximity to ESHA and placement of structures on steep slopes. An SPR for building height is also required to create sufficient facility area to accommodate the use, given the small footprint of building that is feasible. As such, the facility is sized in consideration of the limited developable area of the parcel. The project meets all other development standards of the LCP and MMC, including density, number of stories, yard setbacks, square footage of development, FAR, amount of parking, amount of landscaping, and amount of open space.

4. The residential care facility for assisted senior living is a commercial use with an anticipated overnight total of four guests and two employees. The subject site is vacant, adjacent to commercial uses, and in proximity to residential uses. Therefore, it is compatible with the surrounding neighborhood uses. The subject property is adjacent to ESHA and natural hillsides on the north, and vacant hillside areas to the east and west. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation. The terrace decks are sited to provide views to the south for the residents, and so located on the south of the building, and wrapping along the building sides. Activity will be focused away from the ESHA and steep slope to the north, with a retaining wall constructed along the northern site perimeter with landscaping above and behind the wall to provide a buffer between the building and offsite sensitive areas.

5. Although the proposed use is a residential facility, as it is for assisted senior living, it is still considered a commercial use. On the south, the property is bordered by the back of a retail commercial center that fronts PCH. There is one large parcel each to the west and east, both of which are vacant and undeveloped adjacent to the property but contain commercial development further away from the proposed development site. To the north are vacant lands zoned for rural residential use, including some with ESHA. Further to the west, beyond the neighboring parcel, are single-family and multi-family residential uses in commercial zones. Because the proposed use is commercial with residents, it is compatible with the existing mix of commercial and residential uses occurring in commercial zones. The proposed building is oriented to take advantage of southerly views to the ocean with the terraced decks, and to limit activity on the north where the steep hillsides and ESHA are located. The northern portion of the property would contain a retaining wall with landscaping above and behind to provide a buffer between the building and offsite areas. Therefore, the proposed use is compatible with existing and future land uses within the CC zone and general area.

6. The proposed development has been analyzed by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD to ensure adequate and safe water, sanitation, and public utilities and services. The applicant is not proposing solar panels or other

similar solar facilities as part of the project, and the roof design will not prohibit future location of solar panels. Given the location of the proposed development site adjacent to undeveloped areas and north of a retail shopping center parking lot, there are no other uses in the immediate area for which the project could affect solar access.

There are not expected to be any adverse impacts on public or private views resulting from the project. Based on project plans, including photo simulations prepared by the applicant, story pole placement, and staff site visits, views to the proposed development site from PCH will be slightly visible from the east and west, although mostly blocked by existing development along PCH. At the driveway of the retail shopping center fronting PCH, just south of the proposed development site, there will be a view directly north to the proposed 1,792 sf two-story building as there is no building to block the view. The two-story building will be 24-feet-high, which is the maximum allowed for a flat roof with approval of an SPR. The remainder of the proposed building square footage will be in the at-grade garage and basement. Views of the tall retaining walls, with approval of VARs, on the northern and western portions of the site will be obscured by the facility building or by the hillside itself (as viewed from the west). The tallest retaining wall which reaches up to 24-feet-high will be constructed as soil nail, resembling natural rocks and so blending into the hillside. Conditions of approval will ensure the project, including other walls onsite, will be designed with colors to visually blend with the natural hillside environment. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

7. Public access is available to serve the project. Access to the property is via an existing 20-wide paved driveway leading to PCH. The project has legal access to the driveway via an easement. TheL ACFD has approved the fire access plan for the project site, which includes an onsite driveway and fire truck turnaround area.

8. As described in SECTION 4, the proposed use is consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community, particularly Land Use Element Policies 5.3, 5.4, 5.5, 5.6, and 5.7. The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC.

9. The project complies with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants. The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the MMC zoning for the property will be consistent with the current General Plan land use designation of CC, in accordance with State law. Based on review of the project plans and associated technical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that

adverse impacts regarding health and safety related to the proposed development are not expected. The project, as conditioned, will incorporate all recommendations contained in the applicable technical reports and identified by the City and County reviewers. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis.

10. The proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare. Based on review of the project plans and associated technical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts regarding health and safety related to the proposed development are not expected. The project, as conditioned, will incorporate all recommendations contained in the applicable technical reports and identified by the City and County reviewers. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The project complies with all applicable requirements of State and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies and project consultants.

The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC, in accordance with State law. The "residential care facility for the elderly" is a conditionally allowed use in the CC zone subject to a CUP.

11. Project geotechnical and engineering reports and addenda evaluate site-specific conditions and include recommendations to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The project, including the OWTS, will neither be subject to nor increase the instability of the property from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed. As such, the proposed project would not increase instability of the site or structural integrity from geologic, flood, or any other hazards.

SECTION 7. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby adopts Resolution No. 26-07 recommending that the City Council determine that the project is exempt from CEQA, adopt LCPA No. 23-003 and ZMA No. 18-001, and approve CDP No. 18-038, VAR Nos. 21-001, 21-002, and 21-003, SPR No. 18-044, and CUP No. 19-002, subject to the following conditions.

SECTION 8. Conditions of Approval.

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. The approved scope of development includes:

    a. Demolition of a remnant portion of a foundation and a one-foot retaining wall;
    b. Construction of a 1,792 sf, 24-foot tall, two-story residential care facility for assisted senior living with a 1,194 sf basement, and 805 sf four-car garage attached to the residential care facility;
    c. Installation of a new OWTS, including a 3,634-gallon septic tank;
    d. New landscaping, terrace decks, and hardscape, including an extension of the existing driveway and new fire truck turnaround;
    e. 1,615 cubic yards (cy) of exempt and 74 cy of non-exempt grading; and
    f. Retaining and impact walls.

    The project's discretionary requests consist of the following:

    a. LCPA No. 23-003 to change the land use designation and zoning from CN to CC in the LCP (map change only; no text);
    b. ZMA No. 18-001 to change the zoning from CN to CC in MMC Title 17 (Zoning) (map change only; no text);
    c. CDP No. 18-038 to authorize the scope of development listed above;
    d. VAR No. 21-001 for retaining wall height up to 24 feet associated with the driveway and integral to the structure to exceed six feet for a single wall or up to 12 feet for a combination of walls, and for the construction of a second 11-foot-tall impact wall in the side yard setback exceeding the maximum allowed six-foot height (for portions within the side yard setback);

e. VAR No. 21-002 for construction on slopes steeper than 2.5 to 1;
f. VAR No. 21-003 for development in the onsite ESHA buffer and offsite fuel modification in the ESHA and ESHA buffer;
g. SPR No. 18-044 for building height to exceed the maximum allowed 18 feet, up to 24 feet for a flat roof; and
h. CUP No. 19-002 for a residential care facility for the elderly in the CC zoning district to provide assisted senior living for up to four guests with facility staff/caretakers.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of development, as described in Condition No. 2 and depicted on plans on file with the Planning Division (Architectural dated September 25, 2023, Civil dated November 10, 2025, and Landscape dated August 4, 2023). In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. The applicant shall digitally submit a complete set of plans to the Planning Division for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

5. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit unless a time extension has been granted. For purposes of this condition, the CDP shall become effective on the date that the CCC appeal period is exhausted or in the event of an appeal, on the date when the appeal is decided by the CCC or the date when the appeal is withdrawn by the appellant. The CCC's appeal period will commence upon receipt of the City's issuance of a Notice of Final Action on the CDP that will be issued following the certification of the LCPA by the CCC. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

6. Approval of ZMA No. 18-001 and CUP No. 19-002 shall extinguish if the LCPA is not certified by the CCC, as described in Condition No. 5.

7. Approval of the project, including CDP No. 18-038, VAR No. 21-001, VAR No. 21-002, VAR No. 21-003, SPR No. 18-044, CUP No. 19-002, and ZMA No. 18-001 is not valid until LCPA No. 23-003 is certified by the California Coastal Commission as described in Condition No. 5.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Community Development Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Health Administrator, City Biologist, City geotechnical consultant reviewers, City Public Works Department, WD29, and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. See Condition No. 5 for the effective date of CDP No. 18-038.

12. The property owner must submit payment for any outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

13. The property owner shall comply with all provisions of the MMC and LIP, inclusive of the VARs, SPR, and CUP approved for the project.

Site Specific Conditions

14. Construction fencing shall be placed within five feet of the limits of grading. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the sensitive habitat areas adjacent to the site.

15. The plant palette for the Final Landscape Plan, including the onsite area above the portion retaining wall on the northern portion of the site, shall include native species, as acceptable to the LACFD Fuel Modification Unit, to be approved by the City Biologist prior to Building and Safety plan check review.

16. The plant species *artemisia californica* shall be excluded from the plant palette for the Final Landscape Plan submitted prior to Building and Safety plan check review due to its listing as "Undesirable Plants/Target Species" in the Plant Selection Guidelines by Zone (LACFD).

17. The project shall comply with all requirements and conditions of the LACFD.

18. The applicant shall submit a certificate of compliance application and obtain approval of the certificate of compliance by the City Public Works Department to confirm that the property is a legal lot prior to the City Council consideration of the LCPA, ZMA, and other project entitlements.

19. No signage is permitted under this application. Any proposed signage shall be submitted and approved by the Planning Division prior to installation of any sign.

20. The owner/operator of the facility shall submit to the Planning Division annually all required permits to operate a residential care facility as a commercial use.

Cultural Resources

21. Initial earth disturbing activities into the first three feet of native soil shall be monitored by a qualified archaeologist and Native American monitor approved by the Community Development Director. Should intact deposits be encountered, the archaeologist or cultural resources monitor may halt or redirect grading until the resources are evaluated. If determined by the field archaeologist or monitor in consultation with the Community Development Director that the resources are potentially significant, a Phase 2 study shall be required.

22. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.

23. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Outdoor Lighting

24. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60-watt incandescent bulb);
    b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
    c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
    d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
    e. Site perimeter lighting shall be prohibited; and
    f. Outdoor decorative lighting for aesthetic purposes is prohibited.

25. Night lighting for sports courts or other private recreational facilities shall be prohibited.

26. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot-candle.

27. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

28. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

29. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

30. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Fencing and Walls

31. The height of walls shall comply with LIP Section 3.5.3(A) and LIP Section 8.3(D) with the exception of the height authorized by VAR No. 21-001 for the retaining wall along the north side of the site exceeding six feet in height up to 24 feet in height, and the impact wall along the west side of the site exceeding six feet in height up to 11 feet, 4 inches.

32. No fencing is proposed as part of the project; therefore, no new fencing is permitted as part of this project.

Construction/Framing

33. The applicant shall submit a copy of a Construction Management Plan to the Community Development Department. The Construction Management Plan shall include a dedicated parking location for construction workers and storage of construction material. Prior to permit issuance, the Construction Management Plan must be acceptable to the Community Development Director and, if applicable, to the Building Official and Public Works Director.

34. A construction staging plan shall be reviewed and approved by the Building Official prior to final plan check submittal.

35. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

36. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed

as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

37. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
    a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
    b. Grading activities shall be planned during the southern California dry season (April through October).
    c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

38. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Division for review and sign off on framing.

39. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant / property owner is required to obtain a transportation permit from the California Department of Transportation.

Construction/Demolition

40. Prior to demolition activities of the existing retaining wall and remnant foundation, the applicant shall receive Planning Division approval for compliance with conditions of approval.

41. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

42. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement waste reduction and recycling shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Division. The Affidavit shall indicate the

agreement of the applicant to divert at least 65 percent (in accordance with CalGreen) of all construction waste from the landfill.

43. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Building Official.

44. No demolition permit shall be issued until building permits are approved for issuance.

45. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.

46. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.

47. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Safety Division.

Colors and Materials

48. The project is visible from a scenic road, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
    a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Community Development Director and clearly indicated on the building plans.
    b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
    c. All windows shall be comprised of non-glare glass.

49. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Community Development Director and clearly indicated on all grading, improvement and/or building plans.

Fuel Modification

50. The project shall receive LACFD approval of a Final Fuel Modification Plan prior to the issuance of final building permits.

Biology/Landscaping

51. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

52. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Community Development Director for review and approval a certificate of completion in accordance with MMC Chapter 17.53 and Chapter 9.20. The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53 and Chapter 9.20.

53. No portion of the project development shall be placed within the protected zone of a protected native tree.

54. No trees or shrubs shall be planted where any portion of the plan is situated within five feet of any structure.

55. Invasive plant species, as determined by the City of Malibu, are prohibited.

56. 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).

57. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.

58. Construction fencing shall be placed within five feet of the southern limits of grading. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

59. The landscape and fuel modification plan has been conditioned to protect natural resources in accordance with the Local Coastal Program. All areas shall be planted and maintained as described in the landscape and fuel modification plan. Failure to comply with the landscape conditions is a violation of the conditions of approval for this project.

60. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, with native plant species, to the satisfaction of the Community Development Director.

61. Native species of the Santa Monica Mountains, characteristic 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 canopy) shrubs is recommended by the LACFD. Lawns are prohibited on slopes > 5 percent.

62. 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 to prevent surface soil erosion.

63. Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.

64. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

65. Prior to a final plan check approval, the property owner/applicant must provide a landscape water use approval from the Los Angeles County WD29.

66. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

67. Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000-foot radius at any given time (given consideration of its future growth).

68. Plantings required for fuel modification, must be native, drought-tolerant species and shall blend with the existing natural vegetation and natural habitats on the site.

69. Any site preparation activities, including removal of vegetation,, grading, and excavation between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to initiation of such activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

70. Earthmoving shall be scheduled only during the dry season from April 1 through October 31. If it becomes necessary to conduct earthmoving activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted to the City Biologist for approval prior to the issuance of a grading permit and implemented prior to initiation of vegetation removal and/or earthmoving activities.

71. Grading and/or demolition shall be scheduled only during the dry season from April 1 – October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

72. The use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

73. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas. Up-lighting is prohibited.

74. Pursuant to LIP Section 4.8.1, all new development shall include mitigation for unavoidable impacts to Environmentally Sensitive Habitat Area (ESHA) from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance. Prior to Final Plan Check the applicant shall provide accurate area ESHA permanent impacts resulting from the development footprint and/or Fuel Modification Zones A and/or B) to ESHA and the area of partial impacts (Fuel Modification Zone C). One of the following three Habitat Impact Mitigation methods shall be required: (1) habitat restoration; (2) habitat conservation; or (3) in-lieu fee for habitat conservation. Prior to Final Plan Check the applicant shall provide either a detailed restoration plan, a habitat conservation plan, or evidence of payment of in lieu fees to the Santa Monica Mountains Conservancy.

Grading/Drainage/Hydrology (Public Works)

75. Prior to the commencement of work, the applicant shall submit a copy of a Construction Management Plan to the Public Works Department. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.

76. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

77. A grading and drainage plan containing the following information shall be approved and submitted to the Public Works Department prior to the issuance of grading permits for the project.
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system beyond the limits of grading shall be included within the area delineated;
    d. The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes;
    e. If the property contains rare, endangered, or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist; and
    f. Private storm drain systems shall be shown on this plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.

78. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development (LIP Section 17.3.1) that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.
    c. Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

79. The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.

80. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3. A note shall be placed on the project plans that addresses this condition.

81. Prior to the approval of any grading or drainage permit, the applicant shall submit a PDF of the final plans to the Public Works Department. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

82. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

83. A Digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 25-feet of property limits, and post-construction BMPS, shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

84. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    a. Site Design Best Management Practices (BMPs):
    b. Source Control BMPs;
    c. Treatment Control BMPs that retain on-site Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain on-site, the project must biofitrate 1.5 times the SWQDv that is not retained on-site;
    d. Drainage improvements;
    e. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    f. Methods of onsite percolation, site re-vegetation and an analysis for off-site project impacts;
    g. Measures to treat and infiltrate runoff from impervious areas;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measure installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Public Works Department and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior the Public Works Department's approval of the grading and drainage plan and/or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the Los Angeles County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the certificate of occupancy.

85. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include and Erosion and Sediment Control Plan (ESCP) that includes, but is not limited to:

Erosion Controls Scheduling	Erosion Controls Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

86. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control Best Management Practices (BMPs) that have been implemented in the design of the project (See LIP Chapter 17 Appendix A). The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.

87. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

88. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, algaecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

    a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;

b. There are sufficient BMPs in place to prevent soil erosion; and
c. The discharge does not reach into the MS4 or to the Area of Special Biological Significance (including tributaries)

89. Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

90. The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating, "It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5)." The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

Geology

91. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical consultant reviewers prior to the issuance of a grading permit.

92. Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Environmental Health/Onsite Wastewater Treatment System (OWTS)

93. All final project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building and Safety Division prior to receiving Environmental Health final approval.

94. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

95. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show essential features of the OWTS and must fit onto an 11-inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary

setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

96. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City-registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable). The final report must include a discussion and design capacity for the number of residents and employees/visitors for a commercial type wastewater discharge from a residential care facility with employees/visitors.

97. The final OWTS design submittal shall contain the following information (in addition to the items listed above):

    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture equivalents, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Sewage and effluent pump design calculations (as applicable);
    c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
    d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown

to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and

e. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Division.

98. Proof of Ownership: Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

99. Operations and Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

100. Maintenance Contract: A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed onsite wastewater disposal system after construction shall be submitted. Only original "wet signature" documents are acceptable.

101. Advanced Onsite Wastewater Treatment System Covenant: A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Office of the Los Angeles County Recorder/City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving the subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. The certified copy issued by the City of Malibu City Clerk shall be submitted by the applicant/owner to Environmental Health prior to final approval by Environmental Health.

102. Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

103. The City Biologist's final approval shall be submitted to the City Environmental Health Administrator. The City Biologist shall review the OWTS design to determine any impact on Environmentally Sensitive Habitat Area.

104. City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

105. The City geotechnical consultant reviewers' final approval of the OWTS shall be submitted to the City Environmental Health Administrator.

106. City of Malibu Planning Division final approval of the OWTS plan shall be obtained.

107. Environmental Health Final Review Fee: A final fee in accordance with the adopted fee schedule at the time of the final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specification.

108. Operating Permit Application and Fee: In accordance with the MMC, prior to Environmental Health approval, an application shall be made to the Environmental Health Office for an OWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

109. Traffic-rated Slab Plans: All project traffic related slab plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

110. Reference Plans: Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. The approved plans are for 63 fixture units, four bedrooms and two employees, and a 3,634-gallon tank.

111. Building Plans: All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval. The final architectural plans must include the location of the OWTS.

Water Quality/Water Service

112. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from Los Angeles County Waterworks District No. 29 to the Planning Division indicating the ability of the property to receive adequate water service.

113. Prior to final inspection (or project sign off, as applicable) by the Planning Division, the applicant shall demonstrate that all requirements of Los Angeles County Waterworks District No. 29 have been met, including installation of a meter, if applicable.

Prior to Occupancy

114. Prior to, or at the time of a Planning Division final inspection, the property owner/applicant shall submit to the Planning Division the plumbing permit for the OWTS signed off by the Building Safety Division.

115. Prior to the issuance of a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning conditions to protect natural resources are in compliance with the approved plans.

116. Prior to a final Building Safety inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled and state the facilities where all materials were taken.

117. The applicant shall request a final Planning Division inspection prior to final inspection by the City of Malibu Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Division has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Community Development Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

118. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Conditional Use Permit

119. The Planning Division shall inspect the property (as needed) after approval of the CUP to verify compliance with the conditions of approval.

120. The CUP may be reviewed by the Community Development Director (or designee) and/or Planning Commission on an as-needed basis at the discretion of the Community Development Director (or designee) or Planning Commission. Should it be determined that a review is required, the property owners shall pay the Planning Division site inspection fee in effect at the time of request for a site inspection. A planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the Community Development Director (or designee) will determine whether the CUP may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified during the site inspection or made aware of by members of the public.

121. A CUP that is valid and in effect and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land, unless as otherwise invalidated by Condition Nos. 122 or 123.

122. The CUP shall no longer be valid and in effect with the demolition of all buildings.

123. The CUP may be revoked if the Planning Commission finds that one or more of the following conditions exists:
    a. The CUP was obtained in a fraudulent manner.
    b. The use for which the CUP was granted has ceased or was suspended for at least six successive calendar months.
    c. One or more of the conditions found within this resolution have not been substantially met.

124. The CUP is subject to Planning Commission revocation should the use for which the CUP was granted cease for six successive calendar months, except in the case of a natural disaster.

Fixed Condition

125. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

126. The CDP shall run with the land and bind all future owners of the property.

Deed Restrictions

127. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Division prior to final planning approval.

128. The garage area shall be limited to accessory use as defined by the City of Malibu LCP. The garage area cannot be converted into habitable space at any time in the future. Prior to issuance of building permits, the application is required to execute and record a deed restriction to this effect.

129. Prior to final Planning Division approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 24-30. The property owner shall provide a copy of the recorded document to the Planning Division prior to final Planning Division approval.

SECTION 9. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of February 2026.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

Exhibit A: Amended LCP Land Use Map No. 3
Exhibit B: Amended LCP Zoning Map No. 3
Exhibit C: Amended MMC Title 17 Zoning Map

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 26-07 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 2nd day of February 2026 by the following vote:

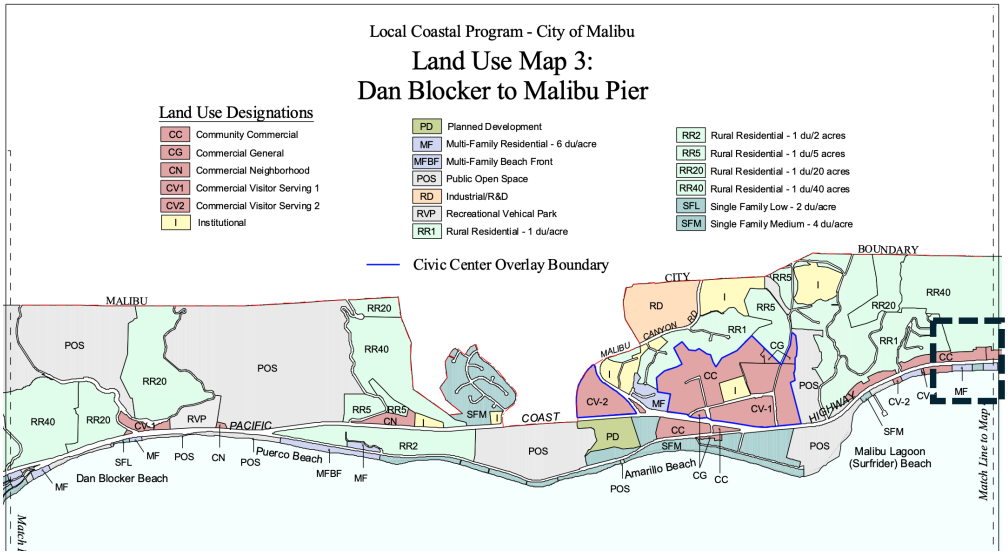
AYES:
NOES:
ABSTAIN:
ABSENT:

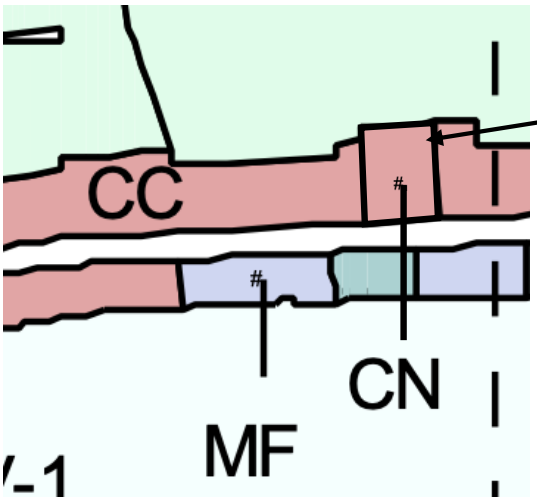
_____
REBECCA EVANS, Recording Secretary

EXHIBIT A

Amended LCP Land Use Map No. 3

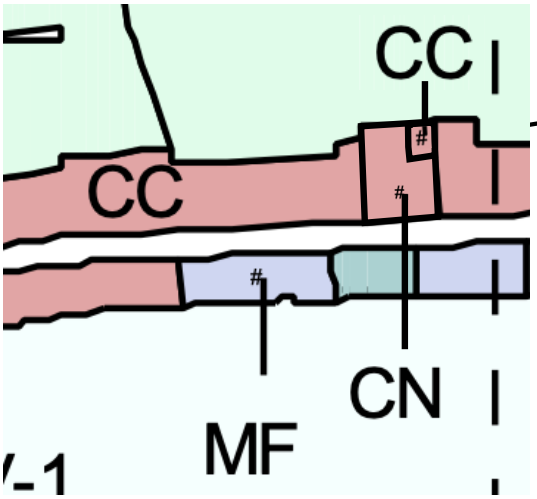
Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR LAND USE:
Commercial Neighborhood (CN)

Note: Parcels 4452-023-004 & 4452-023-003 previously amended from CC to CN as part of LCPA No. 05-001 certified by CCC on 4/10/2007 but not reflected on LCP Land Use Map No. 3 above (original LCP map still show parcels as CC)

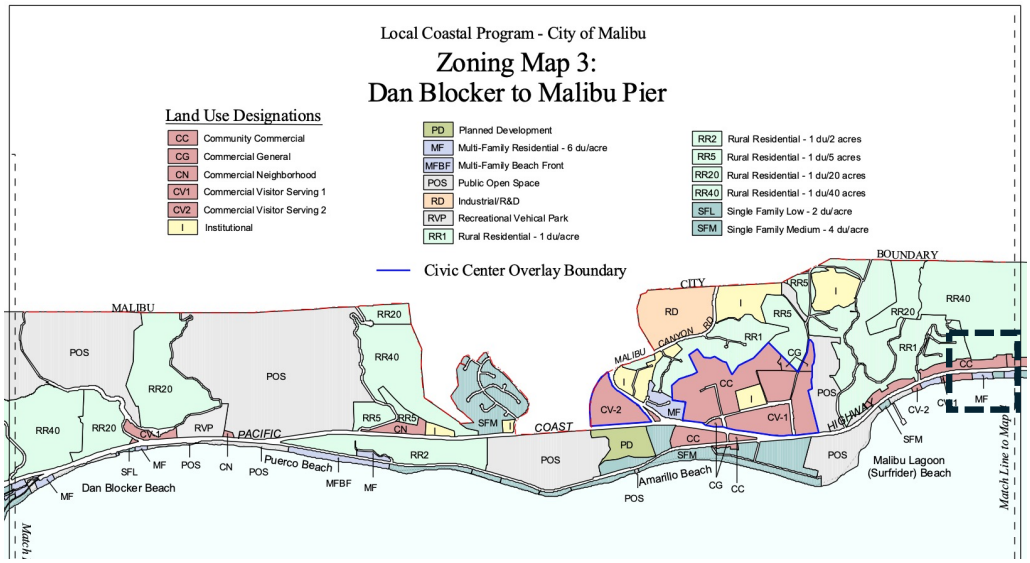


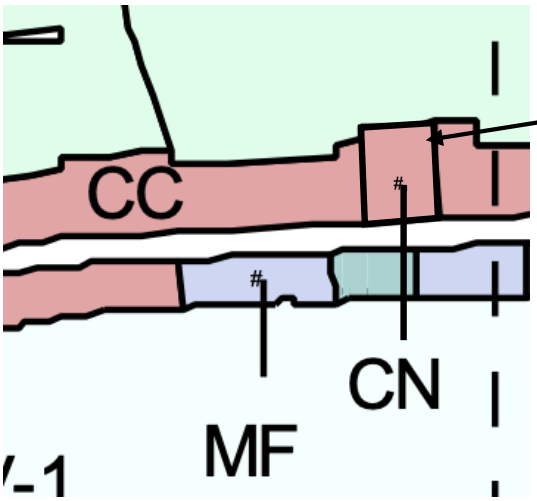
AMENDED LAND USE:
Community Commercial (CC)

EXHIBIT B

Amended LCP Zoning Map No. 3

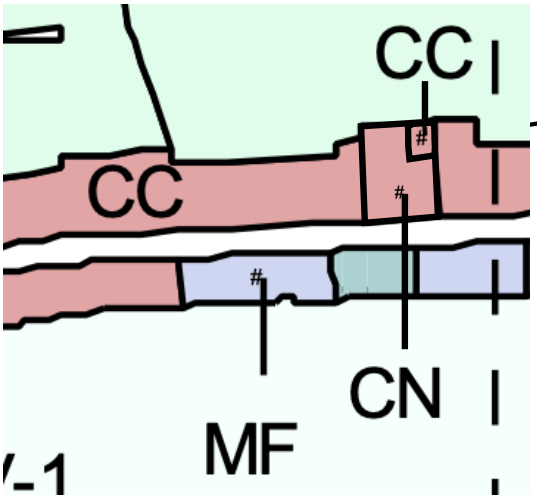
Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR LAND USE:
Commercial Neighborhood (CN)

Note: Parcels 4452-023-004 & 4452-023-003 previously amended from CC to CN as part of LCPA No. 05-001 certified by CCC on 4/10/2007 but not reflected on LCP Zoning Map No. 3 above (original LCP map still show parcels as CC)

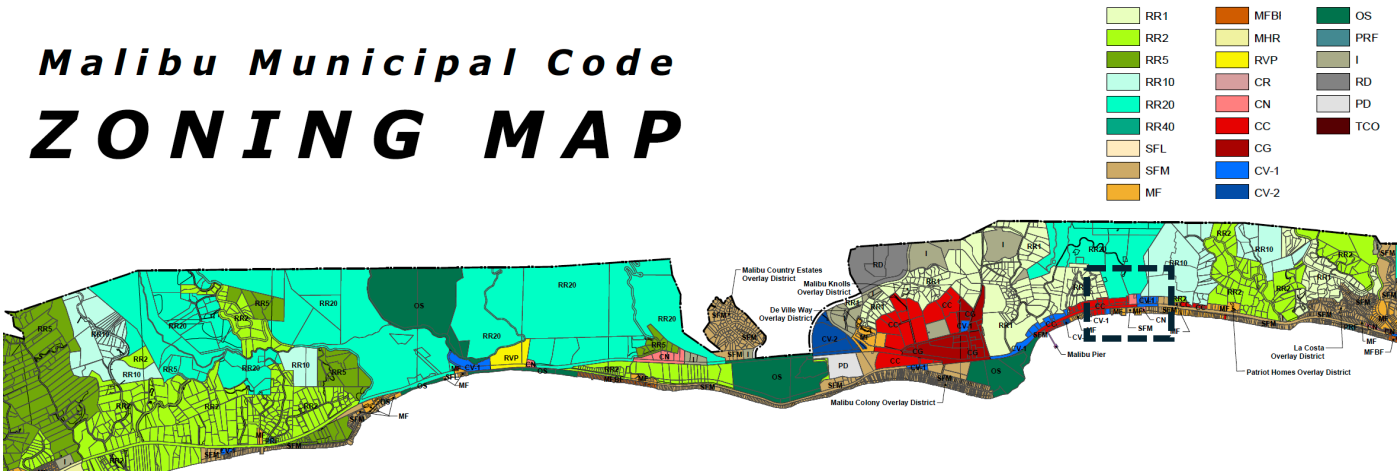


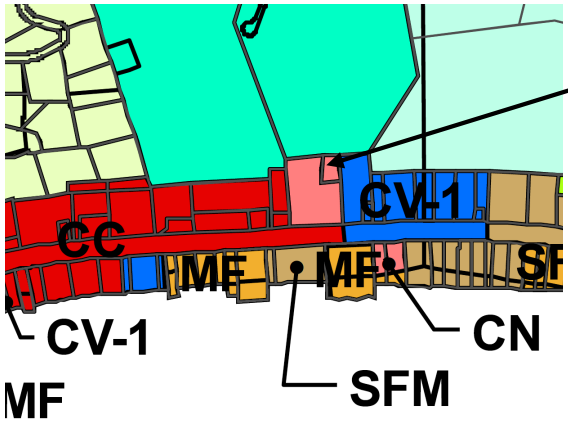
AMENDED LAND USE:
Community Commercial (CC)

EXHIBIT C

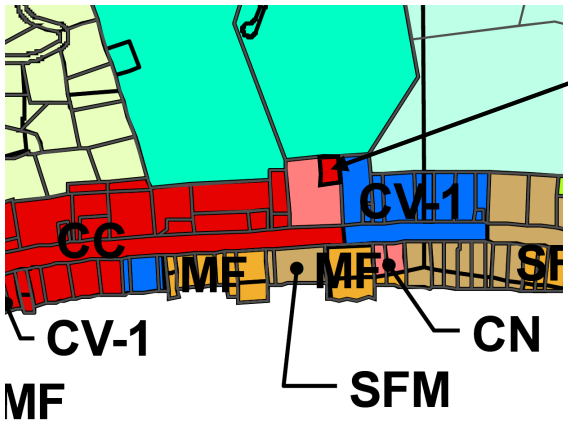
Amended MMC Title 17 Zoning Map

Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR ZONING:
Commercial Neighborhood (CN)



AMENDED ZONING:
Community Commercial (CC)

Commission Agenda Report

Planning Commission Meeting
12/16/25
Item 5.D.

To: Chair Riddick and Members of the Planning Commission

Prepared by: Allison Cook, AICP, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: December 4, 2025 Meeting Date: December 16, 2025

Subject: Local Coastal Program Amendment No. 23-003, Zoning Map Amendment No. 18-001, Coastal Development Permit No. 18-038, Variance Nos. 21-001, 21-002, and 21-003, Site Plan Review No. 18-044 and Conditional Use Permit No. 19-002 – An application to change the land use designation and rezone the property from Commercial Neighborhood to Community Commercial and construct a two-story 1,792 square foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, onsite wastewater treatment system, retaining walls, landscaping, and associated development; including variances for retaining wall not to exceed 24 feet in height and impact wall not to exceed 11 feet in height, construction on slopes over 2.5:1, and development and fuel modification into ESHA and ESHA buffer, a site plan review for structure height above 18 feet not to exceed 24 feet, and a conditional use permit to allow a residential care facility for the elderly in the Community Commercial zone

Location: 22549 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-023-003
Owner: Anita Kundi

RECOMMENDED ACTION: Either 1) adopt Planning Commission Resolution No. 25-90 (Attachment 1) recommending the City Council determine that the project is exempt from the California Environmental Quality Act (CEQA), adopt Local Coastal Program Amendment (LCPA) No. 23-003 to change the land use designation and zoning

designation from Commercial Neighborhood (CN) to Community Commercial (CC) in the Local Coastal Program (LCP) Land Use Plan (LUP) and Local Implementation Plan (LIP), adopt Zoning Map Amendment (ZMA) No. 18-001 to change the zoning of the property in Title 17 (Zoning) of the Malibu Municipal Code (MMC) from CN to CC, approval of Coastal Development Permit (CDP) No. 18-038 to construct a new two-story 1,792 square-foot (sf) residential care facility for assisted senior living with an additional 1,194 sf basement and 805 sf attached four-car garage, driveway, fire truck turnaround area, landscape, hardscape, terrace decks, grading, retaining walls, site walls, and an onsite wastewater treatment system (OWTS); including Variance (VAR) No. 21-001 for retaining wall and impact wall heights above six feet for a single wall, VAR No. 21-002 for construction on slopes steeper than 2.5 to 1, VAR No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) buffer and fuel modification in ESHA and ESHA buffer, Site Plan Review (SPR) No. 18-044 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, and approval of Conditional Use Permit (CUP) No. 19-002 to allow a residential care facility for the elderly use in the CC zone for a property located at 22549 PCH (Anita Kundi) or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

DISCUSSION: This report is a "no recommendation" report and provides a project overview, a summary of surrounding land uses, a description of the project scope, an analysis of the project's consistency with applicable provisions of the LCP, MMC, and General Plan, and environmental review pursuant to CEQA. Although the staff does not have a recommendation on the proposed project, all alternatives have been explored and are examined within this report. The project before the Planning Commission is the proposal of the applicant after working through all of the code requirements with staff. If the project is to be constructed as proposed, the requested variances are necessary. The Planning Commission can determine if the analysis contained herein demonstrates the project is consistent with the LCP, MMC, and General Plan, inclusive of the discretionary requests.

Project Overview

The proposed project is a four-bedroom residential care facility that would provide assisted senior living for up to four guests in two double-occupancy bedrooms. Two additional single-occupancy bedrooms would be occupied by facility staff/caretakers. The facility would also include two great rooms, a kitchen, bathroom facilities, laundry facility, lobby, and outdoor terraces. The facility includes a two-story building with a basement and attached four-car garage.

The proposed scope of development is as follows:

a. Demolition of a remnant portion of a foundation and a one-foot retaining wall;

b. Construction of a 1,792 sf, 24-foot tall, two-story residential care facility for assisted senior living with a 1,194 sf basement and 805 sf four-car garage attached to the residential care facility;
c. Installation of a new OWTS, including a 3,634-gallon septic tank;
d. New landscaping, terrace decks, and hardscape, including an extension of the existing driveway and new fire truck turnaround;
e. 1,615 cubic yards (cy) of exempt and 74 cy of non-exempt grading; and
f. Retaining and impact walls.

The project's discretionary requests consist of the following:

a. LCPA No. 23-003 to change the land use designation and zoning from CN to CC in the LCP (map changes only; no text);
b. ZMA No. 18-001 to change the zoning from CN to CC in MMC Title 17 (Zoning) (map change only; no text);
c. CDP No. 18-038 to authorize the proposed scope of development listed above;
d. VAR No. 21-001 for retaining wall height up to 24 feet associated with the driveway and integral to the structure to exceed six feet for a single wall or up to 12 feet for a combination of walls, and for the construction of a second 11-foot-tall impact wall[1] in the side yard setback exceeding the maximum allowed six-foot height (for portions within the side yard setback);
e. VAR No. 21-002 for construction on slopes steeper than 2.5 to 1;
f. VAR No. 21-003 for development in onsite ESHA buffer and encroachment into offsite ESHA and ESHA buffer for required fuel modification;
g. SPR No. 18-044 for building height to exceed the maximum allowed 18 feet, up to 24 feet, for a flat roof; and
h. CUP No. 19-002 to allow a residential care facility for the elderly use in the CC zoning district to provide assisted senior living for up to four guests with facility staff/caretakers.

Uncovered outdoor terrace decks would be located on each floor of the building, including the basement, first floor, and second floor. The proposed basement would be underground and not daylighting, except for a stairwell and pedestrian access area on the east side of the building, and three feet of the upper walls of the basement, the latter of which would be visible on the east, south, and west sides of the building. The three-foot basement exposure would have windows on the east and west building elevations.

Development would mostly occur on the flatter portion of the property sited in the south and southwest area where the existing driveway and remnant foundation are located. The proposed building would be sited approximately 30 feet south of the northern property boundary, avoiding most of the steepest slopes located on the south facing northern slope and others in the southeast corner of the property. Given the relatively small size of the

[1] An "impact wall" is a poured-in-place concrete wall required for geotechnical purposes and intended to prevent mudflow from an adjacent slope in the event of a slope failure.

parcel (approximately 0.27 acres) and steep slopes onsite, a portion of the proposed building, retaining wall, and associated improvements would occur on slopes exceeding the maximum allowed horizontal foot to vertical foot ratio of 2.5 to 1. The applicant is requesting a variance for construction on slopes steeper than 2.5 to 1, up to 1 to 1.

To create the requested building pad, the steep slope along the northern and northeastern part of the parcel would need to be retained. Given the height of the slope, the applicant is requesting a variance for a retaining wall exceeding the maximum allowed six-foot height limit. The retaining wall would range from 11 to 24 feet high, including a portion of the wall that would be integral to the structure. A six-foot high retaining wall would be constructed at the southeast corner of the building pad and a 1.5-foot-high wall would be constructed near the fire truck turnaround south of the proposed building. An existing five-foot tall retaining wall near the driveway entry to the property would remain.

Additionally, a poured-in-place concrete impact wall up to 11 feet in height is required for geotechnical purposes and proposed along the western edge of the property, with portions extending in the required side yard setback. The purpose of this wall is to prevent mudflow from the adjacent slope in the event of a slope failure. The variance request incorporates the proposed 11-foot wall height within the otherwise required six-foot height limit in the side yard setback.

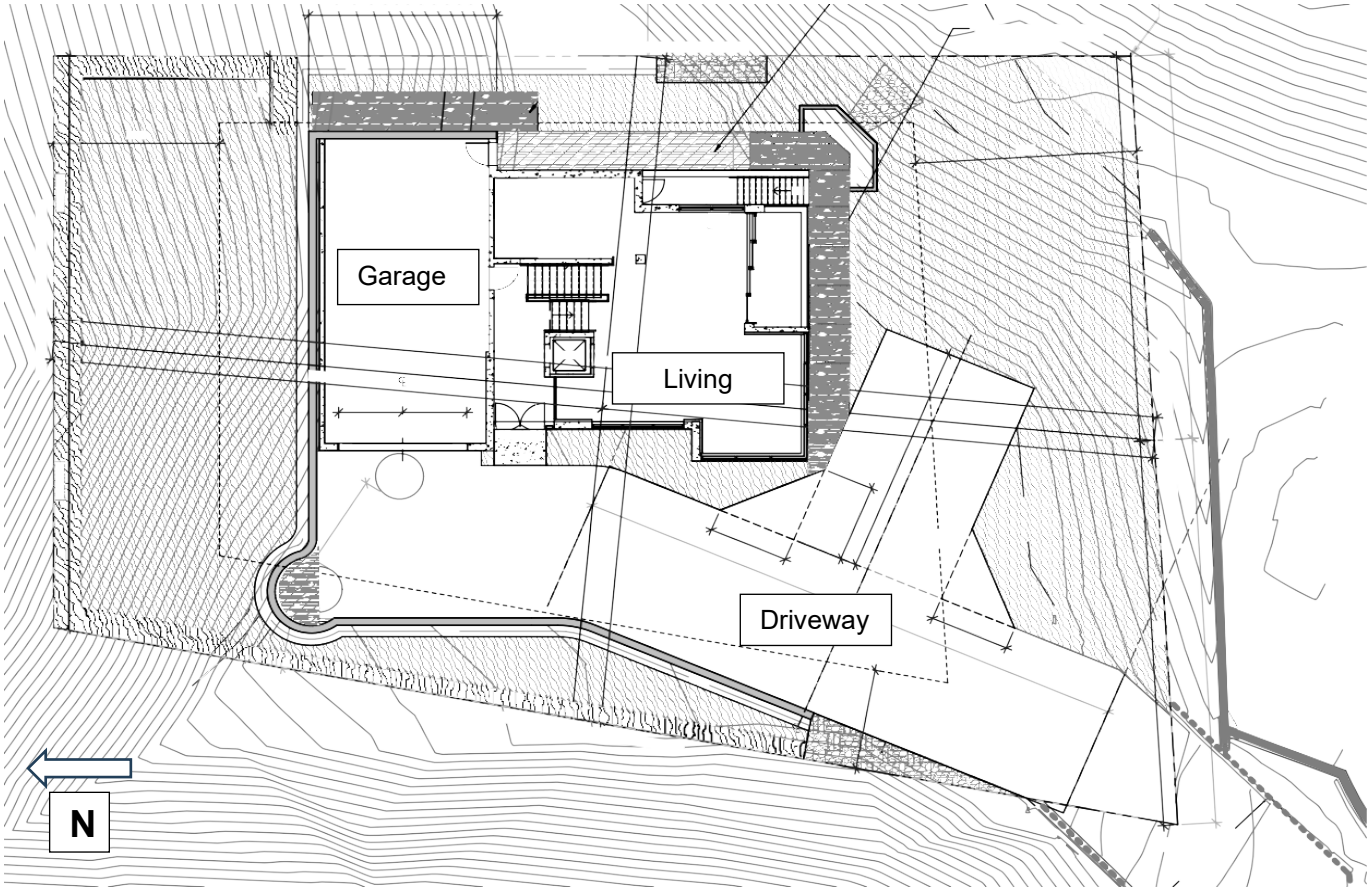
As the property is in a commercial zone, the LIP's commercial development standards in LIP Section 3.8 would apply. Accordingly, building square footage is regulated by Floor Area Ratio (FAR) versus Total Development Square Footage (TDSF) which is used for residential development. The proposed FAR is 0.148 in compliance with the LIP's maximum of 0.15 for commercial development. Pursuant to the definitions of "Floor Areas, Gross" and "Floor Area Ratio" in LIP Section 2.1, areas that qualify as below-ground structures (e.g., basements) and interior parking areas (e.g., garages) are exempt from the FAR calculation.

Given the relatively small size of the parcel and its proximity to offsite ESHA, approximately 60 percent of the property (including the proposed building location) is within 100 feet of the offsite ESHA and, therefore, is located in the ESHA buffer. The applicant is requesting a variance to construct the project in the onsite ESHA buffer, and to encroach into offsite ESHA and ESHA buffer for required fuel modification. Pursuant to the ESHA development standards in LIP Section 4.7.1, the project's allowable development area is limited to 25 percent of the total lot size, which calculates to 3,020.25 sf. The project proposes a development area of 3,016 sf and is in compliance with the LIP's ESHA development standards. The proposed development area consists of the building pad, graded areas, all structures, and parking areas. Consistent with the LIP, the proposed driveway extension and fire truck turnaround area are excluded from the development area limitation.

A small flat pad currently exists onsite, approximately 6,000 square feet in size. The applicant is requesting to extend the pad via the proposed grading and retaining walls to to accommodate the fire department turnaround and site access. As mentioned above,

the site's development area is limited to 3,016 sf with the exclusion of the driveway and fire department turnaround.

Figure 1 – Proposed Site Plan



Source: Applicant Plans

Proposed grading consists of 2,083 cubic yards (cy) of cut and 516 cy of fill. This includes 74 cy of non-exempt grading, with 1,567 cy of soil to be exported and none imported, pursuant to the Total Yardage Verification Certification data required by the City.

Site stormwater drainage would be conveyed by a series of V-ditches along the top of the northernmost retaining wall, and along the sides of the property, entering onsite riprap energy dissipators with drainage inlets. The remainder of the property would drain by sheet flow to match the existing site conditions. The OWTS would be located in the driveway west of the building entrance.

Landscaped planters are proposed along the perimeter of the development, and in limited areas directly adjacent to the building. Most landscaping would occur on the slope north of the proposed retaining wall and the area south of the building and east of the driveway entry. The proposed plant palette is composed mostly of non-native species.

On February 9, 2022, the City Biologist determined that review by the Environmental Review Board (ERB) was required for the project, as the project has the potential to impact special status biological resources through Fuel Modification Zones B and C encroachment into ESHA. The ERB reviewed the project on June 7, 2023. Attachment 5 provides a summary of the ERB comments and applicant and staff responses. In response to the ERB's review of the project and in consideration of the nearby ESHA, should the Commission recommend project approval, a condition of approval is recommended by the ERB that all onsite landscaped areas incorporate native species, as acceptable to the Los Angeles County Fire Department (LACFD) Fuel Modification Unit. The City Biologist also determined that the applicant is required to provide mitigation for habitat impacts associated with project fuel modification into ESHA, which could potentially occur outside of the subject parcel. The mitigation requires that prior to final Building Safety plan check approval, the applicant would be required to provide either a detailed restoration plan, a habitat conservation plan, or evidence of payment of in-lieu fees to the Santa Monica Mountains Conservancy. If the Commission recommends project approval, the ERB and City Biologist's conditions of approval are included in Attachment 1.

Project Setting and Surrounding Land Uses

The property is a vacant 12,081 sf (0.27 acre) site located east of Sweetwater Canyon Drive and west of Carbon Beach Terrace, on the inland side of PCH behind a 1.81-acre parcel developed with commercial use located at 22601 PCH (see Figure 1). The subject property is an irregularly shaped parcel with a small and relatively flat building pad with a remnant building foundation and walls from a prior development. The remnant foundation and one retaining wall would be demolished to construct the residential care facility, and one retaining wall would be maintained. Access is currently provided to the proposed building site via an existing 20-foot-wide concrete driveway that extends from PCH along the west boundary of the parcel at 22601 PCH and meets the southwest corner of the subject property. The driveway also provides access to three existing residences further west of the subject property. No improvements are proposed or required to the existing portion of the driveway offsite.

Figure 2 – Project Area Aerial



Source: City GIS

Table 1 – Property Data	
Lot Depth	142.95 feet
Lot Width	76.12 feet
Gross Lot Area	12,081 square feet (0.27 acres)
Easements	329 square feet
Slopes 1 to 1 and Steeper	210 square feet
Net Lot Area	11,542 square feet (0.26 acres)

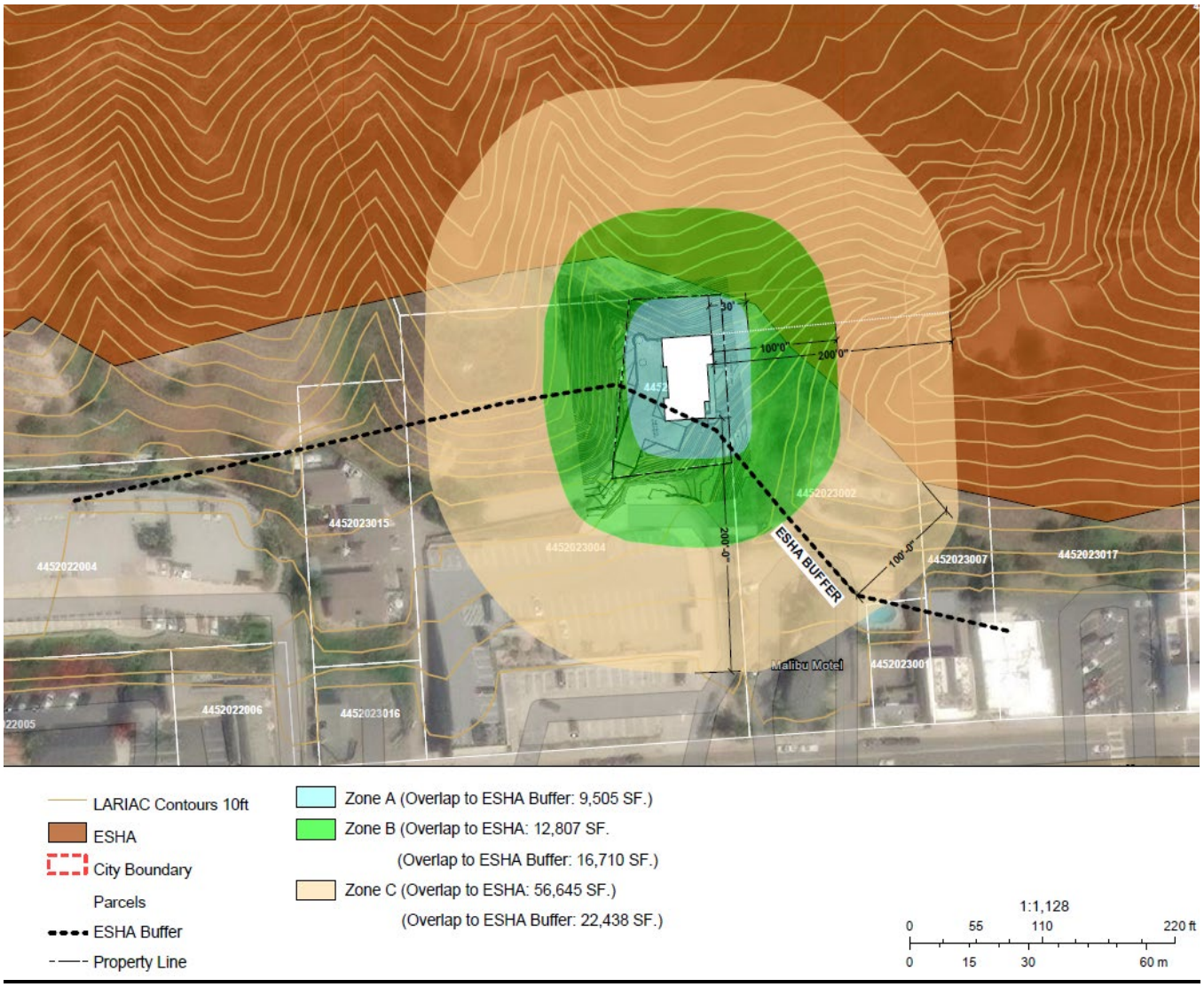
Topography on the subject property varies from relatively flat areas to steep hillside. Slopes range from 4 to 1 up to 1 to 1 or steeper. Approximately half of the property consists of 4 to 1 slopes (an area of 6,185 square feet), with the remaining portion comprised of slopes steeper than 2.5 to 1 (an area of 5,315 square feet). Flatter areas are in the center of the property, where most of the development is proposed, while steeper areas are in the north and southeast portions of the property. As a result, retaining walls are proposed near steep slopes to create a flat and buildable area for development.

The property is located within the Appeal Jurisdiction of the California Coastal Commission (CCC), as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map, due to a 300-foot proximity to a coastal bluff. The coastal bluff is south of PCH. According to the project geotechnical and geological consultant (TGR Geotechnical, Inc.), the project site is approximately 336 feet north of the coastal bluff, a far distance away from wave action, and there are multiple layers of buildings, as well as PCH, between the site and the beach. Drainage from the property currently directs into the storm drain at the southeast corner of the neighboring parking structure to the south. Any sediment from the property is already diverted prior to reaching the ocean.

Since the property is located within the CCC's appeal jurisdiction, this means that if CDP No. 18-038 were approved by the City Council, it would be appealable to the CCC. However, since the project would first require certification of an LCPA in order for the requested use to be consistent with the LCP's land use and zoning, the CDP would not become effective unless and until the CCC's certification process is complete and the CCC appeal period has been exhausted. The CCC's appeal period would commence upon receipt of the City's Notice of Final Action. This would be sent to the CCC upon completion of the LCPA certification process. A condition of approval would be included in the City Council's resolution stipulating that the CDP shall not become effective unless and until the LCPA is certified and the CCC appeal period has been exhausted. This condition is included in Attachment 1.

A biological assessment prepared for the property by Forde Biological Consultants (October 2018) confirmed that no ESHA is present on the property and characterizes the project site as non-native ruderal grassland and disturbed/developed. Because coastal sage scrub ESHA is prominent offsite to the north, northwest, and northeast of the property, most of the property and all proposed structures are within the 100-foot ESHA buffer. The ESHA buffer covers approximately 60 percent of the property (7,344 sf) with the remaining 40 percent (4,737 sf) of the property's southern portion outside of the buffer. No native protected trees are located on the property.

Figure 3 – Project Site &
Fuel Modification Zones in Relation to ESHA & ESHA Buffer



Source: Applicant

No trails or park lands are located on or adjacent to the property according to the LCP Park Lands Map.

Existing and Proposed Land Use Designation and Zoning

The subject property is bordered on the north by a vacant residential parcel in the Rural Residential, 40-Acre (RR-40) zone, and to the east, west, and south by parcels in the CC, CN, and Commercial Visitor Serving 1 (CV-1) zones. These parcels are developed along the PCH corridor with commercial development, while the northerly upslope portions of these parcels (immediately adjacent to the subject property) are undeveloped and natural hillsides. Further to the west of the subject property are single-family and multi-family

residential buildings in the CC zone. Table 2 summarizes the surrounding land uses and zoning districts.

Table 2 – Surrounding Land Uses & Zoning				
	Address / APN	**Size**	**Land Use**	**Zoning**
North	4452-025-023	34.85 acres	Vacant	RR-40
East	22541 PCH / 4452-023-002	1.43 acres	Commercial Visitor Serving	CV-1
West / South	22601 PCH / 4452-023-004	1.86 acres	CC (General Plan) & CN (LCP)	CN
Further West	22605 PCH / 4452-023-015	0.45 acres	CC	CC

Figure 4 – Surrounding Zoning



Source: City GIS

As reflected in Table 3, the subject property is designated CC in the General Plan and CN in the MMC and LCP.

Table 3 – Existing and Proposed Zoning and Land Use Designations			
	Existing	**Proposed**	**Action**
22549 PCH			
General Plan Land Use	CC	-	-
MMC Zoning	CN	CC	ZMA 18-001
LCP Land Use & Zoning	CN	CC	LCPA 23-003

The project includes LCPA No. 23-003 to redesignate the land use and zoning of the property from CN to CC and ZMA No. 18-001 to rezone the property from CN to CC. These actions would ensure consistency with the General Plan and allow a "residential care facility for the elderly" as a conditionally permitted use in the CC zone subject to a CUP.

History of Property's Land Use Designation and Zoning

Based on the Planning Division's research, the subject property has historically been inconsistent with its land use designations and zoning within the City's regulatory documents. As adopted, the City's original General Plan and MMC Zoning Map had the property designated as CN. However, on November 12, 1996, the City Council adopted Resolution No. 96-079 to correct various land uses in the General Plan on parcels throughout the City and changed the property's land use designation to CC. While the intent was to also update the MMC Zoning Map, the corresponding update never occurred, and the property remained in the CN zone. As part of the CCC's certification of the City's LCP in 2002, the LCP Land Use and Zoning Maps designated the property with a CC land use designation and CC zone. On April 10, 2007, as part of a comprehensive cleanup amendment, the City Council adopted changes to several land use designations and zoning citywide for consistency with the City's Zoning Map. As part of the cleanup amendment, the land use designation and zoning of the property was changed from CC to CN in the LCP to match the MMC Zoning Map. However, the change was later found to be inadvertent as the underlying and correct land use designation of the property was CC and the property should have remained as CC in the LCP.[2] Therefore, because the CN designation in the LCP and MMC Zoning Map are not reflective of the underlying and correct land use designation of the property, the Planning Division is supportive of the applicant's LCPA and ZMA requests. If approved by the City Council, the amendments will ensure consistency between the General Plan, LCP, and MMC Zoning Map.

[2] Circumstances may be similar with the contiguous parcel to the south located at 22601 PCH. However, because the subject LCPA and ZMA are applicant-initiated amendments, the requested LCPA and ZMA are limited to the subject property at 22549 PCH.

Existing

The CN land use designation and zone are intended to provide for low intensity commercial activity emphasizing service to the residents in the surrounding neighborhoods.

> *COMMERCIAL NEIGHBORHOOD (CN): The CN designation is intended to provide for low intensity commercial activity such as individual retail and service uses and cultural and artistic uses emphasizing convenient shopping/service to the residents in the surrounding neighborhoods. This designation ensures that the types of uses and intensity of use must be compatible with nearby and adjacent residential areas. Businesses are generally smaller in floor area than those in other commercial categories and are located on smaller sites. The maximum Floor to Area Ratios (FAR) within this category is 0.15. Uses that are permitted and/or conditionally permitted include the following: medical office, small retail stores, bakeries, beauty salons and bookstores, small restaurants, nursery schools/day care facilities, offices, and public open space and recreation.*

Proposed

The CC land use designation and zone are intended to provide the resident-serving needs of the community, including uses such as restaurants, banks, offices and retail.

> *COMMUNITY COMMERCIAL (CC): The CC designation is intended to provide for the resident serving needs of the community similar to the CN designation, but on parcels of land more suitable for concentrated commercial activity. The community commercial category plans for centers that offer a greater depth and range of merchandise in shopping and specialty goods than the neighborhood center although this category may include some of the uses also found in a neighborhood center. Often a supermarket or variety store functions as the anchor tenant. The maximum FAR is 0.15. The FAR may be increased to a maximum of 0.20 where public benefits and amenities are provided as part of the project. Uses that are permitted and/or conditionally permitted include the following: all permitted uses within the CN designation, financial institutions, medical clinics, restaurants, service stations, heath care facilities, offices, and public open space and recreation.*

Local Coastal Program Amendment (LIP Section 19.6)

LCPA No. 23-003 includes an amendment to the certified LUP and LIP. Specifically, the amendment consists of a map amendment to LCP Appendix 2 Maps to change the existing land use designation and zoning of the subject property from CN to CC. No change to text is proposed. In order to amend the LCP, the finding listed below must be made pursuant to LIP Section 19.6. The Commission may consider, based on evidence in the whole

record, if the City Council should find the LCPA in conformity with the LCP and the policies of the California Coastal Act.

Finding 1. The proposed amendments meet the requirements of, and are in conformance with, the LCP and the policies of Chapter 3 the California Coastal Act.

The project includes a request to amend the LCP's land use designation and zoning designation for the parcel from CN to CC on LCP Land Use Map 3 and Zoning Map 3. The changes are requested for the proposed use of a "residential care facility for the elderly," which is a conditionally allowed use in the CC zone but prohibited in the CN zone. The purpose of the facility is to provide assisted senior living services for up to four guests. When the LCP was initially certified in 2002, the subject property was designated as CC in the LCP Land Use Map and Zoning Map but was inadvertently changed to CN in 2007 as part of a subsequent certified LCPA (LCPA No. 05-001). The City's General Plan continues to designate the subject property as CC. Changing the subject property back to CC would re-apply the land use designation and zoning as the originally certified LCP and ensure consistency with the City's General Plan designation for the property.

The project could be found consistent with Public Resources Code, Division 20 (California Coastal Act), Chapter 3 and related LCP LUP policies as follows. *Note that further discussion of consistency with the LIP and specific LIP findings is found in, "LIP Conformance Analysis" and "LIP Findings" further below in this report.*

The project consists of a change in the land use designation and zoning in the LCP from CN to CC. The allowed uses are similar between the CN and CC, with the purpose of the CN to provide for low intensity commercial activity emphasizing service to the residents in the surrounding neighborhood, and the purpose of the CC to provide for the resident serving needs of the community similar to the CN but on parcels of land more suitable for concentrated commercial activity. If changed, the subject property is intended to be used as a residential care facility for assisted senior living. The proposed commercial use of a "residential care facility for the elderly" is conditionally allowed in the CC zone subject to a CUP. It is also consistent with the surrounding commercial land uses and zoning, and commercial and residential development and use of the area due to its relatively small development (square footage and land area) and its use as a commercial residence for assisted senior living.

A residential care facility project is being processed simultaneously with the LCPA via CDP No. 18-038. The proposed project is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. The 1.43-acre parcel to the east of the subject property at 22541 PCH has a 5,142-square-foot three-story motel building constructed in 1947 that fronts PCH, while the portion of the parcel further north and adjacent to the property is natural and undeveloped. The 1.86-acre parcel at 22601 PCH that borders the subject property on both the west and south contains a retail shopping center along the property's south edge

that fronts PCH. The shopping center consists of a two-story 19,885-square-foot building constructed in 1991 with a parking lot built into the slope in the rear and on top of the building. However, the portion of the parcel to the north and adjacent to the subject property is natural and undeveloped. Further west of the subject property are parcels in the CC zone with three structures built as residences ranging in size from 713 sf, 879 sf, and 1,302 sf. To the north of the property is a large vacant parcel zoned RR-40 that is intended for low-density residential use.

The proposed project consists of a 1,792 sf building with a 1,194 sf basement and an attached 805 sf four-car garage on a 0.27-acre parcel, which is smaller than the nearby commercial uses, but larger than the residential uses on commercially zoned land. The proposed project is similar in height and number of stories to the adjacent retail commercial center to the south. The type of use, building profile, and the amount of development is compatible with the neighborhood character. The project is consistent with Coastal Act Section 30250 by being contiguous with, and in close proximity to, existing developed areas.

The LCPA could be found consistent with LUP General Policies 5.3, 5.4, 5.5, 5.6, and 5.7, as the subject property would be considered a legal lot (as conditioned to obtain a certificate of compliance prior to City Council consideration), could accommodate adequate off-street parking for a residential care use as required in the LIP, the ERB has reviewed and made recommendations on the proposed use and development potential, any impacts to ESHA will be mitigated, and measures to minimize scenic and visual resource impacts and minimize hazard risks have been incorporated into proposed development on the property. If the Commission recommends approval of the project, a condition of approval has been included (Attachment 1) stating that the applicant needs to apply for and obtain approval of a certificate of compliance for the lot from the Public Works Department prior to the City Council considering the LCPA, ZMA, and other project entitlements.

The LCPA could be found consistent with Coastal Act Section 30251 as the subject property could accommodate development that is sited and designed to protect views to and along the ocean and other scenic coastal areas, and LUP Land Use Policies 6.5 to 6.14 to protect scenic resources. The development area on the property is at the base of a hillside on the flatter portion of the property and behind existing commercial development. As a result, public views of the development area from designated scenic roads (PCH) and any other public viewing areas are not anticipated to be adversely impacted by development authorized in the CC zone. Should a structure be constructed in the development area, limited portions of it would be visible from PCH as one travels westerly and easterly on the highway; however, most of the structure would be blocked by existing commercial development between PCH and the subject property. A clearer view of the development north from PCH would be visible from the driveway to the retail shopping center that is located just south of the site and fronting PCH, as there is no building to block the view. Due to the location of the subject property, development of the

site would not block views to the ocean or other scenic resources as none currently exist since there are no public viewing areas behind or adjacent to the property.

Coastal Act Section 30253 requires the minimization of adverse impacts. Any future development authorized in the CC zone would be subject to the hazard policies of the LUP and could be considered to have been designed, and incorporated measures, to minimize hazards, particularly those related to fire and geology, and ensure site stability and structural integrity. Therefore, it could also be considered consistent with LUP General Development Policies 4.2, 4.5, 4.8, and 4.10 regarding hazards.

Zoning Map Amendment (MMC Section 17.74.050)

Zoning Map Amendment No. 18-001 will change the zoning of the property from CN to CC. No change to text is proposed. The ZMA is necessary for consistency with the General Plan, which currently applies a CC land use designation to the property. The ZMA is also necessary for consistency with the proposed LCPA and will only be approved if the LCPA is approved, and on the condition that the ZMA only take effect if the LCPA is certified by the CCC. This is because LIP Section 1.3.1 states that where there is a conflict between the LCP and General Plan or any other City-adopted plan or ordinance, the LCP shall take precedence. Therefore, if the LCPA is not certified, then the ZMA will not be effective and future development would be subject to CN zoning (even though the General Plan land use designation remains CC).

The ZMA is consistent with the objectives, policies and general land uses in the General Plan as the property currently has a CC land use designation in the General Plan. The ZMA will allow the MMC to be amended and be consistent with the current General Plan and the amended LCP zoning map (LCPA No. 23-003) and is only corollary of that action. Based on the above discussion, the amendment is consistent with the following General Plan Land Use (LU) Element policies:

- LU Policy 2.1.3: The City shall proportion commercially zoned properties based on community need.

- LU Policy 4.4.1: The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.

- LU Policy 6.1.1: The City shall use development standards and procedures that protect the property owners' reasonable use of their land consistent with the goals and policies of this General Plan.

- LU Policy 6.1.2: The City shall allow a parcel legally created and existing as of March 26, 1993, regardless of size, to be used for any purpose permitted by right or, if permits obtained, any conditionally permitted use, in the zone district in which the parcel is

situated, provided that such use or any new construction complies with the requirements of the zoning ordinance.

LCP Analysis

The LCP consists of the LUP and the LIP. The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP contains provisions to carry out the policies of the LUP to which every project requiring a CDP must adhere.

There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

The nine remaining LIP chapters contain required findings: 1) CDP; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. For the reasons described in this report, only the following chapters and associated findings are applicable to the project: CDP (including VAR and SPR findings); ESHA; Scenic, Visual and Hillside Resource Protection; and Hazards.[3] These chapters are discussed in the *LIP Findings* section of this report.

Additionally, the proposed project is subject to the Landscape Water Conservation Ordinance (MMC Chapter 17.53) as the project is proposing a new landscape area of two thousand five hundred (2,500) square feet or more. The project is also subject to the regulations pertaining to a CUP (MMC Chapter 17.66) as discussed in the *MMC Findings* section of this report.

LIP Conformance Analysis

The proposed project has been reviewed by the Planning Division, City Biologist, Building Safety Division, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, Los Angeles County Waterworks District No. 29 (WD29), and the LACFD (Attachment 3 – Department Review Sheets). The project, as proposed and with the conditions described in this report, could be found consistent with all applicable LCP codes, standards, goals and policies, inclusive of the requested LCPA, VARs, and SPR.

Zoning (LIP Chapter 3)

The LCP's land use designation and zoning of the subject property is CN. The applicant is requesting the LCP land use designation and zone be changed to CC (LCPA No. 23-

[3] The Native Tree Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access, and Land Division findings are neither applicable nor required for the proposed project.

003). The proposed senior assisted residential care facility is a conditionally allowed use ("residential care facility for the elderly") in the CC zone subject to a CUP. If the LCPA is certified, the proposed residential care facility would be in compliance with the LCP.

The project is subject to development and design standards, including for commercial land uses, set forth in LIP Sections 3.5 and 3.8. Table 4 provides a summary of the relevant standards and whether the project complies. The table shows that the proposed project meets all the standards, inclusive of the requested VARs and SPR. The items for which a VAR and SPR are requested are shown in bold italics.

Table 4 – Zoning Conformance			
Development Requirement	**Allowed/ Required**	**Proposed**	**Comments**
SETBACKS (ft.)			
Front Yard	26 ft., 9 in. min.	41 ft., 2 in.	Complies
Rear Yard	20 ft., 2 in. min.	31 ft., 11 in.	Complies
Side Yard (Minimum 10%) East	7 ft., 6 in. min.	9 ft., 10 in.	Complies
Side Yard (Minimum 10%) West	7 ft., 6 in. min.	28 ft., 11 in.	Complies
Total Side Yard (Cumulative 25%)	19 ft. min.	38 ft., 9 in.	Complies
PARKING SPACES			
Enclosed (10 ft. x 18 ft.)	2 min.	4 enclosed	Complies
Unenclosed (10 ft. x 18 ft.)	2 min.	0 (see above)	Complies
BUILDING HEIGHT (ft.)	***18 ft. max.***	***24 ft. (flat roof)***	***SPR 18-044***
DEVELOPMENT AREA (sf.) – ESHA STANDARDS	3,020 sf. max.	3,016 sf.	Complies
FLOOR AREA RATIO (FAR)	0.15 max.	0.148	Complies
NON-EXEMPT GRADING (c.y.)	1,000 c.y. max.	74 c.y.	Complies
CONSTRUCTION ON SLOPES	***3:1 and flatter***	***2:5:1 to >1:1***	***VAR 21-002***
LANDSCAPED AREA (% of lot area)	40% min.	49.8%	Complies
OPEN SPACE (% lot area)	25% min.	28.2%	Complies
WALLS			
Retaining Wall Height (north side single wall & wall integral to structure)	***6 ft. max. single wall; 12 ft. max. combo walls & walls integral to structure***	***11 to 24 ft. high single wall***	***VAR 21-001***

Impact Wall (west side)	***6 ft. max. single wall in side yard setback***	***11 ft. high single wall in side yard setback***	***VAR 21-001***
Other Retaining Walls	6 ft. max. single wall	6 ft. single walls	Complies

As previously noted in this report, an SPR is required for the building to exceed the maximum allowed 18 feet height. The project proposes a 24-foot-high building with a flat roof.

To create the requested building pad, the steep slope along the northern and northeastern part of the parcel would need to be retained. Given the height of the slope, the applicant is requesting a variance for a retaining wall exceeding the maximum allowed six-foot height limit. The retaining wall would range from 11 to 24 feet high, including a portion of the wall that would be integral to the structure. The City's structural engineering consultant for the Building Safety Division has reviewed the retaining wall and determined on December 17, 2024, that the design is adequate on a conceptual basis.

The impact wall on the western side of the property would be 11 feet high. Because the portion of the impact wall in the side yard setback would exceed the maximum allowed six feet high, the wall variance would also address the impact wall deviation from the height standard.

Most of the proposed development would occur on relatively flat slopes of 4 to 1 to 3 to 1. However, portions of the development, including building construction, grading, construction of walls, and storm water mechanism installation would occur in steep slopes of 2.5 to 1 and steeper. The one area of 1 to 1 or steeper slope affected by the project is located in the area north of the proposed 11 to 24-foot-high retaining wall, where a drainage V-ditch would be installed.

Grading (LIP Chapter 8)

LIP Section 8.3 ensures that new development minimizes the visual resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards (cy) per acre for a commercial parcel. As shown in the table below, the total amount of proposed non-exempt grading is 74 cy, which is less than the maximum allowed. The total amount of grading is 1,615 cy. This includes the 74 cy of non-exempt grading, 1,255 cy of exempt understructure (cut), and 286 cy of exempt safety grading. The project complies with the grading requirements set forth under LIP Section 8.3.

Table 5 – LCP Grading Conformance						
	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	492	1,255	286	50	0	2,083
Fill	492	0	0	24	0	516
Total	0	1,255 Cut	286 Cut	74	0	1,615
Import	0	0	0	0	0	0
Export	0	1,255	286	26	0	1,567

*Note: R&R= Removal and Recompaction; cy = cubic yards

**Exempt grading includes all Removal and Recompaction (R&R), understructure and safety grading.

***Safety grading is the incremental grading required for fire department access (such as turnouts, hammerheads and turnarounds and any other increases in driveway width above 15 feet required by the Los Angeles County Fire Department).

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires that certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archeological Study was conducted for the property in April 2018 by Cogstone Resource Management, Inc. The study concluded that the proposed development would not result in adverse impacts to cultural resources due to the lack of archaeological sites in the project's vicinity and the disturbance of the project area resulting from previous activities to create a building pad. Staff has determined that any proposed improvements within the project area will have no adverse impact on known cultural resources.

Nevertheless, the report recommends that a Native American monitor be present during ground disturbing activities. Should the Commission recommend approval of the project, to ensure no adverse impact, a condition of approval is included in Attachment 1 for a monitor to be present, along with a condition stating that in the event that potentially important cultural resources are found in the course of geologic testing or construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Community Development Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved on a preliminary basis the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval include the implementation of approved storm water management plans during construction activities and to manage runoff from the development, including recordation of a water quality mitigation plan, and best management practices. With the implementation of these conditions (Attachment 3), the project conforms to the water quality protection standards of LIP Chapter 17. Should the

Commission recommend approval of the project, these conditions should be required and are included in Attachment 1.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The project includes an OWTS to serve the proposed development, which has been reviewed and accepted on a preliminary basis by the City Environmental Health Administrator. The system details are included in the Environmental Health approved plot plan in Attachment 3 and were found to meet the minimum requirements of the MMC and the LCP. The proposed OWTS will meet all applicable requirements and operating permits will be required. An operation and maintenance contract and recorded covenant covering such must comply with City of Malibu Environmental Health requirements. Should the Commission recommend approval of the project, conditions of approval are included in Attachment 1 to ensure continued operation, maintenance, and monitoring of onsite facilities.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13) (CDP No. 18-038)

LIP Section 13.9 requires that the following four findings be made for all CDPs.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

Inclusive of the requested LCPA and ZMA, the project would be located in the CC land use designation and zoning district, an area designated for resident serving commercial needs of the community similar to but more concentrated than that of the CN zoning district. Uses include professional offices, retail service for residential uses, health clubs and dance studios, and governmental facilities, among others. A “residential care facility for the elderly” is a conditionally allowed use in the CC zoning district subject to a CUP (CUP No. 19-002). The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, Building Safety Department, City Public Works Department, City geotechnical review consultants, WD29, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, could be found to conform to the LCP in that it meets all applicable commercial development standards, inclusive of the requested LCPA, ZMA, VARs, and SPR. Should the Commission recommend approval of the project, conditions of approval to ensure it conforms to the LCP are included in Attachment 1.

Finding 2. If the project is located between the first public road and the sea, that the project is in conformity to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

The project is not located between the first public road and the ocean. The subject property is inland and on the north side of PCH. In addition, the subject property does not contain any trails, nor is it adjacent to any trails, park or recreation facilities depicted on the LCP Park Lands Map. Therefore, this finding is not applicable.

Finding 3. The project is the least environmentally damaging alternative.

Due to the site characteristics and proposed type of use, there are no feasible project alternatives that are more environmentally preferable than the proposed project. To create a project that does not require the construction of a retaining wall, building portion or related improvements in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the onsite ESHA buffer and fuel modification into offsite ESHA and ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. Due to fuel modification encroachment into ESHA and ESHA buffer regardless of where a building pad were located on the property, any development would already be constrained by the ESHA development standards in LIP Section 4.7.1 requiring a project's allowable development area to be limited to 25 percent of the total lot size. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a three-story building taller than 24 feet, inconsistent with the LIP and MMC, and which would be more visible from PCH. Moreover, it is anticipated that a smaller project footprint would nominally change the project's potential for environmental impacts, since a relatively flat area for the driveway and fire truck turnaround of the same sizes as currently proposed would still be necessary and would require variances to be located on the subject property.

The ESHA buffer covers about 60 percent (about 7,300 square feet) of the parcel, leaving little room outside of the buffer for the development area (about 4,700 square feet). The southern area of the parcel also contains slopes that require retaining walls, although not to the height of the northernmost retaining wall. Therefore, shifting the development southerly to avoid the ESHA buffer would render the project infeasible. Shifting the building further south, so that less of the development is in the ESHA buffer, would conflict with an existing easement to the State of California for right of ingress and control of storm water in the southeast corner of the parcel. This shift would require additional retaining walls in the southern portion of the property, would likely encroach in the minimum required front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate the required onsite driveway and fire truck turnaround which would need to be placed at the rear of the building. Fuel

modification would still be necessary. Therefore, shifting the building southerly would still result in development in the ESHA buffer and would not be an environmentally preferable option.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the property in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot feasibly be replaced with shorter stacked walls meeting the LIP's maximum permitted six-foot height. At least one of the stacked walls would need to be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

The proposed development will not result in adverse scenic or visual resource impacts given the location of the building and walls onsite and the location of the proposed development site within the hillside area backdrop, will not result in adverse biological impacts with implementation of mitigation measures to compensate for the loss of habitat, and is the least environmentally damaging feasible alternative.

Finding 4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

Approximately 60 percent of the subject property area is within the designated ESHA buffer as shown on the LCP ESHA and Marine Resources Map and as delineated in the biological assessment of the project site prepared by Forde Biological Consultants (October 2018). The proposed building, paved areas, walls, landscaped areas, and grading would be located within the ESHA buffer. The project also has the potential to impact special status biological resources through fuel modification Zones B and C encroachment into the ESHA offsite to the north and the ESHA buffer on either side of the property. On February 9, 2022, the City Biologist determined that review by the ERB was required for the project. The ERB reviewed the project on June 7, 2023. Attachment 5 a summary of the ERB comments and applicant and staff responses.

The ERB requested that the project include native vegetation in the landscape plan, which, if the Commission recommends project approval, should be made a condition of approval. The ERB asked about the feasibility of incorporating a bioswale feature upslope behind the retaining wall on the north side of the parcel. The applicant's civil engineer indicated that a bioswale is not recommended because it could affect the integrity of the wall. In

response to the ERB's question about whether an "H over 2" slope setback distance is required for the ascending slope on the property's northern portion, the applicant's civil engineer indicates that the requirement does not apply, and that the City's geotechnical consultant reviewers and Public Works Department staff have accepted the project as currently proposed. The Building Safety Division's structural engineer consultant has accepted the retaining wall design on a conceptual basis. The ERB asked if the potential for offsite fuel modification by owners of neighboring properties was considered when staff determined the requirements for habitat impact mitigation; staff confirmed that these potential impacts were assessed in determining the appropriate mitigation. While the subject property owner has no legal authority to conduct fuel modification on other properties, owners of the adjacent properties may conduct vegetation thinning and/or removal common to fuel modification due to the proposed development. Therefore, the proposed project has the potential to result in such vegetation modification offsite. The ERB asked that the project lighting be night-sky compliant, however, the project is not proposing exterior lighting. Compliance with the City Dark Sky Ordinance is required so that any exterior lighting determined necessary, such as to comply with the building code, would be designed in compliance with the ERB comment. The ERB asked about storm water Best Management Practices (BMPs) and Americans with Disabilities Act (ADA) accessibility to parking areas and the nearest road right-of-way. The selection and approval of BMPs and compliance with ADA requirements will be addressed in the project's Building and Safety plan check stage. Other ERB comments involved clarification on project conditions, including storm water drainage and measuring building height, and were not requests of the project. The ERB's recommended conditions of approval are included in Attachment 1.

B. Variance Request from LIP Section 3.5.3(A)(3) & (4) and LIP Section 8.3(C) for Wall Heights (VAR No. 21-001)

LIP Section 3.5.3(A)(3) limits walls in an interior side yard to six feet in height and LIP Section 3.5.3(A)(4) limits retaining wall heights in an interior side yard to six feet for any one wall. LIP Section 8.3(C) limits retaining wall heights to six feet for any one wall, 12 feet for a single wall integral to a structure, or 12 feet for a combination of walls separated by a minimum of three feet.

An impact wall for geotechnical purposes (to prevent a mudslide from the adjacent hillside into the project site) is proposed to be constructed along the western side of the proposed development site, partially within and partially outside of the side yard setback. The 11-foot wall will exceed the maximum allowed height of six feet for a wall within a side yard setback. The impact wall height of 11 feet is the minimum necessary to ensure the proposed development site is not affected by a mud slide from the adjacent slope and has been reduced in height from the originally proposed 15.7 feet. If the impact wall were to be replaced with two or more stacked walls, one wall would still need to be as high as the highest point of the single wall. The stacked walls would occupy more space on the site, resulting in a smaller building pad area.

Retaining walls are proposed along the northern side of the proposed development site, continuing along the northeastern corner of the site, as well as in the southern portions of the site. The retaining wall along the northern and northeastern side of the site will exceed six feet, reaching up to 24 feet maximum. The remainder of the retaining walls will be below six feet in height. The 24-foot-high retaining wall is necessary for the proposed hillside cut to create the requested building pad for the proposed use, given the small parcel size. Part of the wall is integral to the proposed building. The height is the minimum necessary to effectively contain the steep hillside behind the wall. A series of stacked walls as opposed to the single tall wall would result in more grading of the steep slope to step the walls further north and would likely result in a smaller building pad area. Additionally, at least one of the stacked walls would still need to be the maximum height of 24 feet, as is the currently proposed height of the single wall. The 24-foot-tall retaining wall has been reviewed and the design accepted on a conceptual basis by the Building Safety Division's consulting structural engineer on December 17, 2024.

The impact wall height of 11 feet is the minimum necessary to ensure the proposed development site is not affected by a mud slide from the adjacent slope and has been reduced in height from the originally proposed 15.7 feet. If the impact wall were to be replaced with two or more stacked walls, one wall would still need to be as high as the highest point of the single wall. The stacked walls would occupy more space on the site, resulting in a smaller building pad area.

Neither the impact wall nor the retaining wall exceeding six feet high is anticipated to be visible from the PCH since the walls are designed to face the interior of the developed area, will be at least partially blocked by the proposed 24-foot-high building, and will be located over 200 feet north of the PCH, behind the existing retail shopping center at 22601 PCH. Project photo simulations (Attachment 2) and story pole photos (Attachment 4) demonstrate that the project site will only be somewhat visible from PCH approaching the property from the east and west, on PCH, due to development on surrounding properties. The project site will be visible directly north from PCH at the driveway for the retail shopping center just below the subject property, as no building would block this view.

Should the Commission recommend approval of the project, a condition of approval to require earth-toned colors be used for the project, including the retaining and impact walls, should be required and this is included in Attachment 1. Based on the foregoing evidence contained in the record, the required findings for VAR No. 21-001 as listed in LIP Section 13.26.5 could potentially be made as follows.

Finding 1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The subject property is small (0.27 acre, or 12,066 square feet), especially for a commercial use consistent with the allowed uses in the current and proposed zoning districts. Immediately adjacent parcels are 1.43 acres to the east and 1.86 acres to the south and west (this parcel borders the property on both the south and west) and zoned for commercial use, while the parcel to the north is 34.85 acres and zoned for residential use. Commercial parcels in the general vicinity range mostly range from 0.57 to 1.86 acres, with one parcel 0.11 acre. For the most part, the development areas of nearby parcels do not have as steep of slopes as the subject property. The center of the project site where there is a remnant building pad is relatively flat, but insufficient in size to accommodate the proposed use. The northern and southern portions of the property have steep topography (2.5 to 1 to over 1 to 1 slopes). To create a sufficient building pad, the project includes cutting into a portion of the slope on the north, necessitating a retaining wall of 24 feet, tall enough to contain the hillside. Shifting the building further south would conflict with an existing easement to the State of California for right of ingress and control of storm water in the southeast corner of the property. This shift would require additional retaining walls due to slopes in the southern parcel area, would likely encroach in the front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate relocation of the and fire truck turnaround and required driveway access to the rear of the building.

The proposed impact wall of 11 feet high is required for safety purposes, to prevent a mud slide from the hillside area to the west of the proposed development site in the event of slope failure. The height of the impact wall is dictated by geotechnical engineering standards. The impact wall location, height, and design have been accepted by the City geotechnical consultant reviewers.

Finding 2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has conceptually approved the 24-foot-tall retaining wall design. To minimize grading, development would occur on the flatter portions of the property to the maximum extent feasible. Given the small size of the property, the scope includes cutting into a portion of the northern slope and construction of the 24-foot-high retaining wall. The retaining wall is proposed to safely and effectively hold back adjacent grades to create the development pad for the proposed use.

The 11-foot-high impact wall on the western side of the parcel is for safety purposes, safeguarding the project development, residents, and employees from the potential consequences of a mudslide in the event of slope failure. The height of the impact wall is

dictated by geotechnical engineering standards. The impact wall location and design have been accepted by the City geotechnical consultant reviewers.

Both the retaining wall and impact wall will be designed to face the interior of the site, so are not expected to be visible from off-site vantage points. Therefore, granting of the proposed variance could be found not be detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located. The walls are to protect the proposed development site from slope hazards and will be required to be constructed to all applicable building safety and engineering standards and codes.

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

The granting of the proposed variance will not constitute a special privilege to the applicant or property owner as it would allow for the development of a use that is conditionally permitted in the CC zone subject to a CUP. Surrounding properties are developed with commercial uses and mostly do not have hillside topography as steep as that of the subject parcel and have parcels larger in size than the subject property. Additionally, the existing parking lot behind the retail shopping center located immediately south of the project site at 22601 PCH is constructed with two stacked retaining walls, the tallest being 12-feet-high, exceeding the maximum allowed six feet high, to facilitate development on that property. The additional height of walls for the subject property will enable the development of the proposed commercial use and its safe operation. Development of the proposed use would be infeasible without the granting of the variance due to the limited size and topography of the subject property. Therefore, granting the proposed variance would not constitute a special privilege to the applicant and property owner.

Finding 4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the proposed variance would not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as variances to wall height in setbacks and retaining wall heights may be granted pursuant to LIP Section 13.26. As previously discussed under the LCP Analysis section of this report**,** the proposed project is consistent with the LUP and LIP, inclusive of the LCPA request. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance could be found to enable development of the proposed use, which is a conditionally allowed use on the property subject to a CUP.

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible

alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The requested VAR does not specifically pertain to ESHA or ESHA buffer. However, approximately 60 percent of the subject property, including the development of the building, paved areas, walls, and landscaped planters, is in the ESHA buffer. Regardless of proposed wall height, the location of walls would still be proposed in the onsite ESHA buffer (VAR No. 21-003). As described above for Finding 1, there are no other feasible alternatives for siting the walls or reducing the wall heights and locating the proposed development elsewhere on the site considering the small parcel size with steep slopes. Given the location of the site in the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 sf, pursuant to LIP Section 4.7.1. The proposed 3,016 sf development area for the project complies with the maximum allowed.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.

Neither the project nor the requested variance are associated with stringline standards. Therefore, this finding does not apply.

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed variance would enable the development of a residential care facility for assisted senior living with steep slopes on and adjacent to the site and will not authorize an unpermitted use or activity subject to inclusion of the LCPA and ZMA. The variance is requested to accommodate retaining and impact retaining walls necessary to construct a building for a use that is conditionally permitted in the CC zone subject to a CUP. Retaining and other walls are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

Finding 8. The subject site is physically suitable for the proposed variance.

The subject parcel is physically suitable for the proposed variance since the additional wall heights can be accommodated on the proposed development site. There are no alternate feasible building locations on the proposed development site that will eliminate the need for the retaining and impact wall heights to exceed the maximums allowed. Constructing a series of stacked retaining walls instead of the proposed single walls higher than the maximum allowed with the intent of reducing the wall heights would necessitate additional land on a site that is already constrained in size and constricted by steep slope areas, likely rendering the project infeasible. Additional area needed for the stacked walls may result in more development area, which would exceed the maximum allowed for a site in

the ESHA buffer (3,020.25 sf per LIP Section 4.7.1). Using stacked walls would also require more grading of slopes than is currently proposed and the tallest stacked wall would need to be the same height as the proposed single retaining wall.

Finding 9. The variance complies with all requirements of state and local law.

The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. Therefore, the proposed project with the additional wall heights, along with the requested other VARs, SPR, CUP, LCPA and ZMA granted, could be found to comply with all applicable requirements of state and local law.

Finding 10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

There is currently no public parking on the subject property, nor is any public parking proposed as part of the project beyond that required for conformance with LIP Chapter 3.14 parking standards for commercial development. The project site is not in proximity to the beach, public trails, or parklands where public parking would be required or desired. Therefore, granting of the variance would not reduce or eliminate such parking, and this finding does not apply.

C. Variance Request from LIP Section 4.6.4(A) for Development within ESHA and ESHA Buffer (VAR No. 21-003)

The parcel north of the subject property contains Coastal Sage Scrub ESHA. Given the small size of the property, approximately 60 percent is within the 100-foot buffer from ESHA (LIP Section 4.6.1(D)), including the proposed building, walls, landscaped areas, driveway, and fire truck turnaround area. LIP Section 4.6.4(A) states that variances that modify buffers or ESHA protection standards shall not be granted except where there is no other feasible alternative for siting the development and where the project does not exceed the limits on allowable development pursuant to LIP Section 4.7.1. The proposed development area is limited to 25 percent of the total lot size, or 3,020.25 square feet. The 3,016.09 square-foot development area for the project complies with the maximum allowed. The development area consists of the building pad, graded areas, all structures, and parking areas, while the driveway and fire truck turnaround areas are excluded. Based on the foregoing evidence contained in the record, the required findings for VAR No. 21-003 as listed in LIP Section 13.26.5 could be made as follows.

Finding 1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that

strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The subject property is small (0.277 acre, or 12,066 square feet), especially for a commercial use, for which the site is zoned. Immediately adjacent parcels are 1.43 acres to the east and 1.86 acres to the south and west (this parcel borders the site on both the south and west) and zoned for commercial use, while the parcel to the north is 34.85 acres and zoned for residential use. Commercial parcels in the general vicinity mostly range from 0.57 to 1.86 acres, with one parcel as small as 0.11 acre. The center of the project site is relatively flat and includes a remnant foundation from previous development but is insufficient in size to accommodate the proposed development.

The ESHA buffer covers approximately 60 percent of the property and is located generally north of the existing building pad. The southern portion of the property is outside of the ESHA buffer and represents approximately 40 percent (4,700 square feet). Restricting the proposed development to this area would result in an infeasible project due to constraints on the property. The proposed development area is 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), and the driveway and fire truck turnaround area (including OWTS) is 2,954 square feet. The required fire truck turnaround area and driveway access to the turnaround represent approximately 2,100 square feet. In addition, the LIP commercial development standards require at least 40 percent of the property must be landscaped area. Therefore, the development could not feasibly be accommodated within the estimated 4,700 square foot area outside of the ESHA buffer and development into the ESHA buffer would be necessary.

Finding 2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has accepted the design of the 24-foot-high wall on a conceptual basis.

As proposed by the City Biologist, the applicant would be required to compensate for offsite habitat impacts to ESHA resulting from potential vegetation modifying activities that may be conducted by neighboring property owners for fire-defensible space through any of the following: a detailed restoration plan, a habitat conservation plan, or evidence of payment of in-lieu fees to the Santa Monica Mountains Conservancy. The precise mitigation would be determined by the City prior to the project's final Building Safety plan check approval. A condition of approval for compensation for off-site habitat impacts is included in Attachment 1.

Development in the onsite ESHA buffer would be accomplished pursuant to City building codes and, due to the location of the proposed development area including the reductions therewith for compliance with LIP Section 4.7.1, the proposed project would be developed in consideration of the public health, interest and welfare. In particular, the proposed retaining and impact walls (including the wall up to 24-feet high) will be constructed to protect people and property. The retaining and impact walls will be designed to face the interior of the project site, and are located behind the proposed 24-foot-tall building, so are not expected to be readily visible from offsite public viewing areas. The walls are determined necessary from a geotechnical perspective to protect the subject property from slope hazards and would be required to be constructed to all applicable building safety and engineering standards and codes. The area upslope of the northerly 24-foot-high-retaining wall would be landscaped. If the Commission recommends project approval, the project should be conditioned to require native species of vegetation in this upslope area, which will provide a habitat buffer between the proposed development and the offsite ESHA. The project is conditioned so that all other landscaped areas onsite include native species, in consideration of the onsite ESHA buffer and offsite ESHA and ESHA buffer (Attachment 1). Therefore, granting of the proposed variance could be found not to be detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

The granting of the proposed variance would not constitute a special privilege to the applicant or property owner. The size of the subject parcel (0.27 acre) is small, and smaller than all but one parcel in the property's vicinity, as described in Finding 1. To avoid the ESHA buffer, development would have to occur in the southern portion of the property, approximately 4,700 square feet in area. This location would have to contain the proposed development area of 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), the driveway and fire truck turnaround area (including OWTS) of 2,954 square feet. Development in this location would not accommodate the necessary development footprint, contains steep slopes, and an easement to the State of California that would further constrain development potential.

The subject property contains very steep slopes, for the most part steeper than those on surrounding parcels. This combination of constraints creates challenges in developing the property for commercial use similarly to other parcels in the vicinity that are already developed for commercial use. The granting of the variance would not provide special privileges to the applicant or property owner but would allow for the development of the property for commercial uses and, specifically, for the proposed use.

Finding 4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as a variance for development in the ESHA buffer may be granted pursuant to LIP Section 13.26. As previously discussed under LCP Analysis in this report**,** the proposed project is consistent with the LUP and LIP, inclusive of the LCPA, VARs, and SPR. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance would enable development of the proposed residential care facility for the elderly, a commercial use that is allowed in the CC zone with approval of a CUP.

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

As discussed in detail in Finding 1, the ESHA buffer covers approximately 60 percent of the subject property generally north of the existing building pad and the proposed development could not feasibly be accommodated in the remaining 40 percent area outside of the ESHA buffer. Due to encroachment into ESHA and ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet (LIP Section 4.7.1.). The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.

Neither the project nor the requested variance areassociated with stringline standards. Therefore, this finding does not apply.

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed variance will enable the development of a residential care facility for assisted senior living on a property where most of the land area is within an ESHA buffer. Due to constraints, the area of the property outside of the ESHA buffer is insufficient for development of the commercial use. The variance will not allow for the development of an unpermitted use or activity in the CC zone but will accommodate the development of a commercial use that is conditionally allowed with a CUP.

Finding 8. The subject site is physically suitable for the proposed variance.

The variance is requested since the land area of the property outside of the ESHA buffer is unable to accommodate the proposed project, as discussed in Finding 1. The proposed project site, including the area of the ESHA buffer, as requested via the variance, can adequately accommodate the proposed project as demonstrated in the project plans (Attachment 2). Inclusive of the requested variances for development in steep slopes and for walls exceeding the maximum height allowed, and the SPR for building height up to 24 feet, the project could be found to meet all development standards of the LIP and MMC (Table 4).

Finding 9. The variance complies with all requirements of state and local law.

The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division's consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. Therefore, the proposed development partially within the onsite ESHA buffer and offsite ESHA and ESHA buffer to accommodate required fuel modification, inclusive of the requested LCPA, ZMA, CDP, CUP, VARs, and SPR, could be found to comply with all applicable requirements of state and local law. Should the Commission recommend approval of the project, conditions of approval should be required to ensure the project complies with relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD. These conditions are included in Attachment 1.

Finding 10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

There is currently no public parking on the subject property, nor is any public parking proposed as part of the project beyond that required for conformance with LIP Chapter 3.14 parking standards for commercial development. The project site is not in proximity to the beach, public trails, or parklands where public parking would be required or desired. Therefore, granting of the variance would not reduce or eliminate such parking, and this finding does not apply.

D. Variance Request from LIP Section 8.3(D) for Structures on Steep Slopes (VAR No. 21-002)

The maximum allowed grade of cut or fill is 3 to 1 (horizontal to vertical feet) for areas created for development of structures and open yards (LIP Section 8.3(D). A variance is requested to allow for development of the building, retaining and impact walls, and drainage mechanisms in slopes stepper than 3 to 1, between 2.5 to 1 and over 1 to 1 in

the northern and southern areas of the project site. Approximately 47 percent of the subject property is within slopes steeper than 3 to 1. Based on the foregoing evidence contained in the record, the required findings for VAR No. 21-002 as listed in LIP Section 13.26.5 are made as follows.

Finding 1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The subject property is small (0.27 acre, or about 12,066 square feet), especially to accommodate a commercial use consistent with the current CN and proposed CC zone. Immediately adjacent parcels are 1.43 acres to the east and 1.86 acres to the south and west (this parcel borders the subject property on both the south and west) and zoned for commercial use, while the parcel to the north is 34.85 acres and zoned for residential use. Commercial parcels in the general vicinity range mostly range from 0.57 to 1.86 acres, with one parcel as small as 0.11 acre. For the most part, the development areas of nearby parcels do not have as steep of slopes as the subject property. Without the granting of this variance to allow grading and placement of structures on steep slopes, the development of the proposed use could not be accommodated on the project site.

Property topography varies from relatively flat areas to very steep hillsides. Slopes range from a low of 4 to 1 to a high of 1 to 1 or more. More than one-half of the property consists of 3 to 1 or flatter slopes (an area of 6,345 square feet) and is generally located in the center of the property in the area of proposed development, while slopes steeper than 3 to 1 comprise 5,738 square feet. Steeper areas are generally located north and southeast of the proposed project site. The flatter area of the property is insufficient in size to accommodate the proposed development. As a result, retaining walls are proposed along the steep hillsides to maintain and create a relatively flat area to accommodate feasible development. Without cut and fill and placement of certain structures in steep slopes, the proposed project would be infeasible due to the limited parcel size and site constraints.

To create a sufficiently sized building pad, the project includes cutting into a portion of the slope north of the proposed building location and placing a retaining wall with a V-ditch upslope and behind the wall to properly drain the area. The building would be set against this wall and hillside. On the southern portion of the project site, additional retaining walls are needed due to the slope, along with related storm water drainage mechanisms to carry water from steeper portions of the project site to the drainage inlets. The southeastern portion of the building would also reach into these slopes.

The northern part of the proposed impact wall on the west side of the project site is within an area of steeper slopes. The wall is required for safety purposes, to prevent a mud slide from the hillside area to the west of the project site in the event of slope failure. There is

no alternate location for this part of the wall, given that the need for the wall is specific to the particular hillside location.

Finding 2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. In order to minimize grading, development would occur on the flatter portions of the subject property to the maximum extent feasible. Given the property's size, development into portions of the northern and southern steep slopes on the property are necessary to accommodate the development, including a portion of the building, retaining and other walls, and storm water drainage mechanisms. The retaining walls are designed to safely and effectively hold back adjacent grades to create the building pad and associated areas for the proposed use. The impact wall on the western side of the project site is intended to protect the project site development, as well as residents and employees, from the effects of a potential mud slide in the event of slope failure. By necessity, the location of the impact wall is needed in an area of steep slopes. The drainage facilities are required to effectively and safely convey storm water away from the walls and building that are in the steep slopes.

All proposed structures in steep slopes will be required to be constructed to all applicable building safety and engineering standards and codes. Therefore, granting of the proposed variance would not be considered detrimental to the public interest, safety, health or welfare, nor detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed project site is limited in size and contains steep topography, such that development of the requested senior living facility is infeasible outside of steep slopes. The proposed senior living facility is consistent with the uses permitted in the applicable zoning designation of CC with a CUP for a residential care facility for the elderly. Surrounding properties are developed with commercial and residential uses, and while they mostly do not have hillside topography as steep as that of the subject parcel, have been at least partially built in areas with steep slopes, as evidenced by retaining walls exceeding the maximum allowed six-foot-height. The proposed structures on steep slopes (building, walls, drainage facilities) will enable the

development of the proposed commercial use, including its safe operation with the proposed retaining and impacts walls, and storm water conveyance mechanisms. Development of the proposed use on the property would be infeasible without the granting of the variance. Therefore, granting the proposed variance would not be considered to constitute a special privilege to the property owner.

Finding 4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as variances for the placement of structures on slopes steeper than 3 to 1 may be granted pursuant to LIP Section 13.26. As previously discussed under LCP Analysis in this report**,** the proposed project could be found consistent with the LUP and LIP, inclusive of the LCPA, VARs, and SPR requests. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance will enable development of the proposed use, which is an allowed use on the site with a CUP.

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The requested variance does not specifically pertain to environmentally sensitive habitat or its buffer. However, approximately 60 percent of the subject property, including the development of the building, walls, and drainage mechanisms located in slopes steeper than 3 to 1, would occur in the onsite ESHA buffer. As described above for Finding 1, there are no other feasible alternatives to avoid the necessary cut and fill and placement of structures in steep slopes above 3:1 in the ESHA buffer considering the small parcel size, site constraints including steep topography, and that over one-half of the subject property is in the ESHA buffer. Given the location of the project site encroachment into the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet, pursuant to LIP Section 4.7.1. The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.

Neither the project nor the requested variance are associated with stringline standards. Therefore, this finding does not apply.

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The proposed variance will enable the development of a residential care facility for the elderly, consistent with the purpose and intent of the CC zone with approval of a CUP, on a property with steep slopes and will not authorize an unpermitted use or activity. The variance is requested to accommodate the placement of retaining and impact walls, portions of a building, and drainage mechanisms necessary to construct a commercial building, including one that is permitted in the CC zone with a CUP. Retaining and other walls, buildings, and storm water drainage mechanisms are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

Finding 8. The subject site is physically suitable for the proposed variance.

The subject property is physically suitable for the proposed variance since the walls, building, and drainage mechanisms in steep slopes can be accommodated on the subject property, combined with VAR No. 21-001 for portions of the wall heights exceeding the maximum six-foot allowance and VAR No. 21-003 for development into onsite ESHA buffer and offsite ESHA and ESHA buffer associated with required fuel modification. There are no alternate feasible building locations on the subject property that will eliminate the need for the proposed structures to be located in steep slopes, given the smaller property size and hillside topography with 47 percent of the property in steep slope areas.

Finding 9. The variance complies with all requirements of state and local law.

The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. Therefore, the proposed project with grading and structures in steep slopes, along with the requested LCPA, ZMA, CDP, VARs, SPR, and CUP, would comply with all applicable requirements of state and local law. Should the Commission recommend approval of the project, conditions of approval are included in Attachment 1 to ensure the project complies with all applicable permits, licenses, and requirements of the City of Malibu and other related agencies.

Finding 10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails or parklands.

There is currently no public parking on the subject property, nor is any public parking proposed as part of the project beyond that required for conformance with LIP Chapter

3.14 parking standards for commercial development. The project site is not in proximity to the beach, public trails, or parklands where public parking would be required or desired. Therefore, granting of the variance would not reduce or eliminate such parking, and this finding does not apply.

E. Site Plan Review Request from LIP Section 3.8(A)(1)(b) for Building Height (SPR No. 18-044)

LIP Section 3.8(A)(1) provides that the height of a commercial structure on a non-beachfront lot is 18 feet above natural or finished grade, whichever results in a lower building height. This section also provides that an SPR may be requested to allow heights up to 24 feet for flat roofs, and in no event shall the maximum number of stories above grade be greater than two. The applicant is requesting SPR No. 18-044 to exceed the maximum allowed 18 feet and construct a 24-foot-high building with a flat roof. LIP Section 13.27.5(A) requires that the City make four findings in consideration and approval of an SPR. Seven additional findings are required pursuant to MMC Section 17.62.040(D). Based on the foregoing evidence contained in the record, the required findings for SPR No. 18-044 are made as follows.

Finding 1. The project is consistent with policies and provisions of the Malibu LCP.

As previously discussed in Section A, the project has been thoroughly reviewed to ensure it aligns with all relevant policies and provisions of the LCP, including the LUP and LIP. The project is found in compliance with the applicable policies and provisions, inclusive of the requested LCPA, VARs, and SPR. The only exceptions are the building height for which an SPR is requested and the VAR for development in ESHA. However, the location, density, and size of the building are consistent with all other regulatory provisions of the LCP, such as the number of building stories, FAR, and maximum development area.

Finding 2. The project does not adversely affect neighborhood character.

The proposed commercial project is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. The project includes a request for an LCPA and ZMA to change the land use and zone from CN to CC, which are both commercial zones intended to service the community. The proposed use is conditionally allowed in the CC zone. The parcels surrounding the subject property are larger in land area and mostly used for commercial purposes. According to County Assessor data, the 1.43-acre parcel to the east of the subject property is in the CV-1 zone and has a 5,142 square-foot three-story motel building constructed in 1947 that fronts PCH. The northerly portion of that parcel is natural and undeveloped. The 1.86-acre parcel that borders the subject property on both the west and south is in the CN zone and contains a retail shopping center along the property's south edge that fronts PCH. This parcel contains a two-story 19,885 square-foot building constructed in 1991 with a parking lot built into the slope in the rear and on top of the

building. This parcel extends to the west of the subject property where the parcel is natural and undeveloped. Three structures exist to the west of the subject property on a parcel in the CC zone and are used for residential purposes. These structures are smaller in size at 713, 879, and 1,302 sf each and date from the 1950s. To the north of the subject property is a large vacant parcel zoned RR-40 for low-density residential use. The proposed project is smaller in size than the nearby commercial uses, but larger than the residential uses to the west. It is similar in height and number of stories to the adjacent retail shopping center to the south. The type of use, building profile, and the amount of development could be found compatible with the neighborhood character.

Since the project site is set into the hillside above an existing commercial development at 22601 PCH, it will not block views to the ocean from surrounding parcels. Based on the visual impact analysis conducted, which includes the project plans, aerial photographs, photo simulations, site visits and story poles, the Planning Division has determined that the building height will not obstruct views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding parcels. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, offsite views to these hillside features will remain. Based on review of project plans, as well as photosimulation views from PCH prepared by the applicant (Attachment 2) and story pole placement (Attachment 4), the proposed building will only be partially visible from PCH when the public approaches the property vicinity from the east and west. The proposed building will be visible to the public when immediately passing the driveway of the retail shopping center just below the project site at 22601 PCH as no buildings would block the view into the project site for the width of the driveway.

As with the retail shopping center development to the south, the project includes walls exceeding the maximum allowed height. It also exceeds the maximum allowed 18-foot height for a flat roof by six feet. The motel to the east of the project site is three stories high. The retail shopping center is two stories high, as is the proposed project. The proposed project is consistent with allowed FAR for density and number of stories, meets all setback requirements, and complies with the required amounts of open space and landscaping onsite. Based on conformance with these development standards and existing surrounding development, the project is not expected to have an adverse effect on neighborhood character.

Finding 3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP.

The Planning Division visited and photographed the subject property after placement of story poles (Attachment 4). Based on the Planning Division's site visit and review of project plans, as well as photosimulation views from PCH prepared by the applicant (Attachment 2), it was determined that the proposed use will not be visible from any scenic area or public viewing area. Besides a direct view to the proposed building north from PCH at the driveway to the adjacent retail shopping center, the proposed building will be slightly visible

from PCH as the public approaches the property vicinity from the east and west as the existing commercial buildings block most views to the project site. Given the project site's location approximately 200 feet north of PCH, the limited time a clear view to the proposed building will be visible from passersby on PCH (i.e., the width of the adjacent retail shopping center driveway), and the small size of the building, the building's requested height above 18 feet would not result in adverse effects on public views from PCH. The retaining and impact wall heights will be obscured by the proposed buildings in front of the wall and/or the hillside itself (as viewed from the west). Should the Commission recommend approval of the project, a condition of approval is included in Attachment 1 for the project to reflect earth-toned colors to blend into the hillside to further ensure protection of public views.

Finding 4. The proposed project complies with all applicable requirements of State and local law. (LIP Section 13.247.5(A)(4) & MMC Section 17.62.040(D)(7))

The project complies with all applicable requirements of state and local law, inclusive of the discretionary requests, and is conditioned to comply with any relevant approvals, permits and licenses from the City and other related agencies, such as the LACFD. Construction of the proposed improvements, including the building above 18 feet in height up to 24 feet for a flat roof, will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants. Should the Commission recommend approval of the project, conditions of approval are included in Attachment 1 to ensure compliance with the requirements of the City of Malibu and other related agencies.

Finding 5. The project is compatible with other development in the adjacent area in relation to size, bulk, and height. (MMC Section 17.62.040(D)(1))

As described in Finding 2, the proposed commercial project, in which four guests and two employees would reside, is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. It is similar in height and number of stories to the adjacent retail commercial center to the south at 22601 PCH. Therefore, the project could be found compatible with the varied types, sizes, bulk and height of development in the adjacent area.

Finding 6: The project will not have a significant adverse impact on natural resources and makes suitable provisions for the preservation of natural hydrology, native plant materials, wooded areas, visually significant rock outcroppings, rough terrain, coastal bluffs and similar natural features. (MMC Section 17.62.040(D)(2))

The project site is set within a hillside area on an area of flatter slopes that had prior development. Steep slopes are located on the subject property and in the vicinity offsite. According to the biological assessment report prepared for the project, the project site does not contain sensitive biota. Offsite ESHA is located north of the subject property and

is characterized by coastal sage scrub habitat. A 100-foot ESHA buffer extends onto most of the project site and overlaps with portions of physical development. Fuel modification associated with Zone B and additional vegetation thinning or removal associated with Zone C, which is located on and offsite, would overlap with the ESHA and ESHA buffer. Should the Commission recommend approval of the project, a condition of approval states the project applicant will be required to conduct habitat mitigation to compensate for any potential impacts to vegetation in the ESHA from fuel modification activities conducted at the discretion of neighboring property owners. The project will also be conditioned to incorporate native species in the landscape plant palette and to remove a proposed plant species from the plant palette that is inconsistent with the project's location in a Very High Fire Hazard Severity Zone. These conditions are included in Attachment 1.

Finding 7. Remedial grading (if applicable) exceeding 5,000 cubic yards is necessary to mitigate a geotechnical hazard as identified in a certified geotechnical report prepared by a California licensed geologist and reviewed and approved by the city geologist. The remedial grading will not result in a significant adverse impact on visual or biological resources. (MMC Section 17.62.040(D)(3))

No remedial grading is associated with the proposed project. Therefore, this finding does not apply.

Finding 8. The project does not obstruct visually impressive scenes of the Pacific Ocean, off-shore islands, Santa Monica Mountains, canyons, valleys or ravines from the main viewing area of any affected principal residence as defined in MMC Section 17.40.040(A)(17). (MMC Section 17.62.040(D)(4))

Since the project site is set into the hillside behind existing commercial development and is not located downslope or south of any existing development along PCH, it will not block views to the ocean or off-shore islands from residences. Based on the visual impact analysis conducted, which includes the project plans, aerial photographs, photo simulations, site visits and story poles, the Planning Division has determined that the building height above 18 feet, up to 24 feet for a flat roof, will not obstruct private views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding residences. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, offsite views, whether public or private from residences in the area, to these hillside features will remain.

Finding 9: The project does not affect solar access, as defined by staff. (MMC Section 17.62.040(D)(5))

Given the project site's location immediately adjacent to undeveloped areas to the west east and north, and an existing commercial retail center parking lot to the south, there are no other uses in the immediate area for which the project could affect solar access by

increasing the roof height from 18 feet to 24 feet. Specific to the project, the roof design would not prohibit the installation of solar panels if so proposed or required.

Finding 10. The project is consistent with the city's general plan, local coastal program, municipal code, and city standards. (MMC Section 17.62.040(D)(6))

As discussed in Section A, the proposed project could be found consistent with the LIP and LUP in that the proposed project is in an area identified for commercial use. The project could be found consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community. The subject property is generally a natural hillside area with a flatter area that could accommodate commercial development and currently includes older retaining walls and a remnant foundation from an earlier development. Should the Commission recommend approval of the project, conditions of approval are included in Attachment 1 requiring incorporation of native species in the landscape plant palette, in consideration of the site's location in the ESHA buffer.

The project minimizes work in steep slopes to the maximum feasible given the small parcel size and need to accommodate the proposed use, and the project retains 25 percent of the subject property as open space and 40 percent as landscaped area. Additionally, should the Commission recommend approval of the project, a condition in Attachment 1 requires the owner to compensate for the potential habitat impacts through habitat mitigation associated with the required fuel modification located offsite in ESHA.

The proposed project, inclusive of the LCPA, ZMA, CDP, VARs, SPR, and CUP could be found consistent with the applicable land use and zoning designations and all applicable development and design standards of the Municipal Code, LCP and General Plan. This includes project consistency with required setbacks, FAR, number of building stories, development area square footage, grading quantities, open space and landscaping requirements, and other standards as described in the associated agenda report.

Finding 11. A sea wall, bulkhead or other shoreline protective device (if applicable) is necessary to protect an existing structure and/or an existing or new sewage disposal system as identified in a certified coastal engineering report prepared by a California licensed engineer and reviewed and approved by the city's coastal engineer. (MMC Section 17.62.040(D)(8))

The proposed project is not located along the shoreline or a coastal bluff and, while an OWTS is proposed, it does not need a shoreline protective device. Therefore, this finding does not apply.

F. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The project site is located adjacent to an offsite EHSA to the north. There is the potential for fuel modification in Zones B and C associated with onsite development to occur offsite on properties owned by other individuals. While the LACFD has not approved a fuel modification plan for the project that requires offsite fuel modification at this time, there is the potential that owners of properties adjacent to the subject property may elect to conduct vegetation thinning and/or removal on their property in ESHA and/or ESHA buffer. Therefore, the project has the potential to affect offsite ESHA and ESHA buffer. Given the proximity of the offsite ESHA, approximately 60 percent of the subject property is located within the 100-foot ESHA buffer. This buffer extends over most of the proposed project site.

In addition to the CDP findings of LIP Section 13.9, which are addressed in Section A above, the following supplemental findings in LIP Section 4.7.6 are required for the ESHA Overlay adjacent to the project site. A CDP for a use other than those conditionally permitted in LIP Chapter 4 may be approved or conditionally approved only if the following findings are made, in addition to those of LIP Section 13.9. Allowed uses within ESHA and ESHA buffer include public accessways and trails, interpretive signage, habitat restoration projects, and invasive plant eradication designed to protect and enhance habitat values. The potential vegetation thinning and/or removal of offsite ESHA associated with the project is not an allowed use in the ESHA Overlay. Additionally, the proposed commercial development in the onsite ESHA buffer is not listed as an allowed use in the ESHA buffer per LIP Section 4.5.4.

Finding 1. Application of the ESHA Overlay Chapter would not allow construction of a residence on an undeveloped parcel.

The project site is currently designated and zoned for commercial use in the CN zone and would accommodate additional commercial uses allowed in the CC zone subject to approval of the LCPA and ZMA. The CC zone allows a residential care facility for the elderly with a CUP. Without the variance request for development in the ESHA buffer and potential fuel modification in offsite ESHA and ESHA buffer, the project could not be constructed due to the small size of the parcel (0.277 acre) and steep topography (above 3 to 1 to over 1 to 1 slopes) and that approximately 60 percent of the parcel land area is within the ESHA buffer (about 7,300 square feet of the total approximately 12,066 square feet land area onsite). For the same reasons, the project could not be developed without the potential for fuel modification in Zones B and C possibly being conducted offsite in ESHA and ESHA buffer. While the fuel modification plan approved for the project by LACFD is limited to fuel modification onsite and does not require fuel modification offsite in ESHA or the ESHA buffer, there is the potential that an adjacent property owner(s) may elect to conduct fuel modification on their properties given the proximity of the proposed development. There would be no development location available on the subject property

under a scenario where the entirety of fuel modification is contained onsite and completely avoids offsite ESHA and/or ESHA buffer. Therefore, without the ESHA and ESHA buffer variance, the subject property could not be developed for the commercial use permitted with a CUP. It is likely that it could not be developed for most commercial uses allowed by current or proposed commercial zoning. Moreover, single family residential use is not allowed per the current or proposed zoning.

Finding 2. The project is consistent with all provisions of the certified LCP with the exception of the ESHA overlay and it complies with the provisions of LIP Section 4.7.

Inclusive of the requested LCPA and ZMA, the project would be developed in the CC zoning district, an area designated for resident serving commercial needs of the community similar to, but more concentrated than, that of the CN zoning district. Allowed uses include professional offices, retail service for residential uses, health clubs and dance studios, and governmental facilities, among others. A residential care facility for the elderly is a conditionally allowed use in the CC zoning district inclusive of the requested CUP. The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, could be determined to conform to the LCP in that it meets all applicable commercial development standards, inclusive of the requested SPR and VARs, except for the ESHA Overlay provisions for which VAR No. 21-003 is requested.

LIP Section 4.7 indicates that a CDP for a use other than one permitted in the ESHA Overlay district, in which the uses permitted in this district would preclude construction of a residence on an undeveloped legal parcel, shall be subject to several standards. In general, the uses of the property and the siting, design, and size of any development approved in an ESHA or ESHA buffer shall be limited, restricted, and/or conditioned to minimize impacts to ESHA on and adjacent to the property to the maximum extent feasible. Where all feasible building sites are ESHA or ESHA buffer, the City may only permit development of the following to provide the owner with an economically viable use of the property.

The allowable development area is 10,000 square feet or 25 percent of the parcel size, whichever is less. The allowable development area may be increased for projects that comprise two or more legal lots. Given the smaller size of the subject property, the development area is limited to 25 percent of the parcel or 3,020 square feet. The proposed development area comprises 3,016.09 square feet in compliance with LIP Section 4.7. The offsite ESHA adjacent to the project site is coastal sage scrub habitat. Fencing is permitted within coastal sage scrub ESHA. No fencing is proposed as part of the project, and the onsite impact and retaining walls are within the ESHA buffer, but not within ESHA. Agricultural use and confined animal facilities are permitted within coastal sage scrub ESHA. The project does not include agricultural or confined animal uses.

The ESHA buffer covers approximately 60 percent of the subject parcel generally north of the project site. The southern portion of the property outside of the ESHA buffer is approximately 4,700 square feet. Restricting the proposed development to this area would result in an infeasible project due to constraints in land area. The proposed development area is 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), and the driveway and fire truck turnaround area (including OWTS) is 2,954 square feet. The required fire truck turnaround area and driveway access is 2,100 square feet. Therefore, the proposed development could not feasibly be accommodated in the approximate 4,700 square foot area outside of the ESHA buffer. Regardless of the type of use, the fire truck turnaround area and access to it via a driveway would be required for development of the subject property. The building footprint (including garage) for the proposed building is 2,226 square feet.

Should the Commission recommend project approval, conditions of approval include the applicant compensating for potential offsite habitat impacts to ESHA resulting from potential fuel modification through any of the following: a detailed restoration plan, a habitat conservation plan, or evidence of payment of in-lieu fees to the Santa Monica Mountains Conservancy (Attachment 1). The precise mitigation would be determined by the City prior to the project's final Building Safety plan check approval.

The operation of the residential care facility for assisted senior living would minimize impacts to the ESHA. Most of the facility operations would be indoors, except for defined terrace decks at the south and side building elevations used for passive recreation and views to the ocean by guests. The adjacent ESHA is located north of the building, up a steep slope and beyond the 24-foot-high retaining wall proposed onsite. Therefore, the ESHA is inaccessible to users at the project site. The area upslope of the retaining wall will be landscaped. Conditions of approval to require native species of vegetation in this area, which will provide a habitat buffer between the proposed development and the offsite ESHA and for all other landscaped areas on site to include native species, in consideration of the ESHA buffer onsite and neighboring offsite ESHA and ESHA buffer areas are included in Attachment 1.

G. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

H. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

The Scenic, Visual, and Hillside Resource Protection Chapter governs those CDP applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road, or public viewing area. The subject property is approximately 200 feet north of PCH, which is an LCP-designated scenic road. No trails

or park lands are located on, adjacent to, or in the vicinity of the subject property. LIP Section 6.4 requires that the following five findings be made.

Finding 1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

Adverse impacts on scenic and visual resources are not anticipated from development on the subject property. The proposed development is located on a smaller property (0.27 acre) and includes a two-story 1,792 sf building above grade. The remainder of the proposed building square footage would be in the garage and basement. The two-story building would be 24-feet-high, which is the maximum allowed for a flat roof with approval of a SPR. Based on project plans, including photo simulations, story pole photos, and Planning Division site visits, there would be slight public views of the proposed building travelling on PCH from the east and west, as the project site is mostly blocked from view by existing commercial development. When viewed directly north from PCH, the public would have a view of the proposed development for the width of the driveway of the adjacent retail shopping center as no existing development block views from this location. Views to tall walls on the northern and western portions of the project site will be obscured by the proposed building or by the hillside itself (as viewed from the west) and would not result in an adverse visual impact. Regardless, the tallest 24-foot retaining wall would be constructed as a soil nail wall resembling natural rocks and so blending into the hillside. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

Finding 2. The project, as conditioned, will not have significant adverse or visual impacts due to required project modifications, landscaping or other conditions.

The project is not expected to have adverse visual impacts due to limited and obscured public views to the project site. Additionally, the project includes 40 percent of the project site as landscaping. Conditions of approval require that the project, including the impact wall and retaining wall, blend in with the natural hillside by reflecting earth tone colors. Additionally, the project includes 40 percent of the site area as landscaping. To ensure compatibility of the plantings with the surrounding natural hillside, a condition requiring the plant palette of the landscape plan to incorporate native species is also included in Attachment 1.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As proposed, the project is the least environmentally damaging alternative to protect scenic views from PCH. There are no other alternative locations on the project site to locate the development to further reduce views from PCH. The site is small and contains steep slopes along the northern, western and eastern edges, with smaller slopes on the south. Therefore, there are no feasible options to relocate the development elsewhere

onsite. Placing the building further north on the parcel, further from PCH, would result in more impacts to the steep hillside and increase cutting and grading of the topography, as well as bring the development closer to the offsite ESHA.

The proposed development is constrained by a small property (0.27 acre). The portion of the building above ground is 1,792 square feet, with other portions of the building located in the basement, thereby minimizing structure height above ground. The two-story building will be 24-feet-high to allow for facility needs, which is the maximum allowed for a flat roof with approval of an SPR. Views to tall walls on the northern and western portions of the site (a maximum of 24 feet high) will be obscured by the proposed building or by the hillside itself (as viewed from the west), and the tallest 24-foot-high retaining wall will be constructed as soil nail wall, resembling natural rocks and so blending into the hillside. The project, including the impact wall, is conditioned to be designed to blend in with the natural hillside area through the use of earth tone colors. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH. A condition of approval requiring the plant palette to include native species for compatibility with the surrounding natural hillsides and offsite ESHA is also included in Attachment 1.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

No adverse impacts on scenic and visual resources are anticipated from the project. There is no feasible alternative to the development that would avoid or substantially lessen impacts on scenic and visual resources more than the proposed design. Given the hillside location of the project behind existing commercial development, the proposed project would be slightly visible from PCH as one travels in the vicinity of the property from the west and east on the roadway. When viewed directly north from PCH, the public would have a view of the proposed development for the width of the driveway to the adjacent retail shopping center as no existing development block views from this location. To lessen the appearance of the proposed development from the available public views on PCH, the building could be reduced to one story. However, this would substantially reduce the square footage of the facility, creating an infeasible project and would be below the maximum height of 18 feet for a flat roof allowed by the LIP. The building would still be visible from the same viewpoints on PCH whether the building is 18 or 24 feet in height. Allowing only a maximum 18-foot-high building would have a minor effect on public views to the site from PCH, which are mostly obscured by existing commercial development along PCH. Views to tall walls on the northern and western portions of the project site will be obscured by the proposed building or by the hillside itself (as viewed from the west) would not result in an adverse visual impact. Regardless, the tallest 24-foot retaining wall would be constructed as a soil nail wall resembling natural rocks and so blending into the hillside. The project, including the impact wall, is conditioned to be designed with colors to blend with the hillside (Attachment 1).

Finding 5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

No adverse impacts on scenic and visual resources are anticipated from the project. There are no other preferable locations on the project site to locate the development to further reduce views from PCH. The subject property is small and contains steep slopes along the northern, western and eastern edges, and less steep slopes on the south. Therefore, there are no feasible options to relocate the requested development elsewhere onsite. Placing the building further north on the property, further from PCH, would result in more impacts to the steep hillside and increase cutting and grading of the topography, as well as bring the development closer to the offsite ESHA.

I. Transfer of Development Credit (LIP Chapter 7)

The project does not include a land division or multi-family residential development. Therefore, the findings of LIP Chapter 7 do not apply.

J. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards listed in LIP Sections 9.2(A)(1-7) must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the proposed project causes the potential to create adverse impacts upon site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The required findings are made as follows.

Finding 1. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

<u>Geologic and Flood Hazard</u>

The applicant submitted geotechnical and engineering reports and addenda prepared by TGR Geotechnical, Ralph Stone and Co., Inc., EPD Consultants, and Lawrence Young. These reports are on file at City Hall. In these reports, site-specific conditions are evaluated and recommendations are provided to address any pertinent issues. Potential

hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The project, including the OWTS, will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed.

To ensure no increase in the instability of the site or structural integrity from geologic, flood, or any other hazards, conditions of approval are included that would incorporate all recommendations contained in the above cited geotechnical reports and conditions required by the City geotechnical review consultants, City Public Works Department, and the LACFD, including foundations, OWTS, and drainage (Attachment 1).

Fire Hazard

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards and development of a residential care facility for assisted senior living on the subject property will not increase the site's susceptibility to wildfire. The project is not expected to have an impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate required building materials and measures. Fuel modification Zone A and a small portion of Zone B would be located on the subject property. The majority of Zone B and all of Zone C fall offsite. The project's fuel modification plan, approved by the LACFD's Fuel Modification Unit, shows all fuel modification activities to occur on the subject site, and not offsite. Nonetheless, while the subject property owner has no legal authority to conduct fuel modification on other properties, owners of the adjacent properties may conduct such fuel modification due to the proposed development. Therefore, the proposed project has the potential to result in fuel modification offsite.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Should the Commission recommend project approval, conditions of approval should be required to ensure compliance with all LACFD development standards. These conditions are included in Attachment 1. As such, the

project, as designed, constructed, and conditioned, would not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

The project Landscape Plan consists of artemisia californica, which is a species listed as "Undesirable Plants/Target Species" in the Plant Selection Guidelines by Zone (LACFD). A condition of approval requiring removal of this species from the plant palette in the final landscape plan, at the discretion of LACFD Fuel Modification Unit, is included in Attachment 1.

Finding 2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding 1 above, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, would not have any significant adverse impacts on the site stability or structural integrity from geologic, fire or flood hazards due to project modifications, landscaping or other conditions.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

Due to the site characteristics and proposed type of use, there are no feasible project alternatives that would further decrease environmental effects beyond the proposed project. To create a project that does not require the construction of a retaining wall, building portion, and drainage facilities in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a three-story building taller than 24 feet, inconsistent with the LIP and MMC, and require relief via an additional VAR. Moreover, it is anticipated that a smaller project footprint would nominally change the project's potential for environmental impacts, since the driveway and fire truck turnaround of the same sizes as currently proposed and in a relatively flat area would still be necessary and require the same project conditions for which the VARs are being requested.

It is likely that for a commercial use to locate on the property, discretionary approvals for relief from development standards would be necessary. The ESHA buffer covers about 60 percent of the parcel, leaving minimal room (4,700 square-foot area) outside of the buffer for the development area. The southern area of the parcel also contains slopes that require retaining walls, although not to the height of the northernmost retaining wall. Therefore, shifting the development southerly to avoid steep slopes, tall walls, and development in

the ESHA buffer would render the project infeasible. Shifting the building further south to reduce the amount of development in the EHSA buffer would conflict with an existing easement to the State of California for right of ingress and control of storm water in the southeast corner of the parcel. This type of shift would require additional retaining walls in the southern portion of the property, would likely encroach in the minimum required front yard setback. It would also likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate the required fire truck turnaround which would need to be placed at the rear of the building. Therefore, shifting the building southerly to reduce the development area in the ESHA buffer would not further reduce environmental effects beyond that of the proposed project.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the site in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot feasibly be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

Finding 4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

Incorporating conditions of approval described above, the project would not result in geologic hazards, including site stability or structural integrity, and there are no feasible alternatives to development that are expected to avoid or substantially lessen impacts on site stability or structural integrity. Due to the site characteristics (limited parcel size and hillside topography), there are no preferable feasible project alternatives to substantially lessen site stability and structural integrity impacts. To create a project that does not require the construction of a retaining wall, building portion and stormwater infrastructure in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a building taller than two stories and 24 feet, inconsistent with the LIP and MMC. Moreover, it is anticipated that a smaller project footprint would nominally lessen the potential for site stability and structural integrity impacts from work in steep slopes and construction of tall retaining and impact walls. The truck turnaround and driveway access to it of the same sizes as currently

proposed would still be necessary and require a flat pad area, thereby likely requiring the same project conditions for which the VARs are being requested.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the site in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

Finding 5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Findings 3 and 4, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to geologic, flood or fire hazards are anticipated. There are no other feasible locations on the subject property to locate the requested development to further reduce such hazards or protect sensitive resources. To create a project that does not require the construction of a retaining wall, building portion, and drainage infrastructure in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a building taller than two stories and 24 feet, inconsistent with the LIP and MMC. Moreover, it is anticipated that a smaller project footprint would nominally change the project's potential for environmental or hazard/safety impacts, since the driveway and fire truck turnaround of the same sizes as currently proposed would still be necessary and require a flat pad area. This would still require a development with the project conditions for which the VARs are being requested.

The ESHA buffer covers about 60 percent of the subject property, leaving minimal room outside of the buffer to accommodate the needed development area. The southern area of the property also contains slopes that require retaining walls, although not to the height of the northernmost retaining wall. Therefore, shifting the development southerly to avoid the ESHA buffer would render the project infeasible. Shifting the building further south to reduce the area in the ESHA buffer would conflict with an existing easement to the State

of California for right of ingress and control of storm water in the southeast corner of the parcel. This type of shift would require additional retaining walls in the southern portion of the property, would likely encroach in the minimum required front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate the required fire truck turnaround which would need to be placed at the rear of the building. Therefore, shifting the building southerly would still result in development in the ESHA buffer and development of tall walls and in steep northerly slopes would not further reduce environmental effects beyond that of the proposed project.

To create a flat building pad of sufficient size for the requested development, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the site in the event of a slope failure adjacent to the parcel on the west. The impact retaining wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact retaining wall cannot be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

K. Shoreline and Bluff Development (LIP Chapter 10)

The project site is not located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. The subject property is located approximately 200 feet north of PCH. The coastal bluff is south of PCH. According to the project geotechnical and geological consultant (TGR Geotechnical, Inc.), the project site is approximately 336 feet north of the coastal bluff, a far distance away from wave action, and there are multiple layers of buildings, as well as PCH, between the site and the beach. Therefore, the findings of LIP Chapter 10 are not applicable.

L. Public Access (LIP Chapter 12)

LIP Section 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
B. New development between the nearest public roadway and the sea.

C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging, project alternative that would avoid impacts to public access.

As described herein, the subject property and the proposed project do not meet any of these criteria. The property is not located between the first public road and the shoreline, and the property is not located on a bluff or near recreational area trails identified on the LCP Park Lands Map on or adjacent to the property. As such, approval of the project will not affect the public's ability to utilize the wet sand to access the shoreline. Therefore, the project could be found to conform to LIP Chapter 12 and further findings are not required.

M. Land Division (LIP Chapter 15)

Pursuant to LIP Section 15.2, a land division shall not be authorized unless it is approved in a CDP. Because the project does not involve a land division, the findings of Chapter 15 are not applicable.

N. Conditional Use Permit No. 16-007 for the Operation of a Residential Care Facility (MMC Chapter 17.66) [CUP No. 19-002]

The Planning Commission may recommend the City Council approve, deny, and/or modify an amendment to a CUP in whole or in part, with or without conditions, provided that it makes all of the findings of fact required by MMC Section 17.66.080.

Finding 1. The proposed use is one conditionally permitted within the subject zone and complies with the intent of all of the applicable provisions of this title.

A residential care facility for the elderly is a conditionally permitted use within the CC zone pursuant to MMC Section 17.24.030(I) and LIP Table B. The intended purpose of the facility is to provide a residential care facility for assisted senior living. Upon certification of the requested LCPA and ZMA, the subject property will have a CC land use designation and zoning. The use would comply with all applicable provisions of MMC Title 17 (Zoning). The project has been reviewed and conditioned for conformance by the Planning Division, City Biologist, Building Safety Division, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. Based on submitted documentation, project plans and site investigation, the project, with required conditions of approval, complies with all applicable provisions of the MMC and the LCP subject to the associated amendments to the MMC and the LCP.

Finding 2. The proposed use would not impair the integrity and character of the zone in which it is to be located.

A proposed care facility is a commercial use with an anticipated overnight total of four guests and two employees. The subject property is adjacent to commercial uses and in proximity to residential uses within a commercial zone. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation, and the nature of the use as a residential care facility is not expected to create substantial noise. As such, the use would be compatible with the types of activities commonly occurring in the CC zone, as well as the residential, retail commercial, and visitor serving neighborhoods surrounding the property.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The proposed care facility is small in terms of square footage of building (3,791 sf including the garage and basement) and in anticipated number of occupants (four guests and two employees overnight). The subject property is small, totaling 0.27 acre, and portions contain steep slopes and ESHA buffer which further limit development. To create a building pad feasible for a commercial development with limited developable land area, and in consideration of the adjacent hillsides and ESHA, variances are required for wall heights due to the proximity to ESHA and placement of structures on steep slopes. An SPR for building height is also required to create sufficient facility area to accommodate the use, given the small footprint of building that is feasible. As such, the facility is sized in consideration of the limited developable area of the property. The project meets all other development standards of the LCP and MMC, including density, number of stories, yard setbacks, square footage of development, FAR, amount of parking, amount of landscaping, and amount of open space.

Finding 4. The proposed use is compatible with the land uses, if any, presently on the subject property and in the surrounding neighborhood.

The proposed care facility is a commercial use with an anticipated overnight total of four guests and two employees. The subject property is vacant, adjacent to commercial uses, and in proximity to residential uses in commercial and residential zones. Therefore, it is compatible with the surrounding neighborhood uses. The subject property is adjacent to ESHA and natural hillsides on the north, and vacant hillside areas to the east and west. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation. The terrace decks are sited to provide views to the south for the residents, and so located on the south of the building, and wrapping along the building sides. Activity will be focused away from the ESHA and steep slope to the north, with a retaining wall constructed along the northern site perimeter with landscaping above and behind the wall to provide a buffer between the building and offsite sensitive areas. Should the Commission recommend project approval, a condition of approval is

included for landscaping to be native species in consideration of the native habitat offsite (Attachment 1).

Finding 5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

Although the proposed use is a residential care facility for assisted senior living, it is considered a commercial use. On the south, the property is bordered by the back of a retail commercial center that fronts PCH. There is one large parcel each to the west and east, both of which are vacant and undeveloped adjacent to the property but contain commercial development further away from the proposed development site. To the north are vacant lands zoned for rural residential use, including some with ESHA. Further to the west, beyond the neighboring parcel, are single-family and multi-family residential uses in commercial zones. Because the proposed use is commercial with residents, it is compatible with the existing mix of commercial and residential uses occurring in commercial zones. The proposed building is oriented to take advantage of southerly views to the ocean with the terraced decks, and to limit activity on the north where the steep hillsides and ESHA are located. The northern portion of the property would contain a retaining wall with landscaping above and behind to provide a buffer between the building and offsite areas.

Finding 6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety and the project does not affect solar access or adversely impact existing public and private views, as defined by the staff.

The proposed development has been analyzed by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD to ensure adequate and safe water, sanitation, and public utilities and services. The applicant is not proposing solar panels or other similar solar facilities as part of the project. The roof design would not prohibit future location of solar panels. Given the location of the proposed development site adjacent to undeveloped areas and north of a retail shopping center parking lot, there are no other uses in the immediate area for which the project could affect solar access.

There are not expected to be any adverse impacts on public or private views resulting from the project. Based on project plans, including photo simulations prepared by the applicant, story pole placement, and Planning Division site visits, public views to the proposed development site from PCH will be slightly visible from the east and west, although mostly blocked by existing development along PCH. At the driveway of the retail shopping center fronting PCH, just south of the proposed development site, there will be a view directly north to the proposed building as there is no building to block the view. The two-story building will be 24-feet-high, which is the maximum allowed for a flat roof with approval of an SPR. The remainder of the proposed building square footage will be in the

at-grade garage and basement. Views of the tall walls, with approval of VARs, on the northern and western portions of the site will be obscured by the facility building or by the hillside itself (as viewed from the west). The tallest retaining wall which reaches up to 24-feet-high will be constructed as soil nail, resembling natural rocks and so blending into the hillside. The impact wall and retaining walls, are conditioned to be compatible in design with the natural hillside area by incorporating earth tone colors (Attachment 1). The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

Finding 7. There would be adequate provisions for public access to serve the subject proposal.

Access to the property is via an existing 20-wide paved driveway leading to PCH. The project has legal access to the driveway via an easement. The LACFD has approved the fire access plan for the project site, which includes an onsite driveway and fire truck turnaround area.

Finding 8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the Malibu general plan, or, if the general plan is not yet adopted, that: (1) the project will not adversely affect the city's ability to prepare a general plan; (2) the project is likely to be consistent with the general plan being prepared; (3) even if the project is ultimately inconsistent with the general plan, there is no probability of a substantial detriment to or interference with the future adopted general plan; and (4) the city is proceeding toward completion of a general plan in a timely manner.

The project could be found to be consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community. Conditions to ensure the project is compatible with the colors and materials of the surrounding natural hillside and for native species to be incorporated into the Landscape Plan are included (Attachment 1). The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC.

Finding 9. The proposed project complies with all applicable requirements of state and local law.

The project complies with all applicable requirements of state and local law, and, if approved, would be conditioned to comply with any relevant approvals, permits and licenses from the City and other related agencies, such as the LACFD. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants. The project application includes requests for an LCPA and ZMA, and upon the LCPA's

certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC, in accordance with state law.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

Based on review of the project plans and associated technical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts regarding health and safety related to the proposed development are not expected. The project, as conditioned, will incorporate all recommendations contained in the applicable technical reports and identified by City and County reviewers. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis.

The project complies with all applicable requirements of state and local law as described above. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies and project consultants.

The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC, in accordance with state law. The proposed residential care facility for the elderly is a conditionally allowed use in the CC zone subject to a CUP.

Finding 11. If the project is located in an area determined by the city to be at risk from earth movement, flooding or liquefaction, there is clear and compelling evidence that the proposed development is not at risk from these hazards. (Ord. 86 § 3, 1993; prior code § 9447).

The applicant submitted geotechnical and engineering reports and addenda prepared by TGR Geotechnical, Ralph Stone and Co., Inc., EPD Consultants, and Lawrence Young. These reports are on file at City Hall. In these reports, site-specific conditions are evaluated and recommendations are provided to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The project, including the OWTS, will neither be subject to nor increase the instability of the property from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the

certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed.

Should the Commission recommend project approval, the project should be conditioned to incorporate all recommendations contained in the above cited geotechnical reports and conditions required by the City geotechnical consultant reviewers, City Public Works Department, and the LACFD, including foundations, OWTS, and drainage. These conditions are included in Attachment 1. As such, the proposed project would not increase instability of the site or structural integrity from geologic, flood, or any other hazards.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Division has analyzed the proposed actions. The proposed LCPA has been determined to be Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the CCC as set forth in Section 21080.9 of the Public Resources Code. Accordingly, the certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the Public Resources Code. Additionally, the proposed ZMA is corollary to the LCPA and will not become effective unless and until the LCPA is certified.

Furthermore, the Planning Division has analyzed the proposed project and found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project can be found categorically exempt from the provisions of CEQA pursuant to Sections 15303(a) and (e) - New Construction. The Planning Division has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: At the time of writing this report, no public correspondence has been received by staff concerning the proposed project.

PUBLIC NOTICE: Staff published a Notice of Public Hearing and Notice of Available LCP Amendments in a newspaper of general circulation within the City of Malibu on November 20, 2025 and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

SUMMARY: Either 1) adopt Planning Commission Resolution No. 25-90 recommending the City Council determine that the project is exempt from CEQA, adopt LCPA No. 23-003 to change the land use designation and zoning designation from CN to CC in the LCP LUP and LIP, adopt ZMA No. 18-001 to change the zoning of the property in MMC Title 17 (Zoning) from CN to CC, approval of CDP No. 18-038 to construct a new two-story 1,792 sf residential care facility for assisted senior living with an additional 1,194 sf basement and 805 sf attached four-car garage, driveway, fire truck turnaround area, landscape, hardscape, terrace decks, grading, retaining walls, site walls, and an OWTS; including

VAR No. 21-001 for retaining wall and impact wall heights above six feet for a single wall, VAR No. 21-002 for construction on slopes steeper than 2.5 to 1, VAR No. 21-003 for development in ESHA buffer and fuel modification in ESHA and ESHA buffer, SPR No. 18-044 for construction over 18 feet up to a maximum height of 24 feet for a flat roof, and CUP No. 19-002 to allow a residential care facility for the elderly use in the CC zone located at 22549 PCH (Anita Kundi) or 2) direct staff to return with a resolution consistent with the Planning Commission's decision.

ATTACHMENTS:
1. Resolution No. 25-90
2. Project Plans
3. Department Review Sheets
4. Story Pole Photos
5. ERB Summary of Comments and Responses
6. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 25-90

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU RECOMMENDING THE CITY COUNCIL DETERMINE THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT LOCAL COASTAL PROGRAM AMENDMENT NO. 23-003 TO CHANGE THE LAND USE DESIGNATION AND ZONING DESIGNATION FROM COMMERCIAL NEIGHBORHOOD TO COMMUNITY COMMERCIAL IN THE LOCAL COASTAL PROGRAM LAND USE PLAN AND LOCAL IMPLEMENTATION PLAN, ADOPT ZONING MAP AMENDMENT NO. 18-001 TO CHANGE THE ZONING OF THE PROPERTY IN TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE FROM COMMERCIAL NEIGHBORHOOD TO COMMUNITY COMMERCIAL, APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 18-038 TO CONSTRUCT A NEW TWO-STORY 1,792 SQUARE FOOT RESIDENTIAL CARE FACILITY FOR ASSISTED SENIOR LIVING WITH AN ADDITIONAL 1,194 SQUARE FOOT BASEMENT AND 805 SQUARE FOOT ATTACHED FOUR-CAR GARAGE, DRIVEWAY, FIRE TRUCK TURNAROUND AREA, LANDSCAPE, HARDSCAPE, TERRACE DECKS, GRADING, RETAINING WALLS, SITE WALLS, AND AN ONSITE WASTEWATER TREATMENT SYSTEM; INCLUDING VARIANCE NO. 21-001 FOR RETAINING WALL AND IMPACT WALL HEIGHTS ABOVE SIX FEET FOR A SINGLE WALL, VARIANCE NO. 21-002 FOR CONSTRUCTION ON SLOPES STEEPER THAN 2.5 TO 1, VARIANCE NO. 21-003 FOR DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE HABITAT AREA BUFFER AND FUEL MODIFICATION IN ENVIRONMENTALLY SENSITIVE HABITAT AREA AND ENVIRONMENTALLY SENSITIVE HABITAT AREA BUFFER, SITE PLAN REVIEW NO. 18-044 FOR CONSTRUCTION OVER 18 FEET UP TO A MAXIMUM HEIGHT OF 24 FEET FOR A FLAT ROOF, AND CONDITIONAL USE PERMIT NO. 19-002 TO ALLOW A RESIDENTIAL CARE FACILITY FOR THE ELDERLY USE IN THE COMMUNITY COMMERCIAL ZONE FOR A PROPERTY LOCATED AT 22549 PACIFIC COAST HIGHWAY (ANITA KUNDI)

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The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On September 5, 2018, an application for a Coastal Development Permit (CDP) No. 18-038 to allow for a new residential care facility for the elderly and associated development was submitted to the Planning Division by owner Anita Kundi. On October 9, 2018, an application for Site Plan Review (SPR) No. 18-044 for building height and Zoning Map Amendment (ZMA) No. 18-001 to change the zone on the property from Commercial Neighborhood (CN) to Community Commercial (CC) was submitted to the Planning Department by the owner. On February 26, 2019, an application for a Conditional Use Permit (CUP) No. 19-002 to allow for a

residential care facility for the elderly was submitted to the Planning Department by the owner. On January 6, 2021, applications for Variances (VAR) No. 21-001 for wall heights, No. 21-002 for construction of structures in steep slopes, and No. 21-003 for development in Environmentally Sensitive Habitat Area (ESHA) and ESHA buffer were submitted to the Planning Division by the owner. On December 4, 2023, an application for a Local Coastal Program Amendment (LCPA) No. 23-003 to change the land use designation and zoning on the site from CN to CC was submitted to the Planning Division by the owner. The applications were routed to the City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District 29 (WD29), and the Los Angeles County Fire Department (LACFD) for review.

B. On February 1, 2024, the application was deemed complete.

C. On March 19, 2024, a Notice of Coastal Development Permit application was posted on the subject property.

D. On November 8, 2025, a site visit was conducted by Planning Division staff to evaluate the site conditions and story pole installation.

E. On November 20, 2025 a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

F. On December 16, 2025, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission has analyzed the proposed project. The Planning Commission hereby recommends the City Council find that the proposed LCPA is Statutorily Exempt pursuant to CEQA Guidelines Section 15265 because CEQA does not apply to activities or approvals by a local government as necessary for the preparation and adoption of an LCPA for review and certification by the California Coastal Commission (CCC) as set forth in Section 21080.9 of the Public Resources Code (PRC). The certified City of Malibu LCP constitutes a plan for use in the CCC's regulatory program as certified under Section 21080.5 of the PRC. The proposed ZMA is corollary to the LCPA and will not become effective unless and until the LCPA is certified.

The Planning Commission hereby recommends the City Council find that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15303(a) – New Construction or Conversion of Small Structures. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

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SECTION 3. Local Coastal Program Amendment Findings.

The project includes a request to amend the LCP's land use designation and zoning designation for the parcel from CN to CC. The changes are requested for the proposed use of a "residential care facility for the elderly," which is a conditionally allowed use in the CC zone but prohibited in the CN zone. The purpose of the facility is to provide assisted senior living services for up to four guests. When the LCP was initially certified in 2002, the subject property was designated as CC in the LCP Land Use Map and Zoning Map but was inadvertently changed to CN on February 23, 2007, as part of a subsequent certified LCPA (LCPA No. 05-001, Ordinance No. 303). The City's General Plan continues to designate the subject property as CC. Changing the subject property back to CC would re-apply the land use designation and zoning in the originally certified LCP and ensure consistency with the City's General Plan designation for the property.

Based on evidence contained within the record, including the agenda report for the project and the hearing on December 16, 2025, and pursuant to LCP Local Implementation Plan (LIP) Section 19.6, the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of Local Coastal Program Amendment (LCPA) No. 23-003 for a map amendment to LCP Appendix 2 Maps to change the existing and use designation and zoning of the subject property from CN to CC for the site at 22549 Pacific Coast Highway (APN 4452-023-003) as shown in Exhibits A and B, respectively, attached hereto.

A. **The project is consistent with Public Resources Code, Division 20 (California Coastal Act), Chapter 3 and related LCP Land Use Plan (LUP) policies as follows**.

1. The allowed uses are similar between the CN and CC zoning and land use designations, with the purpose of the CN to provide for low intensity commercial activity emphasizing service to the residents in the surrounding neighborhood, and the purpose of the CC to provide for the resident serving needs of the community similar to the CN but on parcels of land more suitable for concentrated commercial activity. The subject property is intended to be used as a residential care facility for assisted senior living. The proposed commercial use of a, "residential care facility for the elderly" is conditionally allowed in the CC zone subject to a CUP. It is also consistent with the surrounding commercial land uses and zoning, and commercial and residential development and use of the area due to its relatively small development (square footage and land area) and its use as a commercial residence for assisted senior living.

2. A residential care facility project is being processed simultaneously with the LCPA as CDP No. 18-038. The proposed project is in an area with a mix of other single and multi-story commercial uses (including a three-story motel and two-story retail shopping center), and one-story single-family and two-story multi-family residences further to the west on commercially zoned land. The proposed project consists of a 1,792 square-foot building with a 1,194 square-foot basement and an attached 805 square-foot four-car garage on a 0.27-acre parcel, which is smaller than the nearby commercial uses, but larger than the residential uses on commercially zoned land. The proposed project is similar in height and number of stories to the adjacent retail commercial center to the south on Pacific Coast Highway (PCH). The type of use, building profile, and the

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amount of development is compatible with the neighborhood character. The project is consistent with Coastal Act Section 30250 by being contiguous with, and in close proximity to, existing developed areas.

3. The LCPA is consistent with LUP Chapter 5 – New Development, Land Use Plan Policies, General Policies 5.3, 5.4, 5.5, 5.6, and 5.7, listed below, as conditioned. Upon implementation of a condition of approval (Condition No. 18) that the applicant submit a certificate of compliance application and obtain approval of the certificate of compliance by the City Public Works Department to confirm that the property is a legal lot prior to the City Council consideration of the LCPA, ZMA, and other project entitlements, the lot will be considered a legal lot. The subject property can accommodate adequate off-street parking for a residential care use as required in the LIP, the City Environmental Review Board (ERB) has reviewed and made recommendations on the proposed use and development potential, any impacts to ESHA will be mitigated, and measures to minimize scenic and visual resource impacts and minimize hazard risks have been incorporated into proposed development on the property.

> General Policy 5.3: A coastal development permit may only be approved for new development on legally created lots. All applications for new development on a vacant parcel shall include evidence of the date and method by which the subject parcel was created.
>
> General Policy 5.4: Off-street parking shall be provided for all new development in accordance with the ordinances contained in the LCP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings that the provision of fewer parking spaces will not result in adverse impacts to public access.
>
> General Policy 5.5: The Environmental Review Board shall review and make written recommendations on development proposals within or adjacent to ESHA or other areas containing ESHA as identified through a biological study. The decision-making body (Planning Manager, Planning Commission, or City Council) shall make written findings relative to the project's conformance with the recommendations of the Environmental Review Board.
>
> General Policy 5.6: Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.
>
> General Policy 5.7: New development shall conform to the hillside management provisions of the LIP, including measures to minimize impacts to scenic and visual resources and to minimize the risk from hazards. The measures include but are not limited to limiting grading and retaining walls, restricting development on steep slopes, protecting ridgelines, and applying siting and design restrictions (scenic and visual policies). The slope density criteria of the subdivision ordinance shall apply to sloping terrain and be applied in

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combination with the base land use designation in order to determine the maximum allowable density.

B. **The project is consistent with Coastal Act Section 30251 as follows:**

1. The LCPA is consistent with Coastal Act Section 30251 as the subject property can accommodate development sited and designed to protect views to and along the ocean and other scenic coastal areas, and LUP Chapter 5 – New Development, C. Land Use Policies 6.5 to 6.14, listed below, to protect scenic resources., as conditioned (Condition Nos. 49 and 50). The development area on the property is at the base of a hillside on the flatter portion of the property and behind existing commercial development. As a result, public views of the development area from designated scenic roads (Pacific Coast Highway) and any other public viewing areas are not anticipated to be adversely impacted by development authorized in the CC zone. Should a structure be constructed in the development area, limited portions of it would be visible from PCH east and west of the site; however, most of the structure would be blocked by existing commercial development between PCH and the subject property. A clearer view of the development north from PCH would be visible from the driveway to the retail shopping center that is located just south of the site and fronting PCH, as there is no building to block the view. Due to the location of the subject property, development of the site would not block views to the ocean or other scenic resources as none currently exist since there are no public viewing areas behind or adjacent to the property.

Land Use Policy 6.5: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

Land Use Policy 6.6: Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including resiting or reducing the height or bulk of structures.

Land Use Policy 6.7: The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure.

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Land Use Policy 6.8: Prominent ridgelines and other intervening ridgelines that are visible from a public road, a beach, public viewing areas, or public hiking trails, shall be protected by setting structures below the ridgeline to avoid intrusions into the skyline where feasible. Where there are no feasible alternative building sites below the ridgeline or where the only alternative building site would result in unavoidable adverse impacts to ESHA, structures shall be limited to one-story (18 feet maximum from existing or finished grade, whichever is lower) in height to minimize visual impacts.

Land Use Policy 6.9: All new development shall be sited and designed to minimize alteration of natural landforms by:
a. Conforming to the natural topography.
b. Preventing substantial grading or reconfiguration of the project site.
c. Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level
or stepped-pad designs.
d. Requiring that man-made contours mimic the natural contours.
e. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
f. Minimizing grading permitted outside of the building footprint.
g. Clustering structures to minimize site disturbance and to minimize development area.
h. Minimizing height and length of cut and fill slopes.
i. Minimizing the height and length of retaining walls.
j. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.

Land Use Policy 6.10: New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

Land Use Policy 6.11: The length of on-site roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of visual resources or ESHA. Driveway slopes shall be designed to follow the natural topography. Driveways that are visible from a scenic road, a beach, a public viewing area, or public hiking trail shall be a neutral color that blends with the surrounding landforms and vegetation.

Land Use Policy 6.12: All new structures shall be sited and designed to minimize impacts to visual resources by:
a. Ensuring visual compatibility with the character of surrounding areas.
b. Avoiding large cantilevers or understories.
c. Setting back higher elements of the structure toward the center or uphill portion of the building.

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Land Use Policy 6.13: New development in areas visible from scenic roads or public viewing areas, shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited.

Land Use Policy 6.14: The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Where feasible, long continuous walls shall be broken into sections or shall include undulations to provide visual relief. Where feasible, retaining walls supporting a structure should be incorporated into the foundation system in a stepped or split level design. Retaining walls visible from scenic highways, trails, parks, and beaches should incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.

C. **The project is consistent with Coastal Act Section 30253 as follows:**

1. Coastal Act Section 30253 requires the minimization of adverse impacts. Any future development authorized in the CC zone would be subject to the hazard policies of the LUP and would be considered to have been designed, and incorporated measures, to minimize hazards, particularly those related to fire and geology, and ensure site stability and structural integrity. Therefore, the project is consistent with LUP Chapter 5 0 New Development, C. Land Use Plan Policies, General Development Policies 4.2, 4.4, 4.5, 4.7, 4.8, and 4.10, listed below, regarding hazards.

General Development Policy 4.2: All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.

General Development Policy 4.5: Applications for new development, where applicable, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.

General Development Policy 4.8: Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.

General Development Policy 4.10: New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.

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SECTION 4. Zoning Map Amendment Findings.

Based on evidence contained within the record, including the agenda report for the project and the hearing on December 16, 2025, and pursuant to the Malibu Municipal Code (MMC) Section 17.74.050, the Planning Commission hereby recommends the City Council approve ZMA Case No. 18-001 to change the zoning on the property from CN to CC as shown in Exhibit C attached hereto. The ZMA approval shall only take effect if the LCPA is certified.

The ZMA is consistent with the objectives, policies and general land uses in the General Plan as the property currently has a CC land use designation in the General Plan. The ZMA will allow the MMC to be amended and be consistent with the current General Plan and the amended LCP land use designation and zoning maps (LCPA No. 23-003) and is only corollary of that action. The amendment is consistent with General Plan Land Use Element Policies LU 2.1.3, 4.4.1, 6.1.1, and 6.1.2, listed below, because it allows for commercially zoned properties based on community need; establishment of small neighborhood and community serving businesses; development standards and procedures that protect the property owner's reasonable use of land consistent with the goals and policies of the General Plan; and a legal parcel to be used for a permitted or conditionally permit use that is compliant with the zoning ordinance requirements, inclusive of Condition No. 18 to verify the lot is a legal lot. .

> LU Policy 2.1.3: The City shall proportion commercially zoned properties based on community need.
>
> LU Policy 4.4.1: The City shall encourage establishment and continued operation of small neighborhood and community serving businesses.
>
> LU Policy 6.1.1: The City shall use development standards and procedures that protect the property owners' reasonable use of their land consistent with the goals and policies of this General Plan.
>
> LU Policy 6.1.2: The City shall allow a parcel legally created and existing as of March 26, 1993, regardless of size, to be used for any purpose permitted by right or, if permits obtained, any conditionally permitted use, in the zone district in which the parcel is situated, provided that such use or any new construction complies with the requirements of the zoning ordinance.

SECTION 5. Coastal Development Permit Findings.

Based on evidence contained within the record, including the agenda report for the project and the hearing on December 16, 2025, and pursuant to the LIP, including Sections 13.7(B) and 13.9, and the Malibu Municipal Code (MMC), the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of CDP No. 18-038 for construction of a 1,792 square-foot senior residential care facility, 1,000 square-foot garage, 1,194 square-foot basement, a driveway, terrace decks, landscape, hardscape, grading, retaining walls, an impact

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wall for geotechnical purposes, and an onsite wastewater treatment system located in the CC zone at 22549 Pacific Coast Highway.

With approval of the proposed ZMA Case No. 18-001 and LCPA Case No. 23-003, the project, as conditioned, is consistent with the LCP's zoning and land use designation, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed VAR Nos. 21-001, 21-002, and 21-003, SPR No. 18-044, and CUP No. 18-038, the project is consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. Inclusive of the requested ZMA and LCPA, the project is in the CC zoning district, an area designated for resident serving commercial needs of the community similar to, but more concentrated than, that of the CN zoning district. A residential care facility for the elderly is allowed in this zone subject to a CUP. The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and LACFD. Based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable commercial development standards, inclusive of the requested LCPA, ZMA, VARs, and SPR.

2. The project is not located between the first public road and the ocean. The project site is north of the Pacific Coast Highway (PCH). In addition, the subject property does not contain and is not adjacent to any trails as depicted on the LCP Park Lands Map.

3. The following alternatives to the project were considered to determine the least environmentally damaging feasible alternative:

Due to the site characteristics and proposed type of use, there are no feasible project alternatives that are more environmentally preferable than the proposed project. To create a project that does not require the construction of a retaining wall, building portion or related improvements in steep slopes (VAR No. 21-002), a retaining wall and impact wall exceeding the maximum allowed height (VAR No. 21-001), or development in the ESHA buffer and fuel modification in the ESHA and ESHA buffer (VAR No. 21-003), and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. Due to fuel modification encroachment into ESHA and ESHA buffer, regardless of where a building pad were located on the property, any development would already be constrained by the ESHA development standards in LIP Section 4.7.1 requiring a project's allowable development area to be limited to 25 percent of the total lot size. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a three-story building taller than 24 feet, inconsistent with the LIP and MMC, and which would be more visible from PCH. Moreover, it is anticipated that a smaller project footprint would nominally change the project's potential for environmental impacts, since a relatively flat area for the

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driveway and fire truck turnaround of the same sizes as currently proposed would still be necessary and would require variances to be located on the subject property.

The ESHA buffer covers about 60 percent (about 7,300 square feet) of the parcel, leaving little room outside of the buffer for the development area (about 4,700 square feet). The southern area of the parcel also contains slopes that require retaining walls, although not to the height of the northernmost retaining wall. Therefore, shifting the development southerly to avoid the ESHA buffer would render the project infeasible. Shifting the building further south, so that less of the development is in the ESHA buffer, would conflict with an existing easement to the State of California for right of ingress and control of storm water in the southeast corner of the parcel. This shift would require additional retaining walls in the southern portion of the property, would likely encroach in the minimum required front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate the required onsite driveway and fire truck turnaround which would need to be placed at the rear of the building. Therefore, shifting the building southerly would still result in development in the ESHA buffer and would not be an environmentally preferable option.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical conditions, an impact wall of the height proposed is needed to prevent a mudslide on the property in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot feasibly be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would need to be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

The proposed development will not result in adverse scenic or visual resource impacts given the location of the building and walls onsite and the location of the proposed development site within the hillside area backdrop, will not result in adverse biological impacts with implementation of mitigation measures to compensate for the loss of habitat, and is the least environmentally damaging feasible alternative. Conditions of approval (Nos. 49 and 50) would further ensure no adverse scenic or visual resource impacts by requiring the project color and materials to blend in with the natural hillside.

4. Approximately 60 percent of the subject property area is within the designated ESHA buffer as shown on the LCP ESHA and Marine Resources Map and as delineated in the biological assessment of the project site prepared by Forde Biological Consultants (October 2018). The proposed building, paved areas, walls, landscaped areas, and grading would be located within the ESHA buffer. The project also has the potential to impact special status biological resources through fuel modification Zones B and C encroachment into the ESHA offsite to the north and the ESHA buffer on either side of the property. On February 9, 2022, the City Biologist determined that review by the Environmental Review Board (ERB) was required for the project. The ERB reviewed the project on June 7, 2023.

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The ERB requested that the project include native vegetation in the landscape plan (Condition No. 15), The ERB asked about the feasibility of incorporating a bioswale feature upslope behind the retaining wall on the north side of the parcel, however installation of a bioswale could adversely affect the integrity of the wall. The ERB inquired about whether an "H over 2" slope setback distance is required for the ascending slope on the property's northern portion, however the requirement does not apply in this design, and the City's geotechnical consultant reviewers and Public Works Department staff have accepted the project as currently proposed. The Building Safety Division's structural engineer consultant has accepted the retaining wall design on a conceptual basis. The ERB asked if the potential for offsite fuel modification by owners of neighboring properties was considered when staff determined the requirements for habitat impact mitigation; staff confirmed that these potential impacts were assessed in determining the appropriate mitigation. While the subject property owner has no legal authority to conduct fuel modification on other properties, owners of the adjacent properties may conduct vegetation thinning and/or removal common to fuel modification due to the proposed development. Therefore, the proposed project has the potential to result in such vegetation modification offsite. The ERB asked that the project lighting be night-sky compliant. The project does not include any exterior lighting. However, Condition Nos. 24-30 require compliance with the City Dark Sky Ordinance so that any exterior lighting determined necessary, such as to comply with the building code, will be designed in compliance. The ERB asked about storm water Best Management Practices (BMPs) and Americans with Disabilities Act (ADA) accessibility to parking areas and the nearest road right-of-way. The selection and approval of BMPs and compliance with ADA requirements will be addressed in the project's Building and Safety plan check stage. Other ERB comments involved clarification on project conditions, including storm water drainage and measuring building height, and were not requests of the project.

B. Variance Findings for Wall Heights (LIP Sections 3.5.3(A)(3) and (4))

1. There are special circumstances or exceptional characteristics applicable to the subject property, including size and topography, that warrant granting of the variance. The project parcel is small (0.27 acre, or 12,066 square feet), especially for a commercial use consistent with the allowed uses in the current and proposed zoning districts. Immediately adjacent parcels are 1.43 acres to the east and 1.86 acres to the south and west (this parcel borders the property on both the south and west) and zoned for commercial use, while the parcel to the north is 34.85 acres and zoned for residential use. Commercial parcels in the general vicinity range mostly range from 0.57 to 1.86 acres, with one parcel 0.11 acre. For the most part, the development areas of nearby parcels do not have as steep slopes as the subject property. More than one-half of the property consists of 3 to 1 or flatter slopes (an area of 6,345 square feet) and is generally located in the center of the property in the area of proposed development, while slopes steeper than 3 to 1 comprise 5,738 square feet. The center of the project site where there is a remnant building pad is relatively flat, but insufficient in size to accommodate the proposed use. The northern and southern portions of the property have steep topography (2.5 to 1 to over 1 to 1 slopes). To create a sufficient building pad, the project includes cutting into a portion of the slope on the north, necessitating a retaining wall of 24 feet, tall enough to contain the hillside. Shifting the building further south would conflict with an existing easement to the State of California for right of ingress and control of storm water

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in the southeast corner of the property. This shift would require additional retaining walls due to slopes in the southern parcel area, would likely encroach in the front yard setback, and would likely still require cutting into the northern slope and placement of a retaining wall of about the same height to accommodate relocation of the and fire truck turnaround and required driveway access to the rear of the building.

The proposed impact wall of 11 feet high is required for safety purposes, to prevent a mud slide from the hillside area to the west of the proposed development site in the event of slope failure. The height of the impact wall is dictated by geotechnical engineering standards. The impact wall location, height, and design have been accepted by the City geotechnical consultant reviewers.

2. The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has conceptually approved the 24-foot-tall retaining wall design. Development would occur on the flatter portions of the property, to the extent feasible, to minimize grading. Given the limited parcel size, however, the scope includes cutting into a portion of the northern slope and construction of the 24-foot-high retaining wall. The retaining wall is proposed to safely and effectively hold back adjacent grades to create the development pad for the proposed use. As noted in Finding B.1 above, the 11-foot-high impact wall on the western side of the parcel has been designed for safety and has been accepted by the City geotechnical consultant reviewers on a preliminary basis. Both the retaining wall and impact wall will be designed to face the interior of the site, so are not expected to be visible from off-site vantage points. Therefore, granting of the proposed variance is not detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located. The walls are to protect the subject site from slope hazards and will be required to be constructed to all applicable building safety and engineering standards and codes.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed residential care facility for the elderly is consistent with the uses permitted in the applicable zoning designation of CC with a CUP. The project site is small and limited in land area for development. Surrounding properties are developed with commercial uses, and do not have hillside topography as steep as that of the subject parcel. Additionally, the existing parking lot behind the retail center located immediately south of the project site is constructed with two stacked retaining walls, the tallest being 12-feet-high, exceeding the maximum allowed six feet high. The additional height of the project walls will enable the development of the proposed commercial use and its safe operation. Development of the proposed use on the site would be infeasible without the granting of the variance. Therefore, granting the proposed variance does not constitute a special privilege to the property owner.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as Variances to retaining wall heights may be granted pursuant to LIP Sections 3.5.3(A)(4) and (5) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA request. All departmental reviewers have

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determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance will enable development of the proposed use, which is an allowed use on the site with a CUP.

5. The requested VAR for wall heights does not specifically pertain to environmentally sensitive habitat or its buffer. However, approximately 60 percent of the project site, including the development of the building, paved areas, walls and landscaped planters, is in the ESHA buffer, and the requested VAR would pertain to walls proposed in the ESHA buffer. As described above for Finding A.1., there are no other feasible alternatives for siting the walls or reducing the wall heights and locating the development elsewhere on the site considering the small parcel size with steep slopes. Given the location of the site in the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 sf, pursuant to LIP Section 4.7.1. The proposed 3,016 sf development area for the project complies with the maximum allowed.

6. The proposed variance would enable the development of a residential care facility for assisted senior living with steep slopes on and adjacent to the site and will not authorize an unpermitted use or activity subject to inclusion of the LCPA and ZMA. The variance is requested to accommodate retaining and impact retaining walls necessary to construct a use that is conditionally permitted in the CC zone subject to a CUP. Retaining and other walls are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

7. The subject parcel is physically suitable for the proposed variance since the additional wall heights can be accommodated on the proposed development site. There are no alternate feasible building locations on the proposed development site that will eliminate the need for the retaining and impact wall heights to exceed the maximums allowed. Constructing a series of stacked retaining walls instead of the proposed single walls higher than the maximum allowed with the intent of reducing the wall heights would necessitate additional land on a site that is already constrained in size and constricted by steep slope areas, likely rendering the project infeasible. Additional area needed for the stacked walls may result in more development area, which would exceed the maximum allowed for a site in the ESHA buffer (3,020.25 sf per LIP Section 4.7.1). Using stacked walls would also require more grading of slopes than is currently proposed and the tallest stacked wall would need to be the same height as the proposed single retaining wall.

8. The City Biologist, City geotechnical review consultants, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has conceptually approved the 24-foot-tall retaining wall design. Therefore, the proposed project with the additional wall heights, along with the requested other VARs, SPR, CUP, LCPA and ZMA granted, could be found to comply with all applicable requirements of state and local law.

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C. Variance Findings for Development within the ESHA and Buffer (LIP Section 4.6.4(A))

1. There are special circumstances or exceptional characteristics applicable to the subject property, such size and steep slopes (as described in Finding B.1.), and the location of ESHA buffer on most of the site, that warrant granting of a variance. The center of the project site where there is a remnant building pad is relatively flat, but insufficient in size to accommodate the proposed use. The ESHA buffer covers approximately 60 percent of the parcel from the site's center to its north, including the existing building pad. The southern portion of the site outside of the ESHA buffer is about 4,700 square feet. Restricting the proposed development to this area would result in an infeasible project due to constraints in land area. The proposed development area is 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), and the driveway and fire truck turnaround area (including OWTS) is 2,954 square feet. The required fire truck turnaround area and driveway access to it alone is 2,100 square feet. In addition, at least 40 percent of the site must be landscaped area. Therefore, the development could not feasibility be accommodated in the estimated 4,700 square feet area outside of the ESHA buffer.

2. The City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. The Building Safety Division consulting structural engineer has accepted the design of the 24-foot-high wall on a conceptual basis.

As proposed by the City Biologist, a condition of approval states the applicant would be required to compensate for off-site habitat impacts to ESHA resulting from potential vegetation modifying activities that may be conducted by neighboring property owners for fire-defensible space through any of the following: a detailed restoration plan, a habitat conservation plan, or evidence of payment of in-lieu fees to the Santa Monica Mountains Conservancy. The precise mitigation would be determined by the City prior to the project's final Building and Safety plan check approval.

Development in the ESHA buffer on-site will be accomplished pursuant to City building codes, in a safe manner, and in consideration of the public health, interest and welfare. In particular, the proposed retaining and impact walls will be constructed to protect people and property. They will be designed to face the interior of the site and are located behind the proposed building of 24-feet-high so are not expected to be readily visible from off-site vantage points. The walls are to protect the subject site from slope hazards and will be required to be constructed to all applicable building safety and engineering standards and codes. The area upslope of the northerly 24-foot-high-retaining wall proposed on-site will be landscaped. The project is conditioned to require native species of vegetation in this upslope area, which will provide a habitat buffer between the proposed development and the ESHA off-site and require landscaped areas on site include native species, as requested by the ERB, in consideration of the ESHA buffer on-site and neighboring off-site ESHA and ESHA buffer areas. Therefore, granting of the proposed variance could be found not to be

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detrimental to the public interest, safety, health or welfare, and not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. The granting of the proposed variance would not constitute a special privilege to the applicant or property owner, as described in Findings B.1. and C.1. above, where the subject property is small and has steep slopes. To avoid the ESHA buffer, development would be relegated to the southern approximately one-third of the parcel. This estimated 4,700-square foot area would not accommodate the requested development footprint and contains slopes (although less steep than those on the north side of the parcel) and an easement to the State of California that constrain development potential. The 4,700 square-foot area would have to contain the proposed development area of 3,016 square feet (building footprint, retaining walls, pedestrian paths around the building, and other building pad areas), the driveway and fire truck turnaround area (including OWTS) of 2,954 square feet, and landscaped planters of at least 40 percent of the site area.

The combination of constraints creates challenges in developing the site for commercial use, as it is currently zoned CN and is proposed to be zoned CC. The granting of the variance would not provide special privileges to the property owner or project applicant but would allow for the development of the site for commercial uses, and specifically, for the proposed use, allowed with a CUP. Moreover, limiting development to this portion of the site will require relief from yard setback development standards.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as a variance for development in the ESHA buffer may be granted pursuant to LIP Sections 4.6.4(A) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA, SPR and other VARs. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance would enable development of the proposed "residential care facility for the elderly," a commercial use that is allowed with approval of a CUP.

5. As described in Findings A.3 and C.1 above, the southern portion of the site outside of the ESHA cannot feasibility contain the proposed development. Due to the ESHA within 100 feet of the subject site, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet (LIP Section 4.7.1.). The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

6. The proposed variance will enable the development of a senior assisted residential care facility on a site where most of the land area is within an ESHA buffer. The land area outside of the ESHA buffer is insufficient for development of the commercial use, especially in consideration of the applicable development standards of the zone and LIP (e.g., yard setbacks), and fire truck turnaround and driveway standards. The variance will not authorize an unpermitted use or activity but will accommodate a commercial use, specifically one that is permitted in the CC zone with a CUP. Therefore, the variance can be granted to allow for commercial development of the site pursuant to the existing CN and proposed CC zoning, and provide for an allowed use, inclusive of a CUP.

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7. As described in Finding A.3 above, the variance is requested since the land area of the parcel outside of the ESHA buffer is insufficient to accommodate the proposed project. The development could not feasibility be accommodated in the estimated area outside of the ESHA buffer. The subject site, including the area of the ESHA buffer, as requested via the variance, can adequately accommodate the proposed project. Except for the requested variances for development in steep slopes and for walls exceeding the maximum height allowed, and the SPR for building height up to 24 feet, the project meets all development standards of the LIP and MMC.

8. The City Biologist, City geotechnical review consultants, City Environmental Health Administrator, City Public Works Department, City Building Safety consulting structural engineer, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. Therefore, the proposed development partially within the ESHA buffer onsite and offsite fuel modification in the ESHA and buffer, along with the requested CUP, LCPA, ZMA, VARs and SPR granted, will comply with all applicable requirements of State and local law. Condition of approval require the project to comply with relevant approvals, permits, and licenses from the City of Malibu and other related agencies, such as the LACFD.

D. Variance Findings for Structures on Steep Slopes (LIP Section 8.3(D))

1. There are special circumstances or exceptional characteristics of the subject property that warrant approval of this variance. As described in Finding B.1. above, the project parcel is small in comparison to surrounding parcels and has steep slopes, greater than most nearby parcels. Without the granting of this variance to allow development in slopes of 2.5:1 to 1:1 the development of the proposed use could not be accomplished.

The northern and southern portions of the site have steep topography (2.5 to 1 to over 1 to 1 slopes). To create a sufficient building pad, the project includes cutting into a portion of the slope on the north and placement of a retaining wall with a V-ditch upslope and behind the wall to properly drain the area. The building would be set against this wall and hillside. On the southern portion of the site, additional retaining walls are needed due to the slope, along with related storm water drainage mechanisms to carry water from steeper portions of the site to the drainage inlets. The southeastern portion of the building would also reach into these slopes to accommodate the required size of the facility. The northern part of the proposed impact wall on the west side of the site is within the steep slope area. The wall is required for safety purposes, to prevent a mud slide from the hillside area to the west of the site in the event of slope failure. There is no alternate location for this part of the wall, given that the need for the wall is specific to the particular hillside location.

2. The City Biologist, City Environmental Health Administrator, City geotechnical review consultants, City Public Works Department, City Building Safety consulting structural engineer, and the LACFD have reviewed the proposed project and determined it is consistent with all applicable safety, health or welfare regulations and policies. Development would occur on the flatter portions of the site, to the extent feasible, to minimize grading. Given the limited parcel size, however, the scope includes cutting into portions of the northern and southern steep slopes

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on site to accommodate the development, including a portion of the building, retaining and other walls, and storm water drainage mechanisms. The retaining walls are designed to safely and effectively hold back adjacent grades to create the development pad for the proposed use. The impact wall on the western side of the parcel is to protect the project site development, as well as residents and employees, from the effects of a mud slide in the event of failure of the slope along the western property edge and is by necessity located in a steep slope area. The drainage facilities are required to effectively and safely convey storm water away from the walls and building that are in the steep slopes.

All proposed structures in steep slopes will be required to be constructed to all applicable building safety and engineering standards and codes. Therefore, granting of the proposed variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone in which the property is located.

3. The granting of the proposed variance will not constitute a special privilege to the applicant or property owner. The proposed project site is limited in size and contains steep topography, such that development of the full facility is infeasible outside of steep slopes. The proposed senior residential care facility is consistent with the uses permitted in the applicable zoning designation of CC with a CUP ("residential care facility for the elderly"). Surrounding properties are developed with commercial and residential uses, and while they mostly do not have hillside topography as steep as that of the subject parcel, have been at least partially built in areas with steep slopes, as evidenced by retaining walls exceeding the maximum allowed six-foot-height. The proposed structures on steep slopes on-site (building, walls, drainage facilities) will enable the development of the proposed commercial use, including its safe and effective operation with the proposed retaining and impacts walls, and storm water conveyance mechanisms. Development of the proposed use on the site would be infeasible without the granting of the variance. Therefore, granting the proposed variance would not be considered to constitute a special privilege to the property owner.

4. The granting of the proposed variance will not be contrary to or in conflict with the zoning provisions nor LCP goals, objectives and policies, as variances for the placement of structures on slopes steeper than 3 to 1 may be granted pursuant to LIP Sections 8.3(D) and 13.26. The proposed project is consistent with the LUP and LIP, inclusive of the LCPA, SPR and other VAR requests. All departmental reviewers have determined the proposed project is consistent with the LCP and have determined that they can support the granting of the requested variance. Granting of the variance will enable development of the proposed use, which is an allowed use on the site with a CUP.

5. The proposed variance does not specifically pertain to environmentally sensitive habitat or its buffer. However, approximately 60 percent of the project site, including the development of the building, walls and drainage mechanisms in slopes steeper than 3 to 1 would occur in the ESHA buffer. As described above for Finding A.3, there are no other feasible alternatives for avoiding cut and fill and placement of structures in steep slopes above 3:1 in the ESHA buffer considering the small parcel size and hillside topography, as well as most the site in

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the ESHA buffer. Given the location of the site in the ESHA buffer, the development area is limited to 25 percent of the total lot size, or 3,020.25 square feet, pursuant to LIP Section 4.7.1. The proposed 3,016.09 square-foot development area for the project complies with the maximum allowed.

6. The proposed variance will enable the development of a residential care facility for the elderly, consistent with the purpose and intent of the CC zone with approval of a CUP, on a site with steep slopes and will not authorize an unpermitted use or activity. The variance is requested to accommodate retaining and impact walls, portions of a building, and drainage mechanisms necessary to construct a commercial use, including one that is permitted in the CC zone with a CUP. Retaining and other walls, buildings, and storm water drainage mechanisms are permitted in this zone. Therefore, the variance would be granted to provide for an allowed use, inclusive of a CUP.

7. The subject parcel is physically suitable for the proposed variance since the walls, building, and drainage mechanisms in steep slopes can be accommodated on the site, There are no alternate feasible building locations on the site that will eliminate the need for these structures to be located in steep slopes, given the limited parcel size of 0.27 acre and hillside topography with 47 percent of the site in steep slope areas.

8. The City Biologist, City geotechnical consultant reviewers, City Environmental Health Administrator, City Public Works Department, and the LACFD reviewed the proposed project and determined it was in conformance with state and local requirements. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. Therefore, the proposed project with grading and structures in steep slopes, along with the requested other variances, site plan review, CUP, LCPA and ZMA granted, would comply with all applicable requirements of state and local law.

E. Site Plan Review Findings for Building Height (LIP Section 3.8(A)(1)(b))

1. The project has been reviewed for all relevant policies and provisions of the LCP, including the LUP and LIP. The project is consistent with all such policies and provisions, except for those for which an SPR, VARs, and LCPA are being requested. Except for the building height for which an SPR is requested and the VAR for development in the ESHA, the location, density, and size of the building is consistent with all other regulatory provisions of the LCP, including the number of building stories, FAR, and maximum development area.

2. The proposed commercial project is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. The project includes a request for a ZMA and LCP to change the land use and zone from one commercial use (CN) to another (CC), which are both commercial zones intended to service the community. The proposed use is commercial, with the residential care facility for the elderly use allowed with a CUP. Properties surrounding the site are larger in land area. The Commercial Visitor Serving 1.43-acre parcel to east of the site has a 5,142-square-foot three-story motel building constructed in 1947 that fronts PCH but the portion of the parcel further north and

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adjacent to the site is natural and undeveloped. The single CN 1.86-acre parcel that borders the site on both the west and south contains a retail shopping center along the subject site's south edge that fronts PCH. It contains a two-story 19,885-square-foot building constructed in 1991 with a parking lot built into the slope in the rear and on top of the building. Adjacent to the project site on the west, however, this area of the retail shopping center parcel is natural and vacant. The three structures built as residences to the west of the project site consist of 713, 879, and 1,302 square feet each and date from the 1950s. To the north of the subject property is a large vacant parcel zoned for low-density residential use. The proposed project consists of a 1,792 square-foot building with an attached 805 square-foot four-car garage and 1,194 square-foot basement on a 0.277-acre parcel, which is smaller than the nearby commercial uses, but larger than the residential uses. It is similar in height and number of stories to the adjacent retail shopping center. The type of use, building profile, and the amount of development is compatible with the neighborhood character.

Since the project site is in the hillside above an existing commercial development and not located south and ocean-side of any development, it will not block views to the ocean from surrounding parcels. Based on the visual impact analysis (project plans, aerial photographs, photosimulations, site visits and story pole placement), the Planning Division has determined that the building height will not obstruct views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding parcels. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, off-site views to these hillside features will remain. Based on review of project plans, photosimulation views from PCH, and story pole placement, the proposed use will only be partially visible from PCH, approaching the site from the east and west, and clearly visible to the north from PCH at the driveway of the retail shopping center just below the site that fronts PCH.

As with the retail shopping center development to the south, the project includes walls exceeding the maximum allowed height. It also exceeds the maximum allowed 18-foot height for a flat roof by six feet. The motel to the east of the project site is three stories high. The retail shopping center is two stories high, as is the proposed project. The proposed project is consistent with allowed FAR for density and number of stories, meets all setback requirements, and complies with the required amounts of open space and landscaping on-site. Based on conformance with these development standards, and existing surrounding development, the project will not have an adverse effect on neighborhood character.

3. The proposed development will not be visible from any scenic area or public viewing area. Besides a direct view to the site north from PCH, a scenic road, at the driveway to the retail shopping center just below the site that fronts PCH, the site will be only slightly visible from PCH as one approaches it from the east and west. Given the site's location approximately 200 feet north of PCH, the limited time a clear view to the site will be visible from passersby on PCH (i.e., the width of the adjacent project driveway), and the small size of the building, including additional height, would not result in adverse effects on public views from PCH. The retaining and impact wall heights will be obscured by the proposed buildings in front of the wall and/or the hillside itself (as viewed from the west). Conditions have been incorporated into the project

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requiring the project to reflect earth-toned colors to blend into the hillside to further ensure protection of significant public views.

4. The project complies with all applicable requirements of State and local law, inclusive of the discretionary requests, and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD. Construction of the proposed improvements, including the building of 24 feet in height, will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

5. As described in Finding E.2 above, the proposed commercial project, in which four guests and two employees would reside, is in an area with a mix of other one- and two-story commercial uses, and one-story single-family and two-story multi-family residences further to the west. It is similar in height and number of stories to the adjacent retail commercial center to the south. Therefore, the project is compatible with the varied types, sizes, bulk and height of development in the adjacent area.

6. Since the project site is in the hillside, behind existing commercial development, and not located south and ocean-side of any development, it will not block views to the ocean or off-shore islands from residences. Based on the visual impact analysis (project plans, aerial photographs, photosimulations, and story pole placement), staff has determined that the building height will not obstruct views to the Santa Monica Mountains, canyons, valleys, or ravines from surrounding residences. The project site is not situated on or near a prominent ridgeline, and given the small size of the development, off-site views to these hillside features will remain.

7. As discussed in the findings in SECTIONS 3 and 4 above, the proposed project is consistent with the LIP and LUP in that the proposed project is in an area identified for commercial use. The project is consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community. The subject parcel is set within a natural hillside area. Condition No. 15 requires native species to be incorporated in the landscape plant palette, in consideration of the site's location in the ESHA buffer. Condition No. 76 requires the applicant to compensate for the potential habitat impacts due to fuel modification on off-site properties in the ESHA through habitat mitigation. The project minimizes work in steep slopes to the maximum feasible given the small parcel size and need to accommodate the proposed use, and the project retains 25 percent of the site as open space and 40 percent as landscaped area. The proposed project, inclusive of the LCPA, ZMA, and CUP is consistent with the applicable land use and zoning designations and all applicable development and design standards of the Municipal Code, LCP and General Plan, inclusive of the associated discretionary requests (VARs and SPR). In particular, the project would be consistent with the setback, FAR density, number of building stories, development square footage, grading quantities, open space and landscaping requirements, and other development standards.

8. The applicant is not proposing solar panels or other similar solar facilities as part of the project. The roof design would not prohibit future location of solar panels. Given the location

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of the site adjacent to undeveloped areas and north of a retail center parking lot, there are no other uses in the immediate area for which the project could affect solar access.

9. The site is set within a hillside area. Steep slopes are located on-site and off-site. The site does not contain sensitive biota. An ESHA is located north of the site and is characterized by coastal sage scrub habitat. The 100-foot ESHA buffer extends onto most of the project site and overlaps with portions of the development project. Any vegetation thinning or removal associated with fuel modification Zone C, which is located off-site, would overlap with the ESHA. Portions of Zone B off-site would also overlap with ESHA. As described above in Finding E.7 above, the project is conditioned to incorporate native species in the landscape plant palette, and to compensate for potential habitat impacts from off-site fuel modification. Additionally, Condition No. 16 would remove a proposed plant species from the plant palette that is inconsistent with the project's location in a high severity fire hazard area. Therefore, the project will not have a significant adverse impact on natural resources and provides for the preservation of natural plant materials.

10. Given the project site's location immediately adjacent to undeveloped areas to the west east and north, and an existing commercial retail center parking lot to the south, there are no other uses in the immediate area for which the project could affect solar access by increasing the roof height from 18 feet to 24 feet. Specific to the project, the roof design would not prohibit the installation of solar panels if so proposed or required.

11. As described above in SECTIONS 3 and 4, the proposed project is consistent with the LIP and LUP and with the relevant goals and policies of the General Plan. The project minimizes work in steep slopes to the maximum feasible given the small parcel size and need to accommodate the proposed use, and the project retains 25 percent of the subject property as open space and 40 percent as landscaped area. The proposed project, inclusive of the LCPA, ZMA, CDP, VARs, SPR, is consistent with the applicable land use and zoning designations and all applicable development and design standards of the Municipal Code, LCP and General Plan. This includes project consistency with required setbacks, FAR, number of building stories, development area square footage, grading quantities, open space and landscaping requirements, and other development standards.

F. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

1. The project site is currently designated and zoned for commercial use at present (CN) and will be upon approval of the proposed ZMA and LCPA (CC). The CC zone allows a residential care facility for the elderly with a CUP. Without the variance request for development in the ESHA buffer and potential fuel modification in ESHA off-site, the project could not be constructed due to the small size of the parcel (0.27 acre) and steep topography (above 3 to 1 to over 1 to 1 slopes) and that approximately 60 percent of the parcel land area is within the ESHA buffer (about 7,300 square feet of the total approximately 12,066 square feet land area on-site). For the same reasons, the project could not be developed without the potential for fuel modification in Zones B and C possibly being conducted off-site in ESHA and ESHA buffer. While the fuel modification plan approved for the project by LACFD does not show fuel modification off-site in

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ESHA or the ESHA buffer, there is the potential that owners of these off-site properties may elect to conduct fuel modification on their properties given the proximity of the proposed development. There would be no development location available on the subject property under a scenario where the entirety of fuel modification is contained onsite and completely avoids offsite ESHA and/or ESHA buffer. Therefore, without the ESHA and ESHA buffer variance, the subject property could not be developed for the commercial use permitted with a CUP. It is likely that it could not be developed for most commercial uses allowed by current or proposed commercial zoning. Moreover, single family residential use is not allowed per the current or proposed zoning.

2. The project is consistent with the LCP and complies with LIP Section 4.7. Inclusive of the requested ZMA and LCPA, the project is in the CC zoning district, an area designated for resident serving commercial needs of the community similar to, but more concentrated than, that of the CN zoning district. A residential care facility for the elderly is allowed in this zoning district inclusive of the requested CUP. The project has been reviewed for conformance with the LCP by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project, as conditioned, conforms to the LCP in that it meets all applicable commercial development standards, inclusive of the requested SPR and VARs, except for the ESHA Overlay provisions for which a variance is proposed.

3. Section 4.7 of the LIP indicates that a CDP for a use other than one permitted in the ESHA Overlay district, in which the uses permitted in this district would preclude construction of a residence on an undeveloped legal parcel, shall be subject to several standards. The uses of the property and the siting, design, and size of any development approved in an ESHA or ESHA buffer shall be limited, restricted, and/or conditioned to minimize impacts to ESHA on and adjacent to the property to the maximum extent feasible. The allowable development area is 10,000 square feet or 25 percent of the parcel size, whichever is less. The proposed project has a development area of 3,016.09, while the maximum allowed is 3,020 square feet. The offsite ESHA adjacent to the project site is coastal sage scrub habitat. Fencing is permitted within coastal sage scrub ESHA however no fencing is proposed as part of the project, and the impact and retaining walls on-site are within the ESHA buffer, but not ESHA. As described in Finding C.1 above, the development could not feasibility be accommodated in the estimated 4,700 square feet area outside of the ESHA buffer. As described above in Finding E.7 above, a condition has been incorporated to compensate for potential fuel modification impacts to the ESHA off-site.

4. The operation of the residential care facility for assisted senior living would minimize impacts to the ESHA. Most of the facility operations would be indoors, except for defined terrace decks at the south and side building elevations used for passive recreation and views to the ocean. The adjacent ESHA is located north of the building, up a steep slope and beyond the 24-foot-high retaining wall proposed on-site. Therefore, the ESHA is inaccessible to users of the project site. The area upslope of the retaining wall will be landscaped. Conditions of approval require native species of vegetation in this area, which will provide a habitat buffer between the proposed development and the ESHA off-site, and require all other landscaped areas on site to include native

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species, in consideration of the ESHA buffer on-site and neighboring off-site ESHA and ESHA buffer areas.

G. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)

1. Adverse impacts on scenic and visual resources are not anticipated from development on the subject property. The proposed development will be on a small site (0.27 acre) with a two-story 1,792 sf building above grade. The remainder of the proposed building square footage will be in the garage and basement. The two-story building will be 24-feet-high, which is the maximum allowed for a flat roof with approval of an SPR. Based on project plans, including photo simulations, story pole photos, and Planning Division site visits, there would be slight views to the site travelling on PCH from the east and west, as the site is mostly blocked from view by existing development. As viewed north from PCH travelling past the driveway to the retail shopping center that is just below the site and that fronts PCH, there will be a straight view to the building for a limited time. Views to tall walls on the northern and western portions of the site will be obscured by the facility building or the existing hillside (as viewed from the west), and the tallest one, the 24-foot-high retaining wall, will be constructed as soil nail, resembling natural rocks and so blending into the hillside. Conditions of approval require that the impact wall blend in with the natural hillside by reflecting earth tone colors. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

2. The project is not expected to have adverse visual impacts due to landscaping. The project includes 40 percent of the site area as landscaping. To ensure compatibility of the plantings with the surrounding natural hillside. Conditions of approval require the plant palette of the landscape plan to incorporate native species.

3. The project is the least environmentally damaging alternative to protect scenic views from PCH. There are no other alternative locations on the project site to locate the development to further reduce views from PCH. As described in Findings B.1 and C.1 above, the site is small and contains steep slopes, therefore there are no feasible options to relocate the development elsewhere on-site. The portion of the building above ground is 1,792 square feet, with other portions of the facility in the basement, thereby minimizing structure height above ground. The two-story building will be 24-feet-high to allow for facility needs, which is the maximum allowed for a flat roof with approval of an SPR. Views to tall walls on the northern and western portions of the site (a maximum of 24 feet high) will be obscured by the facility building, and the tallest one, the 24-foot-high retaining wall, will be constructed as soil nail, resembling natural rocks and so blending into the hillside. As described above in Finding G.1, conditions of approval require the other project walls to blend in with the natural hillside and ensures a native plant palette to blend with the natural hillside. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

4. No adverse impacts on scenic and visual resources are expected from the project. There is no feasible alternative to the development that would avoid or substantially lessen impacts on scenic and visual resources that is environmentally superior. Given the hillside location of the project, development would be slightly visible from PCH, a scenic road, travelling westerly and

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easterly of the site on the roadway. The development would be clearly visible to the north on PCH for a limited time as one passes directly in front of the driveway of the retail shopping center that is just below the site and that fronts PCH. To lessen the appearance of the proposed development from the available views on PCH, the building could be reduced to one story. However, this would substantially reduce the square footage of the facility, creating an infeasible project, and would be below the maximum height of 18 feet for a flat roof allowed by the LIP. The building would still be visible from the same viewpoints on PCH. Allowing only a maximum 18-foot-high building would have a minor effect on views to the site. The proposed 11-foot-tall impact wall and the 24-foot-high retaining wall will be obscured from PCH view by the building located in front of the walls or by the hillside itself (as viewed from the west). Moreover, the proposed soil nail construction of the retaining wall results in a simulated rock appearance that would blend with the natural hillside. The project, including walls, such as the impact wall, is conditioned to be designed with colors and/or materials to blend with the hillside.

5. There are not expected to be any adverse impacts on scenic and visual resources resulting from the project. There are no other preferable locations on the project site to locate the development to further reduce views from PCH. The subject property is small and contains steep slopes along the northern, western and eastern edges, and less steep slopes on the south, therefore there are no feasible options to relocate the development elsewhere on-site. Placing the building further north on the parcel, further from PCH, would result in more impacts to the steep hillside and increase cutting and grading of the topography, as well as bring the development closer to the offsite ESHA.

H. Hazards (LIP Chapter 9)

1. Based on review of the project plans and associated project geotechnical reports by the City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The project, including the OWTS, will neither be subject to nor increase the instability of the site from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed. Conditions of approval require that all recommendations contained in the above cited geotechnical reports and conditions required by the City geotechnical review consultants, City Public Works Department, and the LACFD, including foundations, OWTS, and drainage are incorporated into the project.

2. As with all properties in the City, the subject property is currently subject to wildfire hazards and development of a residential care facility for assisted senior living on the subject property will not increase the site's susceptibility to wildfire. The project is not expected to have an impact on wildfire hazards. The proposed development may actually decrease the site's susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate required building materials and measures. Fuel modification Zone A and a small

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portion of Zone B would be located on the project site. The majority of Zone B and all of Zone C are offsite. Therefore, the proposed project has the potential to result in fuel modification offsite.

3. The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has "mutual aid agreements" with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval require the project to comply with all LACFD development standards. The project landscape plan consists of artemisia californica, which is a species listed as "Undesirable Plants/Target Species" in the Plant Selection Guidelines by Zone (County Fire Department). A condition of approval requires removal of this species from the proposed plant palette. As such, the project, as designed, constructed, and conditioned, would not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

4. As indicated in Finding B.1, above, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, would not have any significant adverse impacts on the site stability or structural integrity from geologic, fire or flood hazards due to project modifications, landscaping or other conditions.

5. As described in Finding A.3 above, due to the site characteristics and proposed type of use, there are no feasible project alternatives that are more environmentally preferable than the proposed project, particularly in consideration of protection from hazards.

6. Incorporating conditions of approval described above in Findings H.1 and H.3, the project will not result in geologic hazards, including site stability or structural integrity, and there are no feasible alternatives to development that are expected to avoid or substantially lessen impacts on site stability or structural integrity. Due to the site characteristics (limited parcel size and hillside topography), there are no preferable feasible project alternatives to substantially lessen site stability and structural integrity impacts. To create a project that does not require the construction of a retaining wall, building portion and stormwater infrastructure in steep slopes, a retaining wall and impact wall exceeding the maximum allowed height, or development in the ESHA buffer and fuel modification in the offsite ESHA and buffer, and that meets the driveway and fire truck turnaround standards, the development would need to have a very small building footprint such that the project would be infeasible. To maintain the same floor area to accommodate the planned occupancy potentially lost with less building lot coverage, the applicant may need to increase height to above the proposed 24 feet. This would likely result in a building taller than two stories and 24 feet, inconsistent with the LIP and MMC. Moreover, it is anticipated that a smaller project footprint would nominally lessen the potential for site stability and structural integrity impacts from work in steep slopes and construction of tall retaining and impact walls. The truck turnaround and driveway access to it of the same sizes as currently proposed would still be necessary and require a flat pad area, thereby likely requiring the same project conditions for which the VARs are being requested.

To create a flat building pad of sufficient size, the steep northerly slope needs to be partially cut and retained with a wall tall enough to contain the hillside. Construction of the retaining wall necessitates work in steep slope areas. Due to the surrounding slopes and geologic/geotechnical

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conditions, an impact wall of the height proposed is needed to prevent a mudslide on the site in the event of a slope failure adjacent to the parcel on the west. The impact wall of 11 feet high was originally conceived as a wall of up to 15.7 feet high but was later redesigned for a lower profile. Both the 24-foot-tall retaining wall and the impact wall cannot be replaced with shorter stacked walls meeting the maximum permitted six-foot height. At least one of the stacked walls would be as high as the currently proposed highest wall in both cases. Moreover, construction of the stacked walls would result in additional grading and cutting into a steep slope.

7. As discussed in Findings H.4, H.5, and H.6 above, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to geologic, flood or fire hazards are anticipated. There are no other feasible locations on the subject property to locate the development to further reduce such hazards or protect sensitive resources.

SECTION 6. Conditional Use Permit Findings.

Based on evidence contained within the record, including the agenda report for the project and the hearing on December 16, 2025, and pursuant to Malibu Municipal Code (MMC) Section 17.66, the Planning Commission hereby recommends the City Council adopt the following findings of fact for approval of CUP No. 18-038 for construction of a 1,792 square-foot senior residential care facility, 1,000 square-foot garage, 1,194 square-foot basement, a driveway, terrace decks, landscape, hardscape, grading, retaining walls, an impact wall for geotechnical purposes, and an onsite wastewater treatment system located in the CC zoning district at 22549 Pacific Coast Highway.

With approval of the proposed LCPA No. 23-003, ZMA No. 18-001, VAR Nos. 21-001, 21-002, 21-003), and SPR No. 18-044, the project has been determined to be consistent with all applicable MMC standards. The CUP shall only take effect if the ZMA is adopted and the LCPA is certified.

1. A residential care facility for the elderly is a conditionally permitted use within the CC zone pursuant to MMC Section 17.24.030(I). The intended purpose of the facility is to provide assisted senior living. Upon certification of the requested LCPA and ZMA, the subject property will have a CC land use designation and zoning. The use would comply with all applicable provisions of MMC Title 17 (Zoning). The project has been reviewed and conditioned for conformance by the Planning Division, City Biologist, Building Safety Division, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD. Based on submitted documentation, project plans and site investigation, the project, with required conditions of approval, complies with all applicable provisions of the MMC and the LCP subject to the associated amendments to the MMC and the LCP.

2. The residential care facility for assisted senior living is a commercial use with an anticipated overnight total of four guests and two employees. The subject property is adjacent to commercial uses and in proximity to residential uses within a commercial zone. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation, and the nature of the use as a residential care facility is not expected to create substantial

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noise. As such, the use would be compatible with the types of activities commonly occurring in the CC zone, as well as the residential, retail commercial, and visitor serving neighborhoods surrounding the property, and would not impair the integrity and character of the CC zone.

3. The subject site is physically suitable for the type of land use proposed. The proposed care facility is small in terms of square footage of building (3,791 sf including the garage and basement) and in anticipated number of occupants (four guests and two employees overnight). The subject property is small, totaling 0.27 acre, and portions contain steep slopes, limiting development. To create a building pad feasible for a commercial development with limited developable land area, and in consideration of the adjacent hillsides and ESHA, variances are required for wall heights due to the proximity to ESHA and placement of structures on steep slopes. An SPR for building height is also required to create sufficient facility area to accommodate the use, given the small footprint of building that is feasible. As such, the facility is sized in consideration of the limited developable area of the parcel. The project meets all other development standards of the LCP and MMC, including density, number of stories, yard setbacks, square footage of development, FAR, amount of parking, amount of landscaping, and amount of open space.

4. The residential care facility for assisted senior living is a commercial use with an anticipated overnight total of four guests and two employees. The subject site is vacant, adjacent to commercial uses, and in proximity to residential uses. Therefore, it is compatible with the surrounding neighborhood uses. The subject property is adjacent to ESHA and natural hillsides on the north, and vacant hillside areas to the east and west. All operations will be conducted indoors, except for guests and employees occupying the terrace decks for passive recreation. The terrace decks are sited to provide views to the south for the residents, and so located on the south of the building, and wrapping along the building sides. Activity will be focused away from the ESHA and steep slope to the north, with a retaining wall constructed along the northern site perimeter with landscaping above and behind the wall to provide a buffer between the building and offsite sensitive areas.

5. Although the proposed use is a residential facility, as it is for assisted senior living, it is still considered a commercial use. On the south, the property is bordered by the back of a retail commercial center that fronts PCH. There is one large parcel each to the west and east, both of which are vacant and undeveloped adjacent to the property but contain commercial development further away from the proposed development site. To the north are vacant lands zoned for rural residential use, including some with ESHA. Further to the west, beyond the neighboring parcel, are single-family and multi-family residential uses in commercial zones. Because the proposed use is commercial with residents, it is compatible with the existing mix of commercial and residential uses occurring in commercial zones. The proposed building is oriented to take advantage of southerly views to the ocean with the terraced decks, and to limit activity on the north where the steep hillsides and ESHA are located. The northern portion of the property would contain a retaining wall with landscaping above and behind to provide a buffer between the building and offsite areas. Therefore, the proposed use is compatible with existing and future land uses within the CC zone and general area.

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6. The proposed development has been analyzed by the Planning Division, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, WD29, and the LACFD to ensure adequate and safe water, sanitation, and public utilities and services. The applicant is not proposing solar panels or other similar solar facilities as part of the project, and the roof design will not prohibit future location of solar panels. Given the location of the proposed development site adjacent to undeveloped areas and north of a retail shopping center parking lot, there are no other uses in the immediate area for which the project could affect solar access.

There are not expected to be any adverse impacts on public or private views resulting from the project. Based on project plans, including photo simulations prepared by the applicant, story pole placement, and staff site visits, views to the proposed development site from PCH will be slightly visible from the east and west, although mostly blocked by existing development along PCH. At the driveway of the retail shopping center fronting PCH, just south of the proposed development site, there will be a view directly north to the proposed 1,792 sf two-story building as there is no building to block the view. The two-story building will be 24-feet-high, which is the maximum allowed for a flat roof with approval of an SPR. The remainder of the proposed building square footage will be in the at-grade garage and basement. Views of the tall retaining walls, with approval of VARs, on the northern and western portions of the site will be obscured by the facility building or by the hillside itself (as viewed from the west). The tallest retaining wall which reaches up to 24-feet-high will be constructed as soil nail, resembling natural rocks and so blending into the hillside. Condition Nos. 49 and 50 will ensure the project, including other walls onsite, will be designed with colors to visually blend with the natural hillside environment. The project site is not on a ridgeline but set within the hillside, similar to other development along this same stretch of PCH.

7. Public access is available to serve the project. Access to the property is via an existing 20-wide paved driveway leading to PCH. The project has legal access to the driveway via an easement. TheL ACFD has approved the fire access plan for the project site, which includes an onsite driveway and fire truck turnaround area.

8. As described in SECTION 4, the proposed use is consistent with the relevant goals and policies of the General Plan to promote commercial uses and structures in harmony with the rural residential character and the natural environment of the community, particularly Land Use Element Policies 5.3, 5.4, 5.5, 5.6, and 5.7. The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC.

9. The project complies with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu and other related agencies, such as the LACFD (Condition Nos. 17, 112, 113). Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants. The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use

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designations and zoning and the MMC zoning for the property will be consistent with the current General Plan land use designation of CC, in accordance with State law. Based on review of the project plans and associated technical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts regarding health and safety related to the proposed development are not expected. The project, as conditioned, will incorporate all recommendations contained in the applicable technical reports and identified by the City and County reviewers. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis.

10. The proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare. Based on review of the project plans and associated technical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts regarding health and safety related to the proposed development are not expected. The project, as conditioned, will incorporate all recommendations contained in the applicable technical reports and identified by the City and County reviewers. The Building Safety Division consulting structural engineer has confirmed the design of the 24-foot-high retaining wall is acceptable on a conceptual basis. The project complies with all applicable requirements of State and local law. Construction of the proposed improvements will comply with all building code requirements and will incorporate all recommendations from applicable City and County agencies and project consultants.

The project application includes requests for an LCPA and ZMA, and upon the LCPA's certification, the LCP land use designations and zoning and the City's Zoning Map for the property will be consistent with the current General Plan land use designation of CC, in accordance with State law. The "residential care facility for the elderly" is a conditionally allowed use in the CC zone subject to a CUP.

11. Project geotechnical and engineering reports and addenda evaluate site-specific conditions and include recommendations to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, wave uprush and tsunami, and flood and fire hazards. Based on review of the project plans and associated geotechnical reports by City geotechnical consultant reviewers, LACFD, City Public Works Department, and the City Environmental Health Administrator, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The project, including the OWTS, will neither be subject to nor increase the instability of the property from geologic, flood, or fire hazards. The proposed development is suitable for the intended use provided that the certified engineering geologist and/or geotechnical engineer's recommendations and governing agency's building codes are followed. As such, the proposed project would not increase instability of the site or structural integrity from geologic, flood, or any other hazards.

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SECTION 7. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby adopts Resolution No. 25-90 recommending that the City Council determine that the project is exempt from the California Environmental Quality Act, adopt LCPA No. 23-003 and ZMA No. 18-001, and approval of CDP No. 18-038, VAR Nos. 21-001, 21-002, and 21-003, SPR No. 18-044, and CUP No. 19-002, subject to the following conditions.

SECTION 8. Conditions of Approval.

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. The approved scope of development includes:

   a. Demolition of a remnant portion of a foundation and a one-foot retaining wall;
   b. Construction of a 1,792 sf, 24-foot tall, two-story residential care facility for assisted senior living with a 1,194 sf basement, and 805 sf four-car garage attached to the residential care facility;
   c. Installation of a new OWTS, including a 3,634-gallon septic tank;
   d. New landscaping, terrace decks, and hardscape, including an extension of the existing driveway and new fire truck turnaround;
   e. 1,615 cubic yards (cy) of exempt and 74 cy of non-exempt grading; and
   f. Retaining and impact walls.

   The project's discretionary requests consist of the following:

   a. LCPA No. 23-003 to change the land use designation and zoning from CN to CC in the LCP (map change only; no text);
   b. ZMA No. 18-001 to change the zoning from CN to CC in MMC Title 17 (Zoning) (map change only; no text);
   c. CDP No. 18-038 to authorize the scope of development listed above;
   d. VAR No. 21-001 for retaining wall height up to 24 feet associated with the driveway and integral to the structure to exceed six feet for a single wall or up to 12 feet for a combination of walls, and for the construction of a second 11-foot-tall impact wall in the side yard setback exceeding the maximum allowed six-foot height (for portions within the side yard setback);

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e. VAR No. 21-002 for construction on slopes steeper than 2.5 to 1;
f. VAR No. 21-003 for development in the onsite ESHA buffer and offsite fuel modification in the ESHA and ESHA buffer;.
g. SPR No. 18-044 for building height to exceed the maximum allowed 18 feet, up to 24 feet for a flat roof; and
h. CUP No. 19-002 for a residential care facility for the elderly in the CC zoning district to provide assisted senior living for up to four guests with facility staff/caretakers.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of development, as described in Condition No. 2 and depicted on plans on file with the Planning Division (Architectural dated September 25, 2023, Civil dated November 10, 2025, and Landscape dated August 4, 2023). In the event project plans conflict with any condition of approval, the condition shall take precedence.

4. The applicant shall digitally submit a complete set of plans to the Planning Division for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

5. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit unless a time extension has been granted. For purposes of this condition, the CDP shall become effective on the date that the CCC appeal period is exhausted or in the event of an appeal, on the date when the appeal is decided by the CCC or the date when the appeal is withdrawn by the appellant. The CCC's appeal period will commence upon receipt of the City's issuance of a Notice of Final Action on the CDP that will be issued following the certification of the LCPA by the CCC. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

6. Approval of ZMA No. 18-001 and CUP No. 19-002 shall extinguish if the LCPA is not certified by the CCC, as described in Condition No. 5.

7. Approval of the project, including CDP No. 18-038, VAR No. 21-001, VAR No. 21-002, VAR No. 21-003, SPR No. 18-044, CUP No. 19-002, and ZMA No. 18-001 is not valid until LCPA No. 23-003 is certified by the California Coastal Commission as described in Condition No. 5.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Community Development Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Health Administrator, City Biologist, City geotechnical consultant reviewers, City Public Works Department, WD29, and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured.

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10. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. See Condition No. 5 for the effective date of CDP No. 18-038.

12. The property owner must submit payment for any outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

13. The property owner shall comply with all provisions of the MMC and LIP, inclusive of the VARs, SPR, and CUP approved for the project.

Site Specific Conditions

14. Construction fencing shall be placed within five feet of the limits of grading. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the sensitive habitat areas adjacent to the site.

15. The plant palette for the Final Landscape Plan, including the onsite area above the portion retaining wall on the northern portion of the site, shall include native species, as acceptable to the LACFD Fuel Modification Unit, to be approved by the City Biologist prior to Building and Safety plan check review.

16. The plant species *artemisia californica* shall be excluded from the plant palette for the Final Landscape Plan submitted prior to Building and Safety plan check review due to its listing as "Undesirable Plants/Target Species" in the Plant Selection Guidelines by Zone (LACFD).

17. The project shall comply with all requirements and conditions of the LACFD.

18. The applicant shall submit a certificate of compliance application and obtain approval of the certificate of compliance by the City Public Works Department to confirm that the property is a legal lot prior to the City Council consideration of the LCPA, ZMA, and other project entitlements.

19. No signage is permitted under this application. Any proposed signage shall be submitted and approved by the Planning Division prior to installation of any sign.

20. The owner/operator of the facility shall submit to the Planning Division annually all required permits to operate a residential care facility as a commercial use.

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Cultural Resources

21. Initial earth disturbing activities into the first three feet of native soil shall be monitored by a qualified archaeologist and Native American monitor approved by the Community Development Director. Should intact deposits be encountered, the archaeologist or cultural resources monitor may halt or redirect grading until the resources are evaluated. If determined by the field archaeologist or monitor in consultation with the Community Development Director that the resources are potentially significant, a Phase 2 study shall be required.

22. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.

23. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Outdoor Lighting

24. Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
    a. Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60-watt incandescent bulb);
    b. Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens;
    c. Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
    d. Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
    e. Site perimeter lighting shall be prohibited; and
    f. Outdoor decorative lighting for aesthetic purposes is prohibited.

25. Night lighting for sports courts or other private recreational facilities shall be prohibited.

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26. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot-candle.

27. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.

28. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.

29. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

30. Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.

Fencing and Walls

31. The height of walls shall comply with LIP Section 3.5.3(A) and LIP Section 8.3(D) with the exception of the height authorized by VAR No. 21-001 for the retaining wall along the north side of the site exceeding six feet in height up to 24 feet in height, and the impact wall along the west side of the site exceeding six feet in height up to 11 feet, 4 inches.

32. No fencing is proposed as part of the project; therefore, no new fencing is permitted as part of this project.

Construction/Framing

33. The applicant shall submit a copy of a Construction Management Plan to the Community Development Department. The Construction Management Plan shall include a dedicated parking location for construction workers and storage of construction material. Prior to permit issuance, the Construction Management Plan must be acceptable to the Community Development Director and, if applicable, to the Building Official and Public Works Director.

34. A construction staging plan shall be reviewed and approved by the Building Official prior to final plan check submittal.

35. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

36. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed

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as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

37. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
    a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
    b. Grading activities shall be planned during the southern California dry season (April through October).
    c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
    d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.

38. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Division for review and sign off on framing.

39. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant / property owner is required to obtain a transportation permit from the California Department of Transportation.

Construction/Demolition

40. Prior to demolition activities of the existing retaining wall and remnant foundation, the applicant shall receive Planning Division approval for compliance with conditions of approval.

41. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

42. Prior to the issuance of a building/demolition permit, an Affidavit and Certification to implement waste reduction and recycling shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Division. The Affidavit shall indicate the

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agreement of the applicant to divert at least 65 percent (in accordance with CalGreen) of all construction waste from the landfill.

43. Upon plan check approval of demolition plans, the applicant shall secure a demolition permit from the City. The applicant shall comply with all conditions related to demolition imposed by the Building Official.

44. No demolition permit shall be issued until building permits are approved for issuance.

45. The project developer shall utilize licensed subcontractors and ensure that all asbestos-containing materials and lead-based paints encountered during demolition activities are removed, transported, and disposed of in full compliance with all applicable federal, state and local regulations.

46. Any building or demolition permits issued for work commenced or completed without the benefit of required permits are subject to appropriate "Investigation Fees" as required in the Building Code.

47. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Safety Division.

Colors and Materials

48. The project is visible from a scenic road, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
    a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Community Development Director and clearly indicated on the building plans.
    b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
    c. All windows shall be comprised of non-glare glass.

49. All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Community Development Director and clearly indicated on all grading, improvement and/or building plans.

Fuel Modification

50. The project shall receive LACFD approval of a Final Fuel Modification Plan prior to the issuance of final building permits.

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Biology/Landscaping

51. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.

52. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Community Development Director for review and approval a certificate of completion in accordance with MMC Chapter 17.53 and Chapter 9.22. The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53 and Chapter 9.22.

53. No portion of the project development shall be placed within the protected zone of a protected native tree.

54. No trees or shrubs shall be planted where any portion of the plan is situated within five feet of any structure.

55. Invasive plant species, as determined by the City of Malibu, are prohibited.

56. 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).

57. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.

58. Construction fencing shall be placed within five feet of the southern limits of grading. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.

59. The landscape and fuel modification plan has been conditioned to protect natural resources in accordance with the Local Coastal Program. All areas shall be planted and maintained as described in the landscape and fuel modification plan. Failure to comply with the landscape conditions is a violation of the conditions of approval for this project.

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60. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, with native plant species, to the satisfaction of the Community Development Director.

61. Native species of the Santa Monica Mountains, characteristic 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 canopy) shrubs is recommended by the LACFD. Lawns are prohibited on slopes > 5 percent.

62. 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 to prevent surface soil erosion.

63. Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.

64. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

65. Prior to a final plan check approval, the property owner/applicant must provide a landscape water use approval from the Los Angeles County WD29.

66. Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.

67. Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000-foot radius at any given time (given consideration of its future growth).

68. Plantings required for fuel modification, must be native, drought-tolerant species and shall blend with the existing natural vegetation and natural habitats on the site.

69. Any site preparation activities, including removal of vegetation,, grading, and excavation between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to initiation of such activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

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70. Earthmoving shall be scheduled only during the dry season from April 1 through October 31. If it becomes necessary to conduct earthmoving activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted to the City Biologist for approval prior to the issuance of a grading permit and implemented prior to initiation of vegetation removal and/or earthmoving activities.

71. Grading and/or demolition shall be scheduled only during the dry season from April 1 – October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

72. The use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

73. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas. Up-lighting is prohibited.

74. Pursuant to LIP Section 4.8.1, all new development shall include mitigation for unavoidable impacts to Environmentally Sensitive Habitat Area (ESHA) from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance. Prior to Final Plan Check the applicant shall provide accurate area ESHA permanent impacts resulting from the development footprint and/or Fuel Modification Zones A and/or B) to ESHA and the area of partial impacts (Fuel Modification Zone C). One of the following three Habitat Impact Mitigation methods shall be required: (1) habitat restoration; (2) habitat conservation; or (3) in-lieu fee for habitat conservation. The CDP shall include conditions setting forth the requirements for habitat mitigation. Prior to Final Plan Check the applicant shall provide either a detailed restoration plan, a habitat conservation plan, or evidence of payment of in lieu fees to the Santa Monica Mountains Conservancy.

Grading/Drainage/Hydrology (Public Works)

75. Prior to the commencement of work, the applicant shall submit a copy of a Construction Management Plan to the Public Works Department. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.

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76. The non-exempt grading for the project shall not exceed a total of 1,000 cubic yards, cut and fill.

77. A grading and drainage plan containing the following information shall be approved and submitted to the Public Works Department prior to the issuance of grading permits for the project.
    a. Public Works Department general notes;
    b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
    c. The limits of land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system beyond the limits of grading shall be included within the area delineated;
    d. The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes;
    e. If the property contains rare, endangered, or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist; and
    f. Private storm drain systems shall be shown on this plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.

78. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development (LIP Section 17.3.1) that:
    a. Is located within or adjacent to ESHA, or
    b. Includes grading on slopes greater than 4 to 1.
    c. Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

79. The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.

80. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3. A note shall be placed on the project plans that addresses this condition.

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81. Prior to the approval of any grading or drainage permit, the applicant shall submit a PDF of the final plans to the Public Works Department. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

82. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

83. A Digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 25-feet of property limits, and post-construction BMPS, shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

84. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    a. Site Design Best Management Practices (BMPs):
    b. Source Control BMPs;
    c. Treatment Control BMPs that retain on-site Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain on-site, the project must biofitrate 1.5 times the SWQDv that is not retained on-site;
    d. Drainage improvements;
    e. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
    f. Methods of onsite percolation, site re-vegetation and an analysis for off-site project impacts;
    g. Measures to treat and infiltrate runoff from impervious areas;
    h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measure installed during construction prior to the issuance of grading or building permits; and
    i. The WQMP shall be submitted to the Public Works Department and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior the Public Works Department's approval of the grading and drainage plan and/or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the Los Angeles County

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Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the certificate of occupancy.

85. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include and Erosion and Sediment Control Plan (ESCP) that includes, but is not limited to:

Erosion Controls Scheduling	Erosion Controls Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

86. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control Best Management Practices (BMPs) that have been implemented in the design of the project (See LIP Chapter 17 Appendix A). The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.

87. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

88. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, algaecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

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a. The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
b. There are sufficient BMPs in place to prevent soil erosion; and
c. The discharge does not reach into the MS4 or to the Area of Special Biological Significance (including tributaries)

89. Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

90. The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating, "It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5)." The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

Geology

91. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical consultant reviewers prior to the issuance of a grading permit.

92. Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Environmental Health/Onsite Wastewater Treatment System (OWTS)

93. All final project plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building and Safety Division prior to receiving Environmental Health final approval.

94. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.

95. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property. The OWTS plot plan shall show

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essential features of the OWTS and must fit onto an 11-inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18 inches by 22 inches).

96. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then a final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City-registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable). The final report must include a discussion and design capacity for the number of residents and employees/visitors for a commercial type wastewater discharge from a residential care facility with employees/visitors.

97. The final OWTS design submittal shall contain the following information (in addition to the items listed above):

    a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day, and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture equivalents, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design;
    b. Sewage and effluent pump design calculations (as applicable);
    c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and conceptual design for custom engineered systems;
    d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system

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shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day and gallons per square foot per day. Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and

e. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Division.

98. Proof of Ownership: Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

99. Operations and Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed OWTS.

100. Maintenance Contract: A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed onsite wastewater disposal system after construction shall be submitted. Only original "wet signature" documents are acceptable.

101. Advanced Onsite Wastewater Treatment System Covenant: A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Office of the Los Angeles County Recorder/City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving the subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. The certified copy issued by the City of Malibu City Clerk shall be submitted by the applicant/owner to Environmental Health prior to final approval by Environmental Health.

102. Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

103. The City Biologist's final approval shall be submitted to the City Environmental Health Administrator. The City Biologist shall review the OWTS design to determine any impact on Environmentally Sensitive Habitat Area.

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104. City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

105. The City geotechnical consultant reviewers' final approval of the OWTS shall be submitted to the City Environmental Health Administrator.

106. City of Malibu Planning Division final approval of the OWTS plan shall be obtained.

107. Environmental Health Final Review Fee: A final fee in accordance with the adopted fee schedule at the time of the final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specification.

108. Operating Permit Application and Fee: In accordance with the MMC, prior to Environmental Health approval, an application shall be made to the Environmental Health Office for an OWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

109. Traffic-rated Slab Plans: All project traffic related slab plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

110. Reference Plans: Reference architectural and grading/drainage plans shall be submitted to Environmental Health during building plan check review of the proposed OWTS. The approved plans are for 63 fixture units, four bedrooms and two employees, and a 3,634-gallon tank.

111. Building Plans: All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval. The final architectural plans must include the location of the OWTS.

Water Quality/Water Service

112. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from Los Angeles County Waterworks District No. 29 to the Planning Division indicating the ability of the property to receive adequate water service.

113. Prior to final inspection (or project sign off, as applicable) by the Planning Division, the applicant shall demonstrate that all requirements of Los Angeles County Waterworks District No. 29 have been met, including installation of a meter, if applicable.

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Prior to Occupancy

114. Prior to, or at the time of a Planning Division final inspection, the property owner/applicant shall submit to the Planning Division the plumbing permit for the OWTS signed off by the Building Safety Division.

115. Prior to the issuance of a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning conditions to protect natural resources are in compliance with the approved plans.

116. Prior to a final Building Safety inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled and state the facilities where all materials were taken.

117. The applicant shall request a final Planning Division inspection prior to final inspection by the City of Malibu Building Safety Division. A Certificate of Occupancy shall not be issued until the Planning Division has determined that the project complies with this coastal development permit. A temporary Certificate of Occupancy may be granted at the discretion of the Community Development Director, provided adequate security has been deposited with the City to ensure compliance should the final work not be completed in accordance with this permit.

118. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Conditional Use Permit

119. The Planning Division shall inspect the property (as needed) after approval of the CUP to verify compliance with the conditions of approval.

120. The CUP may be reviewed by the Community Development Director (or designee) and/or Planning Commission on an as-needed basis at the discretion of the Community Development Director (or designee) or Planning Commission. Should it be determined that a review is required, the property owners shall pay the Planning Division site inspection fee in effect at the time of request for a site inspection. A planner will conduct a site visit to verify compliance with the provisions set forth in this resolution. If necessary, the Community Development Director (or designee) will determine whether the CUP may be brought back to the Planning Commission for additional conditions to mitigate and/or prevent nuisances that were identified during the site inspection or made aware of by members of the public.

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121. A CUP that is valid and in effect and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on the land, unless as otherwise invalidated by Condition Nos. 122 or 123.

122. The CUP shall no longer be valid and in effect with the demolition of all buildings.

123. The CUP may be revoked if the Planning Commission finds that one or more of the following conditions exists:
    a. The CUP was obtained in a fraudulent manner.
    b. The use for which the CUP was granted has ceased or was suspended for at least six successive calendar months.
    c. One or more of the conditions found within this resolution have not been substantially met.

124. The CUP is subject to Planning Commission revocation should the use for which the CUP was granted cease for six successive calendar months, except in the case of a natural disaster.

Fixed Condition

125. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

126. The CDP shall run with the land and bind all future owners of the property.

Deed Restrictions

127. The property owner is required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Division prior to final planning approval.

128. The garage area shall be limited to accessory use as defined by the City of Malibu LCP. The garage area cannot be converted into habitable space at any time in the future. Prior to issuance of building permits, the application is required to execute and record a deed restriction to this effect.

129. Prior to final Planning Division approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in Condition Nos. 24-30. The property owner shall provide a copy of the recorded document to the Planning Division prior to final Planning Division approval.

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SECTION 9. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 16th day of December 2025.

_____
ELIZABETH RIDDICK, Planning Commission Chair

ATTEST:

_____
REBECCA EVANS, Recording Secretary

Exhibit A: Amended LCP Land Use Map No. 3
Exhibit B: Amended LCP Zoning Map No. 3
Exhibit C: Amended MMC Title 17 Zoning Map

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 25-90 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 16th day of December 2025 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

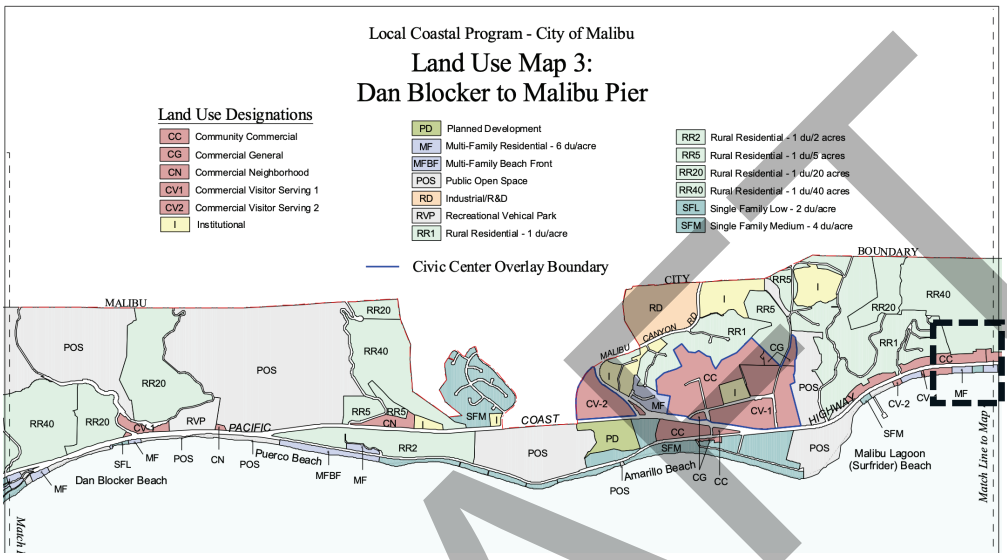
_____
REBECCA EVANS, Recording Secretary

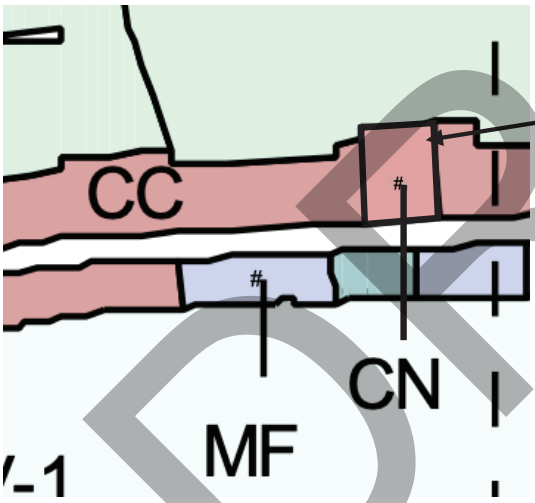
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EXHIBIT A

Amended LCP Land Use Map No. 3

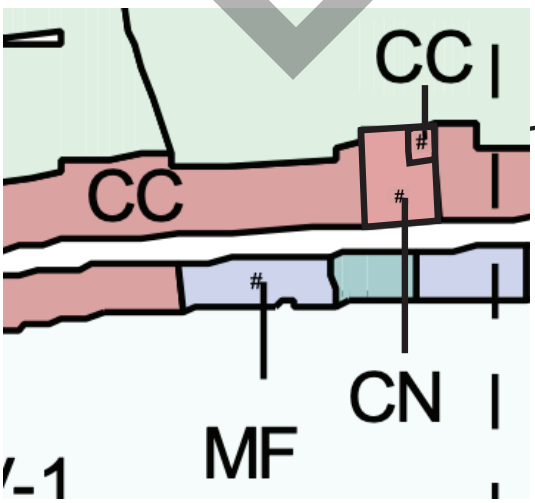
Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR LAND USE:
Commercial Neighborhood (CN)

Note: Parcels 4452-023-004 & 4452-023-003 previously amended from CC to CN as part of LCPA No. 05-001 certified by CCC on 4/10/2007 but not reflected on LCP Land Use Map No. 3 above (original LCP map still show parcels as CC)



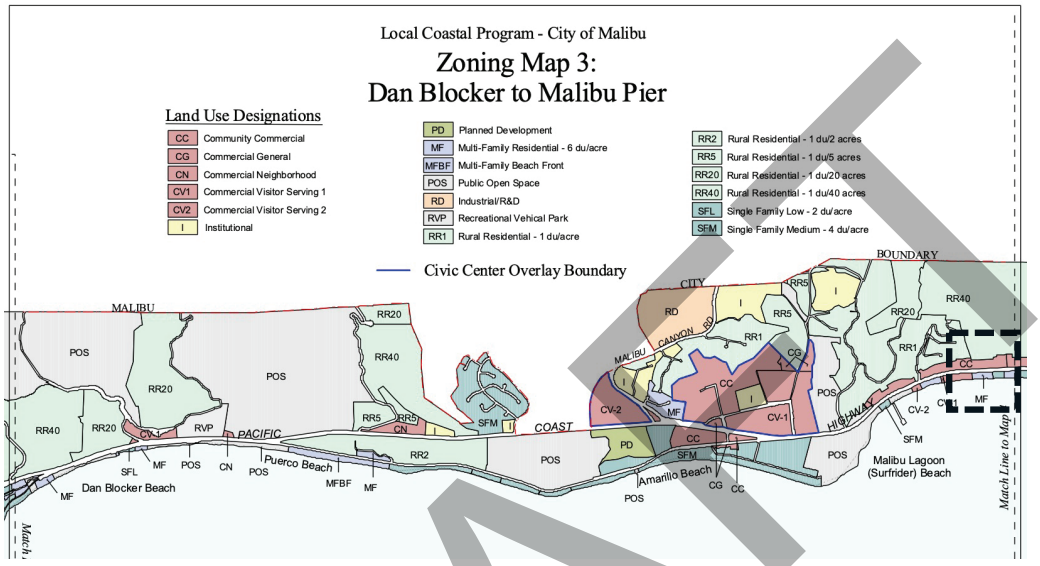
AMENDED LAND USE:
Community Commercial (CC)

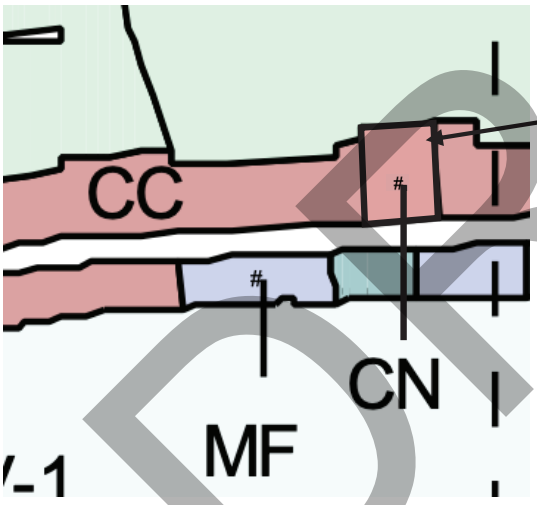
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EXHIBIT B

Amended LCP Zoning Map No. 3

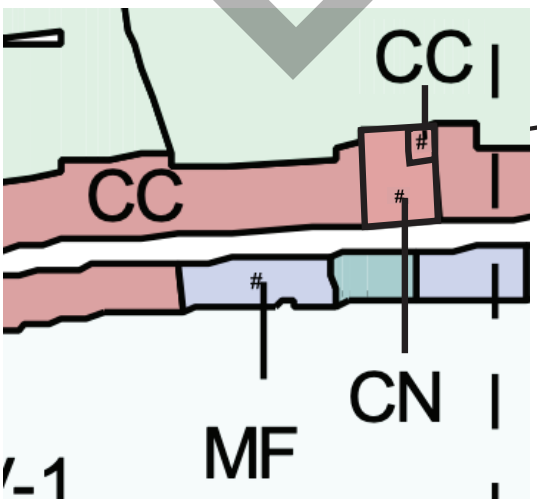
Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR LAND USE:
Commercial Neighborhood (CN)

Note: Parcels 4452-023-004 & 4452-023-003 previously amended from CC to CN as part of LCPA No. 05-001 certified by CCC on 4/10/2007 but not reflected on LCP Zoning Map No. 3 above (original LCP map still show parcels as CC)



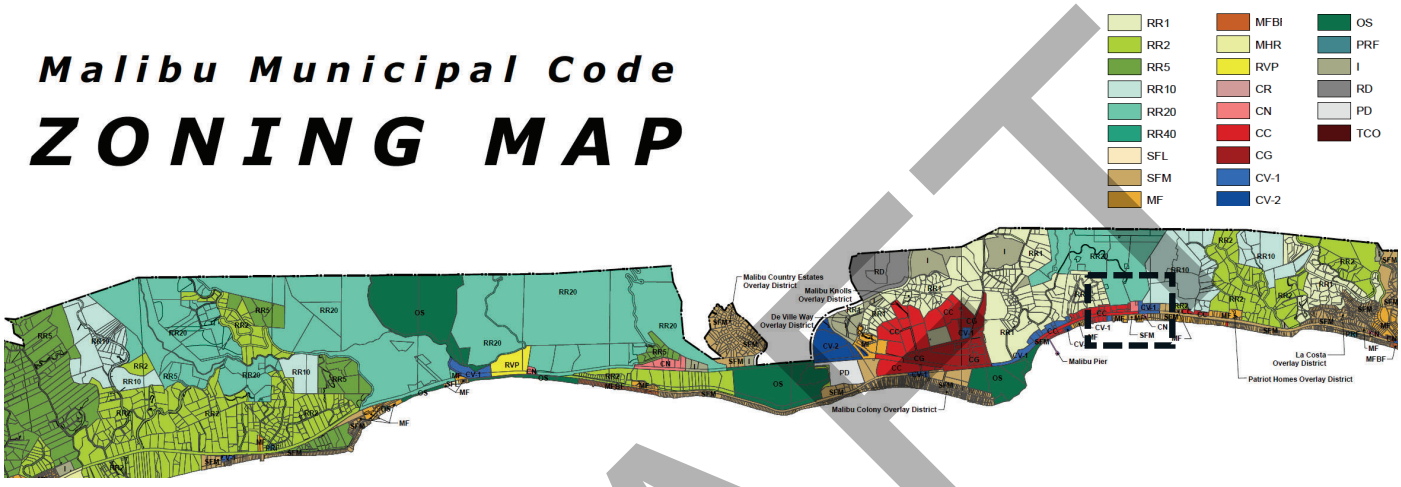
AMENDED LAND USE:
Community Commercial (CC)

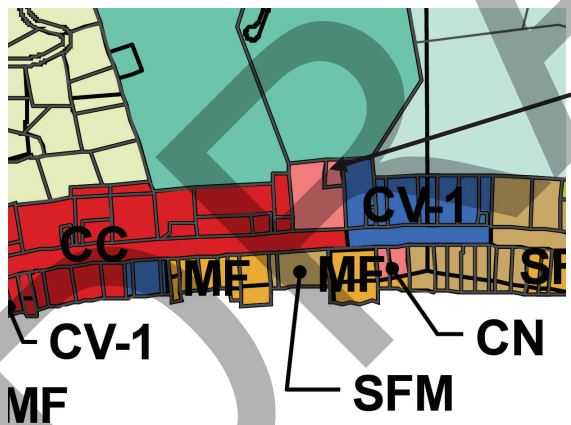
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EXHIBIT C

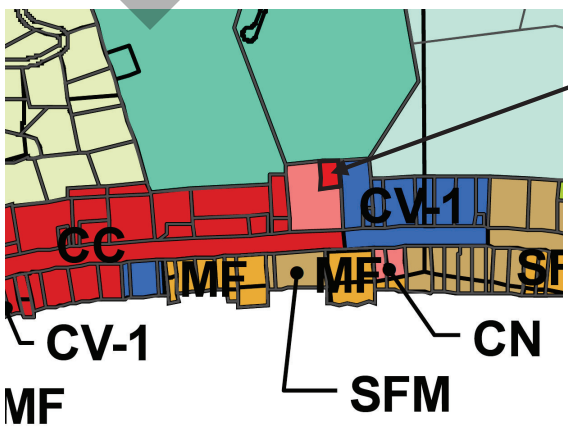
Amended MMC Title 17 Zoning Map

Applies to:
22549 Pacific Coast Hwy
APN 4452-023-003





PRIOR ZONING:
Commercial Neighborhood (CN)



AMENDED ZONING:
Community Commercial (CC)

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RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

CEC, CGBC, THE 2019 TITLE 24 ENERGY STANDARDS AND THE 2019

1. ALL CONSTRUCTION SHALL COMPLY WITH THE 2022 CBC,CDC,CMC, CPC,CEC,CGBC,THE 2022 TITLE 24 ENERGY STANDARDS AND THE 2022 CALIFORNIA ENERGY EFFICIENT STANDARD CODES AND 2023 COUNTY OF LOS ANGELES AMMENDMENTS AND 2024 MALIBU MUNICIPAL CODE.
2. PROJECT SHALL COMPLY WITH NPDES, SUSMP, AND BMP REQUIREMENTS
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CODES OF THE GOVERNING AUTHORITY AND SPECIAL REQUIREMENTS OF THE BUILDING PERMIT.
4. ALL WORKMANSHIP AND MATERIALS SHALL COMPLY WITH THE LATEST EDITION OF THE CALIFORNIA BUILDING CODES, APLICABLE CBC STANDARDS AND / OR ALL ADDITIONAL REQUIREMENTS OF THE CITY OF TUSTIN
5. PROJECT MUST COMPLY WITH LATEST STATE TITLE 24 ENERGY STANDARDS.
6. EXTERIOR WALLS SHALL BE APPROVED NONCOMBUSTIBLE OR IGNITION RESISTANT MATERIAL, HEAVY TIMBER, OR LOG WALL CONSTRUCTION OR SHALL PROVIDE PROTECTION FROM THE INTRUSION OF FLAMES AND EMBERS IN ACCORDANCE WITH STANDARD SFM 12-7A-1 (704A.3.1)
7. FIRE BLOCKS AT THE FOLLOWING LOCATIONS PER SECTION 2516 (F):
   - 7.1. IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS (INCLUDING FURRED SPACES) AT THE CEILING AND FLOOR LEVELS AND AT 10FT INTERVALS BOTH VERTICALLY AND HORIZONTALLY.
   - 7.2. AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROPPED AND COVED CEILINGS.
   - 7.3. IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN AND BETWEEN STUDS ALONG WITH AND IN LINE WITH THE RUN OF THE STAIRS, IF THE WALLS UNDER THE STAIRS ARE UNFINISHED.
   - 7.4. IN OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS, FIREPLACES AND SIMILAR OPENINGS WHICH AFFORD A PASSAGE FOR FIRE AT CEILING AND FLOOR LEVELS.
   - 7.5. AT OPENINGS BETWEEN ATTIC SPACES AND CHIMNEY CHASES FOR FACTORY BUILT CHIMNEYS.
8. ARTIFICIAL LIGHT SHALL BE PROVIDED THAT IS ADEQUATE TO PROVIDE AN AVERAGE ILLUMINATION OF 10 FOOT- CANDLES (107 LUX) OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES (762mm) ABOVE THE FLOOR LEVEL. 1205.3
9. STAIRWAYS WITHIN DWELLING UNITS AND EXTERIOR STAIRWAY SERVING A DWELLING SHALL HAVE AN ILLUMINATION LEVEL ON TREAD RUNS OF NOT LESS THAN 1 FOOT-CANDLE (11LUX). 1205.4
10. SMOKE DETECTORS:
    - 10.1. HARD-WIRED SMOKED DETECTORS WITH A BATTERY BACKUP ARE REQUIRED ON THE CEILING OR WALL OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF BEDROOMS. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.2. HARD-WIRED SMOKE DETECTORS WITH A BATTERY BACKUP ARE REQUIRED IN EACH ROOM USED FOR SLEEPING PURPOSES. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.3. HARD-WIRED SMOKE DETECTORS WITH A BATTERY BACKUP ARE REQUIRED IN EACH STORY WITHIN A DWELLING UNIT, INCLUDING BASEMENTS BUT NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAT ONE FULL STORY BELOW THE UPPER LEVEL. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.4. WHERE MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT, THE SMOKE ALARMS SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE LEVELS WITH ALL INTERVENING DOORS CLOSED. 907.2.10.3
11. PRIOR TO ISSUANCE OF PERMIT OF ANY EXCAVATION A MEETING SHALL BE HELD AT THE SITE THAT WILL BE ATTENDED BY THE PROJECT ENGINEERING GEOLOGIST AND PROJECT ENGINEERING GEOLOGIST, PROJECT BUILDING INSPECTOR, GENERAL CONTRACTOR AND SHORING CONTRACTOR
12. CONTACT DIG ALERT PRIOR TO ANY EXCAVATION
13. THERE SHALL BE NO TRENCHES OR EXCAVATIONS 5 FEET OR MORE IN DEPTH INTO WHICH A PERSON IS REQUIRED TO DESCEND, OR OBTAIN PERMIT FROM STATE OF CALIFORNIA, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA). THIS PERMIT AND ANY OTHER SAFETY PERMIT SHALL BE OBTAINED PRIOR TO COMMENCE OF ANY WORK.
    - 13.1. IF SHORING IS REQUIRED, OBTAIN SHORING PERMIT PRIOR TO ISSUANCE OF BUILDING PERMIT.
    - 13.2. A BOND IN THE AMOUNT OF SHORING COST IS REQUIRED.
14. VERIFY ALL LOCATIONS OF EXISTING UTILITIES WITH SERVING UTILITY PRIOR TO COMMENCEMENT OF ANY WORK AND VERIFY LOCATION WITH DESIGNER
    - 14.1. IF NECESSARY UNDERGROUND ALL UTILITY LINES TO THE NEAREST EXISTING UTILITY POLE.
15. A SEPARATE PERMIT IS REQUIRED FOR ALL RETAINING WALLS, GARDEN WALLS, POOLS, SPAS, FENCES, ENCROACHMENT INTO PUBLIC RIGHTS OF WAY (IE. DRIVEWAYS, SIDEWALKS ETC.)
16. MAINTAIN A MINIMUM OF 5% POSITIVE DRAIN AWAY FROM THE BUILDING FOR A MINIMUM OF DISTANCE OF 10 FT.
17. THE LARGEST RISE OR RUN IN A FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8".

GENERAL NOTES

1. ANY OMISSIONS AND CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND /OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER BEFORE PROCEEDING WITH ANY OF THE WORK SO INVOLVED. ALL WORK IS TO BE CO-ORDINATED SO THAT THE CO-OPERATION BETWEEN ALL TRADES, WHERE REQUIRED, IS ACCOMPLISHED.
2. CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD, REPORT ANY DISCREPANCIES TO DESIGNER PRIOR TO STARTING WORK AND CONTRACTOR SHALL MAKE AND ADD ALL CORRECTIONS NECESSARY DUE TO NEGLIGENT FIELD VERIFICATION AT HIS SOLE EXPENSE.
3. CONTRACTOR TO VERIFY SIZE OF ALL FRAMED OPENINGS UPON COMPLETION OF FRAMING AND PRIOR TO ORDERING.
4. THE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES CLEAR OF THE ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK AND AT THE COMPLETION OF THE WORK, SHALL REMOVE ALL RUBBISH, DEBRIS EQUIPMENT AND SURPLUS MATERIALS FROM IN AND AROUND THE BUILDING AND LEAVE THE WORK "BROOM CLEAN".
5. PROVIDE PEDESTRIAN PROTECTION
6. PATCH AND REPAIR ALL SURFACES DISRUPTED OR DAMAGED DURING CONSTRUCTION TO EXACTLY MATCH EXISTING ADJACENT SURFACES.
7. OWNERS OF ADJACENT PROPERTIES THAT MUST UNDERPIN THEIR BUILDINGS DUE TO THE PROPOSED EXCAVATION SHALL BE NOTIFIED IN WRITING TEN DAYS PRIOR TO BEGINNING THE EXCAVATION. COPIES OF THESE NOTIFICATION LETTERS SHALL BE PROVIDED TO THE CITY PRIOR TO BEGINNING THE EXCAVATION.
8. RESPONSIBLE CERTIFIED ENGINEERING GEOLOGIST WILL INSPECT AND APPROVE ALL GRADING AND EXCAVATIONS PRIOR TO PLACEMENT OF FORMS, REBAR OR CONCRETE
9. LICENSED ENGINEER THAT PREPARED THE DRAINAGE PLAN SHALL CERTIFY AT THE COMPLETION OF THE PROJECT THAT THE SITE DRAINAGE IS IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED DRAINAGE PLAN.
10. DESIGNER EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THE ATTACHED DRAWINGS LISTED. THESE DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF THE DESIGNER.

BMPS

1. In the case of emergency, call
at Work Phone #
or Home Phone #
2. Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
3. Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tacking, or wind.
4. Appropriate BMP's for construction related materials, wastes, spills shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
5. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
6. All construction contractor and subcontractor personnel are to be made aware or the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
7. At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
8. Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than stormwater only when necessary for performance and completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination, or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.
9. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents; asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing and superchlorinated potable water line flushing.
   During construction, permittee shall dispose of such materials in a specified and controlled temporary area onsite, physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
10. Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of noncontaminated groundwater requires a National Pollutant Discharge Elimination System Permit from the respective State Regional Water Quality Control Board.
11. Graded areas on the permitted area perimeter must drain away from the face of slopes at the conclusion of each working day. Drainage is to be directed toward desilting facilities.
12. The permittee and contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
13. The permittee and contractor shall inspect the erosion control work and insure that the work is in accordance with the approved plans.
14. The permittee shall notify all general contractors, subcontractors, material suppliers, lessees, and property owners: that dumping of chemicals into the storm drain system or the watershed is prohibited.
15. Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
16. All removable erosion protective devices shall be in place at the end of each working day when the 5 Day Rain Probability Forecast exceeds 40%.
17. Sediments from areas disturbed by construction shall be retained on site using an effective combination of erosion and sediment controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
18. Appropriate BMPs for constructionrelated materials, wastes, spills or residues shall be implemented and retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.

NPDES NOTES

PROJECT ADDRESS
22549 PACIFIC COAST HWY, MALIBU, CA 90265

LEGAL DESCRIPTION
4452-023-003

DISCRETIONARY REQUESTS SUMMARY
COASTAL DEVELOPMENT PERMIT (CDP) No. 18-038, CONDITIONAL USE PERMIT (CUP) No. 19-002, ZONE MAP AMENDMENT (ZMA) No. 18-001, VARIANCE (VAR) No. 21-002 Grading on Steep Slope, VARIANCE (VAR) No. 21-001 Retaining Wall Height SITE PLAN REVIEW (SPR) No. 18-044 Building Height, LCPA No. 23-003 and VAR No. 21-007 ESHA buffer.

PROJECT DESCRIPTION
- ASSISTED LIVING FACILITY FOR AMBULATORY SENIOR RESIDENTS.
- BASEMENT WITH, LAUNDRY, STAFF RESTROOM, STORAGE, MECHANICAL ROOM AND INCLUDES 2 DOUBLE OCCUPANCY BEDROOMS, ATTACHED BATHROOMS AND GREAT ROOM,
- ENTRY LEVEL INCLUDES LOBBY, ELEVATOR AND STAIRS.
- 1st FLOOR INCLUDES KITCHEN FOR MEAL PREP., GREAT ROOM AND TERRACE.
- 2nd FLOOR INCLUDES 2 DOUBLE OCCUPANCY BEDROOMS, ATTACHED BATHROOMS AND THE ROOF TERRACE.

CODE ANALYSIS
CODE: CBC 2022 CEC, CMC, CPC, CALIFORNIA GREEN BUILDING STANDARDS CODE AND 2022 ENERGY EFFICIENCT STANDARDS, CODES AND LOCAL AMENDMENTS
CONSTRUCTION TYPE: III B
OCCUPANCY: CBC 310.4.1 Residential Group R-3.1)
ZONE: CN (Zone Map Amendment to Zone CC) ZMA No.18-001 applied 09.05.2018 requested
STORIES: 2
FIRE SPRINKLER: YES

BUILDING LOT AREA
LOT AREA: 12,081 SF NET LOT AREA : 11542 SF
BUILDING HEIGHT: 24'-0"
DEVELOPMENT AREA 25% OF 12,081= 3020.25 SF. MAX
PROPOSED DEVELOPMENT AREA = 3016.09 SF.

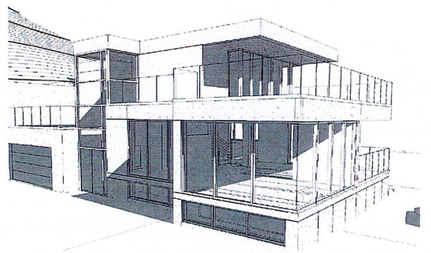
BUILDING AREA
PROPOSED BASEMENT (EXEMPT): 1,194 SF
ENTRY LEVEL: 294 SF GARAGE (EXEMPT): 805 SF
FIRST LEVEL: 781 SF
SECOND LEVEL: 717 SF

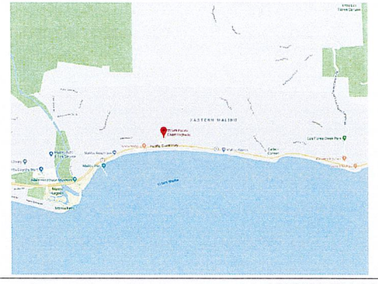
TOTAL EXCLUDING BSMT: 1,792 SF (MAX ALLOWABLE FAR AND GARAGE 1812.15 SF)

CAPACITY AND AMBULATORY STATUS
BEDROOM #1: (2) AMBULATORY RESIDENTS
BEDROOM #2: (2) AMBULATORY RESIDENTS

GRADING
REFER TO CIVIL ENGINEERING PLANS

PROJECT SUMMARY





VICINITY MAP

OPEN SPACES

1.	LANDSCAPING (above 40%)	2,114.07
2.	TERRACE 1 MAIN FLOOR	105.00
4.	TERRACE 3 ABOVE GARAGE	393.0
5.	TERRACE 2	798.18

TOTAL OPEN SPACE/ TOTAL DEVELOPMENTAL AREA = 3,410.25/ 12081.00 = 28.22 %

DEVELOPMENT AREA BREAKDOWN :

1.	BUILDING AREA	2,226.00
2.	AREA AT CURVED RETAINING WALL	41.00
3.	SPACES PART OF BUILDING PAD	612.00
4.	RETAINING WALLS	137.00
	TOTAL APPROVED DEVELOPMENT AREA :	3,016.00

OWNER:
ANITA KUNDI
12598 CENTRAL AVE. #219
CHINO, CA 91710

ARCHITECT:
GARY SIMMONS
114 N ENCANTO ST.
ORANGE, CA 92869
TEL. 714.293.4271
CONTACT: HARBANS GHATAODE
TEL. 949.922.2194

CIVIL ENGINEER:
kpff
18400 VON KARMAN AVE
SUITE 600
IRVINE, CA 92612

LANDSCAPE AND FUEL MODIFICATION	
L2.01	IRRIGATION PLAN
L2.50	IRRIGATION LEGENDS
L2.51	IRRIGATION DETAILS
L0.11R	PLANTING PLAN WITH FUEL MODIFICATION NOTES
L0.12R	PLANTATION LIST AND SITE PHOTOS

PROJECT TEAM

	GENERAL	
G0.00	COVERSHEET	
	CIVIL	
C-001	TITLE SHEET	
C-110	EROSION CONTROL PLAN	
C-130	GRADING PLAN AND DRAINAGE PLAN	
C-131	GRADING PLAN	
C-300	FIRE LANE ROADWAY PROFILE	
C-301	FIRE LANE ROADWAY ALIGMENT	
C-500	DETAILS	
C-501	DETAILS	
	ARCHITECTURAL	
A0.10	SITE PLAN	
A0.11	ENLARGED SITE PLAN	
A1.00	BASEMENT FLOOR PLAN	
A1.05	ENTRY LEVEL FLOOR PLAN	
A1.10	FIRST FLOOR PLAN	
A1.20	SECOND FLOOR PLAN	
A1.30	ROOF PLAN	
A3.10	WEST ELEVATION	
A3.20	EAST ELEVATION	
A3.30	NORTH AND SOUTH ELEVATION	
A4.10	BUILDING SECTION	
A4.20	BUILDING SECTION	
A4.30	BUILDING SECTION	
G0.06	ENLARGED SITE PLAN	
G0.07	OPEN SPCE AREAS ENLARGED SITE PLAN	

SHEET INDEX

No.	Description	Date
2	BK02	06/29/2020
3	City Plan Check	09/21/2024
	Second Review	
	City Plan Check	10/17/2024
	Third Review	

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
12-31-25
OF CALIFORNIA

COVERSHEET

RESIDENTIAL CARE FACILITY FOR THE ELDERY
22549 PACIFIC COAST HWY. MALIBU, CA

G0.00

Scale

CITY OF MALIBU PUBLIC WORKS DEPARTMENT GENERAL NOTES:

1. ALL WORK SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC) "GREEN BOOK."
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL-OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTOR SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2486, EXT. 341 FOR PRE-CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE OF SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK.
4. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456-2489, EXT. 341 TO APPLY FOR A PERMIT.
6. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
7. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
8. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.
9. CONTRACTOR SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.
11. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK" (THE "WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER, MAY BE REQUIRED BY THE CITY.
12. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
13. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
14. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.
15. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.
16. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/SOILS ENGINEER (AND ENGINEERING GEOLOGIST, WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HEREON, AS APPROVED OR CONDITIONED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
17. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT-OF-WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
18. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH 6"X6"X #10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.
19. GRADING QUANTITIES:
    CUT: 2,083 CY
    FILL: 516 CY
    IMPORT: 0 CY
    EXPORT: 1,567 CY
20. TOTAL DISTURBED AREA: 12,081SF OR 0.28 ACRES
    (INCLUDING GRADING, CLEARING, AND LANDSCAPING AREA)
    TOTAL EXISTING IMPERVIOUS SURFACE AREA: 776 SQ. FT.
    TOTAL PROPOSED IMPERVIOUS SURFACE AREA: 5,730 SQ. FT.
    FLOOD ZONE ON FIRM: ZONE D
    BASE FLOOD ELEVATION: UNDETERMINED
21. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN 2:1 FOR CUT AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER ON RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.
22. THE APPLICANT SHALL LABEL ALL CITY/COUNTY STORM DRAIN INLETS WITHIN 250 FEET FROM EACH PROPERTY LINE PER THE CITY OF MALIBU'S STANDARD LABEL TEMPLATE.

LEGEND:

GENERAL

- CIVIL LIMITS OF WORK
- SHEET MATCH LINE

ANNOTATION

- 100.00 XX — SURFACE ELEVATION/UTILITY ELEVATION
- (100.00 XX) — EXISTING SURFACE ELEVATION/UTILITY ELEVATION
- XX — CONSTRUCTION NOTE
- 2.0% — FLOW (DIRECTION AND GRADE)
- 2:1 — SLOPE (DIRECTION AND RUN:RISE)
- XX — HORIZONTAL CONTROL POINT LABEL
- CX — CURVE DATA LABEL
- FF=100.00 — PAD/FINISHED FLOOR ELEVATION

SITE

- CURB/BACK OF CURB/GUTTER
- RETAINING WALL/SITE WALL
- PROPERTY LINE/RIGHT OF WAY
- CENTER LINE
- X — FENCE
- TO BE DEMOLISHED

GRADING

- 100 — PROPOSED MAJOR CONTOUR
- 102 — PROPOSED MINOR CONTOUR
- FLOW LINE
- GB — GRADE BREAK LINE
- R — RIDGE LINE
- EARTHEN SWALE
- SAWCUT

UTILITY

- SD — STORM DRAIN
- (C) — UTILITY CLEANOUT
- AREA/PLANTER DRAIN

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C-001	TITLE SHEET
C-110	EROSION CONTROL PLAN
C-130	GRADING & DRAINAGE PLAN
C-131	GRADING & DRAINAGE PLAN
C-300	FIRE LANE ROADWAY PROFILE
C-301	FIRE LANE ROADWAY ALIGNMENT
C-500	DETAILS
C-501	DETAILS

ABBREVIATIONS:

AC	ASPHALTIC CONCRETE	(N)	NORTH
BW	BACK OF WALK	NTS	NOT TO SCALE
BLDG	BUILDING	PA	PLANTER AREA
BOS	BOTTOM OF STAIRS	POC	POINT OF CONNECTION
BMP	BEST MANAGEMENT PRACTICES	PIV	POST INDICATOR VALVE
CB	CATCH BASIN	PCC	PORTLAND CEMENT CONCRETE
CL, ℄	CENTER LINE	PVC	POLYVINYL CHLORIDE
CMU	CONCRETE MASONRY UNIT	PL, P	PROPERTY LINE
CO	CLEANOUT	R=	RADIUS
CONC	CONCRETE	RW, R/W	RIGHT-OF-WAY
CF	CURB FACE	(S)	SOUTH
DW	DOMESTIC WATER	S=	SLOPE, EQUALS
(E)	EAST	SD	STORM DRAIN
EG	EDGE OF GUTTER	SSMH	SANITARY SEWER MANHOLE
EL., ELEV	ELEVATION	SS	SANITARY SEWER
EX., EXIST.	EXISTING	STD	STANDARD
FDC	FIRE DEPARTMENT CONNECTION	SDMH	STORM DRAIN MANHOLE
FF	FINISHED FLOOR	TC	TOP OF CURB
FG	FINISHED GRADE (LANDSCAPE)	TEL	TELEPHONE
FS	FINISHED SURFACE (HARDSCAPE)	TG	TOP OF GRATE
FH	FIRE HYDRANT	TOS	TOP OF STAIRS
FL	FLOW LINE	TW	TOP OF WALL
GV	GATE VALVE	TYP	TYPICAL
FW	FIRE WATER	VIF	VERIFY IN FIELD
GPM	GALLONS PER MINUTE	VCP	VITRIFIED CLAY PIPE
HP, (HP)	HIGH POINT	(W)	WEST
INV.	INVERT	W	WATER
LP, (LP)	LOW POINT	WM	WATER METER
MH	MANHOLE	WV	WATER VALVE

PATTERN LEGEND:

- CONCRETE PAVING (REFER TO SHEET C-500 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP-RAP (REFER TO SHEET C-500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C-500 FOR DETAILS)

SITE AREAS:

SEE 00.00 FOR SITE AREA BREAKDOWN

BASIS OF BEARINGS:

THE BEARING OF N86°01'06"E ALONG THE CENTERLINE PACIFIC COAST HIGHWAY AS SHOWN ON MAP OF RECORD OF SURVEY FILED IN BOOK 105, PAGE 68 OF RECORDS OF SURVEYS AND IS THE BASIS OF BEARINGS FOR THIS PROJECT.

PROJECT BENCHMARK:

ELEVATIONS SHOWN HERON ARE RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) COUNTY OF LOS ANGELES YEAR 1990 ADJUSTMENT PER THE FOLLOWING COUNTY BENCHMARK:

LA COUNTY BM DY53B7
ELEV=13.811 FT. NGVD29 YEAR 1990

US&GS MON IN CONC WALK SOUTH SIDE PACIFIC COAST HIGHWAY, 4 FT N. OF N/W CORNER HOUSE NO. 22416, 0.8 MILES WEST OF CARBON CANYON ROAD, 50 FT S. CENTERLINE PACIFIC COAST HIGHWAY, STAMPED "S-576 1939"

ANY USER OF ELEVATIONS AND/OR COORDINATES SHOWN HEREON FOR THE CONTROL OF CONSTRUCTION, SHALL VERIFY AT LEAST 3 POINTS SHOWN HEREON, FOR THE MATHEMATICAL CONSISTENCY PRIOR TO SUCH USE.

GENERAL NOTES:

1. WORK SHOWN HEREON SHALL BE DONE IN ACCORDANCE WITH THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION," LATEST EDITION AND SUPPLEMENTS, THE UNIFORM BUILDING CODE (EXCAVATION AND GRADING), AND CITY OF MALIBU LOCAL ORDINANCES AS APPLICABLE.
2. ALL GRADING WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS AND RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL REPORT.
3. EXISTING TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM A SURVEY DATED JANUARY 30, 2019 BY HENNON SURVEY & MAPPING, INC.
4. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY, AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS.
5. PRIOR TO COMMENCING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL JOIN CONDITIONS FOR GRADING AND DRAINAGE. IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND SHALL NOT BEGIN CONSTRUCTION UNTIL THE CHANGED CONDITIONS HAVE BEEN EVALUATED.
6. ALL DRAWINGS ARE CONSIDERED TO BE A PART OF THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REVIEW AND COORDINATION OF ALL DRAWINGS AND SPECIFICATIONS PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES THAT OCCUR SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION SO THAT A CLARIFICATION CAN BE ISSUED. ANY WORK PERFORMED IN CONFLICT WITH THE CONTRACT DOCUMENTS OR ANY CODE REQUIREMENTS SHALL BE CORRECTED BY THE CONTRACTOR AT THEIR OWN EXPENSE AND AT NO EXPENSE TO THE OWNER OR ARCHITECT.
7. THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
8. NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE GIVEN, CONSTRUCTION SHALL BE AS SHOWN FOR SIMILAR WORK.
9. THE EXISTENCE, LOCATION AND CHARACTERISTICS OF UNDERGROUND UTILITY INFORMATION SHOWN ON THESE PLANS HAVE BEEN OBTAINED FROM A REVIEW OF AVAILABLE RECORD DATA. NO REPRESENTATION IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID UTILITY INFORMATION. THE CONTRACTOR SHALL TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS.
10. IF AT ANY TIME DURING GRADING OPERATIONS, ANY UNFAVORABLE GEOLOGICAL CONDITIONS ARE ENCOUNTERED, GRADING IN THAT AREA WILL STOP UNTIL APPROVED CORRECTIVE MEASURES ARE OBTAINED.
11. THE PROPOSED GRADE IS THE FINAL GRADE AND NOT THE ROUGH GRADE. THE CONTRACTOR SHALL SUBTRACT THE THICKNESS OF THE PAVED SECTION AND/OR LANDSCAPE TOPSOIL SECTION TO ARRIVE AT THE ROUGH GRADE ELEVATION.
12. STRAIGHT GRADE SHALL BE MAINTAINED BETWEEN CONTOUR LINES AND SPOT ELEVATIONS UNLESS OTHERWISE SHOWN ON THE PLANS.
13. ALL FILL SOILS OR SOILS DISTURBED OR OVEREXCAVATED DURING CONSTRUCTION SHALL BE COMPACTED PER THE REQUIREMENTS OF THE SOILS REPORT BUT NOT LESS THAN 90% MAXIMUM DENSITY AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D-1557.
14. THE CONTRACTOR SHALL OBTAIN AN O.S.H.A. PERMIT FROM THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY PRIOR TO THE CONSTRUCTION OF TRENCHES OR EXCAVATIONS WHICH ARE FIVE FEET OR DEEPER.
15. DIMENSIONS TO PIPELINES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
16. ALL WATER LINES SHALL BE INSTALLED WITH 36" MINIMUM COVER FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
17. THRUST BLOCKS SHALL BE INSTALLED AT WATERLINE HORIZONTAL AND VERTICAL BENDS, TEES, CAPPED ENDS AND REDUCERS ACCORDING TO THE DETAILS PROVIDED ON THESE PLANS.
18. CONSTRUCTION STAKING FOR IMPROVEMENTS SHOWN ON THESE PLANS SHALL BE PERFORMED BY A LICENSED LAND SURVEYOR.
19. THE CONTRACTOR SHALL REPLACE ALL EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION TO MATCH EXISTING, INCLUDING PERMANENT TRENCH RESURFACING.
20. CONTRACTOR TO CONTACT UNDERGROUND SERVICE ALERT 811 PRIOR TO EXCAVATION.
21. ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF.
22. ALL CURB DIMENSIONS AND RADII ARE TO PAVEMENT FACE OF CURB.
23. CONTRACTOR TO BE AWARE OF ALL OVERHEAD LINES AT ALL TIMES, SO AS NOT TO DISTURB THEM.
24. WATER SHALL BE PROVIDED ONSITE AND USED TO CONTROL DUST DURING CONSTRUCTION OPERATIONS.
25. CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS FROM THE CITY OF MALIBU FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
26. STORM DRAINAGE SYSTEMS SHOWN ON THESE PLANS HAVE BEEN DESIGNED FOR THE FINAL SITE CONDITION AT COMPLETION OF THE PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ADEQUATE DRAINAGE OF THE SITE, DURING INTERIM CONDITIONS OF CONSTRUCTION.
27. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS, INCLUDING NPDES, FROM THE APPROPRIATE JURISDICTIONAL AGENCIES FOR DISCHARGE OF GROUNDWATER THAT MAY BE NECESSARY TO ACCOMPLISH EXCAVATIONS SHOWN ON THESE PLANS.

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: 1900079

PROJECT ADDRESS: 22549 Pacific Coast Highway, Malibu, CA 90265

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form.** This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	492	1,255	286	50	0	2,083
Fill	492	0	0	24	0	516
Total	0	1,255 CUT	286 CUT	74	0	1,615
Import	0	0	0	0	0	0
Export	0	1,255	286	26	0	1,615

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: ALI KHAMSI, RCE
PRINT NAME
SIGNATURE

DATE: 11/10/2025

REGISTERED PROFESSIONAL ENGINEER ALI KHAMSI No. C74768 Exp. 12/31/25 CIVIL STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\Planning\PLN Grading Verification Certificate_130701.doc

PROJECT DIRECTORY:

ARCHITECT:
GARY SIMMONS
114 N. ENCANTO ST.
ORANGE, CA 92869
TEL. 714.293.4271
CONTACT: HARBANS CHATACDE
TEL. 949.922.2194

CIVIL ENGINEER:
KPFF CONSULTING ENGINEERS
140 NEWPORT CENTER DRIVE,
SUITE 100
NEWPORT BEACH, CA 92660
TEL: 949.478.8800
CONTACT: ALI KHAMSI

SURVEYOR:
HENNON SURVEY & MAPPING, INC.
601 E. GLENOAKS BLVD., SUITE 206
GLENDALE, CA 91207
TEL. 818.243.0640
FAX. 818.243.0650
CONTACT: ROB HENNON

GEOTECHNICAL ENGINEER:
TGR GEOTECHNICAL, INC.
3037 S. HARBOR BLVD.
SANTA ANA, CA 92704
TEL. 714.641.7189
FAX. 714.641.7190
CONTACT: SANJAY GOVIL



VICINITY MAP
NOT TO SCALE

CALIFORNIA 811
CALL UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA FOR UNDERGROUND LOCATING 48 HOURS BEFORE YOU DIG!
www.digalert.org

IMPORTANT NOTICE
SECTION 4216/4217 OF THE GOVERNMENT CODE REQUIRES A DIGALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A "PERMIT TO EXCAVATE" WILL BE VALID. FOR YOUR DIGALERT I.D. NUMBER CALL UNDERGROUND SERVICE ALERT TOLL FREE 811 TWO WORKING DAYS BEFORE YOU DIG

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CONSULTANTS:

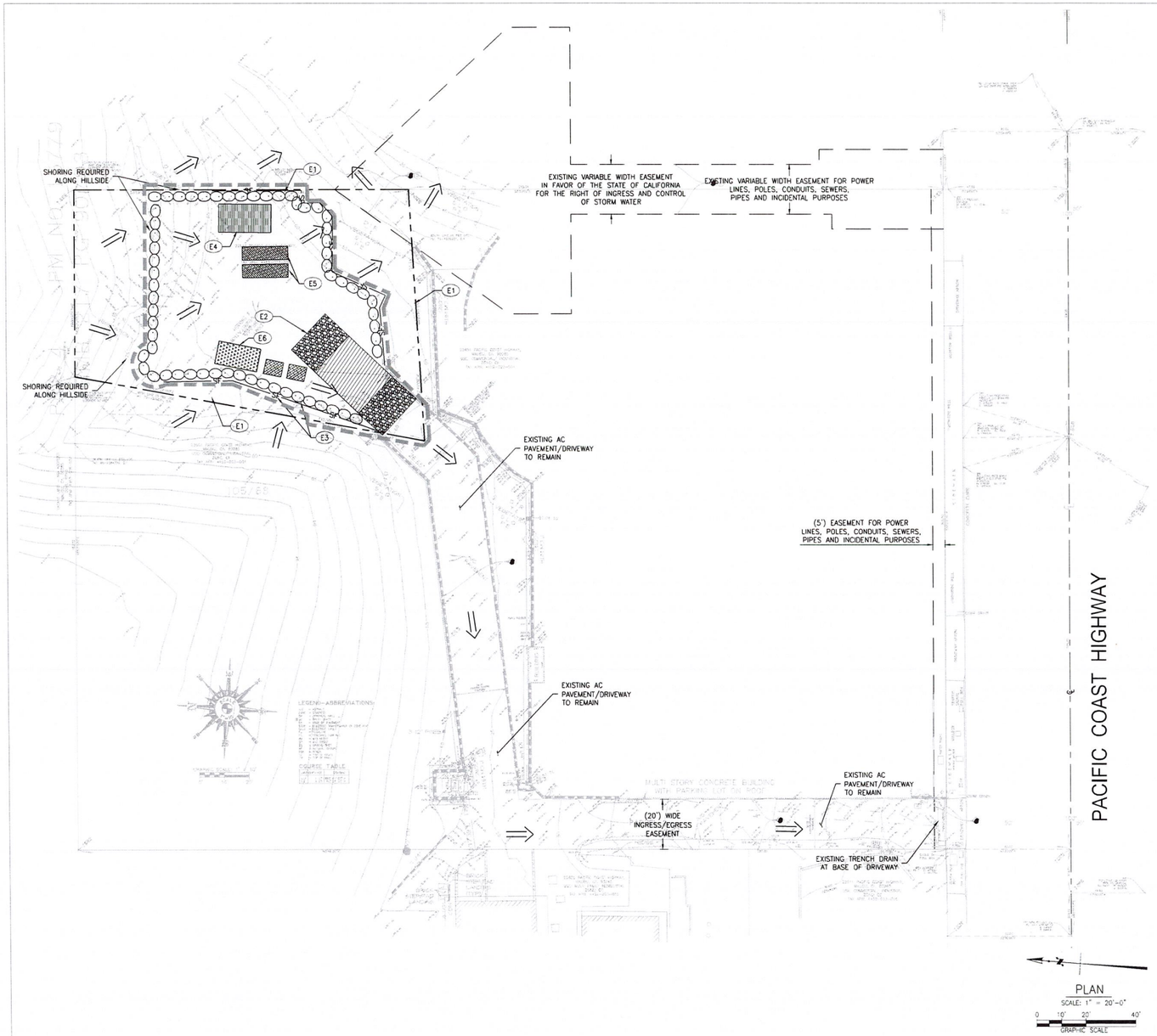
REGISTERED PROFESSIONAL ENGINEER ALI KHAMSI No. C74768 Exp. 12/31/25 CIVIL STATE OF CALIFORNIA

DATE	ISSUED FOR:

Date: 11/10/2025
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

TITLE SHEET

SHEET:
C-001



PLAN
SCALE: 1" = 20'-0"
0 10' 20' 40'
GRAPHIC SCALE

LEGEND:

- PROPERTY LINE
- LIMIT LINE OF EROSION CONTROL
- SF — SILT FENCE
- EXISTING DIRECTION OF FLOW
- GRAVEL BAG

EROSION CONTROL NOTES:

* FINAL BMP LOCATION TO BE DETERMINED BY THE CONTRACTOR.

(E1) PLACE SILT FENCE PER CASQA BMP SE-1.

(E2) STABILIZED CONSTRUCTION ENTRANCE PER CASQA BMP TC-1.

(E3) SANITARY/SEPTIC WASTE MANAGEMENT PER CASQA BMP WM-9.

(E4) MATERIAL DELIVERY AND STORAGE PER CASQA BMP WM-1.

(E5) SOLID WASTE MANAGEMENT PER CASQA BMP WM-5.

(E6) CONCRETE WASTE MANAGEMENT PER CASQA BMP WM-8.

BMP NOTES:

THE FOLLOWING BMPS AS OUTLINED IN, BUT NOT LIMITED TO, THE BEST MANAGEMENT PRACTICE HANDBOOK, CALIFORNIA STORMWATER QUALITY TASK FORCE, SACRAMENTO, CALIFORNIA 2009, OR THE LATEST REVISED EDITION, MAY APPLY DURING THE CONSTRUCTION OF THIS PROJECT (ADDITIONAL MEASURES MAY BE REQUIRED IF DEEMED APPROPRIATE BY CITY INSPECTORS):

EROSION CONTROL

EC1-SCHEDULING
EC2-PRESERVATION OF EXISTING VEGETATION
EC3-HYDRAULIC MULCH
EC4-HYDROSEEDING
~~EC5-SOIL BINDERS~~
~~EC6-STRAW MULCH~~
EC7-GEOTEXTILES
EC8-WOOD MULCHING
EC9-EARTH DIKES AND DRAINAGE SWALES
EC10-VELOCITY DISSIPATION DEVICES
EC11-SLOPE DRAINS
EC12-STREAMBANK STABILIZATION
~~EC13-POLYACRYLAMIDE~~

TEMPORARY SEDIMENT CONTROL

SE1-SILT FENCE
~~SE2-SEDIMENT BASIN~~
~~SE3-SEDIMENT TRAP~~
SE4-CHECK DAM
SE5-FIBER ROLLS
SE6-GRAVEL BAG BERM
SE7-STREET SWEEPING AND VACUUMING
SE8-SANDBAG BARRIER
SE9-STRAW BALE BARRIER
SE10-STORM DRAIN INLET PROTECTION
~~SE11-CHEMICAL TREATMENT~~

EQUIPMENT TRACKING CONTROL

TC1-STABILIZED CONSTRUCTION ENTRANCE/EXIT
~~TC2-STABILIZED CONSTRUCTION ROADWAY~~
~~TC3-ENTRANCE/OUTLET TIRE WASH~~

WIND EROSION CONTROL

WE1-WIND EROSION CONTROL

NON-STORMWATER MANAGEMENT

NS1-WATER CONSERVATION PRACTICES
NS2-DEWATERING OPERATIONS
~~NS3-PAVING AND GRINDING OPERATIONS~~
~~NS4-TEMPORARY STREAM CROSSING~~
~~NS5-CLEAR WATER DIVERSION~~
~~NS6-ILLICIT CONNECTION/DISCHARGE~~
NS7-POTABLE WATER/IRRIGATION
~~NS8-VEHICLE AND EQUIPMENT CLEANING~~
~~NS9-VEHICLE AND EQUIPMENT FUELING~~
~~NS10-VEHICLE AND EQUIPMENT MAINTENANCE~~
NS11-PILE DRIVING OPERATIONS
NS12-CONCRETE CURING
NS13-CONCRETE FINISHING
~~NS14-MATERIAL OVER WATER~~
~~NS15-DEMOLITION ADJACENT TO WATER~~
~~NS16-TEMPORARY BATCH PLANTS~~

WASTE MANAGEMENT & MATERIALS POLLUTION CONTROL

WM1-MATERIAL DELIVERY AND STORAGE
WM2-MATERIAL USE
WM3-STOCKPILE MANAGEMENT
WM4-SPILL PREVENTION AND CONTROL
WM5-SOLID WASTE MANAGEMENT
WM6-HAZARDOUS WASTE MANAGEMENT
WM7-CONTAMINATED SOIL MANAGEMENT
WM8-CONCRETE WASTE MANAGEMENT
WM9-SANITARY/SEPTIC WASTE MANAGEMENT
WM10-LIQUID WASTE MANAGEMENT

BMP NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF ALL SILT AND MUD ON ADJACENT STREET(S), DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY, AT THE END OF EACH DAY, OR AFTER A STORM EVENT THAT CAUSES A BREECH IN INSTALLED CONSTRUCTION BMP'S WHICH MAY COMPROMISE STORM WATER QUALITY WITHIN ANY STREET(S).
2. ALL STOCKPILES OF SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE COVERED. ALL REMOVABLE BMP DEVICES SHALL BE IN PLACE AT THE END EACH WORKING DAY WHEN FIVE DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.
3. A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS WHICH ARE TO BE POURED IN PLACE ON SITE.
4. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER AFTER EACH RUN-OFF PRODUCING RAINFALL OR AFTER ANY MATERIAL BREACH IN EFFECTIVENESS.
5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.

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MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
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No. C74768
Exp. 12/31/25
CIVIL
STATE OF CALIFORNIA

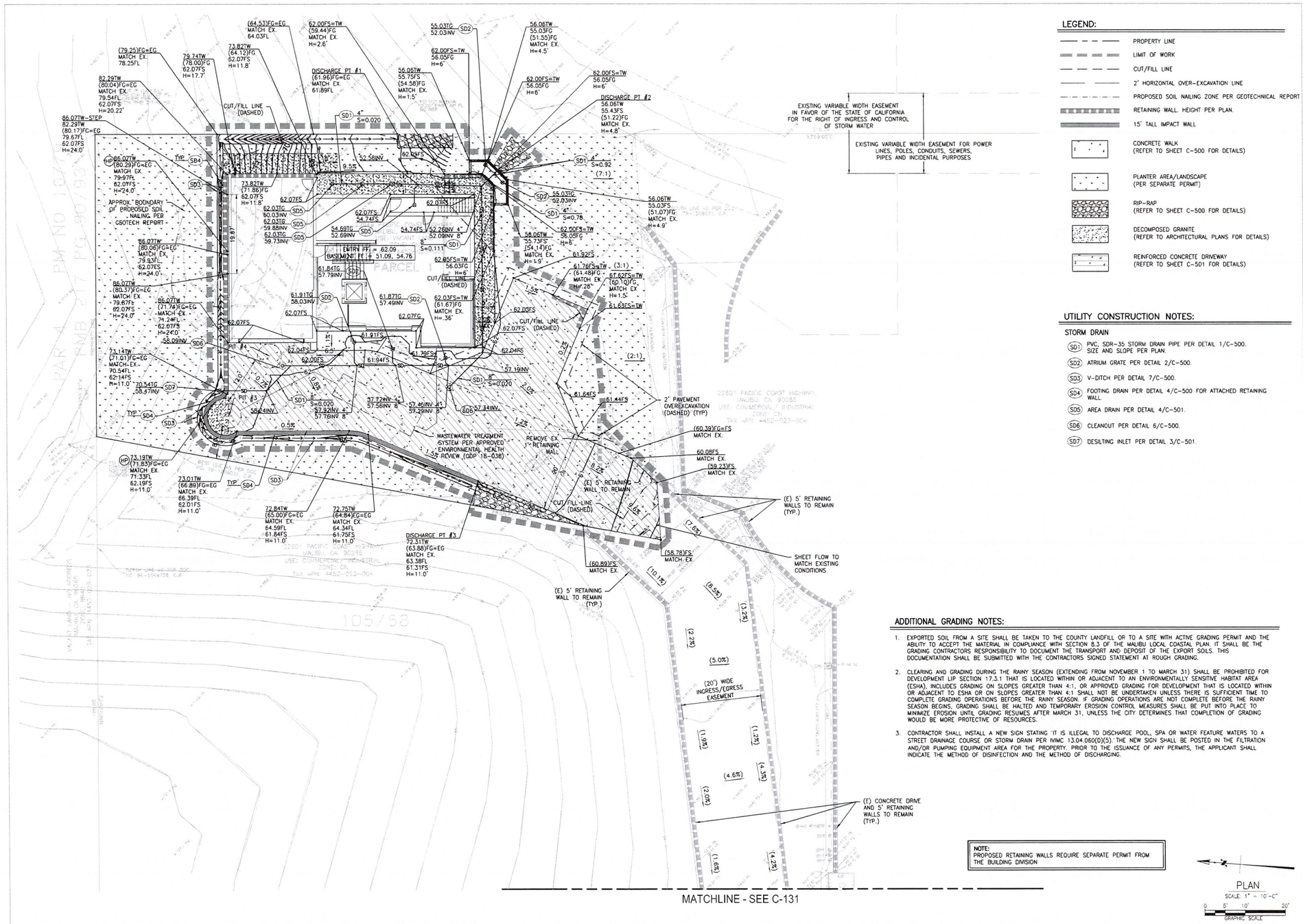
DATE	ISSUED FOR:

Date: 03/01/2024
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

EROSION CONTROL PLAN

SHEET:
C-110

Drawing: R:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-110C.dwg Last Saved Tuesday, July 12, 2022 2:29:48 PM Last Plotted Thursday, January 25, 2024 12:54:50 PM By: Tan Nguyen



LEGEND:

- PROPERTY LINE
- LIMIT OF WORK
- CUT/FILL LINE
- 2' HORIZONTAL OVER-EXCAVATION LINE
- PROPOSED SOIL NAILING ZONE PER GEOTECHNICAL REPORT
- RETAINING WALL HEIGHT PER PLAN.
- 15' TALL IMPACT WALL
- CONCRETE WALK (REFER TO SHEET C-500 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP-RAP (REFER TO SHEET C-500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C-501 FOR DETAILS)

UTILITY CONSTRUCTION NOTES:

STORM DRAIN

(SD1) PVC, SDR-35 STORM DRAIN PIPE PER DETAIL 1/C-500. SIZE AND SLOPE PER PLAN.

(SD2) ATRIUM GRATE PER DETAIL 2/C-500.

(SD3) V-DITCH PER DETAIL 7/C-500.

(SD4) FOOTING DRAIN PER DETAIL 4/C-500 FOR ATTACHED RETAINING WALL.

(SD5) AREA DRAIN PER DETAIL 4/C-501.

(SD6) CLEANOUT PER DETAIL 6/C-500.

(SD7) DESILTING INLET PER DETAIL 3/C-501.

ADDITIONAL GRADING NOTES:

1. EXPORTED SOIL FROM A SITE SHALL BE TAKEN TO THE COUNTY LANDFILL OR TO A SITE WITH ACTIVE GRADING PERMIT AND THE ABILITY TO ACCEPT THE MATERIAL IN COMPLIANCE WITH SECTION 8.3 OF THE MALIBU LOCAL COASTAL PLAN. IT SHALL BE THE GRADING CONTRACTORS RESPONSIBILITY TO DOCUMENT THE TRANSPORT AND DEPOSIT OF THE EXPORT SOILS. THIS DOCUMENTATION SHALL BE SUBMITTED WITH THE CONTRACTORS SIGNED STATEMENT AT ROUGH GRADING.
2. CLEARING AND GRADING DURING THE RAINY SEASON (EXTENDING FROM NOVEMBER 1 TO MARCH 31) SHALL BE PROHIBITED FOR DEVELOPMENT LIP SECTION 17.3.1 THAT IS LOCATED WITHIN OR ADJACENT TO AN ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA), INCLUDES GRADING ON SLOPES GREATER THAN 4:1, OR APPROVED GRADING FOR DEVELOPMENT THAT IS LOCATED WITHIN OR ADJACENT TO ESHA OR ON SLOPES GREATER THAN 4:1 SHALL NOT BE UNDERTAKEN UNLESS THERE IS SUFFICIENT TIME TO COMPLETE GRADING OPERATIONS BEFORE THE RAINY SEASON. IF GRADING OPERATIONS ARE NOT COMPLETE BEFORE THE RAINY SEASON BEGINS, GRADING SHALL BE HALTED AND TEMPORARY EROSION CONTROL MEASURES SHALL BE PUT INTO PLACE TO MINIMIZE EROSION UNTIL GRADING RESUMES AFTER MARCH 31, UNLESS THE CITY DETERMINES THAT COMPLETION OF GRADING WOULD BE MORE PROTECTIVE OF RESOURCES.
3. CONTRACTOR SHALL INSTALL A NEW SIGN STATING "IT IS ILLEGAL TO DISCHARGE POOL, SPA OR WATER FEATURE WATERS TO A STREET DRAINAGE COURSE OR STORM DRAIN PER MMC 13.04.060(D)(5). THE NEW SIGN SHALL BE POSTED IN THE FILTRATION AND/OR PUMPING EQUIPMENT AREA FOR THE PROPERTY. PRIOR TO THE ISSUANCE OF ANY PERMITS, THE APPLICANT SHALL INDICATE THE METHOD OF DISINFECTION AND THE METHOD OF DISCHARGING.

NOTE:
PROPOSED RETAINING WALLS REQUIRE SEPARATE PERMIT FROM THE BUILDING DIVISION

PLAN
SCALE: 1" = 10'-0"
0 5' 10' 20'
GRAPHIC SCALE

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RESIDENTIAL CARE FACILITY

22549 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
ALI KHAMO
No. C74768
Exp. 12/31/25
CIVIL
STATE OF CALIFORNIA

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Date:	03/01/2024
Project Number:	1900079
Drawn By:	TN
Checked By:	JP
Scale:	AS SPECIFIED

GRADING AND DRAINAGE PLAN

SHEET:
C-130

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MATCHLINE - SEE C-130

-ABBREVIATIONS-

TABLE

BEARING	
S85° 41' 00" W	13.00'

(E) CONCRETE DRIVE AND 5' RETAINING WALLS TO REMAIN (TYP.)

AUTOMATED GATE BOX PER ARCHITECTURAL PLANS

BUILDING ADDRESS NUMBERS PER ARCHITECTURAL PLANS

FIRE DEPARTMENT KNOX BOX PER ARCHITECTURAL PLANS

(E) CONCRETE DRIVE AND 5' RETAINING WALLS TO REMAIN (TYP.)

MULTI STORY CONCRETE BUILDING WITH PARKING LOT ON ROOF

(20') WIDE INGRESS/EGRESS EASEMENT

(5') EASEMENT FOR POWER LINES, POLES, CONDUITS, SEWERS, PIPES AND INCIDENTAL PURPOSES

PACIFIC COAST HIGHWAY

22600 PACIFIC COAST HIGHWAY, MALIBU, CA 90265 USE: MULTI FAMILY RESIDENTIAL ZONE: LC TAX APN: 4452-023-015

22611 PACIFIC COAST HIGHWAY, MALIBU, CA 90265 USE: COMMERCIAL/ INDUSTRIAL ZONE: CA

PLAN
SCALE: 1" = 10'-0"
0 5' 10' 20'
GRAPHIC SCALE

LEGEND:

- PROPERTY LINE
- LIMIT OF WORK
- CUT/FILL LINE
- 2' HORIZONTAL OVER-EXCAVATION LINE
- PROPOSED SOIL NAILING ZONE PER GEOTECHNICAL REPORT
- RETAINING WALL HEIGHT PER PLAN.
- 15' TALL IMPACT WALL
- CONCRETE WALK (REFER TO SHEET C-500 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP-RAP (REFER TO SHEET C-500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C-501 FOR DETAILS)

UTILITY CONSTRUCTION NOTES:

STORM DRAIN

(SD1) PVC, SDR-35 STORM DRAIN PIPE PER DETAIL 1/C-500. SIZE AND SLOPE PER PLAN.
(SD2) ATRIUM GRATE PER DETAIL 2/C-500.
(SD3) V-DITCH PER DETAIL 7/C-500.
(SD4) FOOTING DRAIN PER DETAIL 4/C-500 FOR ATTACHED RETAINING WALL.
(SD5) AREA DRAIN PER DETAIL 4/C-501.
(SD6) CLEANOUT PER DETAIL 6/C-500.
(SD7) DESILTING INLET PER DETAIL 3/C-501.

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CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER ALI KHAMS No. C74768 Exp. 12/31/25 CIVIL STATE OF CALIFORNIA

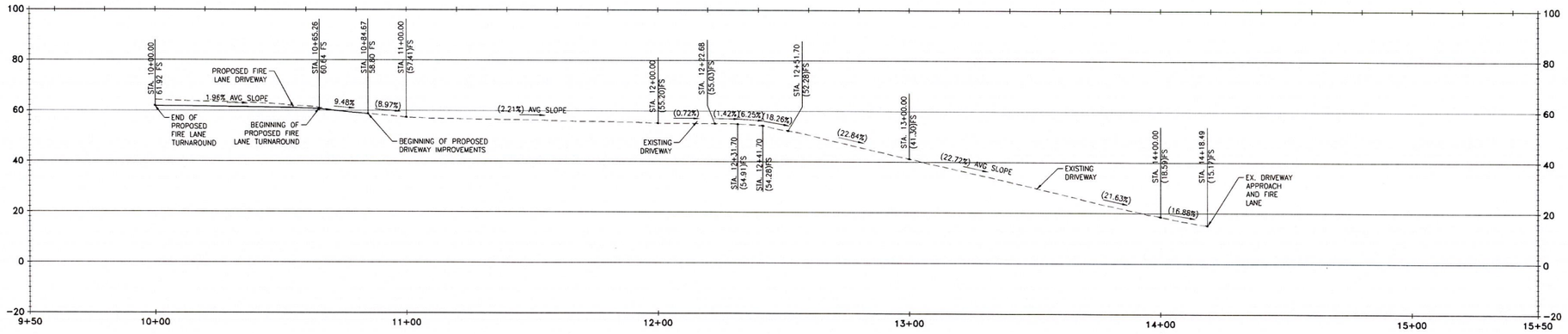
DATE	ISSUED FOR:

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Project Number: 1900079
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GRADING PLAN

SHEET:
C-131

Drawing: R:\2019\1900079 -19- Residential Care Facility - Malibu\CAD\SHEET\1900079C-130SD.dwg Last Saved: Thursday, January 25, 2024 12:51:57 PM Last Plotted: Thursday, January 25, 2024 12:55:10 PM By: Tan Nguyen



FIRE LANE DRIVEWAY CL
HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=20'

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CONSULTANTS:

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ALI KHAMIS
No. C74768
Exp. 12/31/25
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STATE OF CALIFORNIA

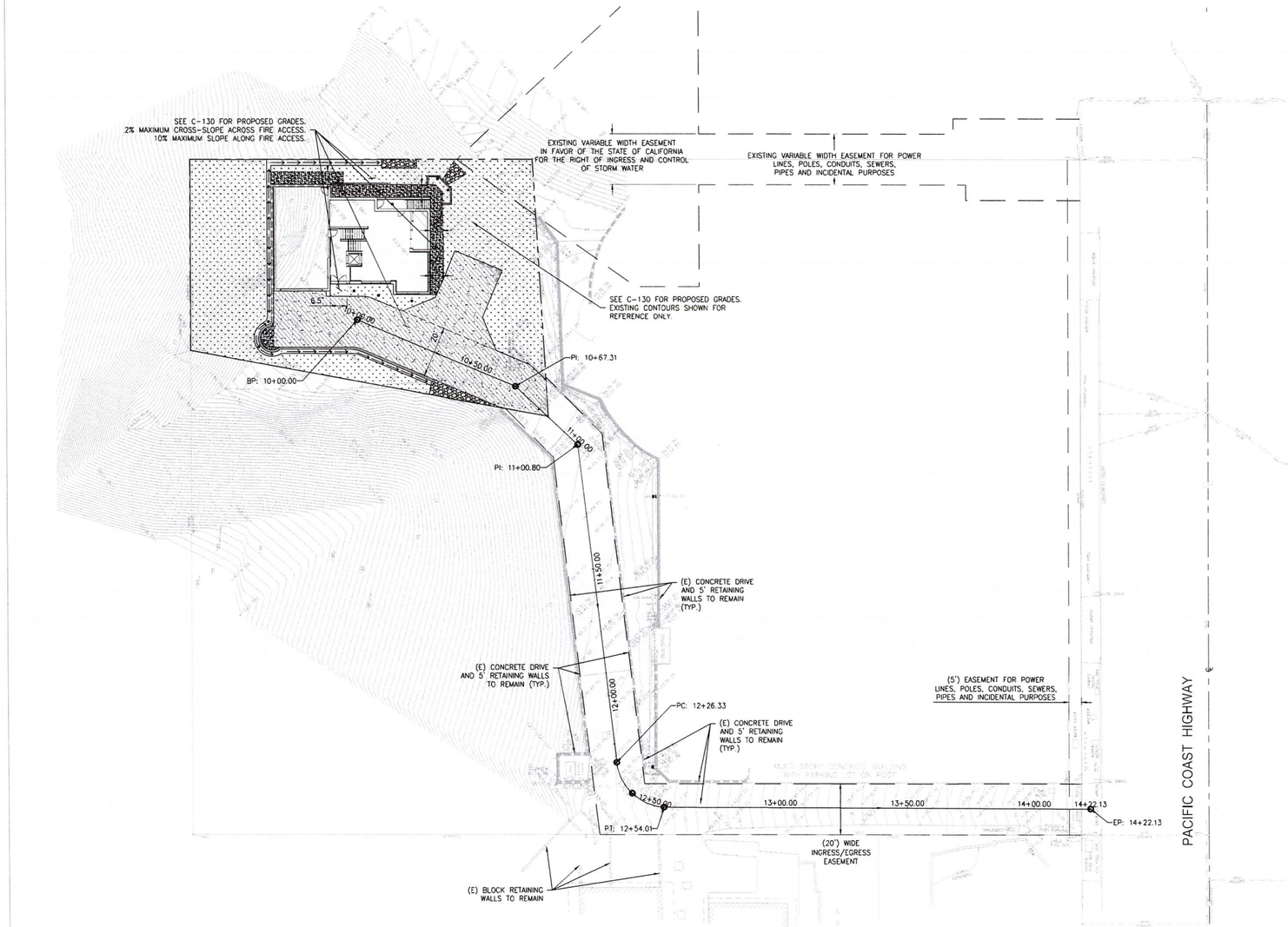
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Date: 03/01/2024
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FIRE LANE ROADWAY PROFILE

SHEET:
C-300

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PLAN
SCALE: 1" = 20'-0"
0 10' 20' 40'
GRAPHIC SCALE

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RESIDENTIAL CARE FACILITY

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MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
ALI KHAMIS
No. C74768
Exp. 12/31/25
CIVIL
STATE OF CALIFORNIA

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FIRE LANE ROADWAY ALIGNMENT

SHEET:
C-301

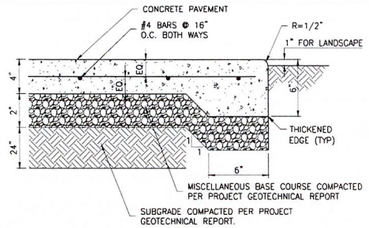
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10 | NOT USED

N.T.S.

9 | CONCRETE WALK SECTION

N.T.S.

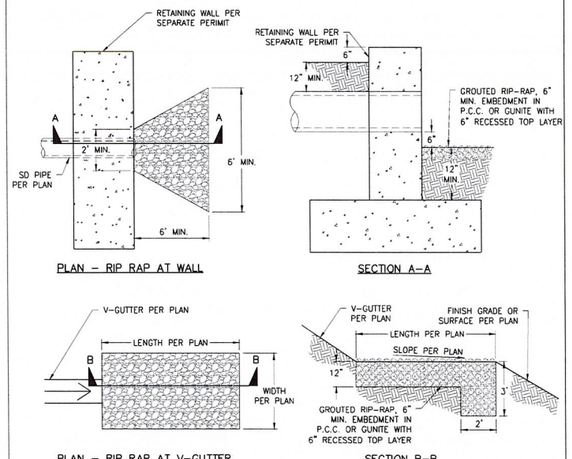


NOTES:

1. ALL TREAD SURFACES SHALL BE SLIP-RESISTANT.
2. REFER TO ARCHITECTURAL DRAWINGS FOR COLOR, PATTERN, TEXTURE, AND FINISH.
3. SEE PLAN FOR LOCATION OF CONTROL JOINTS.
4. CONCRETE MIX DESIGN SHALL CONFORM TO SSPWC 560-C-3250.

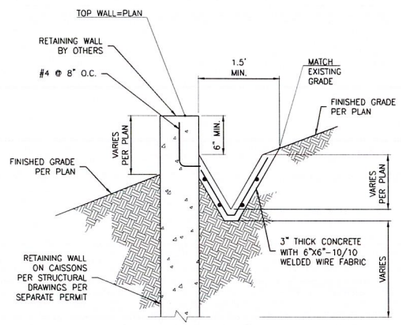
8 | GROUTED RIP-RAP ENERGY DISSIPATION

N.T.S.



NOTES:

1. ROCKS FOR GROUTED RIP-RAP SHALL GOOD QUALITY BROKEN CONCRETE AND/OR RIVER RUN ROCK. SIZE OF ROCK SHALL BE 6"ø MIN. AND 12"ø MAX.
2. GROUT BED OF 2" MIN. BENEATH THE FIRST LAYER OF ROCK. MAXIMUM SPACING BETWEEN ROCKS SHALL BE 2" MAX. ALL VOIDS BETWEEN ROCKS SHALL BE FILLED WITH GROUT.
3. SURFACE RECESSED ROCKS SHALL BE EMBEDDED FROM 1/2 TO 2/3 OF THEIR MAXIMUM DIMENSION.

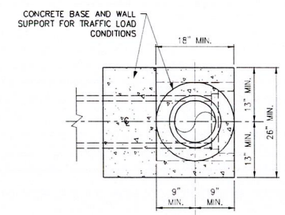


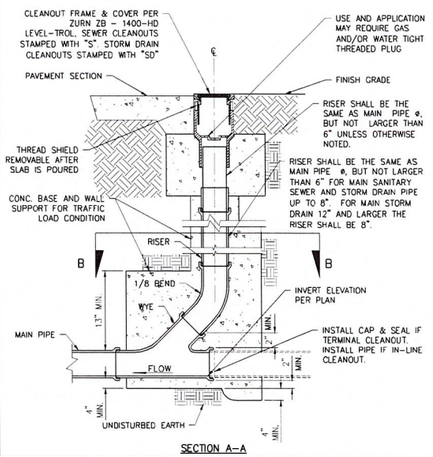
NOTES:

1. CONCRETE SHALL HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH AT 28 DAYS OF 2500 PSI.
2. REINFORCING SHALL BE 6"X6" W1.4XW1.4 WELDED WIRE MESH (WWM) OR APPROVED EQUAL.
3. GROUND SHALL BE PRE-WETTED TO THE SATISFACTION OF THE BUILDING OFFICIAL OR ENGINEER PRIOR TO PLACEMENT OF CONCRETE.

7 | V-DITCH AT WALL

N.T.S.



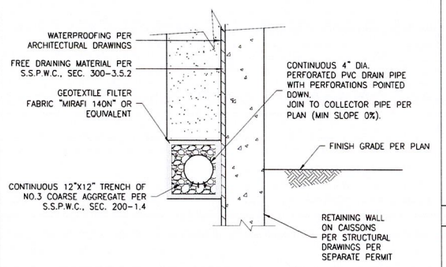


6 | CLEANOUT

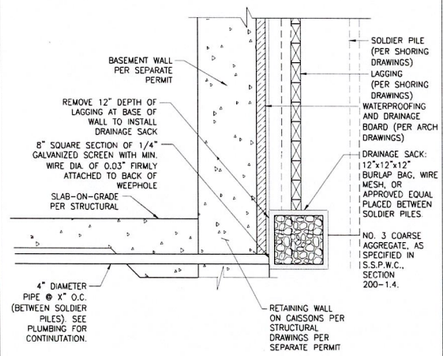
N.T.S.

5 | NOT USED.

N.T.S.



TYPICAL CONTINUOUS PERFORATED DRAIN



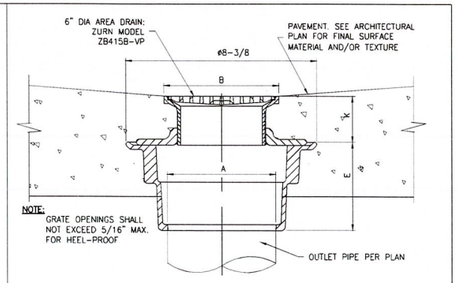
DRAINAGE FOR SHORED CONDITION AT BASEMENT

NOTES:

1. FOUNDATION WALL DRAINAGE SHALL ADHERE TO THE LATEST BUILDING ADMINISTRATIVE CODES.

4 | FOUNDATION WALL DRAINAGE

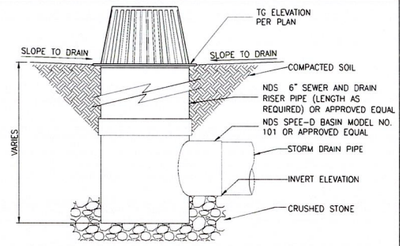
N.T.S.



A PIPE SIZE (IN)	B STRAINER (IN)	K (IN) MIN	K (IN) MAX	E (IN)	STRAINER OPEN AREA (SQ IN)
4	6 DIA	1-13/32	2-17/32	3-13/16	9

3 | NON-TRAFFIC AREA DRAIN

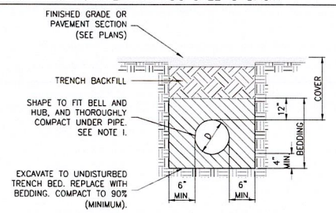
N.T.S.



SIZE	TYPE	MATERIAL	COLOR	MODEL NO.	FREE AREA (SQ IN/GPM)
4" DIA.	DOME	POLYOLEFIN	BLACK	78	17.00/22.27

2 | NDS ATRIUM GRATE WITH NDS SPEE-D BASIN

N.T.S.



PIPE FOR GRAVITY FLOW SAN. SEWERS AND DRAINAGE P.V.C. CONFORMING TO A.S.T.M. D-3034 MAXIMUM SDR 35, GASKETED JOINTS FOR 4" TO 15" DIA PIPE AND ASTM F-679 FOR 18" DIA. AND LARGER.

FOR PVC PRESSURE PIPE CONFORMING TO AWWA C900 FOR 4" TO 12" DIA. PIPE AND AWWA C905 FOR 14" AND LARGER DIA. PIPE.

BEDDING CRUSHED ROCK. SHALL CONFORM TO SUBSECTION 200-1.2 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION WITH 1/2" MAXIMUM ROCK GRADATION.

INITIAL BACKFILL NATIVE MATERIAL - MAXIMUM SIZE NOT TO EXCEED 1-1/2".

TRENCH BACKFILL NATIVE MATERIAL - 90% COMPACTION MIN. UP TO CLASS IV SOILS, TYPE ML, CL: FINE GRAINED, LL<50, MEDIUM TO NO PLASTICITY. NOTE, IF CLASS IV SOIL, TYPE MH OR ALL CLASS V SOILS THEN REPLACE WITH CLEAN SAND. SUBGRADE AND AGGREGATE BASE SECTION COMPACTIONS ABOVE THE UTILITY TRENCH SHALL MATCH THE MINIMUM COMPACTIONS FOR PAVEMENT SECTION ABOVE THE UTILITY TRENCH, WHERE IT IS APPLICABLE.

CLEAN SAND SHALL CONFORM TO THE REQUIREMENTS OF SAND FOR PORTLAND CEMENT CONCRETE AS SPECIFIED IN SECTION 200-1.5.5 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

NOTES:

1. EXCAVATE FOR BELLS OR HUBS SO FULL LOAD IS CARRIED BY PIPE BARRELS.
2. BEDDING MATERIAL SHALL BE PLACED IN A MANNER SUCH AS SLICING SHOVEL-SPADING, OR SHOVEL RODDING TO INSURE COMPLETE FILLING OF THE "HAUNCH AREAS" BELOW THE PIPE. (JETTING OF BEDDING MATERIAL IS NOT AUTHORIZED UNLESS PREVIOUSLY APPROVED).
3. TRENCH BACKFILL SHALL BE COMPACTED IN ACCORDANCE WITH SECTION 306-12 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION WITH THE FOLLOWING EXCEPTIONS:

   (1) JETTED TRENCH BACKFILL SHALL NOT BE USED.
   (2) MINIMUM COMPACTION OF BEDDING AND TRENCH BACKFILL SHALL BE 90% RELATIVE COMPACTION.

1 | FLEXIBLE PIPE BEDDING DETAIL

N.T.S.

kpff
140 Newport Center Drive, Suite 100
Newport Beach, CA 92660
O: 949.478.8800
www.kpff.com

RESIDENTIAL CARE FACILITY

22549 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER ALI KHAKZAD No. C74768 Exp. 12/31/25 CIVIL STATE OF CALIFORNIA

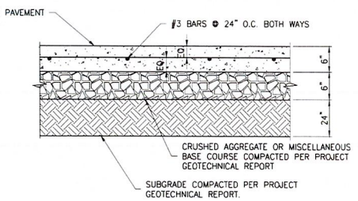
DATE	ISSUED FOR:

Date: 03/01/2024
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

DETAILS

SHEET:
C-500

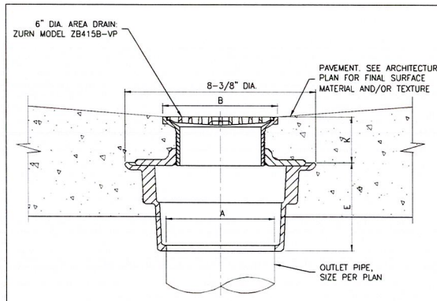
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NOTES:

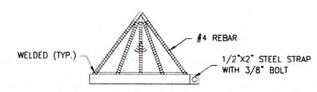
1. REFER TO ARCHITECTURAL PLANS FOR CONCRETE COLOR, PATTERN, TEXTURE, AND FINISH.
2. SEE PLAN FOR LOCATION OF CONTROL JOINTS.
3. CONCRETE MIX DESIGN SHALL CONFORM TO SSPWC 560-C-3250.

2 | REINFORCED CONCRETE PAVEMENT N.T.S.

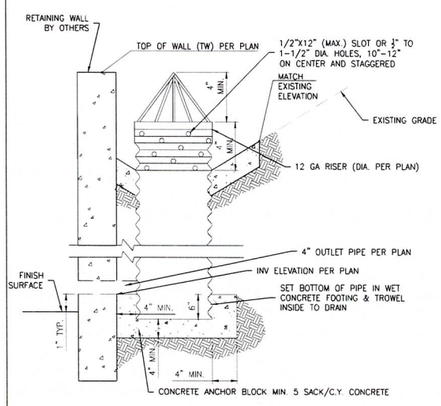


A PIPE SIZE (IN)	B STRAINER (IN)	K (IN) MIN.	K (IN) MAX.	E (IN)	STRAINER OPEN AREA (SQ IN)
4	6 DIA.	1-13/32	2-17/32	3-13/16	9

4 | NON-TRAFFIC AREA DRAIN N.T.S.



GRATE ASSEMBLY DETAIL



DRAIN PIPE AND RISER

3 | DESILTING INLET N.T.S.

1 | NOT USED N.T.S.

kpff
140 Newport Center Drive,
Suite 100
Newport Beach, CA 92660
O: 949.478.8800
www.kpff.com

RESIDENTIAL CARE FACILITY

22549 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
ALI KHAMO
No. C74768
Exp. 12/31/25
CIVIL
STATE OF CALIFORNIA

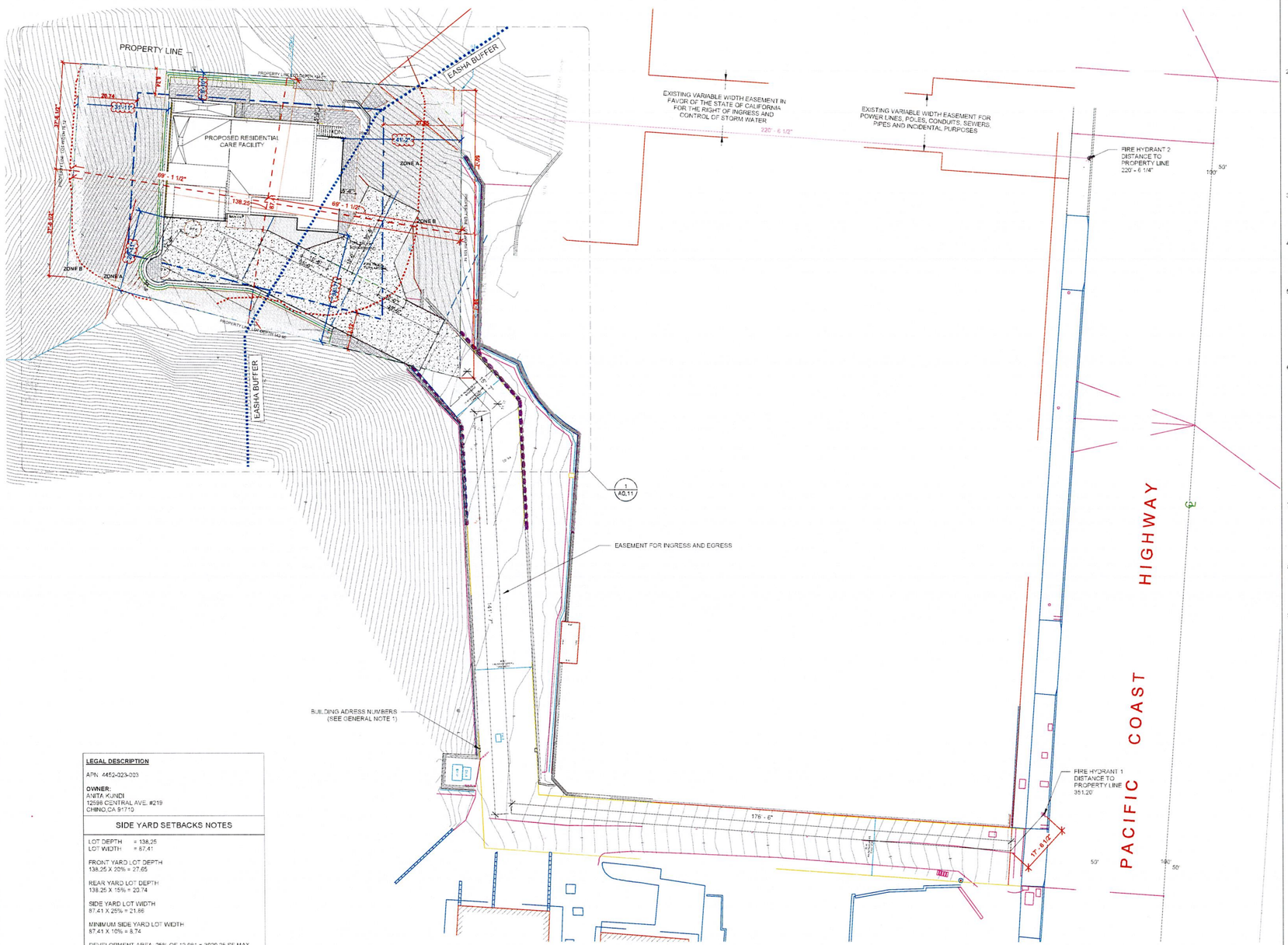
DATE	ISSUED FOR:

Date: 03/01/2024
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

DETAILS

SHEET:
C-501

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LEGAL DESCRIPTION

APN: 4452-023-003

OWNER:
ANITA KUNDI
12598 CENTRAL AVE. #219
CHINO,CA 91710

SIDE YARD SETBACKS NOTES

LOT DEPTH = 138.25
LOT WIDTH = 87.41

FRONT YARD LOT DEPTH
138.25 X 20% = 27.65

REAR YARD LOT DEPTH
138.25 X 15% = 20.74

SIDE YARD LOT WIDTH
87.41 X 25% = 21.86

MINIMUM SIDE YARD LOT WIDTH
87.41 X 10% = 8.74

DEVELOPMENT AREA 25% OF 12,081 = 3020.25 SF.MAX
PROPOSED DEVELOPMENT AREA = 3016.31 SF.

1 SITE PLAN
1/16" = 1'-0"

GENERAL NOTES

1. APPROVED BUILDING ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION SHALL BE PROVIDED AND MAINTAINED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. THE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND, BE ARABIC NUMERALS OR ALPHABET LETTERS, AND BE A MINIMUM OF 4 INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH. FIRE CODE 505.1
2. WHEN SECURITY GATES ARE PROVIDED, MAINTAIN A MINIMUM ACCESS WIDTH OF 20 FEET. THE SECURITY GATE SHALL BE PROVIDED WITH AN APPROVED MEANS OF EMERGENCY OPERATION, AND SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F220. GATES SHALL BE OF THE SWINGING OR SLIDING TYPE. CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON. FIRE CODE 503.6.
3. THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF ONE (1) HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.
4. 6 X 4 X 2-1/2" FIRE HYDRANTS FBU-WATER & ADESS. ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL.
5. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE 903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION REASON: BUILDING CODE 435.7.1 FIRE CODE 903.2.8 AND 903.2.11.7. LOCATION: ROFF AND GARAGE TYPE OF FIRE SPRINKLER SYSTEM : FIRE CODE 903.3.1.3 - NFPA 13D.
6. HOUSEHOLD FIRE ALARM SYSTEMS INSTALLED IN ACCORDANCE WITH NFPA 72 THAT INCLUDE SMOKE ALARMS, OR A COMBINATION OF SMOKE DETECTOR AND AUDIBLE NOTIFICATION DEVICE INSTALLED AS REQUIRED BY THIS SECTION FOR SMOKE ALARMS, SHALL BE PERMITTED. THE HOUSEHOLD FIRE ALARM SYSTEM SHALL PROVIDE THE SAME LEVEL OF SMOKE DETECTION AND ALARM AS REQUIRED BY THIS SECTION FOR SMOKE ALARMS. WHERE A HOUSEHOLD FIRE WARNING SYSTEM IS INSTALLED USING A COMBINATION OF SMOKE DETECTION AND AUDIBLE NOTIFICATION DEVICE, IT SHALL BECOME A PERMANENT FIXTURE OF THE OCCUPANCY AND OWNED BY THE HOMEOWNER. THE SYSTEM SHALL BE MONITORED BY AN APPROVED SUPERVISING STATION AND BE MAINTAINED IN ACCORDANCE WITH NFPA 72. RESIDENTIAL CODE R314.2
7. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R314.3
8. SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. RESIDENTIAL CODE R314.4
9. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN THE DWELLING UNIT OR WITHIN A SLEEPING UNIT THE ALARM SHALL BE INTERCONNECTED IN A MANNER THAT ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R315.1,2, BUILDING CODE 420.4.1
10. SINGLE- AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS: 1. OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S). 2. ON EVERY LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS. 3. FOR R-7 ONLY, A. ON THE CEILING OF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
11. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.5.6 AND BUILDING CODE 705A.4)
12. CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325
13. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN BUILDING CODE 1505.1.1 (RESIDENTIAL CODE R327.5.2 & R902)
14. ELEVATORS, ESCALATORS AND MOVING WALKS SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN BUILDING CODE CHAPTER 30

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
EXP. 12-31-23
STATE OF CALIFORNIA

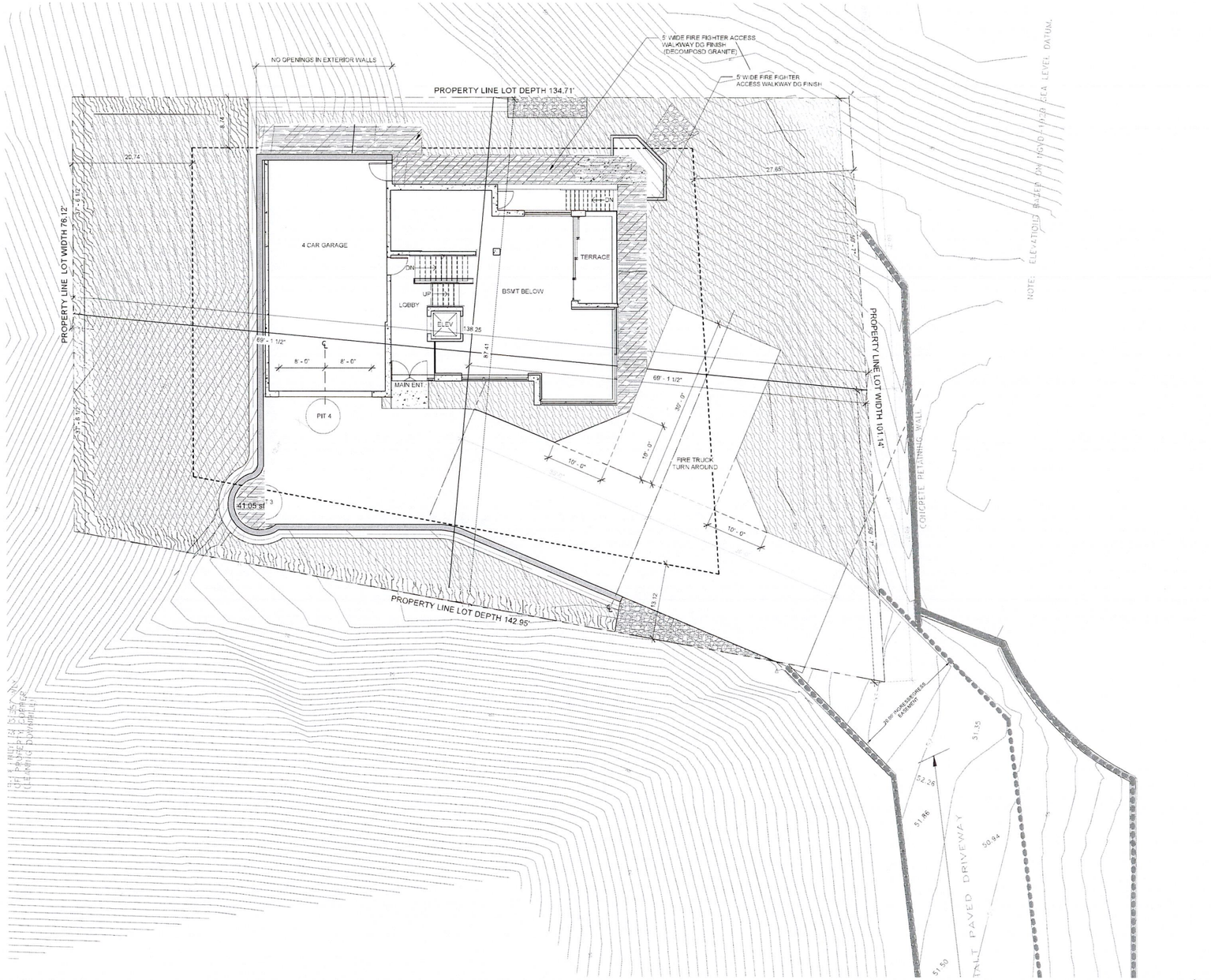
SITE PLAN

RESIDENTIAL CARE FACILITY FOR THE ELDERY
22549 PACIFIC COAST HWY. MALIBU, CA

A0.10

Scale As indicated

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1 ENLARGED SITE PLAN
1/8" = 1'-0"

KEYNOTES

NO.	DESCRIPTION

SIDE YARD SETBACKS NOTES

LOT DEPTH = 138.25
LOT WIDTH = 87.41

FRONT YARD LOT DEPTH
138.25 X 20% = 27.65

REAR YARD LOT DEPTH
138.25 X 15% = 20.74

SIDE YARD LOT WIDTH
87.41 X 25% = 21.86

MINIMUM SIDE YARD LOT WIDTH
87.41 X 10% = 8.74

DEVELOPMENT AREA: 25% OF 12,081 = 3020.25 SF.MAX
PROPOSED DEVELOPMENT AREA = 3016.31 SF.

LEGEND

- CONCRETE PAVING
- PLANTER AREA / LANDSCAPE
- RIP - RAP +(REFER TO C5.00 FOR DETAILS)
- DG SERVICE PATH
- EXISTING RETAINING WALLS
- PROPOSED RETAINING WALLS

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-23
STATE OF CALIFORNIA

ENLARGED SITE PLAN

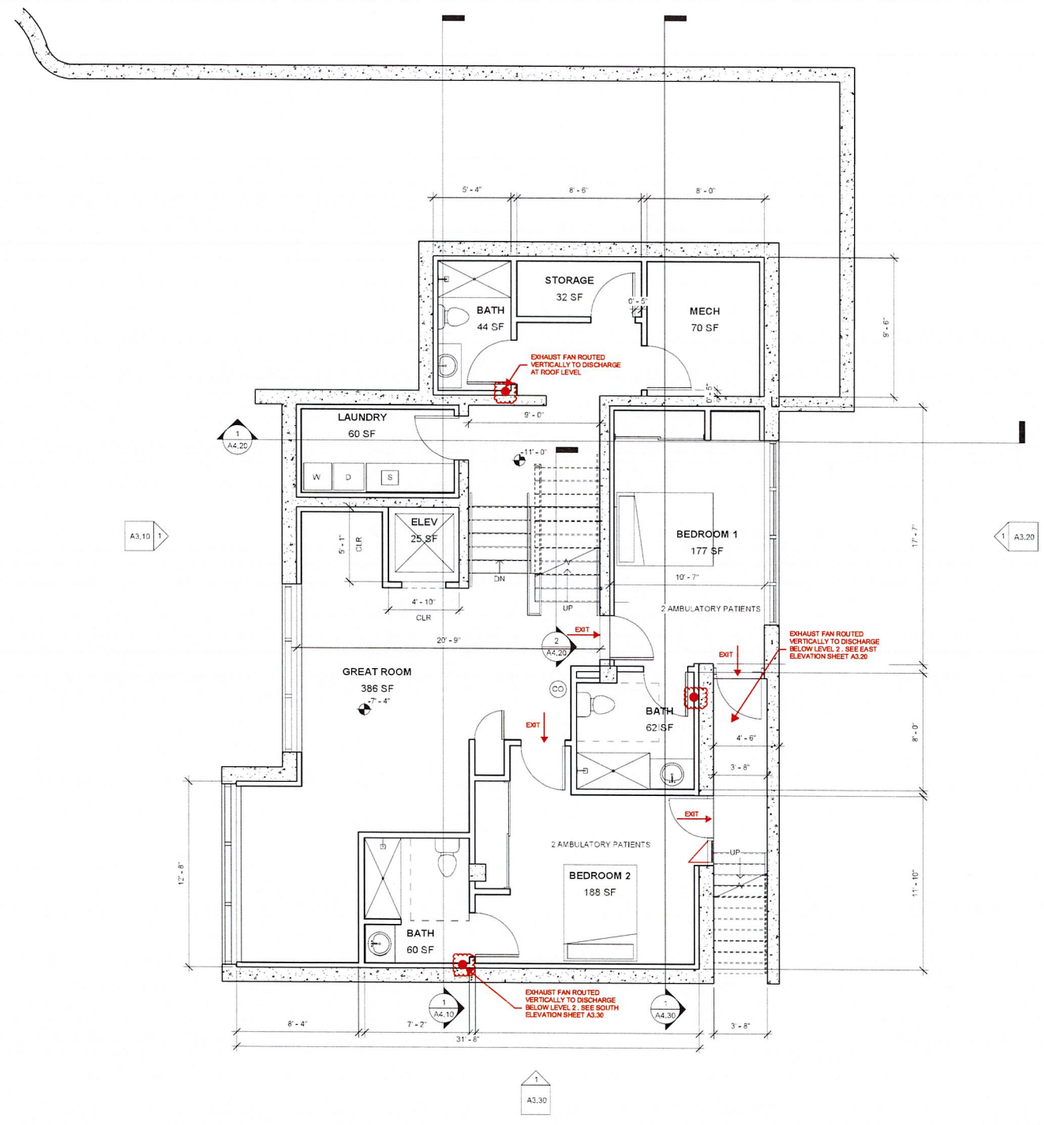
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A0.11

Scale As indicated

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1 BASEMENT FLOOR PLAN
1/4" = 1'-0"

KEYNOTES

NO.	DESCRIPTION

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE (EXTERIOR WALLS MIN. 8" THICK)

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-13
STATE OF CALIFORNIA

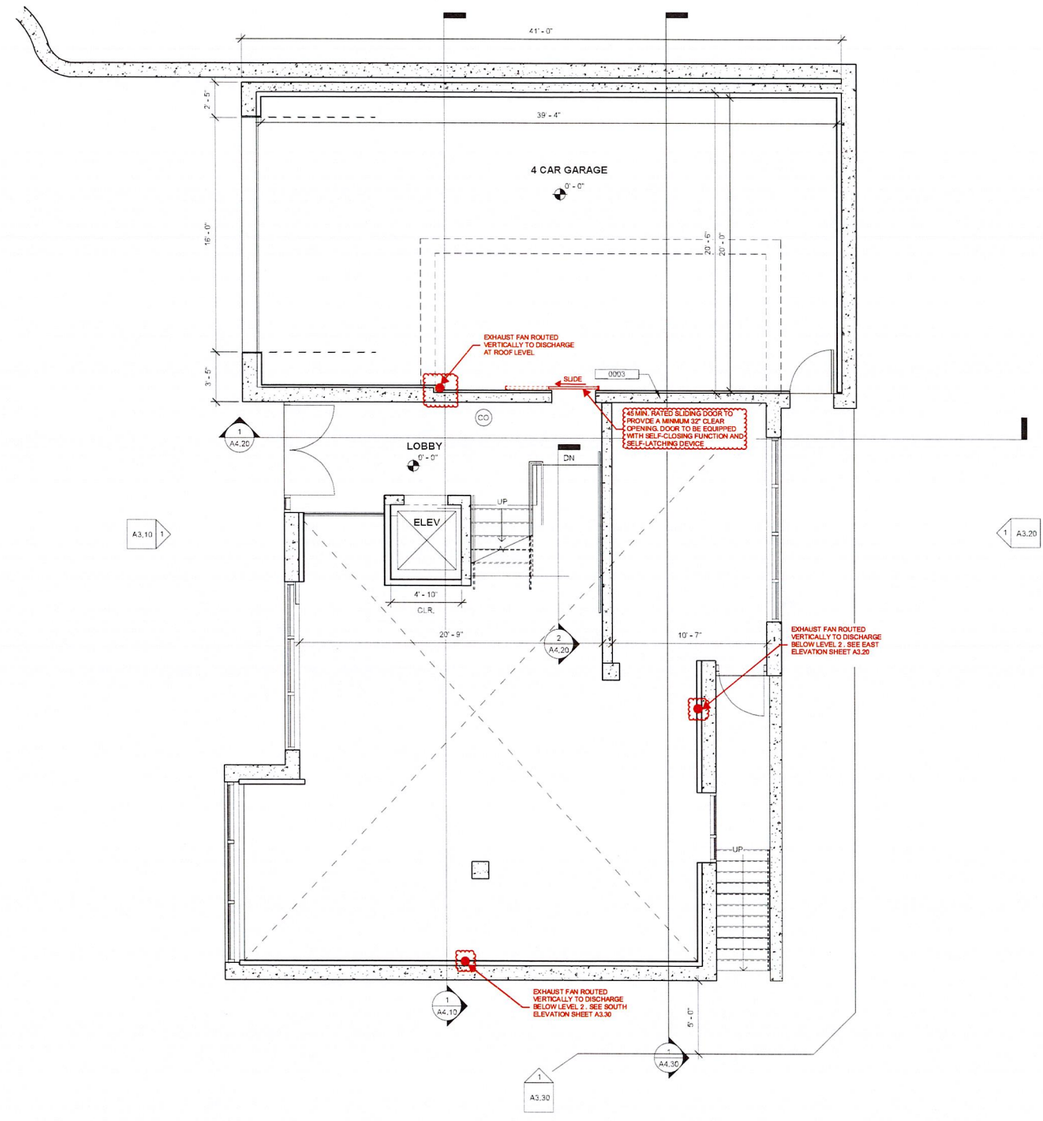
BASEMENT FLOOR PLAN

RESIDENTIAL CARE
FACILITY FOR THE ELDERY
22549 PACIFIC COAST
HWY. MALIBU, CA

A1.00

Scale As indicated

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1 ENTRY LEVEL FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTIPANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES: THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON-COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTENDS OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL.
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL.
5	**ALL DOORWAYS TO PROVIDE A MINIMUM 32" CLEAR OPENING.**
6	**SLIDING GLASS DOORS SERVING THE TERRACES WILL NOT REQUIRE MORE THAN A 30-POUND FORCE TO BE SET IN MOTION AND WILL MOVE TO A FULL-OPEN POSITION WHEN SUBJECTED TO NOT MORE THAN A 15-POUND FORCE.**

KEYNOTES

NO.	DESCRIPTION
0003	1 HOUR BARRIER BETWEEN THE "U" OCCUPANCY AND THE "R-3.1" OCCUPANCY. REFER TO BUILDING SECTION 1/A4.10

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE **(EXTERIOR WALLS MIN. 8" THICK)**

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
12-31-23
STATE OF CALIFORNIA

ENTRY LEVEL FLOOR PLAN

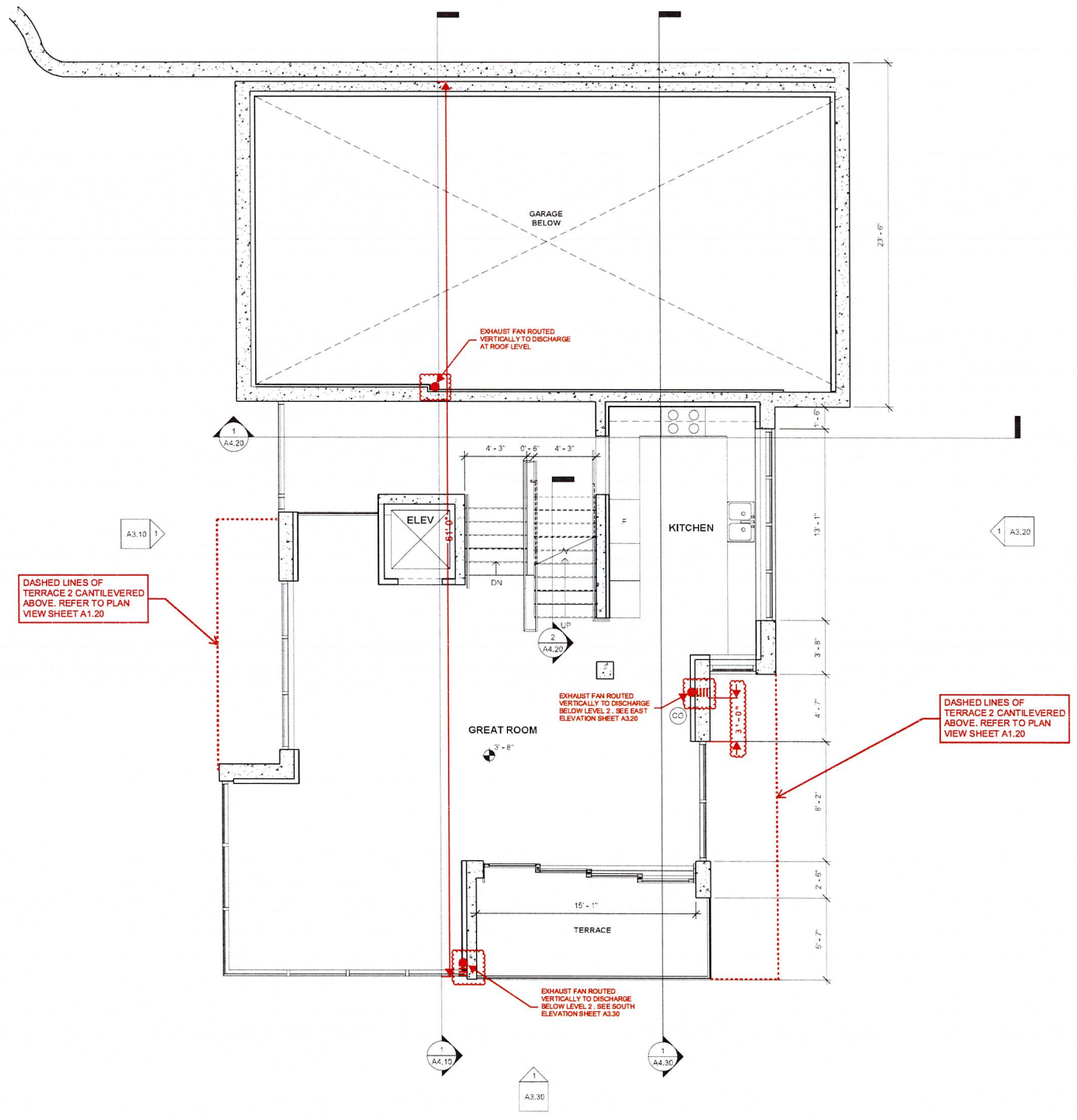
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.05

Scale As indicated

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1 FIRST FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS,GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTEND OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL.
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL.
5	ALL DOORWAYS TO PROVIDE A MINIMUM 32" CLEAR OPENING.
6	SLIDING GLASS DOORS SERVING THE TERRACES WILL NOT REQUIRE MORE THAN A 30-POUND FORCE TO BE SET IN MOTION AND WILL MOVE TO A FULL-OPEN POSITION WHEN SUBJECTED TO NOT MORE THAN A 15-POUND FORCE.

KEYNOTES

NO.	DESCRIPTION

LEGEND

- (CO) CARBON MONOXIDE DETECTOR / FIRE ALARM
- CONCRETE (EXTERIOR WALLS MIN. 8" THICK)

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-23
STATE OF CALIFORNIA

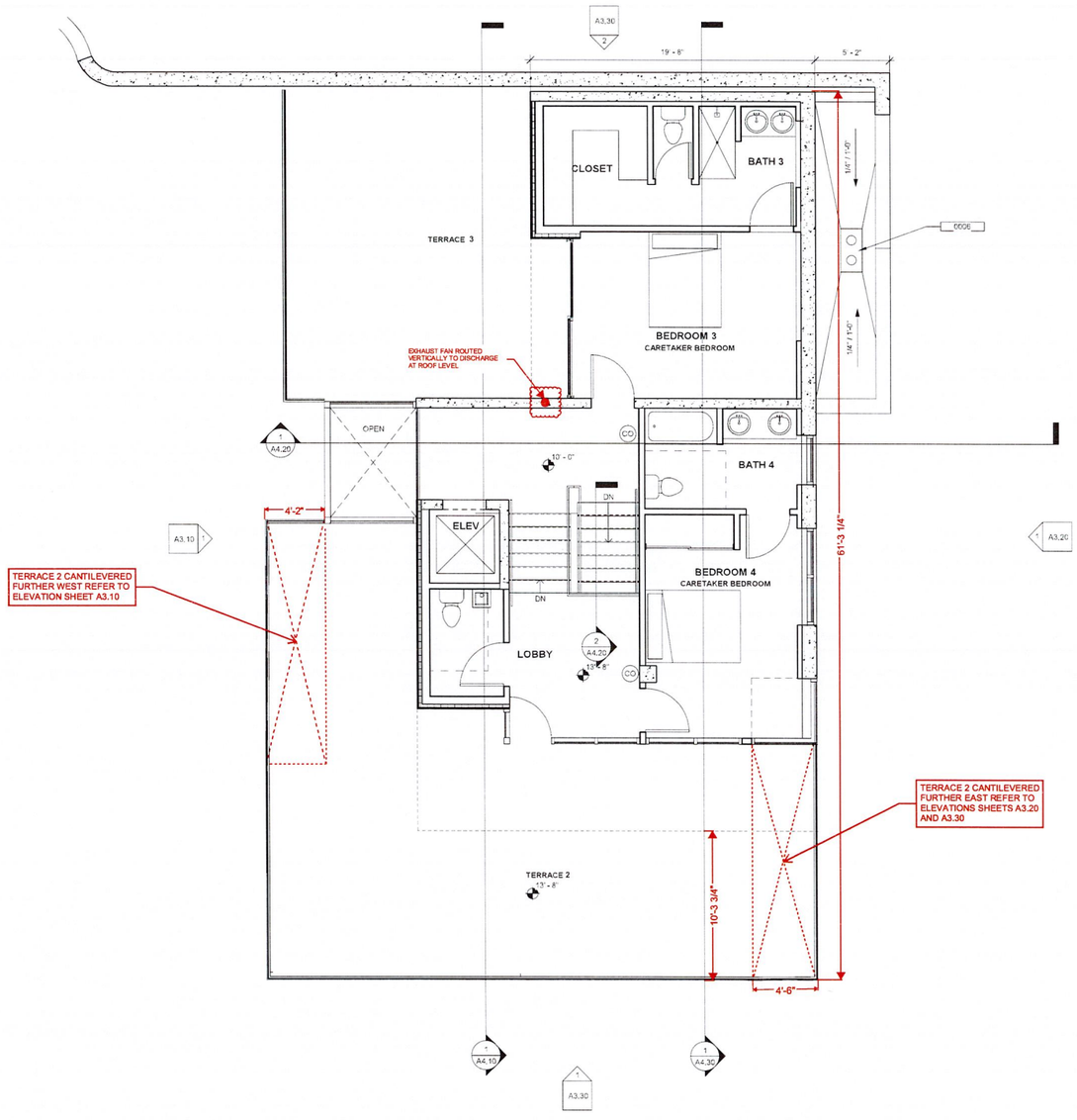
FIRST FLOOR PLAN

RESIDENTIAL CARE
FACILITY FOR THE ELDERY
22549 PACIFIC COAST
HWY. MALIBU, CA

A1.10

Scale As indicated

9/26/2023 11:16:26 AM



1 SECOND FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS,GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON-COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTEND OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL
5	ALL DOORWAYS TO PROVIDE A MINIMUM 32" CLEAR OPENING
6	SLIDING GLASS DOORS SERVING THE TERRACES WILL NOT REQUIRE MORE THAN A 30-POUND FORCE TO BE SET IN MOTION AND WILL MOVE TO A FULL-OPEN POSITION WHEN SUBJECTED TO NOT MORE THAN A 15-POUND FORCE.

KEYNOTES

NO.	DESCRIPTION
0606	ROOF DRAIN.

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE (EXTERIOR WALLS MIN. 8" THICK)

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-17733
12-31-23
STATE OF CALIFORNIA

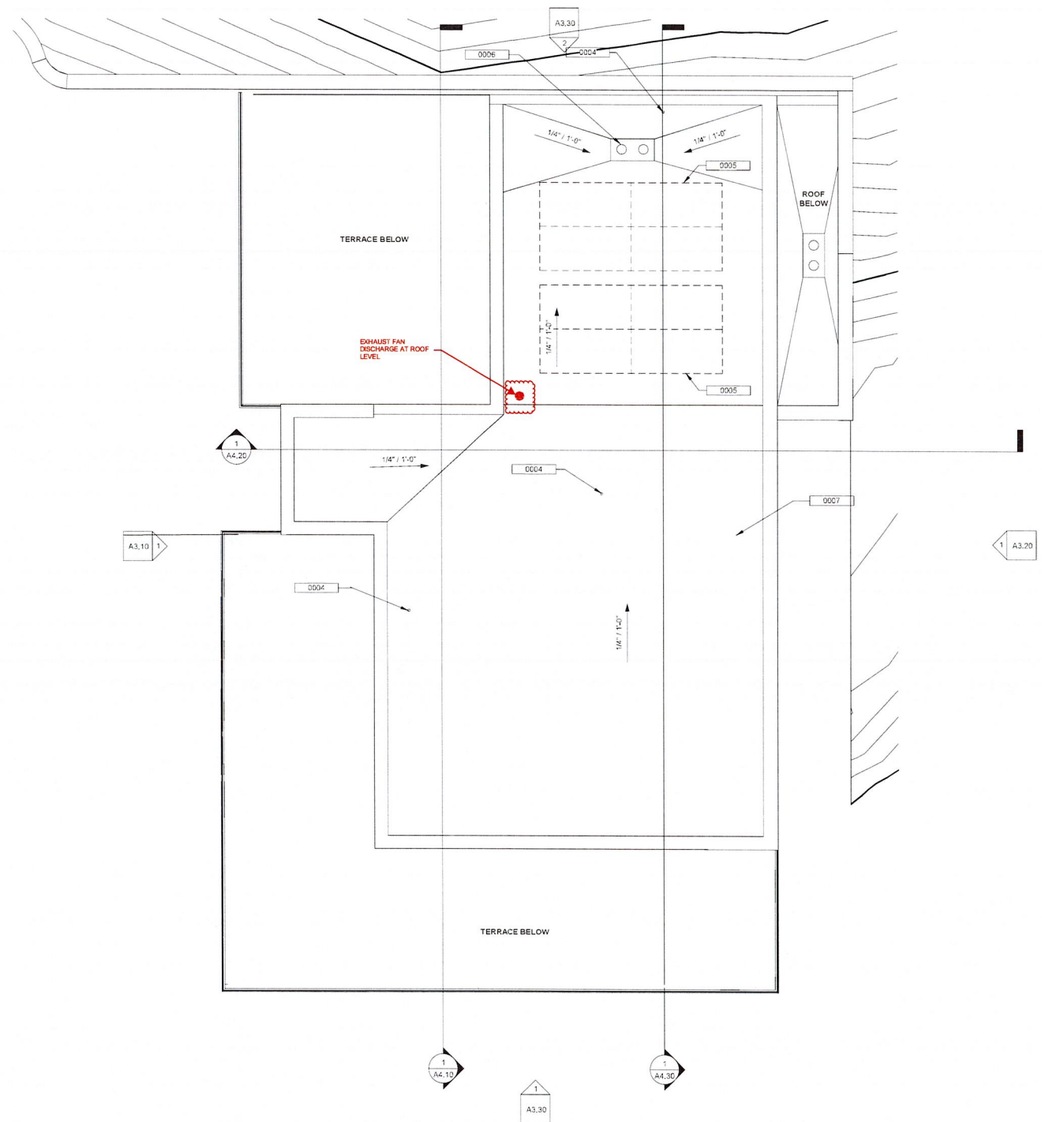
SECOND FLOOR PLAN

RESIDENTIAL CARE
FACILITY FOR THE ELDERY
22549 PACIFIC COAST
HWY. MALIBU, CA

A1.20

Scale As indicated

8/30/2023 11:48:41 AM



1 ROOF PLAN
1/4" = 1'-0"

GENERAL NOTES

1. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
2. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 705A.1)

KEYNOTES

NO.	DESCRIPTION
0004	VENT TUBE.
0005	P.V. PANELS. 6'-0" 5'-5" X 3'-3", SLOPED 15D ANGLE. MAX T.O. PANEL 24'-6" HEIGHT LIMIT.
0006	ROOF DRAIN.
0007	REINFORCED PVC ROOFING SYSTEM. COVERBOARD 'DENSDECK' OVER 'SARNAFIL G410-15' MEMBRANE OVER 'SARNATHERM ISO' INSULATION R30.

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-23
STATE OF CALIFORNIA

ROOF PLAN

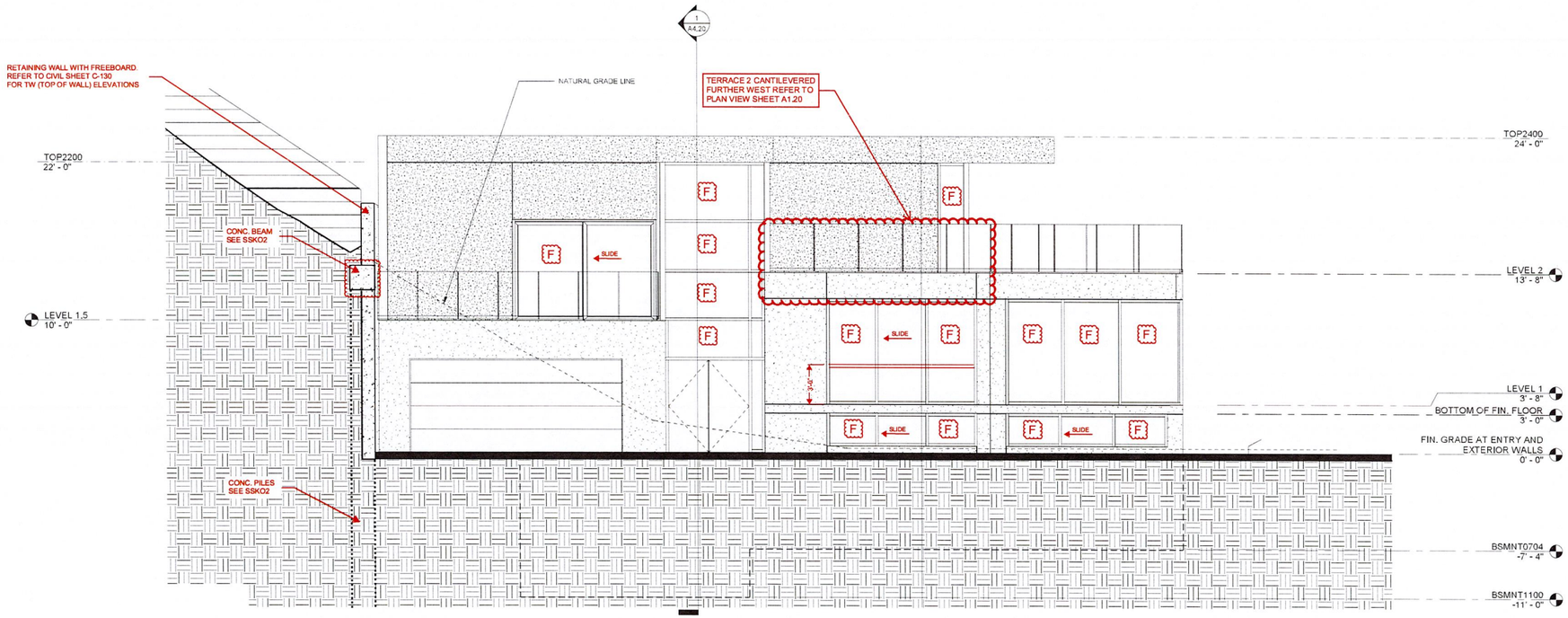
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.30

Scale As indicated

8/25/2023 11:16:27 AM



1 WEST ELEVATION
1/4" = 1'-0"

LEGEND

- CONCRETE
- PLASTER
- F FIXED WINDOW

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-23
STATE OF CALIFORNIA

WEST ELEVATION

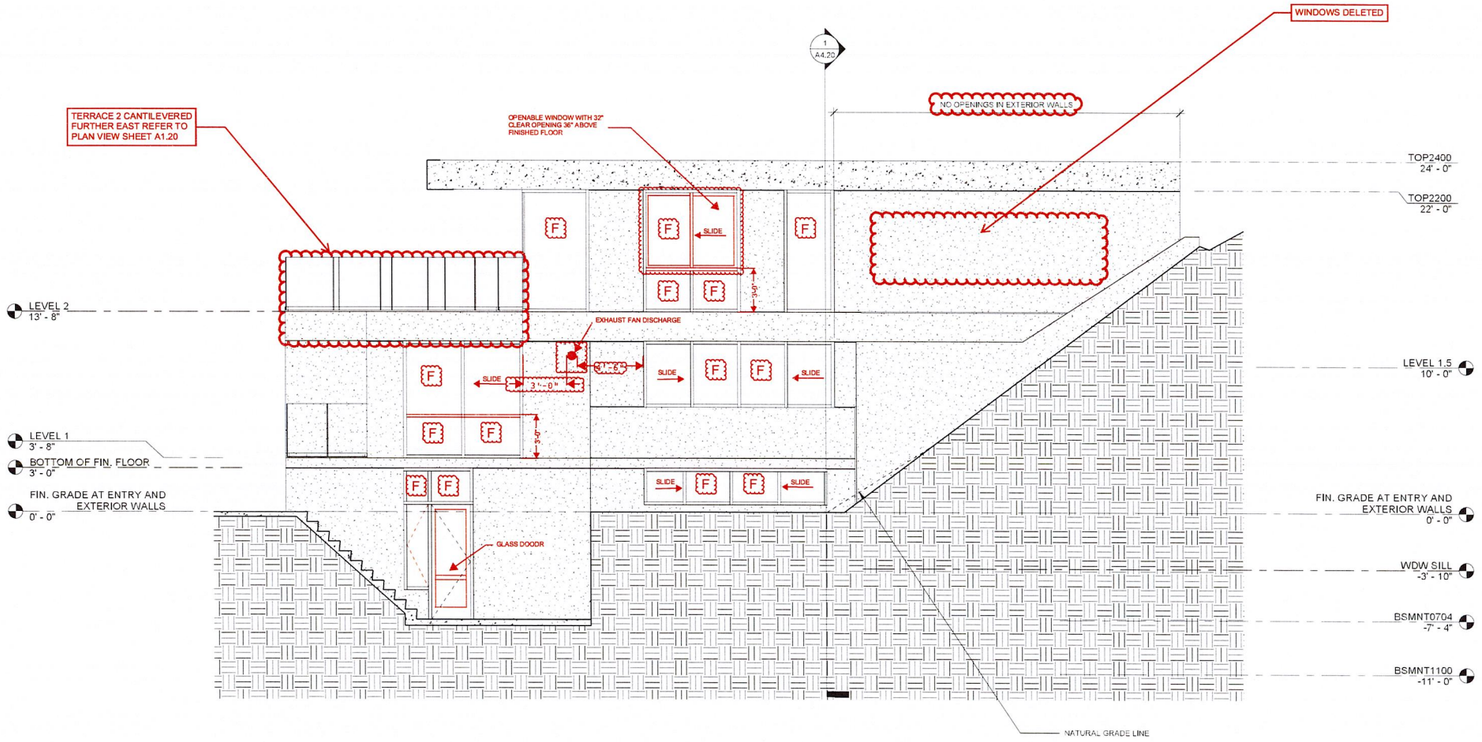
RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

A3.10

Scale 1/4" = 1'-0"

9/26/2023 11:16:28 AM



1 EAST ELEVATION
1/4" = 1'-0"

LEGEND

- CONCRETE
- PLASTER
- F FIXED WINDOW

No.	Description	Date
2	BK02	06/29/2020

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
12-31-23
STATE OF CALIFORNIA

EAST ELEVATION

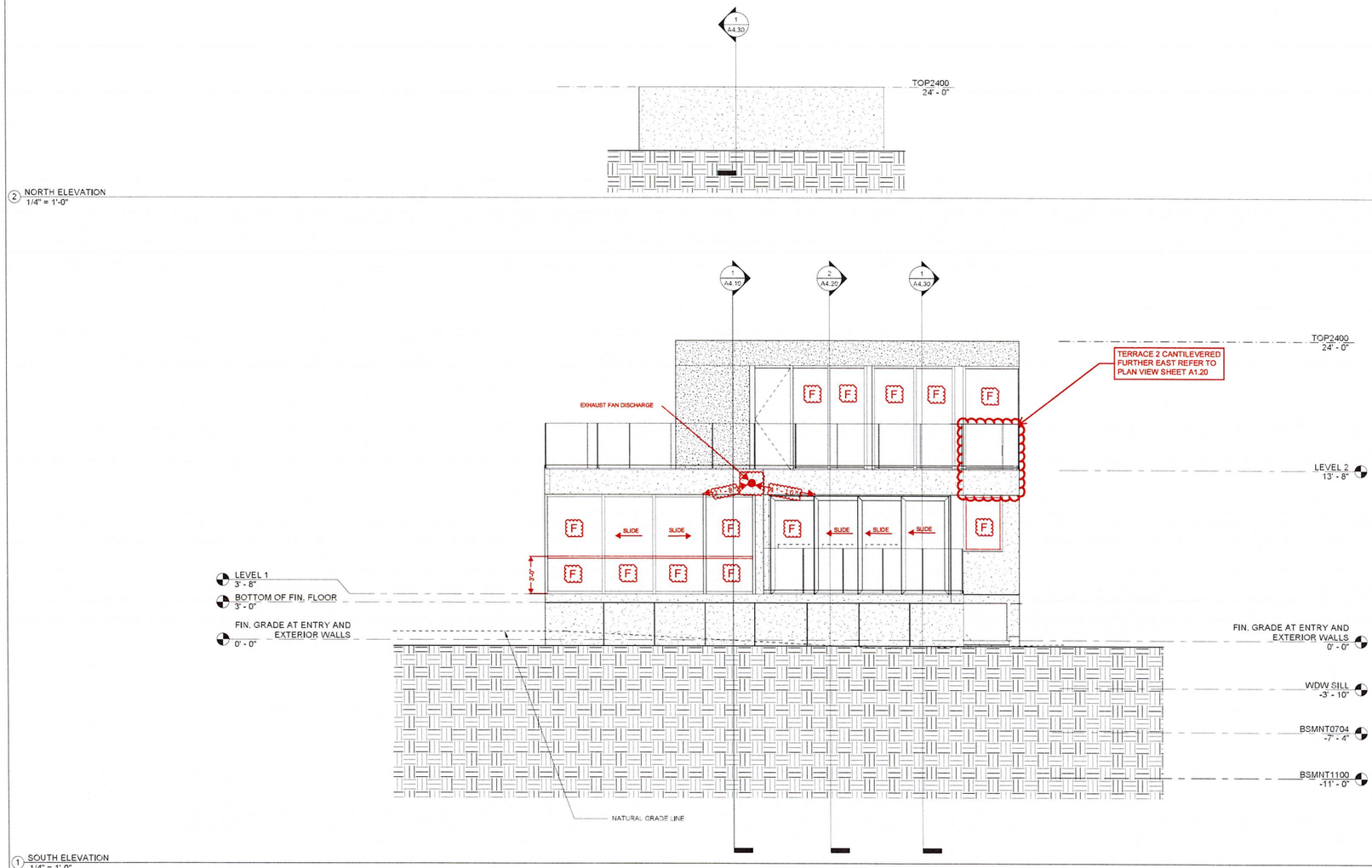
RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

A3.20

Scale 1/4" = 1'-0"

8/26/2023 11:16:28 AM



LEGEND

CONCRETE

PLASTER

F FIXED WINDOW

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
12-31-23
STATE OF CALIFORNIA

NORTH AND SOUTH ELEVATION

RESIDENTIAL CARE FACILITY FOR THE ELDERY

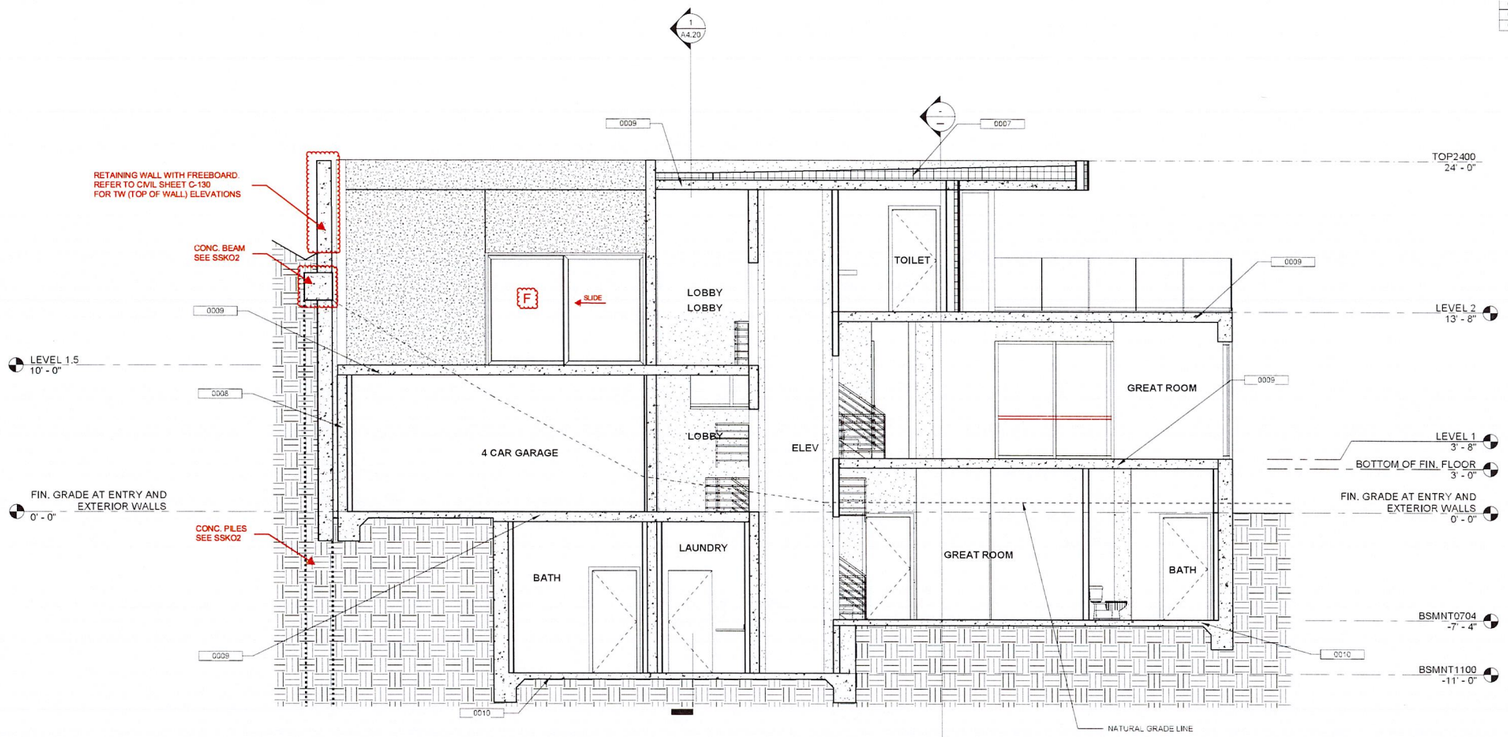
22549 PACIFIC COAST HWY. MALIBU, CA

A3.30

Scale 1/4" = 1'-0"

8/30/2023 11:48:41 AM

KEYNOTES	
NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0008	8" CONCRETE WALL
0009	6" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE



1 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
EXP. 12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

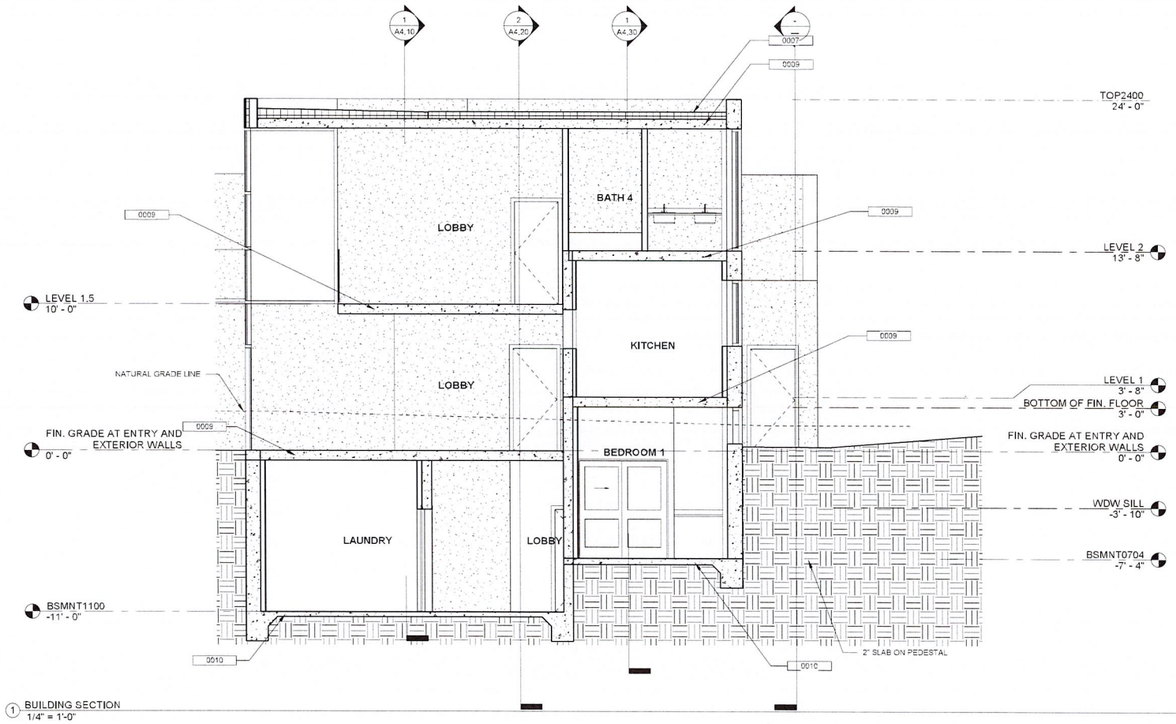
22549 PACIFIC COAST
HWY. MALIBU, CA

A4.10

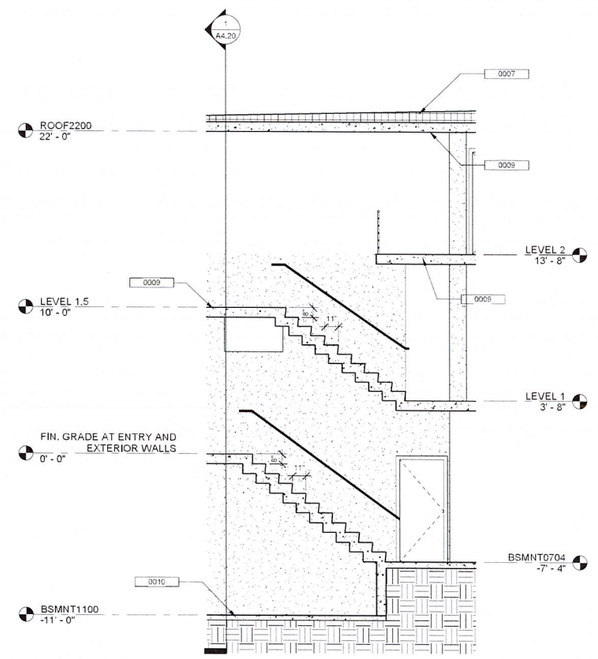
Scale 1/4" = 1'-0"

9/28/2023 11:16:30 AM

KEYNOTES	
NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM. COVERBOARD: DENSDECK' OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0009	6" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE



1 BUILDING SECTION
1/4" = 1'-0"



2 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY
22549 PACIFIC COAST
HWY. MALIBU, CA

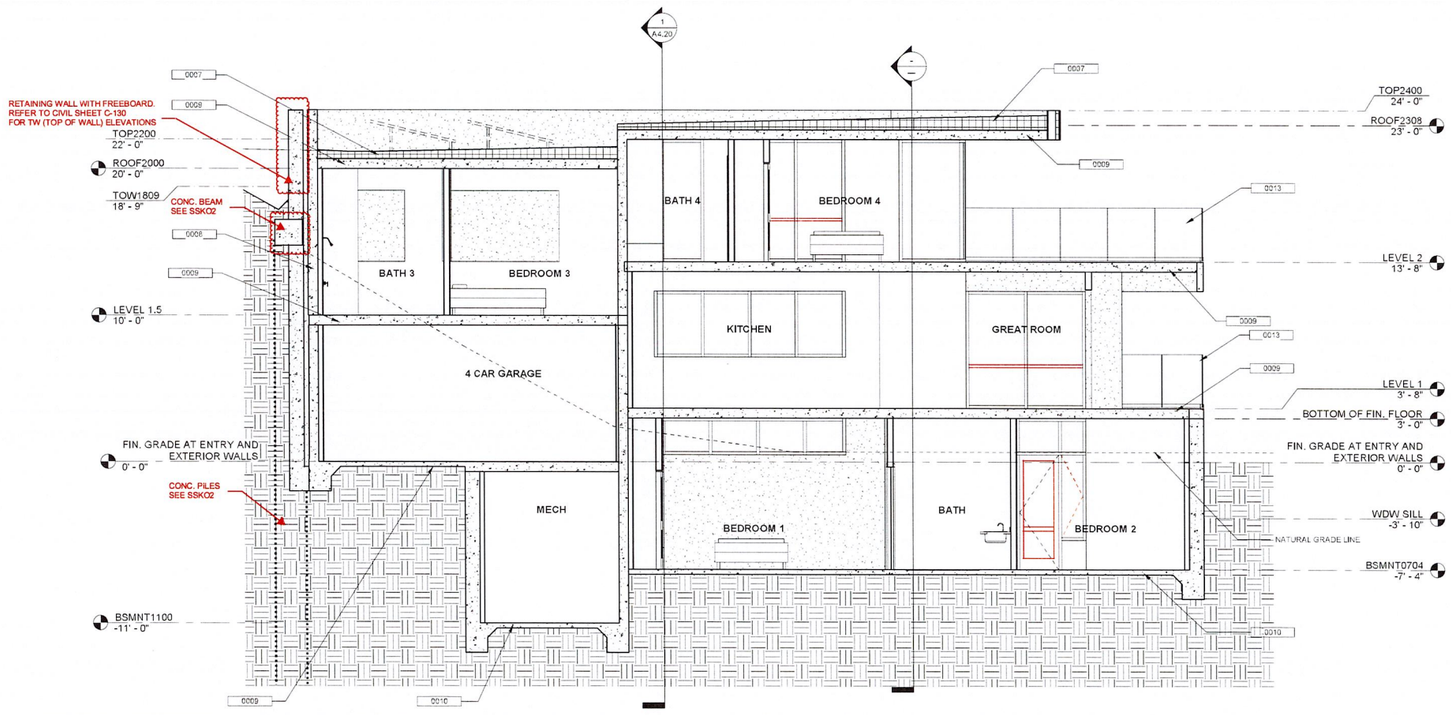
A4.20

Scale 1/4" = 1'-0"

8/26/2023 11:16:31 AM

KEYNOTES

NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM, COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0008	8" CONCRETE WALL
0009	6" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE
0013	3'-6" HIGH GLASS GUARDRAIL



1 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-11733
12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

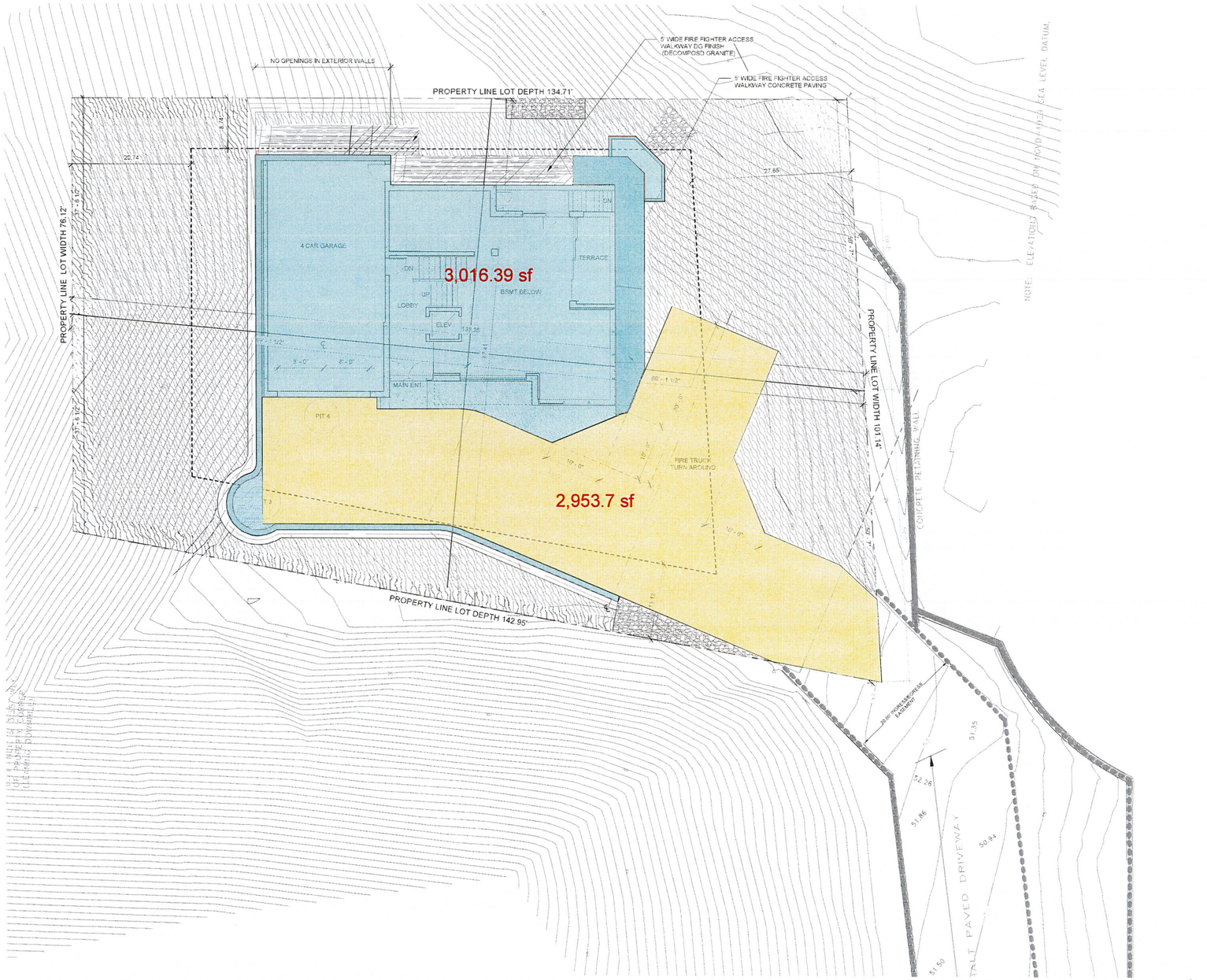
RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

A4.30

Scale 1/4" = 1'-0"

8/26/2023 11:16:31 AM



1 ENLARGED SITE PLAN
1/8" = 1'-0"

KEYNOTES

NO.	DESCRIPTION

SIDE YARD SETBACKS NOTES

LOT DEPTH = 138.25
LOT WIDTH = 87.41

FRONT YARD LOT DEPTH
138.25 X 20% = 27.65

REAR YARD LOT DEPTH
138.25 X 15% = 20.74

SIDE YARD LOT WIDTH
87.41 X 25% = 21.86

MINIMUM SIDE YARD LOT WIDTH
87.41 X 10% = 8.74

DEVELOPMENT AREA: 25% OF 12,081 = 3020.25 SF.MAX
PROPOSED DEVELOPMENT AREA = 3016.31 SF.

LEGEND

- CONCRETE PAVING
- PLANTER AREA / LANDSCAPE
- RIP - RAP +(REFER TO C5.00 FOR DETAILS)
- DG SERVICE PATH
- EXISTING RETAINING WALLS
- PROPOSED RETAINING WALLS

DEVELOPMENT AREA

THE AREA OF ONE ACCESS DRIVEWAY TWENTY FEET WIDE, AND ONE HAMMERHEAD SAFETY TURNAROUND, AS REQUIRED BY THE LOS ANGELES COUNTY FIRE DEPARTMENT IS EXCLUDED FROM THE TOTAL DEVELOPMENT AREA AS DEFINED IN LIP CHAPTER 2 PER YOUR BIOLOGY REVIEW SHEET

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-31733
12-31-23
STATE OF CALIFORNIA

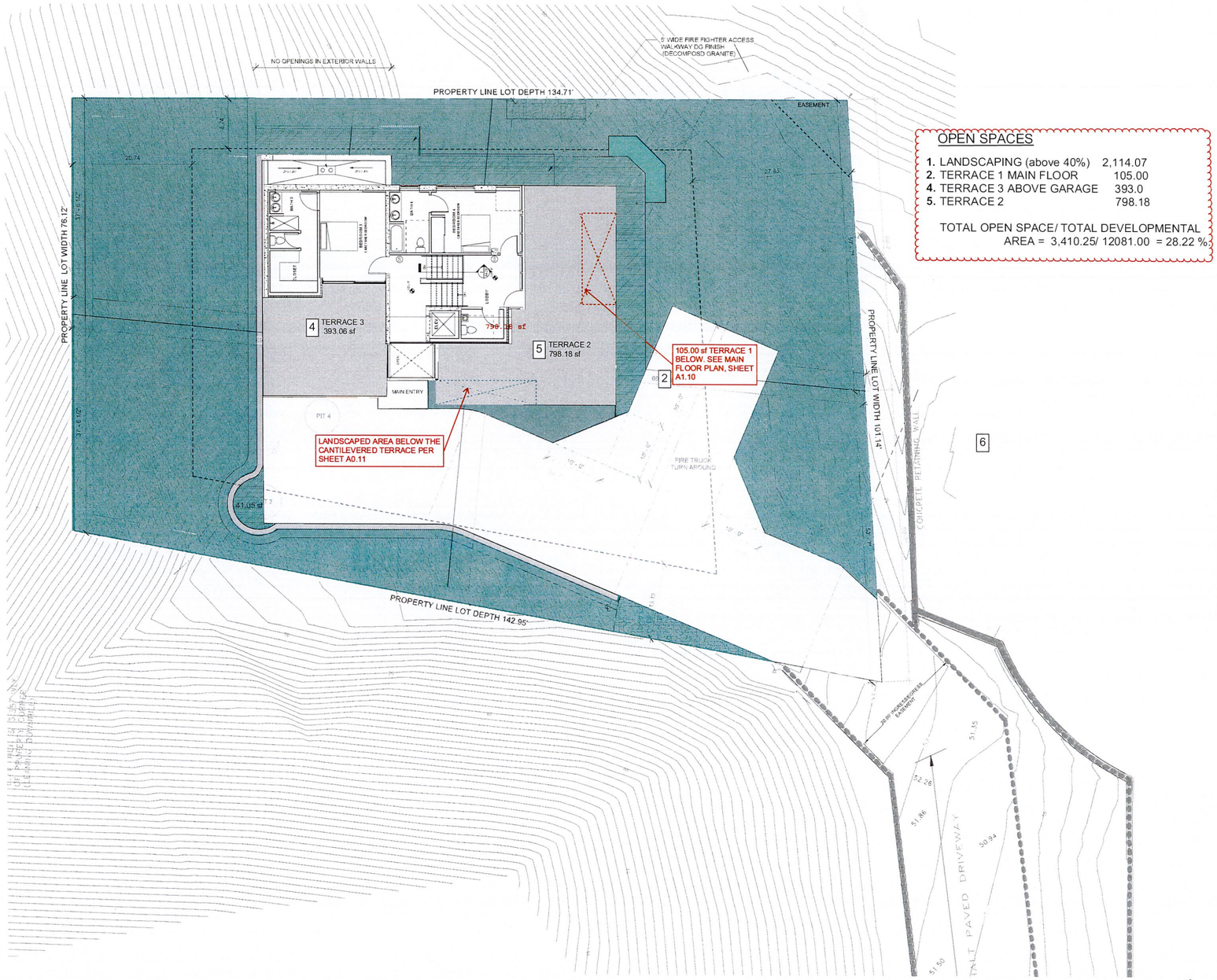
ENLARGED SITE PLAN

RESIDENTIAL CARE FACILITY FOR THE ELDERY
22549 PACIFIC COAST HWY. MALIBU, CA

G0.06

Scale As indicated

9/25/2023 5:57:36 PM



OPEN SPACES

1.	LANDSCAPING (above 40%)	2,114.07
2.	TERRACE 1 MAIN FLOOR	105.00
4.	TERRACE 3 ABOVE GARAGE	393.0
5.	TERRACE 2	798.18

TOTAL OPEN SPACE/ TOTAL DEVELOPMENTAL AREA = 3,410.25/ 12081.00 = 28.22 %

KEYNOTES

NO.	DESCRIPTION

LEGEND

- LANDSCAPE
- OPEN SPACE AREAS

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-17733
RENEWAL 12-31-23
STATE OF CALIFORNIA

OPEN SPACE AREAS
ENLARGED SITE PLAN

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

G0.07

Scale As indicated

1 ENLARGED SITE PLAN
1/8" = 1'-0"

No.	Description	Date

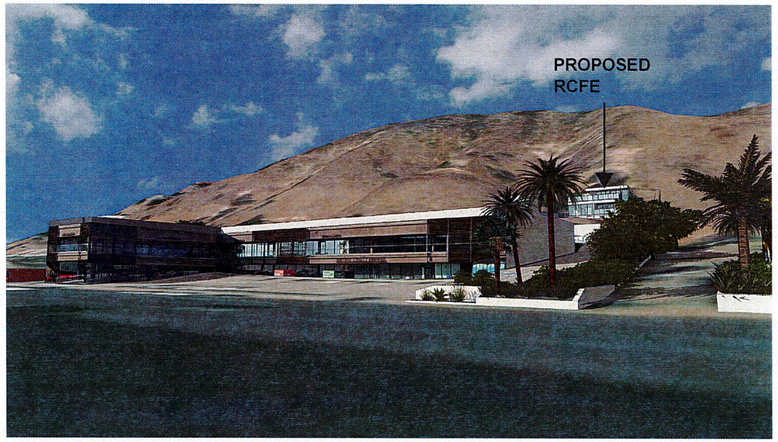
LINE OF SIGHT AND PHOTOSIMULATIONS: KEY PLAN OF VIEWS

RESIDENTIAL CARE FACILITY FOR THE ELDERLY

22549 PACIFIC COAST HWY. MALIBU, CA

PH.01

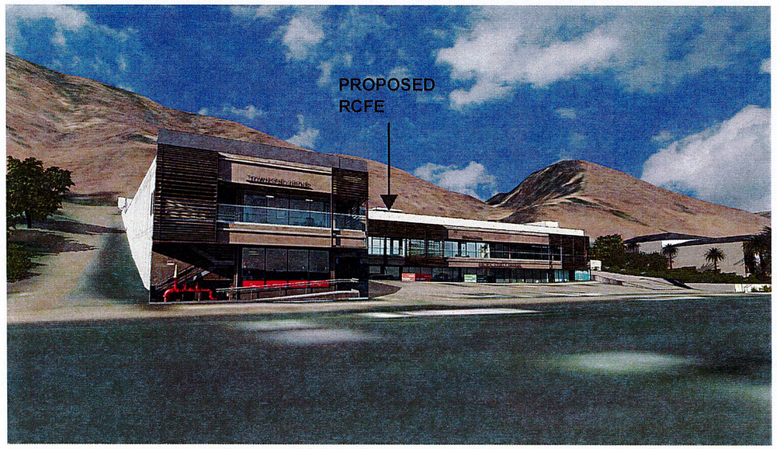
Scale As indicated



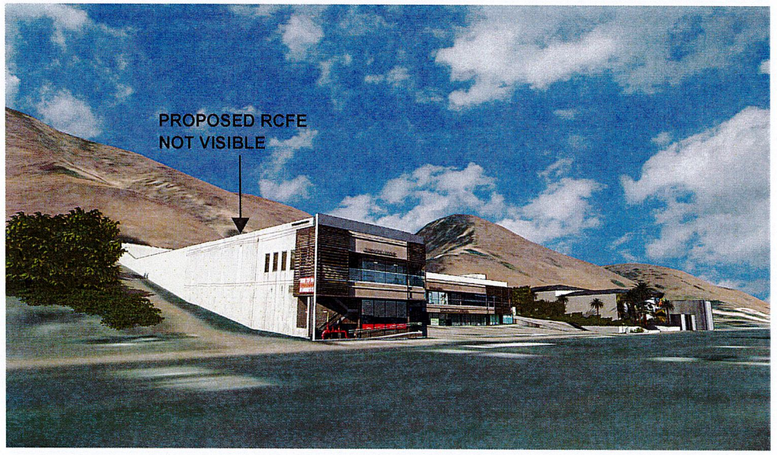
VIEW 1



VIEW 2



VIEW 3



VIEW 4

No.	Description	Date

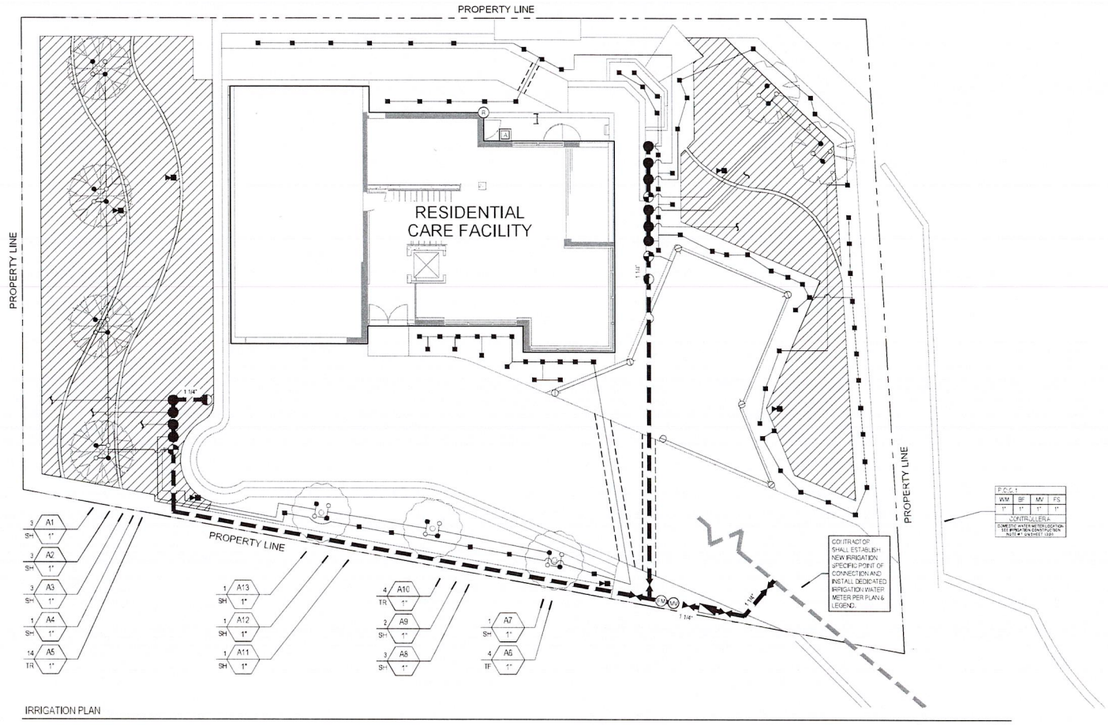
LINE OF SIGHT AND PHOTOSIMULATION VIEWS 1-4

RESIDENTIAL CARE FACILITY FOR THE ELDERLY

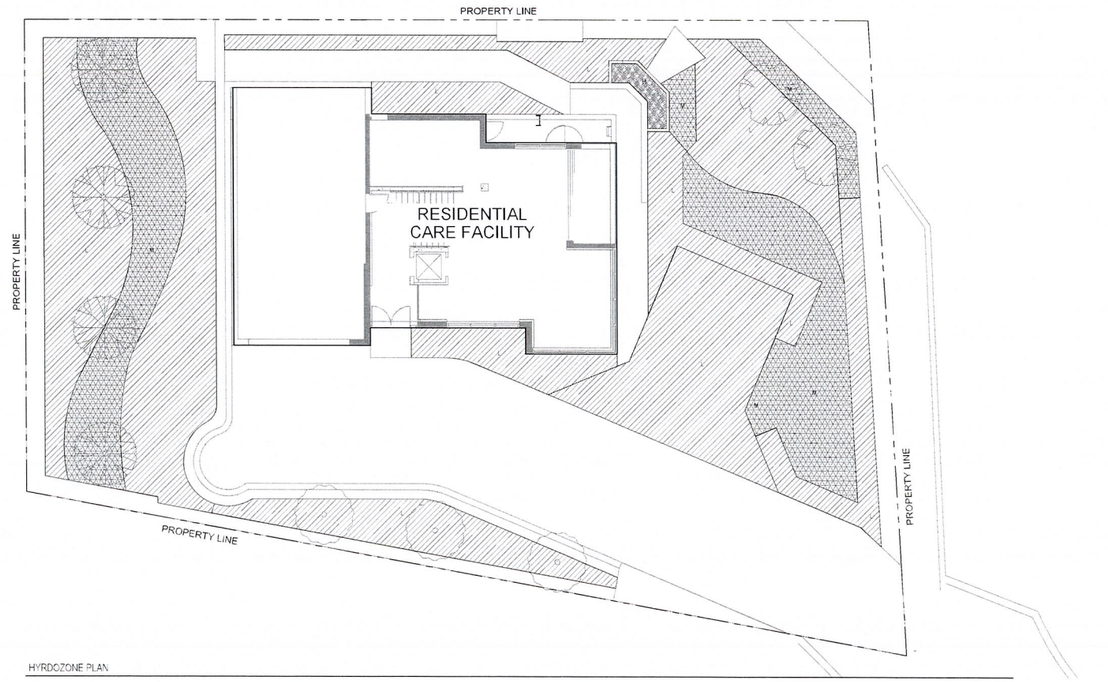
22549 PACIFIC COAST HWY. MALIBU, CA

PH.02

Scale As indicated



IRRIGATION PLAN



HYRDOZONE PLAN

NOTE

The irrigation design presented in these documents is intended to be diagrammatic. All irrigation equipment, piping and valve locations, etc. shown within paved areas are for design clarification and shall only be installed in planting areas. Irrigation Contractor shall install all remote control valves, quick couplers, and gate valves, in shrub planting areas or as approved by owner's representative & the landscape irrigation designer. Avoid any conflicts between the sprinkler system, planting and architectural features.

STATEMENT OF COMPLIANCE

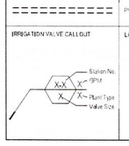
I have complied with the criteria of Malibu Municipal Code Chapter 17.33 and applied them for the efficient use of water in the irrigation design plan.
Preparer Name: Raphael Gandi
Professional License/Designation: Landscape Architect
Preparer Signature:

Section 4216/4217 of the government code requires a dig alert identification number (i.e. issued before a "permit to excavate" will be valid.
1-800-227-2600
Call (2) working days before you dig

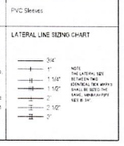
IRRIGATION LEGEND

SYMBOL	RADIUS F H Q A	MANUF	MODEL NO. WITH NOZZLE SIZE & TYPE
	45'	Hunter	MP800SR-360 on PRO-06-PRS40-CV
	45'	Hunter	MP800SR-90 on PRO-06-PRS40-CV
	15'-15'	Hunter	MP2000-360 on PRO-06-PRS40-CV
	15'-15'	Hunter	MP2000-90 on PRO-06-PRS40-CV
	15'-15'	Hunter	MP2000-270 on PRO-06-PRS40-CV
●	-	RainBird	RWS-B-C-1402 (50 GPM)
○	-	RainBird	1402 on 1400 w/ PAWC
□	2.5'/4'	RainBird	5-SAH-F on 1804-SAM-PRS
◥	2.5'/4'	RainBird	5-QSTR on 1804-SAM-PRS
	Netafim (Shrub)		Irrigation Dripline - Techline DV Dripline TLCVN-1ft
■	Rain Bird (Shrub)		Point-Source Irrigation Distribution Tubing XB-PC Black Tubing with Purple Stripe-0.64" outside diameter XQ-1/4"-0.25" outside diameter Emitters XB-10PC with PD-DIFF-PT, or XB-10PC with HDHF, TSA-DBA7-AP, DBA-ADS
▶■	Netafim		TLSOV - Manual Flush Valve
⟆	Netafim		Drip Connector
	Febco		825Y-A 1" Reduced Pressure Backflow Preventer
	Nibco		T-111 Gate Valve - Line Size 2 1/2" and smaller.
MV	Superior		7000 - 1" Normally Open Master Valve
FS	Rainbird		MA1000 - 1" Flow Meter
	RainBird		3-ADLRC - 3/4" Quick Coupler Valve
	RainBird		EFB-DP-PRS-D
	RainBird		XCZ-PRB-100-COM 2-20 GPM XCZ-PRB-150-COM 15-40 GPM
☁	RainBird		WR2-RF- Wireless Rain Sensor
C	RainBird		ESP-LXME3 with ZE ESPME3 Inu-Station Expansion Modules and LX MVMF1
			Existing Mainline
			Mainline
			Lateral Line
			PVC Sleeves

IRRIGATION VALVE CALLOUT



LATERAL LINE SIZING CHART



NOTE: THE LATERAL SIZE BETWEEN TWO CONTROL TECH VALVES SHALL BE BASED ON THE MAXIMUM GPM SIZE IN 3/4"

HYDROZONE SYMBOLS

LABEL	L	M	H
SYMBOL			
HYDROZONE	LOW	MODERATE	HIGH

HYDROZONE NOTE

Hydrozones shown on this plan are determined by water use requirements of the plants in the planting plan.

CONTROL WIRE CONDUIT SIZING CHART

SLEEVE SIZE	2" MIN.	2-1/2"	3"	4"
WIRES IN SLEEVE	9-16	17-24	25-40	41-48

IRRIGATION SLEEVE SIZING CHART

PIPE SIZE	3/4"	1"	1-1/4	1-1/2"	2"	2-1/2"	3"
SLEEVE SIZE	2"	2"	3"	4"	4"	4"	6"

IRRIGATION SLEEVE AND CONDUIT NOTES

1. Sleeves are required for all irrigation pipe and control wire conduit under paving (typical). Refer to Irrigation Sleeve Sizes and Control Wire Conduit Charts for appropriate sleeve and conduit sizing.
2. For drawing clarity, not all irrigation sleeves are sized but shall be installed and included as part of the contractor's bid. Also, for drawing clarity, not all conduits and irrigation sleeves are shown. Contractor is responsible to install all sleeves and conduits of appropriate size under all paved areas as well as all sleeve pipes and conduits that are shown on the drawings.
3. The irrigation contractor shall be responsible for familiarizing themselves with all differences in grade, location of sidewalk, location of retaining walls, etc. The contractor shall be responsible for coordinating all irrigation work with the general contractor, electrical contractor, and all other subcontractors for the location and the installation of irrigation installed sleeves through walls, structures, under roadways, paving, etc.

EQUIPMENT LOCATION NOTE

1. All irrigation equipment, piping and valve locations, etc. shown within paved areas are for design clarification and shall only be installed in planting areas (typical).
2. Locations of automatic controller, backflow preventer, master valve, and flow sensor are approximate. Owner's representative shall determine final and precise positioning of above grade installation of irrigation equipment. Contractor to take-out all above grade irrigation equipment locations for review by owner's representative. Owner approval to be obtained prior to installation. Contractor shall provide minor adjustments of above grade irrigation equipment locations at no additional cost to the owner. If owner approval is not received prior to beginning installation, the irrigation contractor shall assume full responsibility for all revisions, to the equipment locations as deemed necessary by owner's representative and all costs associated with those revisions.
3. Locations of remote control valves and gate valves are approximate. Owner's representative shall determine final and precise positioning of above grade installation of remote control valves and gate valves. Contractor to take-out all remote control valve and gate valve locations for review by owner's representative. Owner approval to be obtained prior to installation. See irrigation details for additional installation information. Contractor shall provide minor adjustments of remote control valve and gate valve locations at no additional cost to the owner. If owner approval is not received prior to beginning installation, the irrigation contractor shall assume full responsibility for all revisions to the remote control valve and gate valve locations as deemed necessary by owner's representative and all costs associated with those revisions.

0 2 4 8 16 Feet
Scale: 1/8" = 1'-0"

Residential Care Facility for the Elderly

22549 Pacific Coast Hwy,
Malibu, California

Parcel Number: 4452-023-003
Site Area: Approx. 11,960 sf

Client
Anita Kundi

EPTDESIGN
234 NORTH EL MOLINO AVE, SUITE 100
PASADENA, CA 91101
626.795.2008
EPTDESIGN.COM

Revisions	By	Date
City Submittal	RW	08/25/21
City Submittal	RW	08/04/23

Job Number	E21-030
Design Staff	AW
Project Manager	RW
Principal	SC

Irrigation Plan

L2.01

Plan Check Number: 00000000-PARK

These drawings are instruments of service. EPTDESIGN shall retain all the common law, statutory and other rights with regard to these drawings and the designs contained therein in all formats, including printed and digital. These drawings are not to be altered in any way, and shall not be used by any person without written permission and consent from EPTDESIGN.

Plan Control: Construction Docs.
1st City Sub. XX Month 2016

WATER EFFICIENT LANDSCAPE WORKSHEET

Reference Evapotranspiration (ETo) 44.2 Project ETAF 0.55

Valve #	Hydrozone # /Planting Descriptions[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[d]
	Regular Landscape Areas							
A1	Low Water Use Shrub	0.2	Drip	0.81	0.25	521	128.64	3,525.30
A2	Mod Water Use Shrub	0.5	Drip	0.81	0.62	486	300.00	8,221.20
A3	Low Water Use Shrub	0.2	Drip	0.81	0.25	687	169.63	4,648.53
A4	Low Water Use Shrub	0.2	Drip	0.81	0.25	237	58.52	1,603.64
A5	Low Water Use Tree	0.2	Bubbler	0.75	0.27	252	67.20	1,841.55
A6	Low Water Use Turf	0.2	Spray	0.75	0.27	666	186.13	5,100.80
A7	Low Water Use Shrub	0.2	Drip	0.81	0.25	501	123.70	3,389.98
A8	Mod Water Use Shrub	0.5	Drip	0.81	0.62	551	340.12	9,320.74
A9	Low Water Use Shrub	0.2	Drip	0.81	0.25	342	84.44	2,314.12
A10	Mod Water Use Tree	0.5	Bubbler	0.75	0.67	72	48.00	1,315.99
A11	Mod Water Use Shrub	0.5	Drip	0.81	0.62	219	135.19	3,704.61
A12	Low Water Use Shrub	0.2	Drip	0.81	0.25	350	86.42	2,368.25
A13	High Water Use Shrub	0.8	Spray	0.81	0.99	20	19.75	541.31
					Subtotals	4936	1747.75	47,895.43
	Special Landscape Areas							
					1		0	0
					1		0	0
					1		0	0
					1		0	0
					1		0	0
					Subtotals	0	0	0
							Total Landscape Area	4936
							ETWU Total	47,895.43
							ETWU (in acre-feet)	0.15
							Maximum Allowed Water Allowance (MAWA)[e]	74,396.3792
							MAWA (in acre-feet)	0.228313801

[a] *Hydrozone/Planting Description*
E.g.
1) Front Lawn
2) Low water use plantings
3) Medium water use planting

[b] *Irrigation Method*
Overhead spray or drip

[c] *Irrigation Efficiency*
.75 for spray head
.81 for drip

[d] *"ETWU (Annual Gallons Required) = ETo x 0.62 x ETAF x Area*
where 0.62 is conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

[e] *"MAWA (Annual Gallons Allowed) = (ETo) (0.62)((ETAF x LA) + ((1-ETAF) x SLA))*

where 0.62 is conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is 0.55 for residential areas and 0.45 for non-residential areas

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	1,747.75
Total Area	4936
Average ETAF	**0.35**

All Landscape Areas

Total ETAF x Area	1,747.75
Total Area	4936
Sitewide ETAF	**0.35**

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

GENERAL IRRIGATION NOTES

1. The irrigation contractor shall be responsible for familiarizing themselves with all differences in grade, location of existing/as- built location of retaining walls, etc. The contractor shall be responsible for coordinating all irrigation work with the general contractor, electrical contractor, and all other subcontractors for the location and the installation of irrigation related sleeves through walls, structures, under roadways, paving, etc.
2. The irrigation design presented in these documents is intended to be diagrammatic. All irrigation equipment, piping and valve locations, etc. shall be within paved areas or for design clarification and shall only be installed in planting areas. Irrigation contractor shall install all remote control valves, quick couplers, and gate valves, in shrub planting areas or as approved by owner's representative & the landscape irrigation designer. Avoid any conflicts between the sprinkler system, planting and architectural features.
3. The irrigation system design is based upon the minimum operating pressure and the maximum flow demand shown on the irrigation drawings at each point of connection. The irrigation contractor shall verify water pressure prior to construction. Any difference between the water pressure indicated on the drawings and the actual pressure existing at the irrigation point of connection shall be immediately reported in writing to the owner's authorized representative. If the pressure differences are not immediately reported prior to beginning construction, the irrigation contractor shall assume full responsibility for all revisions in the irrigation system deemed necessary by the owner's representative and all costs associated with those revisions.
4. When it is apparent to the landscape contractor in the field that obstructions, grade differences, or differences in the soils dulled area concerning water that may have not been considered in the design of the system, the irrigation contractor shall not willfully install the irrigation system as indicated on the construction drawings. The owner's authorized representative shall be notified in writing of any such obstructions or differences prior to beginning any irrigation installation. If notification is not received prior to beginning installation, the irrigation contractor shall assume full responsibility for all revisions to the irrigation system as deemed necessary by owner's representative and all costs associated with those revisions.
5. The irrigation contractor shall be responsible for installing all control wire sleeving of sufficient size, under all paved areas in addition to the control wire sleeving shown on the drawings.
6. All piping and equipment shall be installed per the irrigation details. Teflon tape or Teflon pipe dope shall be applied to all male PVC pipe threads on all irrigation valve assemblies.
7. All pop-up style irrigation heads located in shrub or groundcover areas shall be installed so the top of the irrigation head is 1" above finish grade.
8. All pop-up style irrigation heads to be located in turf areas shall initially be installed so the top of the irrigation heads are flush with the adjacent sidewalk or curb. Within 10 days of being notified by the owner's representative, the irrigation contractor shall be responsible for adjusting all turf irrigation heads so the top of the irrigation head is 1/2" above finish grade.
9. The irrigation contractor shall be responsible for flushing and adjusting all irrigation heads for optimum performance and to prevent over spray onto areas not intended for irrigation. This shall include selecting the proper the arc pattern, adjusting the spray radius of the irrigation head with PRS screens and/or valve throttling the flow control at each valve to obtain the optimum operating pressure for each system.
10. The irrigation contractor shall be responsible for adjusting the pressure regulator on each electric control valve so the irrigation head farthest and highest in elevation from its associated control valve functions within the operating pressure shown on the irrigation legend (not to exceed 5 PSI above the indicated operating pressure).
11. The irrigation contractor shall be responsible for making field adjustments to the irrigation system by installing a quarter circle or half circle sprinkler head on each side of any vertical element (pops, street lights, trees, etc.), which prevents proper coverage by interfering with the spray pattern of the irrigation head. All adjustments shall be made at no additional cost to the owner.
12. Drainage of irrigation water through spray head will not be allowed. Rain Bird SAM feature shall be used to prevent spray head drainage. During construction, the contractor shall change spray bodies from Rain Bird 1806-PRS to 1806-SAM-PRS for spray heads showing signs of draining after the irrigation system has operated from an Off to Off position. Installation of Rain Bird SAM feature shall be included in the Bid Price of the irrigation system.
13. The irrigation contractor shall be responsible for making the final connection between the power source and the automatic controller. 120 volt electrical power source shall be provided by others at the automatic controller location.
14. Adhesives, sealants and caulks shall meet local or regional air pollution control or south coast AQMD rule 1168 VOC and statewide VOC standards.
15. Contractor shall verify exterior mounted rain sensor location and provide wiring between rain sensor and controller.

OBSERVATION SCHEDULING

The landscape contractor shall schedule an irrigation site observation by the irrigation designer, and/or the owner's representative, which shall not occur without at least 48 hours prior notice taken. The following items shall be reviewed:

1. Pre-job-kick-off meeting with contractor, general contractor, and irrigation designer.
2. Mainline, backflow preventer, master valves, flow sensors, booster pump installation and operation, installation review prior to backfilling trenches, irrigation mainline pressure test, etc.
3. Finalizing the location for the controller assemblies - landscape contractor shall coordinate with the irrigation designer to verify connection of flow sensors and associated equipment to each controller assembly and for certification/warranty of equipment.
4. Irrigation coverage test - a dynamic pressure test shall be performed by the landscape contractor and shall be observed by the owner (or the owner's representative) and the irrigation designer for each valve during the irrigation coverage test.

STATEMENT OF COMPLIANCE

I have complied with the criteria of Malibu Municipal Code Chapter 17.63 and applied them for the efficient use of water in the irrigation design plan

Preparer Name: Stephen Lamal
Professional License/Designation: Landscape Architect
Preparer Signature:

IRRIGATION CONSTRUCTION NOTES

1 PER/ NOTE

Contractor shall verify that the static pressure is X PSI prior to construction. Contractor shall furnish and install mainline to the gate valves, backflow preventer, master valve, and flow meter per the irrigation legend and details. Refer to the irrigation plans for sizing. Refer to irrigation legend and irrigation construction notes for model numbers. Install the flow sensor per the manufacturer's recommendations and details. Contractor shall furnish all materials and labor to execute and install the irrigation system per the irrigation plans.

Install the gate valves, backflow preventer, master valves, and flow meters within the shrub planting areas only.

The flow sensor wire shall be manufactured by "Rain Master", model #FW-CAB-SEN. No splices allowed between flow sensor and controller. All flow sensor wires shall be installed within a gray 1-1/2" DWV, SCH. 40 PVC conduit. Each conduit shall have a separate flow sensor cable, installed within it based on the corresponding controller assembly.

Mainline shown in hardscape areas is diagrammatic. Mainlines are intended to be installed within the shrub areas only. Any mainline, lateral, or control wires that run under hardscape areas shall be installed in SCH. 40 PVC sleeves which shall be sized a minimum of twice the diameter of the actual pipe diameter. Refer to irrigation details for installation and depths of sleeving.

CONTROLLER INFORMATION

2 CONTROLLER/ NOTE

MANUFACTURER: RAINBIRD
TYPE: MODULAR
ASSEMBLED BY: -
FOR CONTROLLER IDENTIFICATION: CONTROLLER PART NUMBER
A ESPME3 w/ 2 ESPMs and LNK-WiFi

INTERNET REQUIRED YES- WiFi
FLOW SENSOR CABLE YES
Install flow sensor cable in a 1-1/2" U.G. PVC SCH. 40 gray conduit.

The 120 volt power source connection to the irrigation controller assembly shall be the responsibility of the irrigation contractor. Refer to electrical plans for additional information. Final location of the irrigation controller assembly shall be approved by the owner's authorized representative prior to installation. All sprinkler heads shall be field adjusted to prevent over spray onto the irrigation controller assembly enclosure.

This system is designed for the operation of one valve at a time per controller. The system has been designed for one valve opening and one valve closing.

The controller shall be located as shown on the drawings or as directed by the owner's authorized representative.

Contractor to determine best way to provide internet connectivity for controller in prioritized order per site conditions. Ethernet cable, WiFi, cellular. Components in controller to provide internet connectivity will vary.

PRESSURE CALCULATIONS FOR DOMESTIC IRRIGATION

Project Name and/or Tract#	Residential Care Facility for the Elderly
Date and Source of Information	4/23/21 LA County Public Works
Name of Contact Person and Phone Number	Engineering Office (626) 300-3366
P.O.C. Water Meter #	-
Water Meter Size and Type	1" PT
Hydraulic Grade Level	65 PT
Water Meter Elevation	65 PT
Highest Head Elevation on the System	65 PT
Basis for Calculations	Largest GPM Demand

Remote Control Valves# #2

Size of Remote Control Valve: 1"
Demand at Remote Control Valves: 14 GPM

QUANTITY	SIZE	DESCRIPTION	FLOW (GPM)	LOSS (PSI)
1	1"	Water Meter	14	10
1	1"	Back flow RP	14	12
-	-	Pressure Regulator	-	5
1	1 1/2"	Gate Valve(s)	14	1
-	-	Gate Valve(s)	14	1
1	1"	Master Valve	14	3
1	1"	Flow Sensor	14	2
1(s)	1 1/4"	Mainline	14	2
-	-	Mainline	-	-
-	-	Mainline	-	-
-	-	Mainline	-	-
1	1"	Remote Control Valve	14	7
		Lateral Line Losses (15%)		3
		Other Losses (10%)		2
		Elevation Loss or Gain GAIN		-1
		Total		22

PRESSURE (PSI)	
Pressure Required to Operate Irrigation Head	30
Sub-Total Pressure Required for Irrigation System	22
Total Pressure Required for Irrigation System (Sub-Total Pressure + 25%)	66
Static Pressure Available	Psi46
Residual Pressure (Subtract Total Pressure from Static Pressure)	20

IRRIGATION LEGEND

SYMBOL	RAIN	MANF.	MODEL NO. WITH NOZZLE SIZE & TYPE
F H Q A			
	6'x2'	Hunter	MP8030S-360 on PROS-06-PRS40-CV
	6'x4'	Hunter	MP8030S-R90 on PROS-06-PRS40-CV
	15'-15'	Hunter	MP2000-090 on PROS-06-PRS40-CV
	15'-15'	Hunter	MP2000-180 on PROS-06-PRS40-CV
	15'-15'	Hunter	MP2000-270 on PROS-06-PRS40-CV
	-	RainBird	RWS-B-C 1402 LCD GPMS
	-	RainBird	1402 on 1802 w/ PWMC
	2.0'-H	RainBird	912-H-PC on 1804-SAM-PRS
	2.0'-H	RainBird	912-QTR on 1804-SAM-PRS
	Totalfm (Shrub)		Irrigation Dripline - Techline CV Dripline TLCV6-18
	Rain Bird (Shrub)		Plant-Source Irrigation Distribution Tubing XB50ADP-Black Tubing with Purple Stripes - 0.84" outside diameter XQ-1612-25' outside diameter Emitters: XB-10PC on PCSP-(APP) or XB-10PC with XJ10" TS-CSWTAP-DBJ-025
	Nelafim		TLSOV - Normal Pitch Valves
	Nelafim		Drip Connector
	Febco		825YA 1" Reduced Pressure Backflow Preventer
	Nibco		T-111 Gate Valve - Line Size 2-1/2" and smaller
(W)	Superior		3900 - 1" Formally Open Master Valve
(M)	Rainbird		M-100B - 1" Flow Meter
	RainBird		XCZ-100-COM 2-1/2" GPM Quick Coupler Valve
	RainBird		EFB-CP-PRS-D
	RainBird		XCZ-PRS-100-COM 2-1/2" GPM XCZ-PRS-1K-COM 15-43 GPM
(S)	RainBird		WR2-RF-Wireless Rain Sensor
ET	RainBird		ESP-ME3 with (2) ESPME Six-Station Expansion Modules and LNK-WiFi
			Existing Mainline
			Mainline
			Lateral Line
			PVC Sleeves

IRRIGATION VALVE CALLOUT

XX Station No.
X GPM
X Plant Type
X Valve Size

LATERAL LINE SIZING CHART

3/4"	1"
1"	1 1/2"
1 1/2"	2"
2"	3"
3"	

NOTE: THE LATERAL SIZE BETWEEN TWO REMOTE CONTROL VALVES SHALL BE THE SAME AS THE LARGER OF THE TWO.

Section 4216.2 of the government code requires a ticket identification number be issued before a "permit to excavate" will be valid.
1-800-227-2600
Call (2) working days before you dig

DESCRIPTION	PSI	FLOW RATE IN GPM F	H	Q	A	DET. M.
05' Pop-Up Turf Rotary Nozzle	40	.76	-	-	-	HU2.51
05' Pop-Up Turf Rotary Nozzle	40	-	.42	.23	-	HU2.51
05' Pop-Up Turf Rotary Nozzle	40	1.47	-	-	-	HU2.51
05' Pop-Up Turf Rotary Nozzle	40	-	.74	.40	-	HU2.51
05' Pop-Up Turf Rotary Nozzle	40	-	-	-	1.10	HU2.51
Bubbler in Sleeve with Grate	XC	.50	-	-	-	HU2.51
Flood Bubbler on 2" pop-up Spray Head	XC	.50	-	-	-	HU2.51
Stream Bubbler on 6" pop-up Spray Head	XC	-	-	.2	-	HU2.51
Stream Bubbler on 6" pop-up Spray Head	XC	-	-	-	1	HU2.51
Space Bubblers max at 18". Deeper spacing at 18". Install 3" min.-6" max. below grade per specifications. Application rate: 0.43 in/hr. Time to apply 1/4": 34 minutes.	XC	0.6 GPM Flow Rate				K, LA2.51
	XC	0.4 GPM Flow Rate				
Install Distribution tubing on surface, beneath gravel mulch. Install Point-Source Emitters per details based on plant spacing.						NU2.51
Install per manufacturer specifications.						GA2.51
						-
Verify location in field prior to installation.						AL2.51
For mainline sizes 3" and larger, use Lasco FAWSXSXN, epoxy coated. Assemble with stainless steel hardware. Install in a 10" round valve box.						FA2.51
Master Valve to be installed in rectangle valve box adjacent to flow sensor						IM2.51
Install per detail. See irrigation construction notes for additional information and model numbers.						CM2.51
Quick coupler valve with locking rubber cover. Install in round valve box per detail						RA2.51
Remote control valve. Install in rectangle valve box per detail						GA2.51
Remote control valve kit with pressure regulating basket filter. Install in rectangle valve box per detail						JA2.51
Wireless Rain Sensor. Verify location in field						FA2.51
Irrigation controller assembly with flow sensing and ET capability located per irrigation plans. See irrigation construction notes for more information.						GA2.51
Protect in place.						RA2.51
Irrigation Mainline - PVC SCH. 40 IPS white pipe. PVC SCH. 40 IPS for mainline sizes 1" to 2" PVC Class 315 IPS for mainline sizes 2 1/2" to 3" Sleeve mainline per notes and details. Lateral Pipe - PVC SCH. 40 IPS white pipe. Minimum pipe size shall be 3/4" - size laterals per plan. PVC SCH. 40 IPS for sizes 3/4" to 2 1/2" PVC Class 315 IPS for sizes 3" and larger.						D.EA2.51
PVC SCH. 40 IPS white pipe - sleeves shall be installed for any mainline, lateral or wires crossing under hardscape per irrigation construction notes. Sized to be two times the pipe diameter in wire bundle.						EA2.51

PLANT MATERIAL ABBREVIATIONS

Plant Type	
TF	Turf
SH	Shrub / Ground Cover
TR	Trees
PT	Pots
DR	Drip

Hydrozone
H High
M Medium
L Low

DOMESTIC WATER POINT OF CONNECTION EQUIPMENT SIZES

P.O.C.#			
WM	BF	MV	FM
XX	XX	XX	XX

CONTROLLER
SEE DRAWING DESIGNATION WITHIN ENVELOPE

POC = POINT OF CONNECTION
BF = BACKFLOW
MV = MASTER VALVE
WM = WATER METER
FM = FLOW METER

Residential Care Facility for the Elderly

22549 Pacific Coast Hwy,
Malibu, California

Parcel Number: 4452-023-003
Site Area: Approx. 11,960 sf

Client
Anita Kundi

EPTDESIGN
234 NORTH EL MOLINO AVE, SUITE 100
PASADENA, CA 91101
626.795.2008
EPTDESIGN.COM

Revisions	By	Date
City Submittal	RW	08/25/21
City Submittal	RW	08/04/23

Job Number	E21-030
Design Staff	AW
Project Manager	RW
Principal	SC

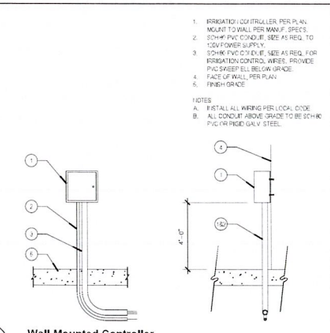
Irrigation Legends

L2.50

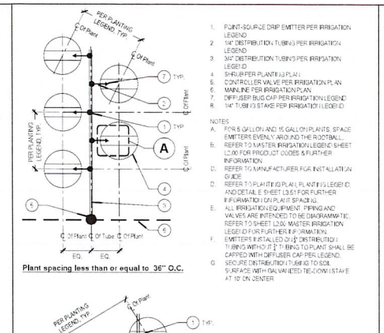
Plan Check Number: 00000000-PARK

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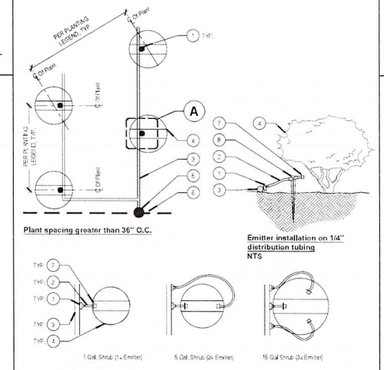
Plan Control: Construction Docs. 1st City Sub. XX Month 2016



Q Wall Mounted Controller
NTS



Plant spacing less than or equal to 36" O.C.

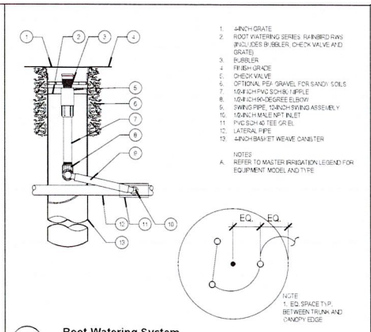


Plant spacing greater than 36" O.C.

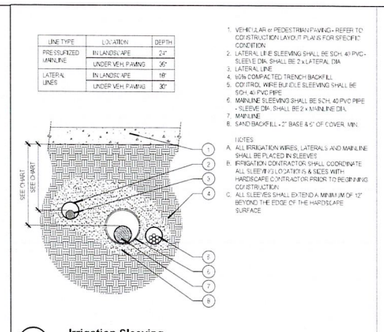
Emitter installation on 1/4" distribution tubing
NTS

Enlargement A: View of Emitter Spacing
NTS

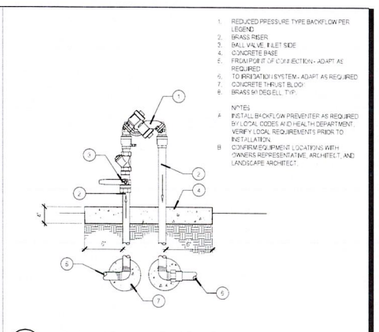
N Point-Source Irrigation Layout and Installation
Scale: 3/4" = 1'-0"



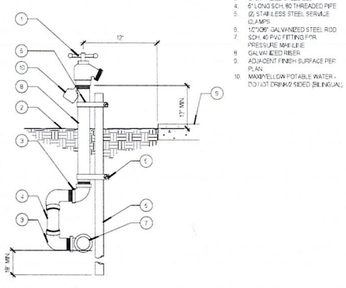
I Root Watering System
NTS



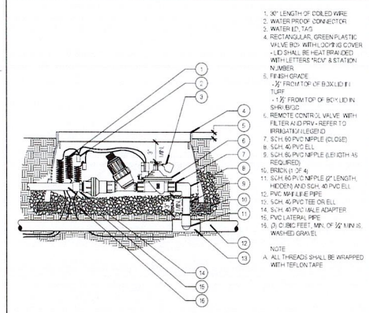
E Irrigation Sleeving
Scale: 1"=1'-0"



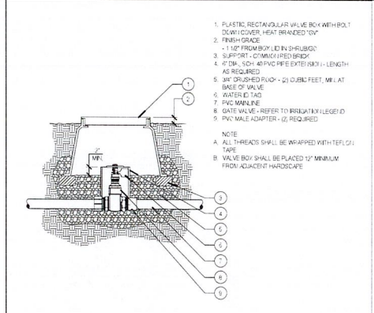
A Reduced Pressure Backflow Preventer
NTS



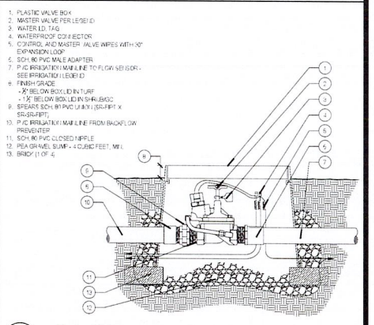
R Quick Coupler
NTS



J Remote Control Drip Valve and Filter
Scale: 1 1/2"-1'-0"

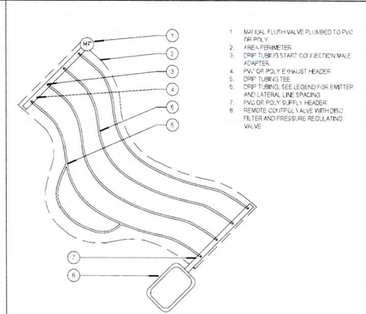


F Threaded Gate Valve - Mainline Sizes - 3" And Smaller
Scale: 1"=1'-0"

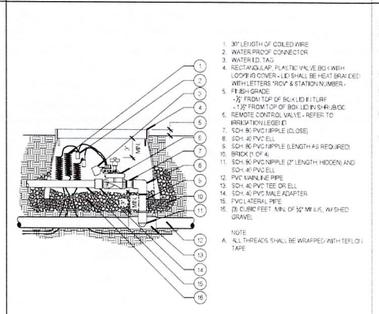


B Master Valve
Scale: 3"=1'-0"

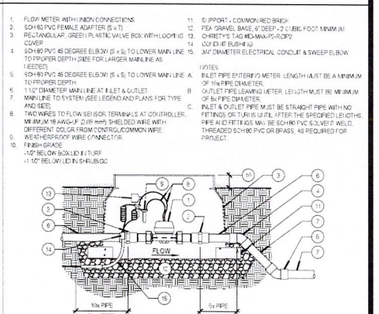
O Manual Line Flushing Valve - Plumbed to PVC
Scale: NTS



K Dripline Layout - Irregular Curved Areas
Scale: NTS

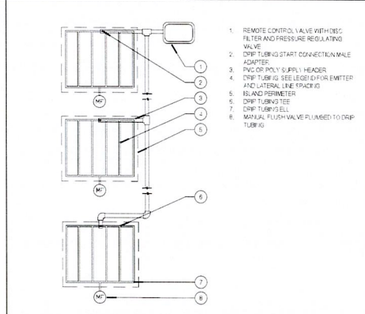


G Remote Control Valve Box
Scale: 1 1/2"-1'-0"

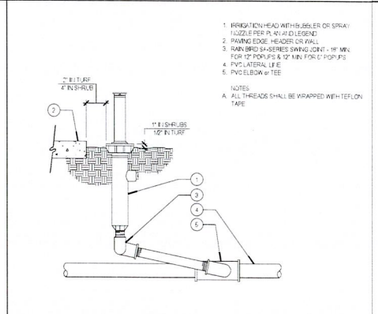


C Flow Sensor & Submeter
Scale: NTS

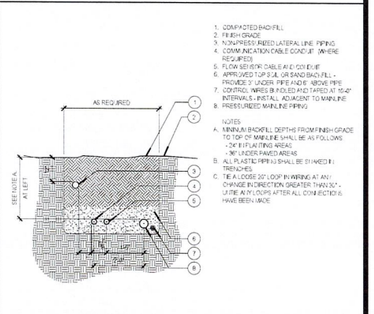
P Wireless Rain Sensor - WRS Series Sensor Transmitter
NTS



L Dripline Island Layout
Scale: NTS



H Popup Bubbler/Spray Head
Scale: 1 1/2"=1'-0"



D Trenching Detail
Scale: 1/2"=1'-0"

Residential Care Facility for the Elderly

22549 Pacific Coast Hwy,
Malibu, California

Parcel Number: 4452-023-003
Site Area: Approx. 11,960 sf

Client

Anita Kundi

EPTDESIGN
234 NORTH EL MOLINO AVE, SUITE 100
PASADENA, CA 91101
626.795.2005
EPTDESIGN.com

Revisions	By	Date
City Submittal	RW	06/05/01
City Submittal	RW	08/04/23

Job Number	E21-030
Design Staff	AW
Project Manager	RW
Principal	SC

Irrigation Details

L2.51

Plan Check Number: 00000000-PARK

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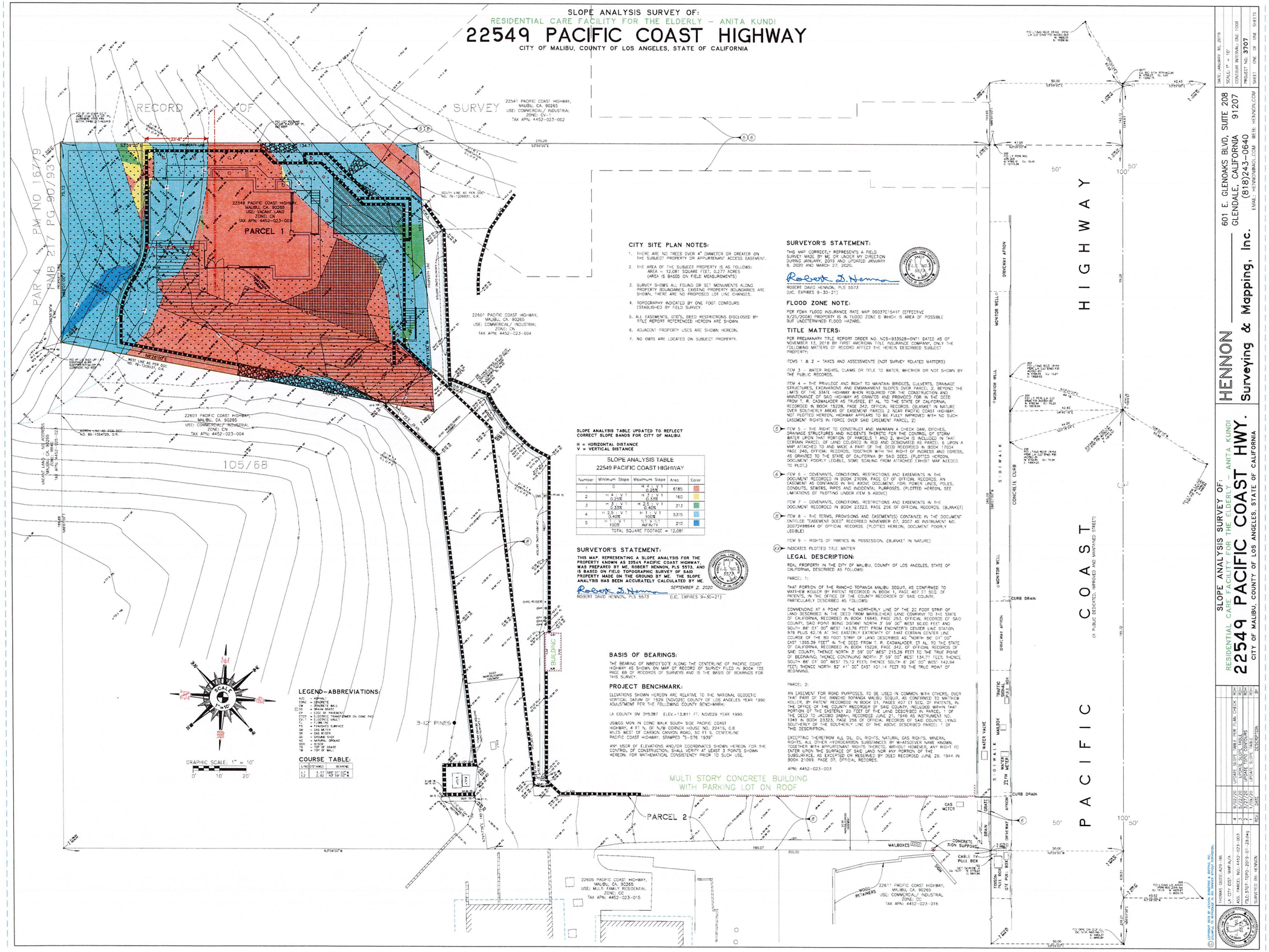
Plan Control: Construction Docs. 1st City Sub. XX Month, 2016

SLOPE ANALYSIS SURVEY OF:

RESIDENTIAL CARE FACILITY FOR THE ELDERLY – ANITA KUNDI

22549 PACIFIC COAST HIGHWAY

CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



CITY SITE PLAN NOTES:

1. THERE ARE NO TREES OVER 4" DIAMETER OR GREATER ON THE SUBJECT PROPERTY OR APPURTENANT ACCESS EASEMENT.
2. THE AREA OF THE SUBJECT PROPERTY IS AS FOLLOWS:
   AREA = 12,081 SQUARE FEET, 0.277 ACRES
   (AREA IS BASED ON FIELD MEASUREMENTS)
3. SURVEY SHOWS ALL FOUND OR SET MONUMENTS ALONG PROPERTY BOUNDARIES. EXISTING PROPERTY BOUNDARIES ARE SHOWN. THERE ARE NO PROPOSED LOT LINE CHANGES.
4. TOPOGRAPHY INDICATED BY ONE FOOT CONTOURS ESTABLISHED BY FIELD SURVEY.
5. ALL EASEMENTS, OTD'S, DEED RESTRICTIONS DISCLOSED BY TITLE REPORT REFERENCED HEREON ARE SHOWN.
6. ADJACENT PROPERTY USES ARE SHOWN HEREON.
7. NO OWTS ARE LOCATED ON SUBJECT PROPERTY.

SLOPE ANALYSIS TABLE UPDATED TO REFLECT CORRECT SLOPE BANDS FOR CITY OF MALIBU.

H = HORIZONTAL DISTANCE
V = VERTICAL DISTANCE

SLOPE ANALYSIS TABLE
22549 PACIFIC COAST HIGHWAY

Number	Minimum Slope	Maximum Slope	Area	Color
1	0	H 4 : V 1 0.25%	6185	
2	H 4 : V 1 0.25%	H 3 : V 1 0.33%	160	
3	H 3 : V 1 0.33%	H 2.5 : V 1 0.40%	213	
4	H 2.5 : V 1 0.40%	H 1 : V 1 100%	5315	
5	H 1 : V 1 100%	H 0.1 : V 1 INFINITY	210	
TOTAL SQUARE FOOTAGE = 12,081				

SURVEYOR'S STATEMENT:

THIS MAP, REPRESENTING A SLOPE ANALYSIS FOR THE PROPERTY KNOWN AS 22549 PACIFIC COAST HIGHWAY, WAS PREPARED BY ME, ROBERT HENNON, PLS 5573, AND IS BASED ON FIELD TOPOGRAPHIC SURVEY OF SAID PROPERTY MADE ON THE GROUND BY ME. THE SLOPE ANALYSIS HAS BEEN ACCURATELY CALCULATED BY ME.

SEPTEMBER 2, 2020

ROBERT DAVID HENNON, PLS 5573 (LIC. EXPIRES 9-30-21)

SURVEYOR'S STATEMENT:

THIS MAP CORRECTLY REPRESENTS A FIELD SURVEY MADE BY ME, OR UNDER MY DIRECTION DURING JANUARY, 2019 AND UPDATED JANUARY 8, 2020 AND MARCH 27, 2020.

ROBERT DAVID HENNON, PLS 5573 (LIC. EXPIRES 9-30-21)

FLOOD ZONE NOTE:

PER FEMA FLOOD INSURANCE RATE MAP 06037C1541F (EFFECTIVE 9/25/2008) PROPERTY IS IN FLOOD ZONE D WHICH IS AREA OF POSSIBLE BUT UNDETERMINED FLOOD HAZARD.

TITLE MATTERS:

PER PRELIMINARY TITLE REPORT ORDER NO. NCS-933528-ONT1 DATED AS OF NOVEMBER 13, 2018 BY FIRST AMERICAN TITLE INSURANCE COMPANY, ONLY THE FOLLOWING MATTERS OF RECORD AFFECT THE HEREIN DESCRIBED SUBJECT PROPERTY:

ITEMS 1 & 2 – TAXES AND ASSESSMENTS (NOT SURVEY RELATED MATTERS)

ITEM 3 – WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

ITEM 4 – THE PRIVILEGE AND RIGHT TO MAINTAIN BRIDGES, CULVERTS, DRAINAGE STRUCTURES, EXCAVATIONS AND EMBANKMENT SLOPES OVER PARCEL 2, BEYOND THE LIMITS OF THE STATE HIGHWAY WHEN REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE OF SAID HIGHWAY AS GRANTED AND PROVIDED FOR IN THE DEED FROM T. R. CADWALADER AS TRUSTEE, ET AL TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228, PAGE 342, OFFICIAL RECORDS. (BLANKET IN NATURE OVER SOUTHERLY AREAS OF EASEMENT PARCEL 2 NEAR PACIFIC COAST HIGHWAY, NOT PLOTTED HEREON, HIGHWAY APPEARS TO BE FULLY IMPROVED WITH NO SUCH EASEMENT RIGHTS IN FORCE OVER SAID EASEMENT PARCEL 2)

(5) ITEM 5 – THE RIGHT TO CONSTRUCT AND MAINTAIN A CHECK DAM, DITCHES, DRAINAGE STRUCTURES AND INCIDENTS THERETO FOR THE CONTROL OF STORM WATER UPON THAT PORTION OF PARCELS 1 AND 2, WHICH IS INCLUDED IN THAT CERTAIN PARCEL OF LAND COLORED IN RED AND DESIGNATED AS PARCEL 6 UPON A MAP ATTACHED TO AND MADE A PART OF THE DEED RECORDED IN BOOK 17004 PAGE 240, OFFICIAL RECORDS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, AS GRANTED TO THE STATE OF CALIFORNIA BY SAID DEED. (PLOTTED HEREON, DOCUMENT POORLY LEGIBLE, SOME SCALING FROM ATTACHED EXHIBIT MAP NEEDED TO PLOT.)

(6) ITEM 6 – COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN THE DOCUMENT RECORDED IN BOOK 21099, PAGE 07 OF OFFICIAL RECORDS. AN EASEMENT AS CONTAINED IN THE ABOVE DOCUMENT, FOR POWER LINES, POLES, CONDUITS, SEWERS, PIPES AND INCIDENTAL PURPOSES. (PLOTTED HEREON, SEE LIMITATIONS OF PLOTTING UNDER ITEM 5 ABOVE)

ITEM 7 – COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN THE DOCUMENT RECORDED IN BOOK 22323, PAGE 256 OF OFFICIAL RECORDS. (BLANKET)

(8) ITEM 8 – THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT DEED" RECORDED NOVEMBER 07, 2007 AS INSTRUMENT NO. 20072498844 OF OFFICIAL RECORDS. (PLOTTED HEREON, DOCUMENT POORLY LEGIBLE)

ITEM 9 – RIGHTS OF PARTIES IN POSSESSION. (BLANKET IN NATURE)

(XX) INDICATES PLOTTED TITLE MATTER

LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF THE RANCHO TOPANGA MALIBU SEQUIT, AS CONFIRMED TO MATTHEW KELLER BY PATENT RECORDED IN BOOK 1, PAGE 407 ET SEQ. OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHERLY LINE OF THE 20 FOOT STRIP OF LAND DESCRIBED IN THE DEED FROM MARBLEHEAD LAND COMPANY TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 16845, PAGE 253, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING DISTANT NORTH 3° 59' 00" WEST 50.00 FEET AND SOUTH 86° 01' 00" WEST 143.76 FEET FROM ENGINEER'S CENTER LINE STATION 978 PLUS 62.16 AT THE EASTERLY EXTREMITY OF THAT CERTAIN CENTER LINE COURSE OF THE 80 FOOT STRIP OF LAND DESCRIBED AS "NORTH 86° 01' 00" EAST 1355.39 FEET" IN THE DEED FROM T. R. CADWALADER, ET AL TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 15228, PAGE 342, OF OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 3° 59' 00" WEST 215.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 3° 59' 00" WEST 134.71 FEET; THENCE SOUTH 86° 01' 00" WEST 75.12 FEET; THENCE SOUTH 6° 26' 00" WEST 142.94 FEET; THENCE NORTH 82° 41' 00" EAST 101.14 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR ROAD PURPOSES, TO BE USED IN COMMON WITH OTHERS, OVER THAT PART OF THE RANCHO TOPANGA MALIBU SEQUIT, AS CONFIRMED TO MATTHEW KELLER, BY PATENT RECORDED IN BOOK 01, PAGES 407 ET SEQ. OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, INCLUDED WITHIN THAT PORTION OF THE EASTERLY 20 FEET OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED TO JACOBO DABAH, RECORDED JUNE 21, 1946 AS INSTRUMENT NO. 1049 IN BOOK 25323, PAGE 256 OF OFFICIAL RECORDS OF SAID COUNTY, LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE ABOVE DESCRIBED PARCEL 1 OF THIS DESCRIPTION.

EXCEPTING THEREFROM ALL OIL, OIL RIGHTS, NATURAL GAS RIGHTS, MINERAL RIGHTS, ALL OTHER HYDROCARBON SUBSTANCES BY WHATSOEVER NAME KNOWN, TOGETHER WITH APPURTENANT RIGHTS THERETO, WITHOUT HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND NOR ANY PORTION OF THE SUBSURFACE, AS EXCEPTED OR RESERVED BY DEED RECORDED JUNE 29, 1944 IN BOOK 21099, PAGE 07, OFFICIAL RECORDS.

APN: 4452-023-003

BASIS OF BEARINGS:

THE BEARING OF N85°01'00"E ALONG THE CENTERLINE OF PACIFIC COAST HIGHWAY AS SHOWN ON MAP OF RECORD OF SURVEY FILED IN BOOK 105 PAGE 68 OF RECORDS OF SURVEYS AND IS THE BASIS OF BEARINGS FOR THIS SURVEY.

PROJECT BENCHMARK:

ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) COUNTY OF LOS ANGELES YEAR 1990 ADJUSTMENT PER THE FOLLOWING COUNTY BENCHMARK:

LA COUNTY BM DY5387 ELEV.=13.811 FT. NGVD29 YEAR 1990

USGS MON IN CONC WALK SOUTH SIDE PACIFIC COAST HIGHWAY, 4 FT N. OF N.W. CORNER HOUSE NO. 22415, 0.8 MILES WEST OF CARBON CANYON ROAD, 50 FT S. CENTERLINE PACIFIC COAST HIGHWAY. STAMPED "S-576 1939"

ANY USER OF ELEVATIONS AND/OR COORDINATES SHOWN HEREON FOR THE CONTROL OF CONSTRUCTION, SHALL VERIFY AT LEAST 3 POINTS SHOWN HEREON, FOR MATHEMATICAL CONSISTENCY PRIOR TO SUCH USE.

LEGEND–ABBREVIATIONS:

A/C – ASPHALT
CONC – CONCRETE
CW – CONCRETE WALL
DW – DRIVEWAY
EP – EDGE OF PAVEMENT
ETOH – ELECTRIC TRANSFORMER ON CONC PAD
EV – ELECTRIC VAULT
FL – FLOWLINE
FS – FINISHED SURFACE
GM – GAS METER
GR – GAS RISER
GS – GROUND SIGN
NG – NATURAL GROUND
RIM – RIM OF GRATE
TW – TOP OF WALL

GRAPHIC SCALE: 1" = 10'
0' 10' 20'

COURSE TABLE:

LINE	DISTANCE	BEARING
L1	3.00	N 59°00' W
L2	3.00	N 59°00' W

SLOPE ANALYSIS SURVEY OF:
RESIDENTIAL CARE FACILITY FOR THE ELDERLY – ANITA KUNDI
22549 PACIFIC COAST HIGHWAY
CITY OF MALIBU, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

DATE: JANUARY 30, 2019
SCALE: 1" = 10'
CONTOUR INTERVAL: ONE FOOT
PROJECT NO: 3707
SHEET: ONE OF ONE SHEETS

HENNON
Surveying & Mapping, Inc.
601 E. GLENOAKS BLVD, SUITE 208
GLENDALE, CALIFORNIA 91207
(818)243-0640
E-MAIL: HENNON@MSN.COM WEB: HENNON.COM

REV	DATE	DESCRIPTION	BY
4	9/02/20	UPDATE SLOPE TABLE	RDH
3	8/22/20	UPDATE SLOPE TABLE	RDH
2	7/29/20	UPDATE SLOPE NUMBERS	RDH
1	3/31/20	UPDATE SLOPE TABLE	RDH

THOMAS GUIDE: PG 589
LA CITY GRID: MAP N/A
ASS. PARCEL NO.: 4452-023-003
FILE: 3707-TOPO-2019-01-29.dwg
SURVEYED BY: HENNON

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Fuel Modification Plan Notes

Zone: Business Zone

- Extends 5 feet beyond the edge of any combustible structure, accessory structure, appendage, or projection. The area beneath eaves, overhangs or parts of structures including attached decks and projects shall be included in the entire mandated zone.
- The area shall be free of materials or landscaping known to be receptive to flying embers.

Zone A

- Extends 30 feet beyond the edge of any combustible structure, accessory structure, appendage, or projection. Projections such as eaves, covered entryways, attached projects, decks etc. shall be the point at which the distance is measured.
- Irrigation shall be provided to maintain healthy vegetation and fire resistance.
- Vegetation in this zone shall consist primarily of mowed grasses, low growing ground covers and adequately spaced shrubs. The overall density and arrangement shall provide adequate defensible space and significantly reduce fire intensity.
- Plant species selected for Zone A shall possess characteristics which increase fire resistance. Such characteristics are high moisture content, plants producing little leaf litter, slow growing plants and plants that do not require pruning to reduce their size at maturity. Species selection should reference the Fuel Modification Plant List. This list is not a pre-approved plant list. Other species may be used subject to approval after review.
- Trees are generally not recommended except for small varieties or mature trees less than 20' tall and varieties of maturity. Trees shall be positioned so their canopies do not extend over the roof of any structure.
- Vines and climbing plants are not allowed on any combustible structure requiring review.

Zone B

- Extends from the outer edge of Zone A an additional 70 feet for a total of 100 feet from the structure.
- Irrigation shall be provided to maintain healthy vegetation and fire resistance.
- Vegetation in this zone shall be arranged in a manner that does not create vertical or horizontal fuel ladders. Vegetation in this zone can be planted at a slightly higher density than Zone A but the overall density and arrangement shall provide adequate defensible space and significantly reduce fire intensity.
- Existing California native plants may be approved to remain if determined to be acceptable upon review and are properly spaced and maintained.
- Plant species selected for Zone B shall possess characteristics which increase fire resistance. Such characteristics are high moisture content, plants producing little leaf litter, slow growing plants and plants that do not require pruning to reduce their size at maturity. Species selection should reference the Fuel Modification Plant List. The list is not a pre-approved plant list. Other species may be used subject to approval after review.
- Trees in Zone B may be medium in size at maturity provided they are properly positioned and do not create any vertical or horizontal fuel ladders. Tree selections are subject to denial upon review.

Zone C

- Extends from the outer edge of Zone B an additional 100 feet for a total of 200 feet from the structure.
- Maintenance/modification of vegetation exceeding 100 feet but not to exceed 200 feet from structure may be determined necessary. Any required maintenance/modification is to be determined upon on-site inspection (Fire Code 325.2.2).

Fire Access Road Zone

- Extends a minimum of 10 feet from the edge of any public or private road, driveways and turnarounds used by firefighting resources.
- Clear and remove flammable vegetation on each side of access roads (Fire Code 325.10).
- Fire access roads shall have an unobstructed vertical clearance a minimum width of 20' and vertically clear to the sky (Fire Code 503.2.1).
- Additional clearance beyond 10 feet may be required upon an on-site inspection.
- All proposed plantings, unless otherwise approved, shall be positioned so they do not obstruct access at maturity. Pruning will not be considered as an alternative to plant selection.

Maintenance

Routine maintenance shall be regular to performed in all zones. Above all else, regular maintenance is paramount to the fire resistance of a well planned fire resistant landscape. Critical items are listed not below. Additional information may be found on our website listed in the header of this document.

- Start with the obvious. Remove leaf litter and other combustibles debris from roofs, eaves, rain gutters etc.
- Ensure the entire resistant zone is maintained free of any material known to be receptive to flying embers.
- Remove any plant or portion of a plant that is dead or dying throughout all zones.
- Remove downed, accumulated plant litter and dead wood throughout all zones.
- Prune to reduce the overall amount and continuity of fuels. Eliminate horizontal and vertical fuel ladders throughout all zones.
- All invasive species and their parts should be removed from the site.
- Ensure irrigation systems are functioning properly.
- Compliance with the fire code is a year-round responsibility. Enforcement will occur following inspection by the Fire Department. Annual inspections for brush clearance code requirements are conducted following the natural drying of fine fuels between the months of April and June depending on the geographic region each dwelling exists.
- Inspection for compliance with an approved fuel modification plan may occur at any time.
- All future planting shall be in accordance with the County of Los Angeles Fire Department Fuel Modification Guidelines and approved prior to installation.

Approval of this Fuel Modification Plan constitutes approval for only those Codes reviewed as part of the Fuel Modification process and does not replace the needed approval of any other office or agency with jurisdiction and retains responsibility for those items which may or may not be illustrated on the plan.

8774
COUNTY OF LOS ANGELES
FIRE DEPARTMENT
PREVENTION SERVICES BUREAU
FINAL
FUEL MODIFICATION PLAN
APPROVED

By _____ Date _____
FUEL MODIFICATION UNIT

The stamping of this plan and specifications SHALL NOT be held to permit or to be an approval of the violation of any provisions of any County/City or State law

KEYNOTES

NO.	DESCRIPTION
0202	30'-0" CLEARANCE
0316	SOLAR PANELS

LEGEND

CONCRETE PAVING

PLANTING AREA / LANDSCAPING

SOLID SURFACE PATIO

PERMEABLE PAVING

RETAINING WALL

ZONE A

ZONE B

No.	Description	Date

PLANTING PLAN WITH FUEL MODIFICATION NOTES

RESIDENTIAL CARE FACILITY FOR THE ELDERY
22549 PACIFIC COAST HWY, MALIBU, CA

L0.11R

Scale: As indicated

1 PLANTING PLAN WITH FUEL MODIFICATION NOTES
1/8" = 1'-0"



T3 PURPLE ORCHID TREE



T1 OLIVE FRUITLESS TREE



T2 BLUE PALO VERDE



S1 BLUE AGAVE



S2 RED YUCCA



S3 NEWZEALAND FLAX



S4 FORTNIGHT LILY



S6 MOSS PINK



S6 KURAPIA



S7 KAOCENT BOULDERS WITH DAYLILY



S8 SHORT LEAF ALOE



S9 BARREL CACTI



S10 THANKSGIVING CACTUS



S11 MONEYWORT (CREEPING JENNY)



S12 NATIVE SEACLIFF BUCKWHEAT



S13 NATIVE CA SAGEBRUSH



BIRDS EYE VIEW OF SITE



VIEW 1



VIEW 2



VIEW 3

FUEL MODIFICATION PLANT LIST

PLANT LEGEND: TREES

NO.	SYMBOL	LATIN BOTANICAL NAME	COMMON NAME	QUANTITY AND SIZE	SIZE	SPACING
T1		OLEA EUROPA		6 - 36" BOX	N	15'-20' O.C.
T2		CERCIDIUM FLORIDUM	BLUE PALO VERDE	5 - 24" BOX	N	15'-20' O.C.
T3		LAGERSTROEMIA INDICA		5 - 24" BOX	N	15'-20' O.C.

PLANT LEGEND: SHRUBS

NO.	SYMBOL	LATIN BOTANICAL NAME	COMMON NAME	QUANTITY AND SIZE	SIZE	SPACING
S1	S1	AGAVE	BLUE AGAVE	1 GAL	N	4'-6' O.C.
S2	S2	HESPERALOE PARVIFLORA	RED YUCCA	1 GAL	N	4'-6' O.C.
S3	S3	PHORMIUM TENAX & CULTIVARS	NEW ZEALAND FLAX	5 - 1 GAL	N	6'-8' O.C.
S4	S4	DIETES BICOLOR/IRIDIOIDES	FORTNIGHT LILY	5 - 1 GAL	N	6' O.C.
S5	S5	PHLOX (ECOLOGARDEN)		1 GAL	N	18" O.C.
S6	S6	LIPPIA NODIFLORA L KURAPIA	KURAPIA	10 FLATS 72 EA	N	6" BETWEEN ROWS
S7	S7	HEMEROCALLIS HYBRIDS	DAY LILY	15 - 1 GAL	N	4'-6' O.C.
S8	S8	ALOE BRANDHOLM	SHORT LEAF ALOE	4 - 1 GAL	N	6' O.C.
S9	S9	ECHINOCACTUS GRUSONII	BARREL CACTI	10 - 1 GAL	N	3' O.C.
S10	S10	SCHLUMBERGERA	THANKSGIVING CACTUS	5 - 1 GAL	N	3' O.C.
S11	S11	CONVOLVULUS MANTANUS	MONEYWORT (CREEPING JENNY)	5 - 1 GAL	N	18" O.C.
S12	S12	ERIOGONUM PARVIFOLIUM	SEACLIFF BUCKWHEAT	5 GAL	N	4'-6' O.C.
S13	S13	ARTEMISIA CALIFORNICA	CALIFORNIA SAGEBRUSH	5 GAL	N	4'-6' O.C.

KEYNOTES

NO.	DESCRIPTION

No.	Description	Date

PLANTATION LIST
AND SITE PHOTOS

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY, MALIBU, CA

Scale: As indicated

11/4/2011 11:25:12 AM

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist

FROM: City of Malibu Planning Department **REVISED DATE** 01/18/2022

PROJECT NUMBER:	CDP 18-038
JOB ADDRESS:	22549 PACIFIC COAST HWY, Vacant
APPLICANT / CONTACT:	Anita Kundi
APPLICANT ADDRESS:	12598 Central Ave Chino, CA 91710
APPLICANT PHONE #:	(951) 675-5851
APPLICANT FAX #:	
APPLICANT EMAIL:	anitaanita09@hotmail.com
PLANNER:	Scott Lunceford
PROJECT DESCRIPTION:	New Senior living facility and Zoning Map Amendment

---

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design** (See Attached).

X **The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.**

_____ **The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).**

Courtney McCammon — 2/9/22

Signature — Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:

Courtney McCammon, City Biologist, biology@malibucity.org, (310) 456-2489, extension 277

City of Malibu

Biology • Planning Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Anita Kundi anitaanita09@hotmail.com	
Project Address:	**22549 PACIFIC COAST HWY** Malibu, CA 90265	
Planning Case No.:	CDP 18-038	
Project Description:	New Senior living facility and Zoning Map Amendment	
Date of Review:	2/9/22	
Reviewer:	Courtney McCammon	Signature:
Contact Information:	Phone: (310) 456-2489 ext 277	Email: biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	1/18/22
Site Survey:	7/1/21
Landscape Plan:	7/21/21
Hydrozone Plan:	7/21/21
Irrigation Plan:	7/21/21
Fuel Modification Plan:	
Grading Plan:	7/21/21
OWTS Plan:	
Bio Assessment:	7/21/21
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	Development Area 1/18/22
Previous Reviews:	

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**CANNNOT APPROVE AS SUBMITTED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
	☒	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

Recycled Paper

DISCUSSION:

1. As allowed by senior planning staff, the applicant resurveyed the subject parcel. The results were a greater lot size, thus allowing a greater development area than previously evaluated. The newly established lot size is 12,084.4 square feet. Therefore, the maximum allowable development area is 3,021 square feet.

2. The Maximum Applied Water Allowance (MAWA) for this project totals 82,218 gallons per year (gpy). The Estimated Applied Water Use (EAWU) totals 62/954 gpy. Therefore, the project meets the Landscape Water Conservation Ordinance Requirements.

RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** with the following conditions:

   A. Pursuant to LIP Section 4.7.1, the allowable development area is limited to 3,021 square feet as all feasible building areas will result in impacts to Environmentally Sensitive Habitat Area (ESHA). The submitted development area is 3,016.29 square feet.

   B. Pursuant to LIP Section 4.8.1, all new development shall include mitigation for unavoidable impacts to Environmentally Sensitive Habitat Area (ESHA) from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance. **Prior to Final Plan Check** the applicant shall provide accurate area ESHA permanent impacts resulting from the development footprint and/or Fuel Modification Zones A and/or B) to ESHA and the area of partial impacts (Fuel Modification Zone C). One of the following three Habitat Impact Mitigation methods shall be required: (1) habitat restoration; (2) habitat conservation; or (3) in-lieu fee for habitat conservation. The CDP shall include conditions setting forth the requirements for habitat mitigation. **Prior to Final Plan Check** the applicant shall provide either a detailed restoration plan, a habitat conservation plan, or evidence of payment of in lieu fees to the Santa Monica Mountains Conservancy.

   C. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.

   D. Prior to or at the time of a Planning final inspection, the property owner/applicant shall submit to the case planner a copy of the plumbing permit for the irrigation system installation that has been signed off by the Building Safety Division.

   E. Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with the Landscape Water Conservation Ordinance (MMC Chapter 9.22). The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 9.22. (form attached)

F. Prior to Final Plan Check Approval, if your property is serviced by the Los Angeles County Waterworks District No. 29, please provide landscape water use approval from that department. For approval contact:

Nima Parsa
Address: 23533 West Civic Center Way, Malibu, CA 90265-4804
Email: Nparsa@DPW.LACOUNTY.GOV (preferred)
Phone: (310) 317-1389

Please note this action may require several weeks. As such, the applicant should submit their approved landscape plans to DPW as soon as feasible in order to avoid a delay at plan check.

G. Vegetation forming a view impermeable condition (hedge), serving the same function as a fence or wall, occurring within the side or rear yard setback shall be maintained at or below six feet in height. View impermeable hedges occurring within the front yard setback serving the same function as a fence or wall shall be maintained at or below 42 inches in height.

H. Vegetation shall be situated on the property so as not to obstruct the primary view from private property at any given time (given consideration of its future growth).

I. Invasive plant species, as determined by the City of Malibu, are prohibited.

J. No trees or shrubs shall be planted where any portion of the plan is situated within five (5) feet of any structure.

K. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote and copper arsenate.

L. Grading shall be scheduled only during the dry season from April 1 - October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.

M. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.

N. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas. Up-lighting is prohibited.

O. Necessary boundary fencing of any single area exceeding ½ acre shall be of an open rail-type design with a wooden rail at the top (instead of wire), be less than 40 inches high, and have a space greater than 14 inches between the ground and the bottom post or wire. A split rail design that blends with the natural environment is preferred.

2. **PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY**, the City Biologist shall inspect the project site and determine that all planning conditions to protect natural resources are in compliance with the approved plans.

3. **ERB REQUIRED**

Pursuant to LIP Section 4.4.4, the proposed project will require review by the Environmental Review Board (ERB) as it has the potential to impact special status biological resources.

-o0o-

If you have any questions regarding the above requirements, please contact the City Biologist office at your earliest convenience.

cc: Planning Project file
Planning Department

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department **REVISED DATE** 09/13/2023

PROJECT NUMBER:	CDP 18-038
JOB ADDRESS:	22549 PACIFIC COAST HWY, Vacant
APPLICANT / CONTACT:	Anita Kundi
APPLICANT ADDRESS:	12598 Central Ave Chino, CA 91710
APPLICANT PHONE #:	(951) 675-5851
APPLICANT FAX #:	
APPLICANT EMAIL:	anitaanita09@hotmail.com
PROJECT DESCRIPTION:	New Senior living facility and Zoning Map Amendment

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TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

X **Conformance Review Complete** for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

____ **Conformance Review Incomplete** for the City of Malibu LCP/LIP and MMC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: ☐ **NOT REQUIRED**

☒ **REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Paolo Quinto — **Signature**

10-10-2023 — **Date**

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW
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TO: **City of Malibu Environmental Health Administrator**

FROM: **City of Malibu Planning Department** **REVISED DATE** **09/13/2023**

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

The Environmental Health Specialist may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

City of Malibu

Environmental Health ● Environmental Sustainability Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Anita Kundi Anita09@hotmail.com		
Project Address:	**22549 Pacific Coast Hwy.** Malibu, California 90265		
Planning Case No.:	CDP 18-038		
Project Description:	New senior living facility and zone amendment		
Date of Review:	October 10, 2023		
Reviewer:	Paolo Quinto/Matt Janousek	Signature:	Paolo Quinto
Contact Information:	Phone: (310) 456-2489 ext.364	Email:	pquinto@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Brad Fowers dated 8-28-18. Gary Simmons dated 10-14-20.
Grading Plans:	**kpff: Plan dated 8-30-23**
OWTS Plan:	Larry Young: OWTS plan dated 8-18-20; **revised plan dated 8-30-23**
OWTS Report:	Larry Young: OWTS report dated 8-18-20
Geology Report:	Ralph Stone and Company dated 2-15-12. TGR: Updates dated 4-14-20 and 8-13-20; **OWTS Setback Reduction Letter dated 8-31-23**.
Miscellaneous:	EPD: Percolation Test Report dated 2-17-12; Limited Hydrology Report by EPD dated 7-26-17; **revised Fixture Unit Worksheet dated 8-30-23**. **Gary Simmons: OWTS Setback Reduction Letter dated 9-5-23**. **Solid Rock Structural Solutions: OWTS Setback Reduction Letter dated 9-6-23**.
Previous Reviews:	9-18-18, CRC dated 9-9-20 and 11-5-20

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	☐	**CONFORMANCE REVIEW INCOMPLETE** for the City of Malibu LIP and MPC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **REQUIRED (not attached)**

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code and the City of Malibu Local Coastal Program (LCP)/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project OWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

Conditions of Planning Conformance Review for Building Plan Check Approval:

1) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable).

   The final report must include a discussion and design capacity for the number of residents and employees/visitors for a commercial type wastewater discharge from a residential care facility with employees/visitors.

   The final OWTS design submittal shall contain the following information (in addition to the items listed above).

   a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture units, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

   b. Sewage and effluent pump design calculations (as applicable).

   c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for "package" systems; and the design basis for engineered systems.

d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system's geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All OWTS design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

3) **Building Plans:** All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

The final architectural plans must include the location of the OWTS.

4) **Traffic-Rated Slab Plan(s):** All project traffic rated slab plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

5) **Notice of Decision:** The final onsite wastewater treatment system plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department.

6) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

7) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

8) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

9) **Advanced Onsite Wastewater Treatment System (OWTS) Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of

Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the Malibu City Clerk**.

10) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.

11) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

13) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specifications.

14) **Operating Permit Application and Fee:** In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

-o0o-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file
Planning Department
City Geologist

22549 PACIFIC COAST HWY.
MALIBU, CA 90265

22549 PACIFIC COAST HWY (CDP 18-038)
MALIBU, CA 90265

SUPERSEDES ALL PRIOR APPROVALS

RESIDENTIAL	4 Bedroom/63 Fixture Units (N)
CARE FACILITY:	2 employees
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 w/UV Disinfection Unit (N)
ACTIVE:	1 – 6′ x 22′ BI w/ 8′ Cap (N)
FUTURE:	1 – 6′ x 22′ BI w/ 8′ Cap (N)
PERC RATE:	18,621 gpd/44.9 gpsf (proj; (PTP-3)
	11,319 gpd/27.3 gpsf (proj; (PTP-4)
DESIGNER:	Larry Young, REHS 3736
REFERENCE:	Larry Young: OWTS design report dated 8-18-20. Percolation report by EPD dated 2-17-12.
	Geology report by Ralph Stone and Company dated 2-15-12.

NOTES:

1. This conformance review is for a new 4 bedroom (63 fixture units) residential care facility with 2 employees. The new advanced onsite wastewater treatment system conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).

2. This review relates only to the minimum requirements of the MMC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.

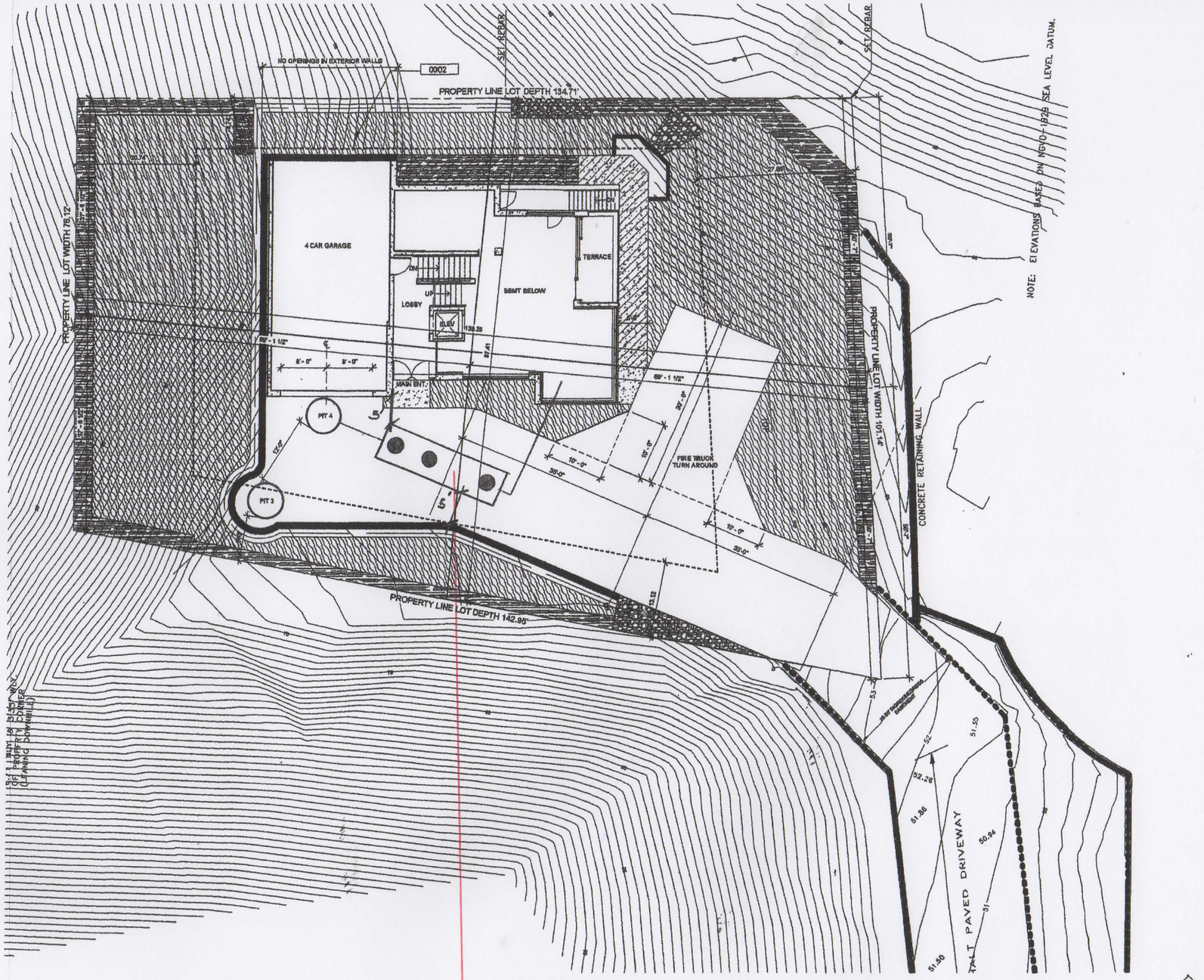
3. This review is valid for one year, or until MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: ..... DATE: 10/10/23

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS



MicroSepTec ES12
w/UV Disinfection

PIT-3: 6' X 22' BI w/8' Cap (Active)
PIT-4: 6' X 22' BI w/8' Cap (Future)

1" = 20'

ENVIRONMENTAL HEALTH SPECIALIST
LAWRENCE YOUNG
REG NO. 3738
L Young
STATE OF CALIFORNIA

AUG 3 0 2023

City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date: November 20, 2023 **4194**

Site Address: 22549 Pacific Coast Highway

Lot/Tract/PM #: n/a **Planning #:** **CDP 18-038**

Applicant/Contact: Dr. Anita Kundi, anitaanita09@hotmail.com Ref: PA 12-016

P6

BPC/GPC #:

Contact Phone #: 951-675-5851 **Fax #:** **Planner:** **Allison Cook**

Project Type: New senior living facility, new Onsite Wastewater Treatment System (OWTS)

Submittal Information

Consultant(s)/Report Date(s): *(Current submittal(s) in **Bold**.)*	TGR Geotechnical (Govil, GE 2382; Burrows, CEG 1750): **11-2-2023,** 9-8-2023, 5-10-2021, 4-5-2021, 2-25-2021, 1-11-2021, 8-13-2020**,** 4-14-2020, 9-11-17, 7-11-17, 5-1-17, 12-5-16, 8-16-16, 2-29-16 Ref: Ralph Stone and Company, Inc.: 9-30-12, 2-15-12 EPD Consultants (Poffenbarger, RCE 69089): 7-26-17, 3-1-17, 2-17-12 Lawrence Young (REHS # 3738): 8-18-2020 Architectural plans prepared by Gary Simmons dated August 26, 2023, 30 sheets. Grading plans prepared by KFPP Consulting Engineers dated August 30, 2023. OWTS plan prepared by Lawrence Young dated August 18, 2020. Limited Hydrology Study by EPD Consultants dated March 1, 2017.
Previous Reviews:	10-13-23, 6-1-2021, 1-27-21, 10-22-2020, 6-1-2020, 10-16-18, Environmental Health Review Sheets dated 11-5-2020, 9-9-2020 and 9-18-18; Ref:10-16-17, 8-30-17, 10-12-16, 4-20-16, 4-3-15, 4-16-12

Review Findings

Coastal Development Permit Review

☒ The senior living facility development project is **ACCEPTABLE** from a geotechnical perspective.

☐ The senior living facility development project is **NOT ACCEPTABLE** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to acceptance of the project.

Building Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

☐ The plans are **COMPLETE** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ The plans are **NOT COMPLETE** from a geotechnical perspective. Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes, guidelines, and standards of practice, including the following current City adopted standards:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction
- City of Malibu Guidelines for the Preparation of Geotechnical Reports and Procedures for Report Submittal (November 2013) referred to herein as Geotechnical Report Guidelines

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning variances, as appropriate; any questions regarding variances should be directed to the case Planner.

Remarks

The referenced response geotechnical report was reviewed by the City's consultants from a geotechnical perspective. The project was originally submitted to the City as a Pre-Application (PA) for City geotechnical staff to review the geotechnical study to determine if the single-family residential project was feasible. The development included a new single-family residence, swimming pool, retaining walls, impact walls, soil nails, grading, and a new onsite wastewater treatment system (OWTS). Percolation of effluent on the property was successfully demonstrated by the Project Environmental Health and Geotechnical Consultant.

Feasibility of the residential project was demonstrated by the Project Geotechnical Consultant, and City geotechnical staff issued a review letter dated October 16, 2017.

The applicant has revised the project from a new single-family residential development to a new senior living facility development. The City's geotechnical consultants reviewed the plans and update geotechnical reports for the senior living project and accepted the project in planning in the referenced geotechnical review letter dated 6-1-2021. The applicant has submitted revised architectural and grading plans, as well as an update geotechnical report, that addresses the revisions to the senior living facility and configuration of the debris/retaining walls on the site, as well as revisions to the grading on the site. The revised project includes a new 2,597 square foot 2-story senior living facility with a garage and a 1,194 square foot basement, retaining and impact walls, and grading (1,100 yards of R & R; 874 yards of cut under structure; 150 yards of cut for safety; 106 yards of cut and 28 yards of fill non-exempt; and 1,102 yards of export). A new Onsite Wastewater Treatment System (OWTS) will be installed on the property that consists of a treatment tank system and one 6' diameter x 22' BI seepage pit with an 8' cap with 100% expansion.

Mitigation of the substandard surficial stability of the north-ascending slope will be provided by installing soil nails with wire mesh to bring the factor of safety to 1.5. The north ascending slope will meet the required factors of safety with the installation of caissons and tie-backs.

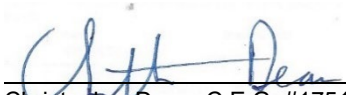
Building Plan-Check Stage Review Comments:

1. Please submit a fee of $1,179.00 to City geotechnical staff for building plan check review.
2. The Project Geotechnical Consultant should clarify if downdrag forces are accounted for in the design of the pile foundations located within existing uncertified fill areas.

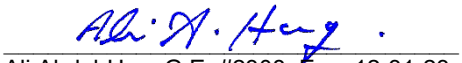
Note: The Consultant indicates in response to the above comment that "*The downdrag forces are accounted for by ignoring the end bearing capacity on bedrock*." The response is considered incomplete for the following reason: The Consultant recommends **frictional** cast-in-place caissons. End bearing is typically ignored unless a method for cleaning and maintaining the bottom of the excavation thoroughly clean and free from any loose or sloughed materials. If the Consultant elects to account for downdrag forces by ignoring end bearing resistance, then the consultant needs to provide recommendations for cleaning caissons excavations from any loose and sloughed materials and the excavations needs to be maintained clean until concrete is poured.

3. Please clearly show the Code-required minimum foundation setbacks from descending slopes and building setbacks from ascending slopes on the plans, where applicable.
4. The Project Civil Engineer needs to review the debris flow calculations and verify that the area behind the impact wall is adequate to contain the volume of the expected mud flow.
5. Retaining wall details with an effective backdrain system should be depicted on the appropriate project plans.
6. Details of the proposed surficial stability mitigation measures should be provided for review and depicted on the grading and building plans, as appropriate.
7. Tieback locations and lengths and the impact wall(s) need to be depicted on the grading and retaining wall plans.
8. Please clearly show the restricted use area (RUA) on the site and grading plans.
9. Additional calculations and recommendations for tiebacks installation and design need to be submitted for review (example: recommendations for minimum bonded length of anchors).
10. Include the following note on the building plans: "*The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, and a map depicting the locations of the piles".*
11. One set of final electronic grading, retaining wall, impact wall, tie-back, debris fence, and senior living facility plans **(APPROVED BY BUILDING AND SAFETY)** incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet must be **reviewed and e-stamped and e-signed by the Project Engineering Geologist and Project Geotechnical Engineer**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet.

Please direct questions regarding this review sheet to the City's Geotechnical consultants listed below.

Engineering Geology Review by:  *11-20-2023*

Christopher Dean, C.E.G. #1751, Exp. 9-30-24 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

Geotechnical Engineering Review by:  *11-20-2023*

Ali Abdel-Haq, G.E. #2308, Exp. 12-31-23 Date
Geotechnical Engineering Reviewer (805-496-1222)
Email: ali@geodynamics-inc.com

(MAL25138)

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

GeoDynamics, Inc.
Applied Earth Sciences
Geotechnical Engineering & Engineering Geology Consultants

– GEOTECHNICAL –

NOTES FOR BUILDING PLAN-CHECK

The following standard items should be incorporated into Building Plan-Check submittals, as appropriate:

1. One set of grading, retaining wall, debris fence, impact wall, tie-back, and senior living facility plans incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.**
2. Show the name, address, and phone number of the Project Geotechnical Consultant(s) on the cover sheet of the Swimming pool plans.
3. Include the following note on the Foundation Plans: "*All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
4. The Foundation Plans for the proposed swimming pool and spa shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
5. Show the onsite wastewater treatment system on the Site Plan.
6. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.
7. A comprehensive Site Drainage Plan, incorporating the Project Geotechnical Consultant's recommendations, shall be included in the Plans. Show all area drains, outlets, and non-erosive drainage devices on the Plans. Water shall not be allowed to flow uncontrolled over descending slopes.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Project Geotechnical Consultant, on the Plans.
2. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional concerns may be raised at that time which may require a response by the Project Geotechnical Consultant and applicant.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW
REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department **REVISED DATE** 06/21/2023

PROJECT NUMBER:	CDP 18-038
JOB ADDRESS:	22549 PACIFIC COAST HWY, Vacant
APPLICANT / CONTACT:	Anita Kundi
APPLICANT ADDRESS:	12598 Central Ave Chino, CA 91710
APPLICANT PHONE #:	(951) 675-5851
APPLICANT FAX #:	
APPLICANT EMAIL:	anitaanita09@hotmail.com
PROJECT DESCRIPTION:	New Senior living facility and Zoning Map Amendment

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TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

____ The following items described on the attached memorandum shall be addressed and resubmitted.

X The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.

SIGNATURE

7/6/2023
DATE

City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
Nathaniel McLean, Assistant Civil Engineer

Date: July 6, 2023

Re: Proposed Conditions of Approval for 22549 Pacific Coast Hwy, CDP 18-038

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

GRADING AND DRAINAGE

1. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development LIP Section 17.3.1 that:
    - Is located within or adjacent to ESHA, or
    - Includes grading on slopes greater than 4:1
    - Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4:1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources

2. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City's LIP Section 8.3. **A note shall be placed on the project that addresses this condition.**

3. A grading and drainage plan shall be approved containing the following information prior to the issuance of grading permits for the project.

- Public Works Department General Notes
- The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks).
- The limits of land to be disturbed during project development shall be delineated on the grading plan and a total area shall be shown on the plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated.
- The grading limits shall include the temporary cuts made for retaining walls, buttresses, and over excavations for fill slopes and shall be shown on the grading plan.
- If the property contains trees that are to be protected they shall be highlighted on the grading plan.
- If the property contains rare and endangered species as identified in the resources study the grading plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on the grading plan if required by the City Biologist.
- Private storm drain systems shall be shown on the grading plan. Systems greater than 12-inch diameter shall also have a plan and profile for the system included with the grading plan.
- Public storm drain modifications shown on the grading plan shall be approved by the Public Works Department prior to the issuance of the grading permit.

4. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMP's shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlet, post-construction BMP's and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

STORMWATER

5. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls	Scheduling
	Preservation of Existing Vegetation
Sediment Controls	Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations

Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

6. A Storm Water Management Plan (SWMP) is required for this project. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within the City's Local Implementation Plan Section 17.3.2.B.2. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The SWMP shall identify the Site design and Source control Best Management Practices (BMP's) that have been implemented in the design of the project (See LIP Chapter 17 Appendix A). The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading/building permits for this project.

7. A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
    - Site Design Best Management Practices (BMP's)
    - Source Control BMP's
    - Treatment Control BMP's that retains on-site the Stormwater Quality Design Volume (SWQDv). Or where it is technical infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site.
    - Drainage Improvements
    - A plan for the maintenance and monitoring of the proposed treatment BMP's for the expected life of the structure.
    - A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.
    - The WQMP shall be submitted to Public Works Department and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the

technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

8. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

9. The discharge of swimming pool, spa and decorative fountain water and filter backwash, including water containing bacteria, detergents, wastes, alagecides or other chemicals is prohibited. Swimming pool, spa, and decorative fountain water may be used as landscape irrigation only if the following items are met:

    - The discharge water is dechlorinated, debrominated or if the water is disinfected using ozonation;
    - There are sufficient BMPs in place to prevent soil erosion; and
    - The discharge does not reach into the MS4 or to the ASBS (including tributaries)

    Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

    The applicant shall also provide a construction note on the plans that directs the contractor to install a new sign stating **"It is illegal to discharge pool, spa or water feature waters to a street, drainage course or storm drain per MMC 13.04.060(D)(5)."** The new sign shall be posted in the filtration and/or pumping equipment area for the property. Prior to the issuance of any permits, the applicant shall indicate the method of disinfection and the method of discharging.

COMMERCIAL DEVELOPMENT

10. Prior to the approval of any grading and drainage permit, the applicant shall submit a PDF of the final plans. If there are further modifications to the plans, the applicant shall provide the City with an updated PDF.

City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804

LOS ANGELES COUNTY WATERWORKS DISTRICTS REVIEW
REFERRAL SHEET

FROM: City of Malibu Planning Department **DATE: 08/14/2020**

PROJECT NUMBER:	**CDP 18-038**
JOB ADDRESS:	**22549 PACIFIC COAST HWY, Vacant**
APPLICANT / CONTACT:	**Anita Kundi**
APPLICANT EMAIL:	**anitaanita09@hotmail.com**
APPLICANT PHONE #:	**(951) 675-5851**
PLANNER:	**Allison Cook**
PROJECT DESCRIPTION:	**New Senior living facility and Zoning Map Amendment**

TO: Malibu Planning Department and/or Applicant

FROM: LACWD No. 29, Malibu

Compliance with the conditions checked below is required prior to Waterworks District approval

The project **DOES NOT** require any system improvements for domestic and/or fire flow conditions	
The project **DOES NOT** require capital improvement fees and/or participation fees	
The project **DOES** require a Will Serve Letter ***(Final Waterworks Districts approval)***	X
The project **DOES** require capital improvement fees and/or participation fees	X
The project **DOES** require the owner to execute an agreement and participate financially in the design and construction of a future water system to increase local storage and conveyance capacity in the event of an interruption of the primary water supply	
The project **DOES** require private contract water system improvements for domestic and/or fire flow conditions	X

The required fire flow for this project set by the Fire Department is 1,250 gallons per minute at 20 pounds per square inch for a 1 hour duration

Scope of water system improvements required:

One 20-inch check valve assembly and bypass on the existing 20-inch water line, 18-inch and 16-inch pipe spools in the existing manifold, in a vault within the Caltrans right-of-way of Topanga Canyon Blvd. north of Pacific Coast Highway, one connection to the existing 20-inch water main, and all other necessary appurtenances and connections.

Note: Los Angeles County Waterworks District No. 29, Malibu approval expires upon the earliest of the following: 1) Two years from the date of this form; 2) Expiration date of the City Planning permit(s), or 3) Date County adopts changes to the county of Los Ange/es Fire Code an makes revisions to appli le ire Department regulations and standards.

SIGNATURE **DATE** 3/6/2024

Additional requirements/conditions may be imposed upon review of complete architectural plans.
Los Angeles County Waterworks District No. 29, Malibu may be contacted by phone at (310) 317-1389 or at the Waterworks Public Counter: 23533 Civic Center Way, Malibu CA 90265; Hours: Monday-Thursday 8:00am – 12:00pm

RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

No.	Description	Date
2	BK02	06/29/2020

1. ALL CONSTRUCTION SHALL COMPLY WITH THE 2019 CRC, CDC, CMC, CPC, CEC, CGBC, THE 2019 TITLE 24 ENERGY STANDARDS AND THE 2019 CALIFORNIA ENERGY EFFICIENT STANDARD. CODES AND LOCAL AMENDMENTS.
2. PROJECT SHALL COMPLY WITH NPDES, SUSMP, AND BMP REQUIREMENTS
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CODES OF THE GOVERNING AUTHORITY AND SPECIAL REQUIREMENTS OF THE BUILDING PERMIT.
4. ALL WORKMANSHIP AND MATERIALS SHALL COMPLY WITH THE LATEST EDITION OF THE CALIFORNIA BUILDING CODES, APLICABLE CBC STANDARDS AND / OR ALL ADDITIONAL REQUIREMENTS OF THE CITY OF TUSTIN
5. PROJECT MUST COMPLY WITH LATEST STATE TITLE 24 ENERGY STANDARDS.
6. EXTERIOR WALLS SHALL BE APPROVED NONCOMBUSTIBLE OR IGNITION RESISTANT MATERIAL, HEAVY TIMBER, OR LOG WALL CONSTRUCTION OR SHALL PROVIDE PROTECTION FROM THE INTRUSION OF FLAMES AND EMBERS IN ACCORDANCE WITH STANDARD SFM 12-7A-1 (704A.3.1)
7. FIRE BLOCKS AT THE FOLLOWING LOCATIONS PER SECTION 2516 (F):
   - 7.1. IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS (INCLUDING FURRED SPACES) AT THE CEILING AND FLOOR LEVELS AND AT 10FT INTERVALS BOTH VERTICALLY AND HORIZONTALLY.
   - 7.2. AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROPPED AND COVED CEILINGS.
   - 7.3. IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN AND BETWEEN STUDS ALONG WITH AND IN LINE WITH THE RUN OF THE STAIRS, IF THE WALLS UNDER THE STAIRS ARE UNFINISHED.
   - 7.4. IN OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS, FIREPLACES AND SIMILAR OPENINGS WHICH AFFORD A PASSAGE FOR FIRE AT CEILING AND FLOOR LEVELS.
   - 7.5. AT OPENINGS BETWEEN ATTIC SPACES AND CHIMNEY CHASES FOR FACTORY BUILT CHIMNEYS.
8. ARTIFICIAL LIGHT SHALL BE PROVIDED THAT IS ADEQUATE TO PROVIDE AN AVERAGE ILLUMINATION OF 10 FOOT- CANDLES (107 LUX) OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES (762mm) ABOVE THE FLOOR LEVEL. 1205.3
9. STAIRWAYS WITHIN DWELLING UNITS AND EXTERIOR STAIRWAY SERVING A DWELLING SHALL HAVE AN ILLUMINATION LEVEL ON TREAD RUNS OF NOT LESS THAN 1 FOOT-CANDLE (11LUX). 1205.4
10. SMOKE DETECTORS:
    - 10.1. HARD-WIRED SMOKED DETECTORS WITH A BATTERY BACKUP ARE REQUIRED ON THE CEILING OR WALL OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF BEDROOMS. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.2. HARD-WIRED SMOKE DETECTORS WITH A BATTERY BACKUP ARE REQUIRED IN EACH ROOM USED FOR SLEEPING PURPOSES. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.3. HARD-WIRED SMOKE DETECTORS WITH A BATTERY BACKUP ARE REQUIRED IN EACH STORY WITHIN A DWELLING UNIT, INCLUDING BASEMENTS BUT NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SUFFICE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAT ONE FULL STORY BELOW THE UPPER LEVEL. SHOW ALL LOCATIONS WITH A SYMBOL ON THE PLAN [907.2.10.1.2]
    - 10.4. WHERE MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT, THE SMOKE ALARMS SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE LEVELS WITH ALL INTERVENING DOORS CLOSED. 907.2.10.3
11. PRIOR TO ISSUANCE OF PERMIT OF ANY EXCAVATION A MEETING SHALL BE HELD AT THE SITE THAT WILL BE ATTENDED BY THE PROJECT ENGINEERING GEOLOGIST AND PROJECT ENGINEERING GEOLOGIST, PROJECT BUILDING INSPECTOR, GENERAL CONTRACTOR AND SHORING CONTRACTOR
12. CONTACT DIG ALERT PRIOR TO ANY EXCAVATION
13. THERE SHALL BE NO TRENCHES OR EXCAVATIONS 5 FEET OR MORE IN DEPTH INTO WHICH A PERSON IS REQUIRED TO DESCEND, OR OBTAIN PERMIT FROM STATE OF CALIFORNIA, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA). THIS PERMIT AND ANY OTHER SAFETY PERMIT SHALL BE OBTAINED PRIOR TO COMMENCE OF ANY WORK.
    - 13.1. IF SHORING IS REQUIRED, OBTAIN SHORING PERMIT PRIOR TO ISSUANCE OF BUILDING PERMIT.
    - 13.2. A BOND IN THE AMOUNT OF SHORING COST IS REQUIRED.
14. VERIFY ALL LOCATIONS OF EXISTING UTILITIES WITH SERVING UTILITY PRIOR TO COMMENCEMENT OF ANY WORK AND VERIFY LOCATION WITH DESIGNER
    - 14.1. IF NECESSARY UNDERGROUND ALL UTILITY LINES TO THE NEAREST EXISTING UTILITY POLE.
15. A SEPARATE PERMIT IS REQUIRED FOR ALL RETAINING WALLS, GARDEN WALLS, POOLS, SPAS, FENCES, ENCROACHMENT INTO PUBLIC RIGHTS OF WAY (IE. DRIVEWAYS, SIDEWALKS ETC.)
16. MAINTAIN A MINIMUM OF 5% POSITIVE DRAIN AWAY FROM THE BUILDING FOR A MINIMUM OF DISTANCE OF 10 FT.
17. THE LARGEST RISE OR RUN IN A FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8".

GENERAL NOTES

1. ANY OMISSIONS AND CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND /OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER BEFORE PROCEEDING WITH ANY OF THE WORK SO INVOLVED. ALL WORK IS TO BE CO-ORDINATED SO THAT THE CO-OPERATION BETWEEN ALL TRADES, WHERE REQUIRED, IS ACCOMPLISHED.
2. CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD, REPORT ANY DISCREPANCIES TO DESIGNER PRIOR TO STARTING WORK AND CONTRACTOR SHALL MAKE AND ADD ALL CORRECTIONS NECESSARY DUE TO NEGLIGENT FIELD VERIFICATION AT HIS SOLE EXPENSE.
3. CONTRACTOR TO VERIFY SIZE OF ALL FRAMED OPENINGS UPON COMPLETION OF FRAMING AND PRIOR TO ORDERING.
4. THE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES CLEAR OF THE ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK AND AT THE COMPLETION OF THE WORK, SHALL REMOVE ALL RUBBISH, DEBRIS EQUIPMENT AND SURPLUS MATERIALS FROM IN AND AROUND THE BUILDING AND LEAVE THE WORK "BROOM CLEAN".
5. PROVIDE PEDESTRIAN PROTECTION
6. PATCH AND REPAIR ALL SURFACES DISRUPTED OR DAMAGED DURING CONSTRUCTION TO EXACTLY MATCH EXISTING ADJACENT SURFACES.
7. OWNERS OF ADJACENT PROPERTIES THAT MUST UNDERPIN THEIR BUILDINGS DUE TO THE PROPOSED EXCAVATION SHALL BE NOTIFIED IN WRITING TEN DAYS PRIOR TO BEGINNING THE EXCAVATION. COPIES OF THESE NOTIFICATION LETTERS SHALL BE PROVIDED TO THE CITY PRIOR TO BEGINNING THE EXCAVATION.
8. RESPONSIBLE CERTIFIED ENGINEERING GEOLOGIST WILL INSPECT AND APPROVE ALL GRADING AND EXCAVATIONS PRIOR TO PLACEMENT OF FORMS, REBAR OR CONCRETE
9. LICENSED ENGINEER THAT PREPARED THE DRAINAGE PLAN SHALL CERTIFY AT THE COMPLETION OF THE PROJECT THAT THE SITE DRAINAGE IS IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED DRAINAGE PLAN.
10. DESIGNER EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THE ATTACHED DRAWINGS LISTED. THESE DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF THE DESIGNER.

BMPS

1. In the case of emergency, call
at Work Phone #
or Home Phone #
2. Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
3. Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tacking, or wind.
4. Appropriate BMP's for construction related materials, wastes, spills shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
5. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
6. All construction contractor and subcontractor personnel are to be made aware or the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
7. At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
8. Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than stormwater only when necessary for performance and completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination, or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.
9. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents; asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing and superchlorinated potable water line flushing.
   During construction, permittee shall dispose of such materials in a specified and controlled temporary area onsite, physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
10. Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of noncontaminated groundwater requires a National Pollutant Discharge Elimination System Permit from the respective State Regional Water Quality Control Board.
11. Graded areas on the permitted area perimeter must drain away from the face of slopes at the conclusion of each working day. Drainage is to be directed toward desilting facilities.
12. The permittee and contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
13. The permittee and contractor shall inspect the erosion control work and insure that the work is in accordance with the approved plans.
14. The permittee shall notify all general contractors, subcontractors, material suppliers, lessees, and property owners: that dumping of chemicals into the storm drain system or the watershed is prohibited.
15. Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of temporary devices when rain is imminent.
16. All removable erosion protective devices shall be in place at the end of each working day when the 5 Day Rain Probability Forecast exceeds 40%.
17. Sediments from areas disturbed by construction shall be retained on site using an effective combination of erosion and sediment controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
18. Appropriate BMPs for constructionrelated materials, wastes, spills or residues shall be implemented and retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.

NPDES NOTES

PROJECT ADDRESS
22549 PACIFIC COAST HWY. MALIBU, CA

LEGAL DESCRIPTION
4452-023-003

PROJECT DESCRIPTION
- ASSISTED LIVING FACILITY FOR AMBULATORY SENIOR RESIDENTS.
- BASEMENT WITH, LAUNDRY, STAFF RESTROOM, STORAGE, MECHANICAL ROOM AND INCLUDES 2 DOUBLE OCCUPANCY BEDROOMS, ATTACHED BATHROOMS AND GREAT ROOM.
- ENTRY LEVEL INCLUDES LOBBY, ELEVATOR AND STAIRS.
- 1st FLOOR INCLUDES KITCHEN FOR MEAL PREP., GREAT ROOM AND TERRACE.
- 2nd FLOOR INCLUDES 2 DOUBLE OCCUPANCY BEDROOMS, ATTACHED BATHROOMS AND THE ROOF TERRACE.

CODE ANALYSIS
CODE: CBC 2019, CRC, CEC, CMC, CPC, CALIFORNIA GREEN BUILDING STANDARDS CODE AND 2016 ENERGY EFFICIENCT STANDARDS. CODES AND LOCAL AMENDMENTS
CONSTRUCTION TYPE: III B
OCCUPANCY: R-3.1
ZONE: CC - COMMUNITY COMMERCIAL
STORIES: 2
FIRE SPRINKLER: YES

BUILDING LOT AREA
LOT AREA: 12,081 SF
BUILDING HEIGHT: 24'-0"
DEVELOPMENT AREA 25% OF 12,081= 3020.25 SF. MAX
PROPOSED DEVELOPMENT AREA = 3016.09 SF.

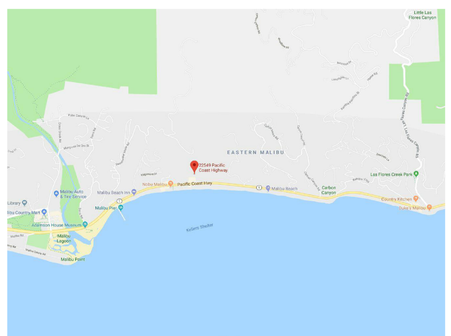
BUILDING AREA
PROPOSED BASEMENT (EXEMPT): 1,194 SF
ENTRY LEVEL: 294 SF GARAGE (EXEMPT): 805 SF
FIRST LEVEL: 781 SF
SECOND LEVEL: 717 SF

TOTAL EXCLUDING BSMT: 1,792 SF (MAX ALLOWABLE FAR AND GARAGE 1812.15 SF)

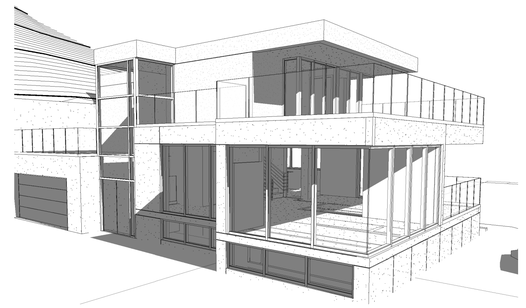
CAPACITY AND AMBULATORY STATUS
BEDROOM #1: (2) AMBULATORY RESIDENTS
BEDROOM #2: (2) AMBULATORY RESIDENTS

GRADING
REFER TO CIVIL ENGINEERING PLANS

PROJECT SUMMARY



VICINITY MAP



To schedule an inspection, please email
Fire-FPCalabasas@fire.lacounty.gov
Provide at least one set of the approved plans to them prior to the inspection.

SEPARATE APPROVAL REQUIRED FOR:
13D
- ☑ Underground fire line plans
- ☑ Fire sprinkler plans
- ☐ Fire alarm plans

SUBMIT PLANS TO:
- ☑ Fire Sprinkler Plan Check Unit
- ☐ Fire Alarm Plan Check Unit

Square Footage Of Various Project Site Elements:

Buildings	2,226.00	18.43%
Pedestrian Paths	357.00	2.96%
Patio/Decks not part of Building	0.00	
Driveway	849.00	7.00%
Fire Truck Turnaround	2,100.00	17.40%
Landscaping	6,022.00	49.85%
Retaining Walls	198.00	1.64%
Easement	329.00	2.72%
TOTAL	12,081.00	100%

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
APPROVED
By _____
Fire Prevention Engineer
Date 11/16/2023

SITE PLAN W/ YARD SETBACKS

OWNER:
ANITA KUNDI
12598 CENTRAL AVE. #219
CHINO, CA 91710

ARCHITECT:
GARY SIMMONS
114 N ENCANTO ST.
ORANGE, CA 92869
TEL. 714.293.4271
CONTACT: HARBANS GHATAODE
TEL. 949.922.2194

CIVIL ENGINEER:
kpff
18400 VON KARMAN AVE
SUITE 600
IRVINE, CA 92612

PROJECT TEAM

GENERAL	
G0.00	COVERSHEET
CIVIL	
C-001	TITLE SHEET
C-110	EROSION CONTROL PLAN
C-130	GRADING PLAN AND DRAINAGE PLAN
C-131	GRADING PLAN
C-300	FIRE LANE ROADWAY PROFILE
C-301	FIRE LANE ROADWAY ALIGMENT
C-500	DETAILS
C-501	DETAILS
ARCHITECTURAL	
A0.10	SITE PLAN
A0.11	ENLARGED SITE PLAN
A1.00	BASEMENT FLOOR PLAN
A1.05	ENTRY LEVEL FLOOR PLAN
A1.10	FIRST FLOOR PLAN
A1.20	SECOND FLOOR PLAN
A1.30	ROOF PLAN
A3.10	WEST ELEVATION
A3.20	EAST ELEVATION
A3.30	NORTH AND SOUTH ELEVATION
A4.10	BUILDING SECTION
A4.20	BUILDING SECTION
A4.30	BUILDING SECTION

SHEET INDEX

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

COVERSHEET

RESIDENTIAL CARE FACILITY FOR THE ELDERY
22549 PACIFIC COAST HWY. MALIBU, CA

G0.00

Scale

8/26/2023 11:16:33 AM

CITY OF MALIBU PUBLIC WORKS DEPARTMENT GENERAL NOTES:

1. ALL WORK SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (SSPWC) "GREEN BOOK."
2. CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (CAL–OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. CONTRACTOR SHALL CALL THE PUBLIC WORKS INSPECTOR AT (310) 456–2489, EXT. 341 FOR PRE–CONSTRUCTION MEETING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR GRADING OPERATIONS. CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS INSPECTOR 48 HOURS PRIOR TO COMMENCING ANY CONSTRUCTION AND 24 HOURS IN ADVANCE OF SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK.
4. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT–OF–WAY.
5. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CITY PUBLIC RIGHT OF WAY SHALL REQUIRE A CITY ENCROACHMENT PERMIT. CALL THE PUBLIC WORKS INSPECTOR AT (310) 456–2489, EXT. 341 TO APPLY FOR A PERMIT.
6. STORAGE OF ANY CONSTRUCTION MATERIALS, CONSTRUCTION TRAILER, AND/OR PARKING AND ANY WORK WITHIN THE CALTRANS PUBLIC RIGHT OF WAY SHALL REQUIRE A CALTRANS ENCROACHMENT PERMIT. SUBMIT A COPY OF THE CALTRANS ENCROACHMENT PERMIT TO THE PUBLIC WORKS DEPARTMENT.
7. ALL WORK SHALL BE PERFORMED DURING CITY WORKING HOURS AND IN COMPLIANCE WITH THESE PLANS.
8. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORK.
9. CONTRACTOR SHALL LOCATE, PROTECT, AND SAVE ANY AND ALL SURVEY MONUMENTS THAT WILL BE OR MAY BE DAMAGED OR DESTROYED BY THEIR OPERATIONS. ONCE FOUND, THE CONTRACTOR SHALL THEN NOTIFY BOTH THE DEVELOPER'S SUPERVISING CIVIL ENGINEER AND THE PUBLIC WORKS INSPECTOR. THE SUPERVISING CIVIL ENGINEER SHALL RESET ALL SAID MONUMENTS PER THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS.
11. EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE CITY ENGINEER. AS A MINIMUM, CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE "WORK AREA TRAFFIC CONTROL HANDBOOK" (THE "WATCH MANUAL"), PUBLISHED BY BNI BUILDING NEWS, INC. A TRAFFIC CONTROL PLAN, PREPARED BY THE DEVELOPER, MAY BE REQUIRED BY THE CITY.
12. DUST CONTROL SHALL BE MAINTAINED AT ALL TIMES.
13. EROSION CONTROL PLANS SHALL BE PROVIDED FOR ALL PROJECTS. GRADING AND CLEARING IS PROHIBITED FROM NOVEMBER 1 TO MARCH 31 FOR ALL DEVELOPMENTS WITHIN OR ADJACENT TO ESHA AND/OR INCLUDING GRADING ON SLOPES GREATER THAN 4:1.
14. ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE CITY ENGINEER.
15. THE DEVELOPER SHALL COMPLY WITH NPDES REQUIREMENTS. THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES AND SHALL BE KEPT UPDATED.
16. ALL RECOMMENDATIONS MADE BY THE GEOTECHNICAL/SOILS ENGINEER (AND ENGINEERING GEOLOGIST, WHERE EMPLOYED), AND CONTAINED IN THE REPORTS REFERENCED HEREON, AS APPROVED OR CONDITIONED BY THE CITY, SHALL BE CONSIDERED A PART OF THE GRADING PLAN.
17. ALL STORM DRAIN PIPE WITHIN THE PUBLIC RIGHT–OF–WAY AND EASEMENTS SHALL BE REINFORCED CONCRETE PIPE (RCP).
18. TERRACE DRAINS, INTERCEPTOR DRAINS, AND DOWN DRAINS SHALL BE CONSTRUCTED OF 3" P.C.C. REINFORCED WITH 6"X6" X #10 W.W.M. AND SHALL BE EITHER SEMICIRCULAR OR TRIANGULAR CROSS SECTION. CONCRETE COLOR SHALL BE "OMAHA TAN" OR APPROVED EQUIVALENT.
19. GRADING QUANTITIES:
    CUT: 1,680 CY
    FILL: 578 CY
    IMPORT: 0 CY
    EXPORT: 1,102 CY
20. TOTAL DISTURBED AREA: 12,081SF OR 0.28 ACRES
    (INCLUDING GRADING, CLEARING, AND LANDSCAPING AREA)
    TOTAL EXISTING IMPERVIOUS SURFACE AREA: 776 SQ. FT.
    TOTAL PROPOSED IMPERVIOUS SURFACE AREA: 5,730 SQ. FT.
    FLOOD ZONE ON FIRM: ZONE D
    BASE FLOOD ELEVATION: UNDETERMINED
21. ALL SLOPES ON PRIVATE PROPERTY ADJOINING STREETS, DRAINAGE CHANNELS, OR OTHER PUBLIC FACILITIES SHALL BE GRADED NOT STEEPER THAN 2:1 FOR CUT AND FILL UNLESS SPECIFICALLY APPROVED BY THE CITY ENGINEER ON RECOMMENDATION OF THE PROJECT'S GEOTECHNICAL/SOILS CONSULTANT.
22. THE APPLICANT SHALL LABEL ALL CITY/COUNTY STORM DRAIN INLETS WITHIN 250 FEET FROM EACH PROPERTY LINE PER THE CITY OF MALIBU'S STANDARD LABEL TEMPLATE.

LEGEND:

GENERAL

- CIVIL LIMITS OF WORK
- SHEET MATCH LINE

ANNOTATION

- 100.00 XX — SURFACE ELEVATION/UTILITY ELEVATION
- (100.00 XX) — EXISTING SURFACE ELEVATION/UTILITY ELEVATION
- XX — CONSTRUCTION NOTE
- 2.0% — FLOW (DIRECTION AND GRADE)
- 2:1 — SLOPE (DIRECTION AND RUN:RISE)
- XX — HORIZONTAL CONTROL POINT LABEL
- CX — CURVE DATA LABEL
- FF=100.00 — PAD/FINISHED FLOOR ELEVATION

SITE

- CURB/BACK OF CURB/GUTTER
- RETAINING WALL/SITE WALL
- PROPERTY LINE/RIGHT OF WAY
- CENTER LINE
- FENCE
- TO BE DEMOLISHED

GRADING

- 100 — PROPOSED MAJOR CONTOUR
- 102 — PROPOSED MINOR CONTOUR
- FLOW LINE
- GB — GRADE BREAK LINE
- R — RIDGE LINE
- EARTHEN SWALE
- SAWCUT

UTILITY

- SD — STORM DRAIN
- UTILITY CLEANOUT
- AREA/PLANTER DRAIN

SHEET INDEX

SHEET NUMBER	SHEET TITLE
C-001	TITLE SHEET
C-110	EROSION CONTROL PLAN
C-130	GRADING & DRAINAGE PLAN
C-131	GRADING & DRAINAGE PLAN
C-300	FIRE LANE ROADWAY PROFILE
C-301	FIRE LANE ROADWAY ALIGNMENT
C-500	DETAILS
C-501	DETAILS

ABBREVIATIONS:

AC	ASPHALTIC CONCRETE	(N)	NORTH
BW	BACK OF WALK	NTS	NOT TO SCALE
BLDG	BUILDING	PA	PLANTER AREA
BOS	BOTTOM OF STAIRS	POC	POINT OF CONNECTION
BMP	BEST MANAGEMENT PRACTICES	PIV	POST INDICATOR VALVE
CB	CATCH BASIN	PCC	PORTLAND CEMENT CONCRETE
CL, ℄	CENTER LINE	PVC	POLYVINYL CHLORIDE
CMU	CONCRETE MASONRY UNIT	PL, P	PROPERTY LINE
CO	CLEANOUT	R=	RADIUS
CONC	CONCRETE	RW, R/W	RIGHT–OF–WAY
CF	CURB FACE	(S)	SOUTH
DW	DOMESTIC WATER	S=	SLOPE EQUALS
(E)	EAST	SD	STORM DRAIN
EG	EDGE OF GUTTER	SSMH	SANITARY SEWER MANHOLE
EL., ELEV	ELEVATION	SS	SANITARY SEWER
EX., EXIST.	EXISTING	STD	STANDARD
FDC	FIRE DEPARTMENT CONNECTION	SDMH	STORM DRAIN MANHOLE
FF	FINISHED FLOOR	TC	TOP OF CURB
FG	FINISHED GRADE (LANDSCAPE)	TEL	TELEPHONE
FS	FINISHED SURFACE (HARDSCAPE)	TG	TOP OF GRATE
FH	FIRE HYDRANT	TOS	TOP OF STAIRS
FL	FLOW LINE	TW	TOP OF WALL
GV	GATE VALVE	TYP	TYPICAL
FW	FIRE WATER	VIF	VERIFY IN FIELD
GPM	GALLONS PER MINUTE	VCP	VITRIFIED CLAY PIPE
HP, (HP)	HIGH POINT	(W)	WEST
INV.	INVERT	W	WATER
LP, (LP)	LOW POINT	WM	WATER METER
MH	MANHOLE	WV	WATER VALVE

PATTERN LEGEND:

- CONCRETE PAVING (REFER TO SHEET C–500 FOR DETAILS)
- GRASSCRETE (REFER TO SHEET C–501 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP–RAP (REFER TO SHEET C–500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C–500 FOR DETAILS)

SITE AREAS:

SEE G0.00 FOR SITE AREA BREAKDOWN

BASIS OF BEARINGS:

THE BEARING OF N86°01'00"E ALONG THE CENTERLINE PACIFIC COAST HIGHWAY AS SHOWN ON MAP OF RECORD OF SURVEY FILED IN BOOK 105, PAGE 68 OF RECORDS OF SURVEYS AND IS THE BASIS OF BEARINGS FOR THIS PROJECT.

PROJECT BENCHMARK:

ELEVATIONS SHOWN HERON ARE RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) COUNTY OF LOS ANGELES YEAR 1990 ADJUSTMENT PER THE FOLLOWING COUNTY BENCHMARK:

LA COUNTY BM DY5387
ELEV=13.811 FT. NGVD29 YEAR 1990

US&GS MON IN CONC WALK SOUTH SIDE PACIFIC COAST HIGHWAY, 4 FT N. OF N/W CORNER HOUSE NO. 22416, 0.8 MILES WEST OF CARBON CANYON ROAD, 50 FT S. CENTERLINE PACIFIC COAST HIGHWAY, STAMPED "S–576 1939"

ANY USER OF ELEVATIONS AND/OR COORDINATES SHOWN HEREON FOR THE CONTROL OF CONSTRUCTION, SHALL VERIFY AT LEAST 3 POINTS SHOWN HEREON, FOR THE MATHEMATICAL CONSISTENCY PRIOR TO SUCH USE.

GENERAL NOTES:

1. WORK SHOWN HEREON SHALL BE DONE IN ACCORDANCE WITH THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION," LATEST EDITION AND SUPPLEMENTS, THE UNIFORM BUILDING CODE (EXCAVATION AND GRADING), AND CITY OF MALIBU LOCAL ORDINANCES AS APPLICABLE.
2. ALL GRADING WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS AND RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL REPORT.
3. EXISTING TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM A SURVEY DATED JANUARY 30, 2019 BY HENNON SURVEY & MAPPING, INC.
4. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY, AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS.
5. PRIOR TO COMMENCING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL JOIN CONDITIONS FOR GRADING AND DRAINAGE. IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND SHALL NOT BEGIN CONSTRUCTION UNTIL THE CHANGED CONDITIONS HAVE BEEN EVALUATED.
6. ALL DRAWINGS ARE CONSIDERED TO BE A PART OF THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REVIEW AND COORDINATION OF ALL DRAWINGS AND SPECIFICATIONS PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES THAT OCCUR SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION SO THAT A CLARIFICATION CAN BE ISSUED. ANY WORK PERFORMED IN CONFLICT WITH THE CONTRACT DOCUMENTS OR ANY CODE REQUIREMENTS SHALL BE CORRECTED BY THE CONTRACTOR AT THEIR OWN EXPENSE AND AT NO EXPENSE TO THE OWNER OR ARCHITECT.
7. THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
8. NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE GIVEN, CONSTRUCTION SHALL BE AS SHOWN FOR SIMILAR WORK.
9. THE EXISTENCE, LOCATION AND CHARACTERISTICS OF UNDERGROUND UTILITY INFORMATION SHOWN ON THESE PLANS HAVE BEEN OBTAINED FROM A REVIEW OF AVAILABLE RECORD DATA. NO REPRESENTATION IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID UTILITY INFORMATION. THE CONTRACTOR SHALL TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS.
10. IF AT ANY TIME DURING GRADING OPERATIONS, ANY UNFAVORABLE GEOLOGICAL CONDITIONS ARE ENCOUNTERED, GRADING IN THAT AREA WILL STOP UNTIL APPROVED CORRECTIVE MEASURES ARE OBTAINED.
11. THE PROPOSED GRADE IS THE FINAL GRADE AND NOT THE ROUGH GRADE. THE CONTRACTOR SHALL SUBTRACT THE THICKNESS OF THE PAVED SECTION AND/OR LANDSCAPE TOPSOIL SECTION TO ARRIVE AT THE ROUGH GRADE ELEVATION.
12. STRAIGHT GRADE SHALL BE MAINTAINED BETWEEN CONTOUR LINES AND SPOT ELEVATIONS UNLESS OTHERWISE SHOWN ON THE PLANS.
13. ALL FILL SOILS OR SOILS DISTURBED OR OVEREXCAVATED DURING CONSTRUCTION SHALL BE COMPACTED PER THE REQUIREMENTS OF THE SOILS REPORT BUT NOT LESS THAN 90% MAXIMUM DENSITY AS DETERMINED BY A.S.T.M. SOIL COMPACTION TEST D–1557.
14. THE CONTRACTOR SHALL OBTAIN AN O.S.H.A. PERMIT FROM THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY PRIOR TO THE CONSTRUCTION OF TRENCHES OR EXCAVATIONS WHICH ARE FIVE FEET OR DEEPER.
15. DIMENSIONS TO PIPELINES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
16. ALL WATER LINES SHALL BE INSTALLED WITH 36" MINIMUM COVER FROM TOP OF PIPE TO FINISHED GRADE, UNLESS OTHERWISE NOTED.
17. THRUST BLOCKS SHALL BE INSTALLED AT WATERLINE HORIZONTAL AND VERTICAL BENDS, TEES, CAPPED ENDS AND REDUCERS ACCORDING TO THE DETAILS PROVIDED ON THESE PLANS.
18. CONSTRUCTION STAKING FOR IMPROVEMENTS SHOWN ON THESE PLANS SHALL BE PERFORMED BY A LICENSED LAND SURVEYOR.
19. THE CONTRACTOR SHALL REPLACE ALL EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION TO MATCH EXISTING, INCLUDING PERMANENT TRENCH RESURFACING.
20. CONTRACTOR TO CONTACT UNDERGROUND SERVICE ALERT 811 PRIOR TO EXCAVATION.
21. ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF.
22. ALL CURB DIMENSIONS AND RADII ARE TO PAVEMENT FACE OF CURB.
23. CONTRACTOR TO BE AWARE OF ALL OVERHEAD LINES AT ALL TIMES, SO AS NOT TO DISTURB THEM.
24. WATER SHALL BE PROVIDED ONSITE AND USED TO CONTROL DUST DURING CONSTRUCTION OPERATIONS.
25. CONTRACTOR SHALL OBTAIN ANY NECESSARY PERMITS FROM THE CITY OF MALIBU FOR ALL WORK WITHIN THE PUBLIC RIGHT–OF–WAY.
26. STORM DRAINAGE SYSTEMS SHOWN ON THESE PLANS HAVE BEEN DESIGNED FOR THE FINAL SITE CONDITION AT COMPLETION OF THE PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ADEQUATE DRAINAGE OF THE SITE, DURING INTERIM CONDITIONS OF CONSTRUCTION.
27. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS, INCLUDING NPDES, FROM THE APPROPRIATE JURISDICTIONAL AGENCIES FOR DISCHARGE OF GROUNDWATER THAT MAY BE NECESSARY TO ACCOMPLISH EXCAVATIONS SHOWN ON THESE PLANS.

City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

TOTAL GRADING YARDAGE VERIFICATION CERTIFICATE

PLANNING DEPARTMENT REVIEW LEVEL

PROJECT NUMBER: 1900079

PROJECT ADDRESS: 22549 Pacific Coast Highway, Malibu, CA 90265

All projects proposing land form alteration which involves more than 100 cubic yards of grading shall complete this form. The completed form must be provided at the time of Planning Department application for grading approval. All applicable cubic yardages shall be completed in the table. **All calculations utilized to estimate the cubic yardages indicated shall be attached to this form**. This form and the required calculations must be prepared by a State of California Licensed Civil Engineer. The form and the calculations shall be stamped and wet signed by the preparing party.

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	550	874	150	106	0	1,680
Fill	550	0	0	28	0	578
Total	0	874 CUT	150 CUT	78 CUT	0	1,102
Import	0	0	0	0	0	0
Export	0	874	150	78	0	1,102

All quantities indicated shall be in cubic yards only.
R&R = Removal and Recompaction – *R&R must be balanced.*
Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.
Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.
Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

PREPARED BY: ALI KHAMSI, RCE
PRINT NAME
SIGN NAME

DATE: 8/30/2023

REGISTERED PROFESSIONAL ENGINEER ALI KHAMSI No. C74768 Exp. 12/31/23 CIVIL STATE OF CALIFORNIA

Page 1 of 1
P:\Forms\COUNTER FORMS\Planning\PLN Grading Verification Certificate_130701.doc

PROJECT DIRECTORY:

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GARY SIMMONS
114 N. ENCANTO ST.
ORANGE, CA 92869
TEL. 714.293.4271
CONTACT: HARBANS GHATAODE
TEL. 949.922.2194

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FAX. 818.243.0650
CONTACT: ROB HENNON

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3037 S. HARBOR BLVD.
SANTA ANA, CA 92704
TEL. 714.641.7189
FAX. 714.641.7190
CONTACT: SANJAY GOVIL



VICINITY MAP
NOT TO SCALE

CALIFORNIA 811
CALL UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA FOR UNDERGROUND LOCATING 48 HOURS BEFORE YOU DIG!
www.digalert.org

IMPORTANT NOTICE
SECTION 4216/4217 OF THE GOVERNMENT CODE REQUIRES A DIGALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A "PERMIT TO EXCAVATE" WILL BE VALID. FOR YOUR DIGALERT I.D. NUMBER CALL UNDERGROUND SERVICE ALERT TOLL FREE 811 TWO WORKING DAYS BEFORE YOU DIG

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RESIDENTIAL CARE FACILITY

22549 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CONSULTANTS:

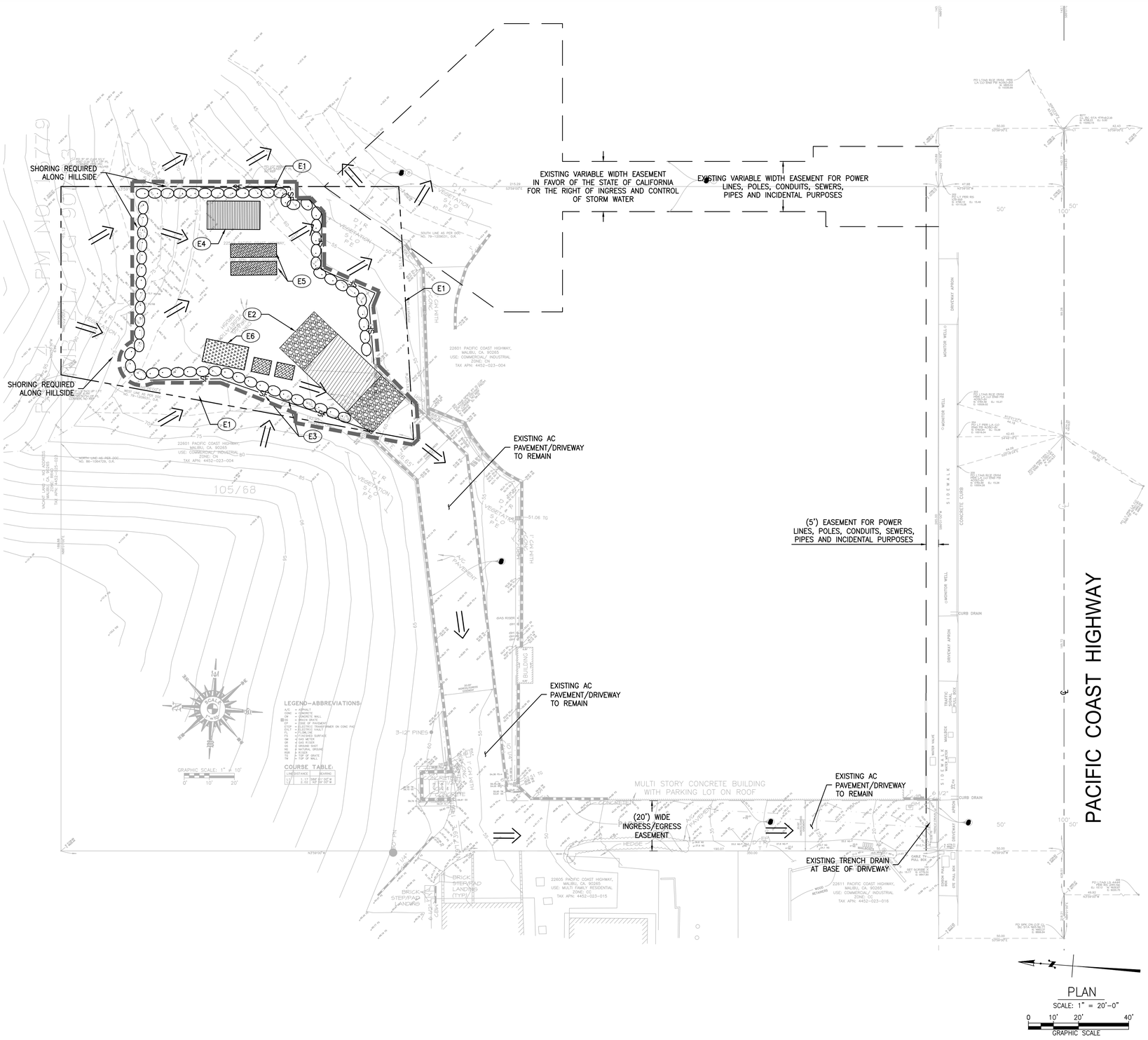
REGISTERED PROFESSIONAL ENGINEER ALI KHAMSI No. C74768 Exp. 12/31/23 CIVIL STATE OF CALIFORNIA

DATE	ISSUED FOR:

Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

TITLE SHEET

SHEET:
C-001



LEGEND:

- PROPERTY LINE
- LIMIT LINE OF EROSION CONTROL
- SF — SILT FENCE
- EXISTING DIRECTION OF FLOW
- GRAVEL BAG

EROSION CONTROL NOTES:

* FINAL BMP LOCATION TO BE DETERMINED BY THE CONTRACTOR.

(E1) PLACE SILT FENCE PER CASQA BMP SE-1.

(E2) STABILIZED CONSTRUCTION ENTRANCE PER CASQA BMP TC-1.

(E3) SANITARY/SEPTIC WASTE MANAGEMENT PER CASQA BMP WM-9.

(E4) MATERIAL DELIVERY AND STORAGE PER CASQA BMP WM-1.

(E5) SOLID WASTE MANAGEMENT PER CASQA BMP WM-5.

(E6) CONCRETE WASTE MANAGEMENT PER CASQA BMP WM-8.

BMP NOTES:

THE FOLLOWING BMPS AS OUTLINED IN, BUT NOT LIMITED TO, THE BEST MANAGEMENT PRACTICE HANDBOOK, CALIFORNIA STORMWATER QUALITY TASK FORCE, SACRAMENTO, CALIFORNIA 2009, OR THE LATEST REVISED EDITION, MAY APPLY DURING THE CONSTRUCTION OF THIS PROJECT (ADDITIONAL MEASURES MAY BE REQUIRED IF DEEMED APPROPRIATE BY CITY INSPECTORS):

EROSION CONTROL

EC1-SCHEDULING
EC2-PRESERVATION OF EXISTING VEGETATION
EC3-HYDRAULIC MULCH
EC4-HYDROSEEDING
~~EC5-SOIL BINDERS~~
~~EC6-STRAW MULCH~~
EC7-GEOTEXTILES
EC8-WOOD MULCHING
EC9-EARTH DIKES AND DRAINAGE SWALES
EC10-VELOCITY DISSIPATION DEVICES
EC11-SLOPE DRAINS
EC12-STREAMBANK STABILIZATION
~~EC13-POLYCRYLAMIDE~~

TEMPORARY SEDIMENT CONTROL

SE1-SILT FENCE
~~SE2-SEDIMENT BASIN~~
~~SE3-SEDIMENT TRAP~~
SE4-CHECK DAM
SE5-FIBER ROLLS
SE6-GRAVEL BAG BERM
SE7-STREET SWEEPING AND VACUUMING
SE8-SANDBAG BARRIER
SE9-STRAW BALE BARRIER
SE10-STORM DRAIN INLET PROTECTION
~~SE11-CHEMICAL TREATMENT~~

EQUIPMENT TRACKING CONTROL

TC1-STABILIZED CONSTRUCTION ENTRANCE/EXIT
~~TC2-STABILIZED CONSTRUCTION ROADWAY~~
~~TC3-ENTRANCE/OUTLET TIRE WASH~~

WIND EROSION CONTROL

WE1-WIND EROSION CONTROL

NON-STORMWATER MANAGEMENT

NS1-WATER CONSERVATION PRACTICES
NS2-DEWATERING OPERATIONS
~~NS3-PAVING AND GRINDING OPERATIONS~~
~~NS4-TEMPORARY STREAM CROSSING~~
~~NS5-CLEAR WATER DIVERSION~~
~~NS6-ILLICIT CONNECTION/DISCHARGE~~
NS7-POTABLE WATER/IRRIGATION
~~NS8-VEHICLE AND EQUIPMENT CLEANING~~
~~NS9-VEHICLE AND EQUIPMENT FUELING~~
~~NS10-VEHICLE AND EQUIPMENT MAINTENANCE~~
NS11-PILE DRIVING OPERATIONS
NS12-CONCRETE CURING
NS13-CONCRETE FINISHING
~~NS14-MATERIAL OVER WATER~~
~~NS15-DEMOLITION ADJACENT TO WATER~~
~~NS16-TEMPORARY BATCH PLANTS~~

WASTE MANAGEMENT & MATERIALS POLLUTION CONTROL

WM1-MATERIAL DELIVERY AND STORAGE
WM2-MATERIAL USE
WM3-STOCKPILE MANAGEMENT
WM4-SPILL PREVENTION AND CONTROL
WM5-SOLID WASTE MANAGEMENT
WM6-HAZARDOUS WASTE MANAGEMENT
WM7-CONTAMINATED SOIL MANAGEMENT
WM8-CONCRETE WASTE MANAGEMENT
WM9-SANITARY/SEPTIC WASTE MANAGEMENT
WM10-LIQUID WASTE MANAGEMENT

BMP NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF ALL SILT AND MUD ON ADJACENT STREET(S), DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY, AT THE END OF EACH DAY, OR AFTER A STORM EVENT THAT CAUSES A BREECH IN INSTALLED CONSTRUCTION BMP'S WHICH MAY COMPROMISE STORM WATER QUALITY WITHIN ANY STREET(S).
2. ALL STOCKPILES OF SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE COVERED. ALL REMOVABLE BMP DEVICES SHALL BE IN PLACE AT THE END EACH WORKING DAY WHEN FIVE DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.
3. A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS WHICH ARE TO BE POURED IN PLACE ON SITE.
4. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER AFTER EACH RUN-OFF PRODUCING RAINFALL OR AFTER ANY MATERIAL BREACH IN EFFECTIVENESS.
5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.

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CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
ALI KHAMSI
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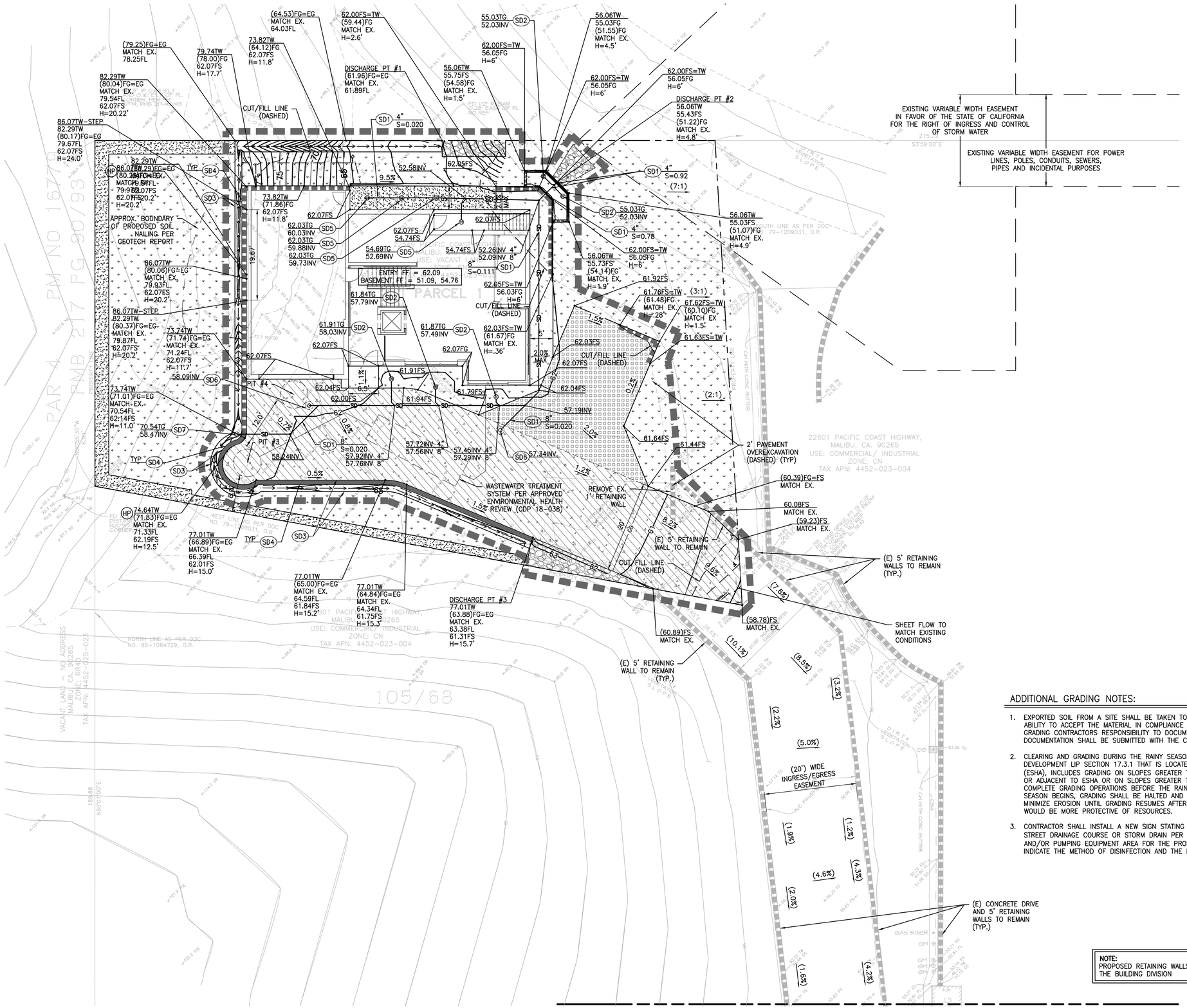
DATE	ISSUED FOR:

Date: 8/30/2023
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Scale: AS SPECIFIED

EROSION CONTROL PLAN

SHEET:
C-110

Drawing: P:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-110EC.dwg Last Saved: Tuesday, July 12, 2022 2:29:48 PM Last Plotted: Wednesday, August 30, 2023 11:58:54 AM By: Jesus Perez



LEGEND:

- PROPERTY LINE
- LIMIT OF WORK
- CUT/FILL LINE
- 2' HORIZONTAL OVER-EXCAVATION LINE
- PROPOSED SOIL NAILING ZONE PER GEOTECHNICAL REPORT
- RETAINING WALL. HEIGHT PER PLAN.
- 15' TALL IMPACT WALL
- CONCRETE WALK (REFER TO SHEET C-500 FOR DETAILS)
- GRASSCRETE (REFER TO SHEET C-501 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP-RAP (REFER TO SHEET C-500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C-501 FOR DETAILS)

UTILITY CONSTRUCTION NOTES:

STORM DRAIN

- (SD1) PVC, SDR-35 STORM DRAIN PIPE PER DETAIL 1/C-500. SIZE AND SLOPE PER PLAN.
- (SD2) ATRIUM GRATE PER DETAIL 2/C-500.
- (SD3) V-DITCH PER DETAIL 7/C-500.
- (SD4) FOOTING DRAIN PER DETAIL 4/C-500 FOR ATTACHED RETAINING WALL.
- (SD5) AREA DRAIN PER DETAIL 4/C-501.
- (SD6) CLEANOUT PER DETAIL 6/C-500.
- (SD7) DESALTING INLET PER DETAIL 3/C-501.

ADDITIONAL GRADING NOTES:

1. EXPORTED SOIL FROM A SITE SHALL BE TAKEN TO THE COUNTY LANDFILL OR TO A SITE WITH ACTIVE GRADING PERMIT AND THE ABILITY TO ACCEPT THE MATERIAL IN COMPLIANCE WITH SECTION 8.3 OF THE MALIBU LOCAL COASTAL PLAN. IT SHALL BE THE GRADING CONTRACTORS RESPONSIBILITY TO DOCUMENT THE TRANSPORT AND DEPOSIT OF THE EXPORT SOILS. THIS DOCUMENTATION SHALL BE SUBMITTED WITH THE CONTRACTORS SIGNED STATEMENT AT ROUGH GRADING.
2. CLEARING AND GRADING DURING THE RAINY SEASON (EXTENDING FROM NOVEMBER 1 TO MARCH 31) SHALL BE PROHIBITED FOR DEVELOPMENT LIP SECTION 17.3.1 THAT IS LOCATED WITHIN OR ADJACENT TO AN ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA), INCLUDES GRADING ON SLOPES GREATER THAN 4:1, OR APPROVED GRADING FOR DEVELOPMENT THAT IS LOCATED WITHIN OR ADJACENT TO ESHA OR ON SLOPES GREATER THAN 4:1 SHALL NOT BE UNDERTAKEN UNLESS THERE IS SUFFICIENT TIME TO COMPLETE GRADING OPERATIONS BEFORE THE RAINY SEASON. IF GRADING OPERATIONS ARE NOT COMPLETE BEFORE THE RAINY SEASON BEGINS, GRADING SHALL BE HALTED AND TEMPORARY EROSION CONTROL MEASURES SHALL BE PUT INTO PLACE TO MINIMIZE EROSION UNTIL GRADING RESUMES AFTER MARCH 31, UNLESS THE CITY DETERMINES THAT COMPLETION OF GRADING WOULD BE MORE PROTECTIVE OF RESOURCES.
3. CONTRACTOR SHALL INSTALL A NEW SIGN STATING "IT IS ILLEGAL TO DISCHARGE POOL, SPA OR WATER FEATURE WATERS TO A STREET DRAINAGE COURSE OR STORM DRAIN PER IVIMC 13.04.060(D)(5)." THE NEW SIGN SHALL BE POSTED IN THE FILTRATION AND/OR PUMPING EQUIPMENT AREA FOR THE PROPERTY. PRIOR TO THE ISSUANCE OF ANY PERMITS, THE APPLICANT SHALL INDICATE THE METHOD OF DISINFECTION AND THE METHOD OF DISCHARGING.

NOTE:
PROPOSED RETAINING WALLS REQUIRE SEPARATE PERMIT FROM THE BUILDING DIVISION

PLAN
SCALE: 1" = 10'-0"
0 5' 10' 20'
GRAPHIC SCALE

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Irvine, CA 92612
O: 949.252.1022
F:949.252.8082
www.kpff.com

RESIDENTIAL CARE FACILITY

22549 PACIFIC COAST HIGHWAY
MALIBU, CA 90265

CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER
ALI KHAMSI
No. C74768
Exp. 12/31/23
CIVIL
STATE OF CALIFORNIA

DATE	ISSUED FOR:

Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

GRADING AND DRAINAGE PLAN

SHEET:
C-130

Drawing: P:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-130GD.dwg Last Saved: Wednesday, August 30, 2023 11:56:06 AM Last Plotted: Wednesday, August 30, 2023 11:59:08 AM By: Jesus Perez

LEGEND:

- PROPERTY LINE
- LIMIT OF WORK
- CUT/FILL LINE
- 2' HORIZONTAL OVER-EXCAVATION LINE
- PROPOSED SOIL NAILING ZONE PER GEOTECHNICAL REPORT
- RETAINING WALL. HEIGHT PER PLAN.
- 15' TALL IMPACT WALL
- CONCRETE WALK (REFER TO SHEET C-500 FOR DETAILS)
- GRASSCRETE (REFER TO SHEET C-501 FOR DETAILS)
- PLANTER AREA/LANDSCAPE (PER SEPARATE PERMIT)
- RIP-RAP (REFER TO SHEET C-500 FOR DETAILS)
- DECOMPOSED GRANITE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- REINFORCED CONCRETE DRIVEWAY (REFER TO SHEET C-501 FOR DETAILS)

UTILITY CONSTRUCTION NOTES:

STORM DRAIN

(SD1) PVC, SDR-35 STORM DRAIN PIPE PER DETAIL 1/C-500. SIZE AND SLOPE PER PLAN.

(SD2) ATRIUM GRATE PER DETAIL 2/C-500.

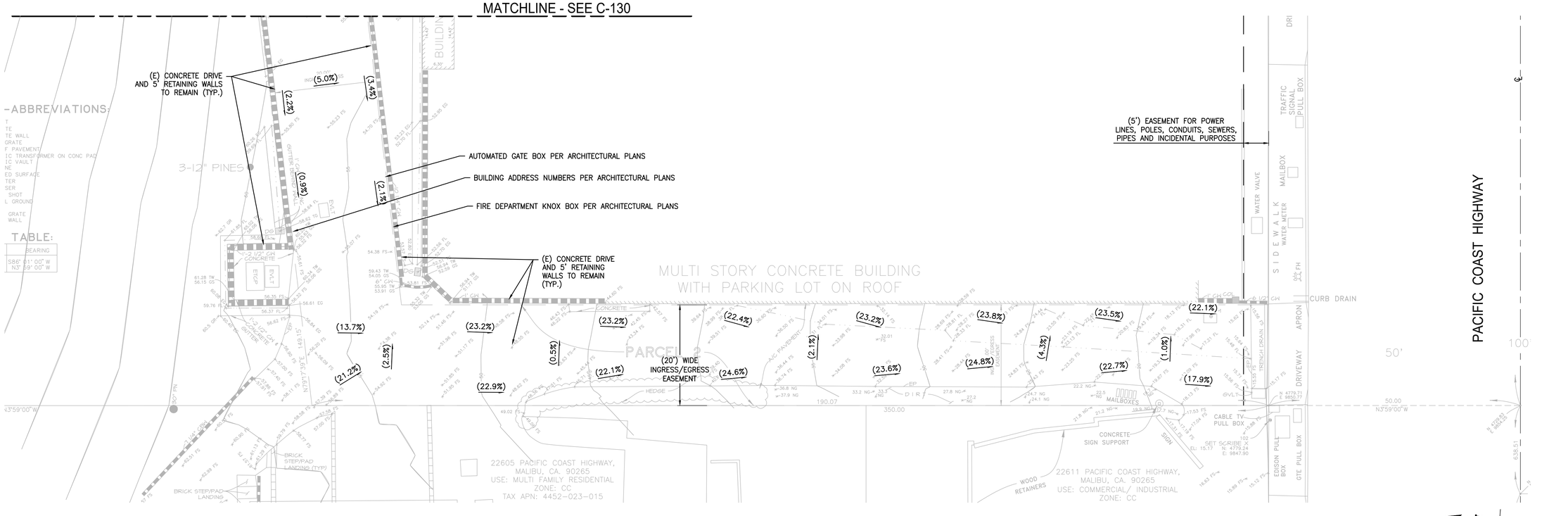
(SD3) V-DITCH PER DETAIL 7/C-500.

(SD4) FOOTING DRAIN PER DETAIL 4/C-500 FOR ATTACHED RETAINING WALL.

(SD5) AREA DRAIN PER DETAIL 4/C-501.

(SD6) CLEANOUT PER DETAIL 6/C-500.

(SD7) DESALTING INLET PER DETAIL 3/C-501.



PLAN
SCALE: 1" = 10'-0"
0 5' 10' 20'
GRAPHIC SCALE

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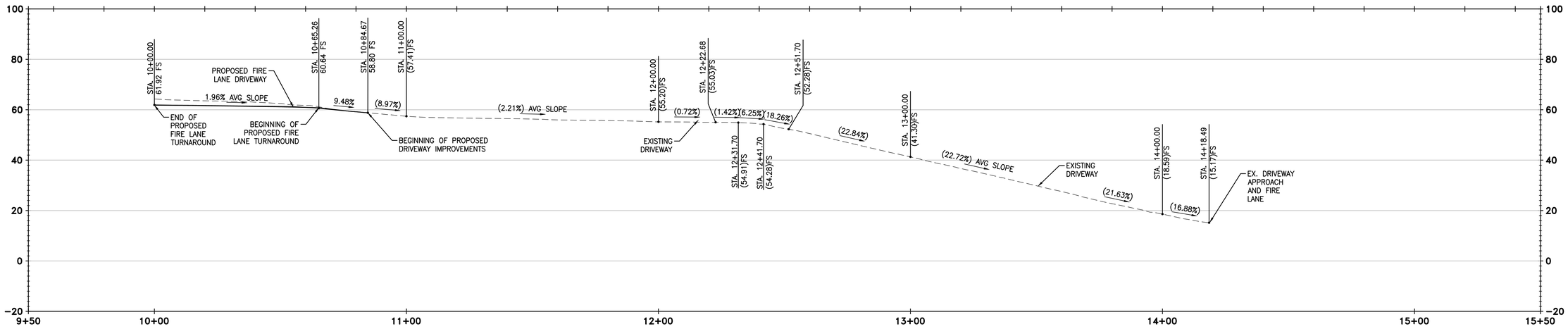
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Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

GRADING PLAN

SHEET:
C-131

Drawing: P:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-130GD.dwg Last Saved: Wednesday, August 30, 2023 11:56:06 AM Last Plotted: Wednesday, August 30, 2023 11:59:10 AM By: Jesus Perez



FIRE LANE DRIVEWAY CL
HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=20'

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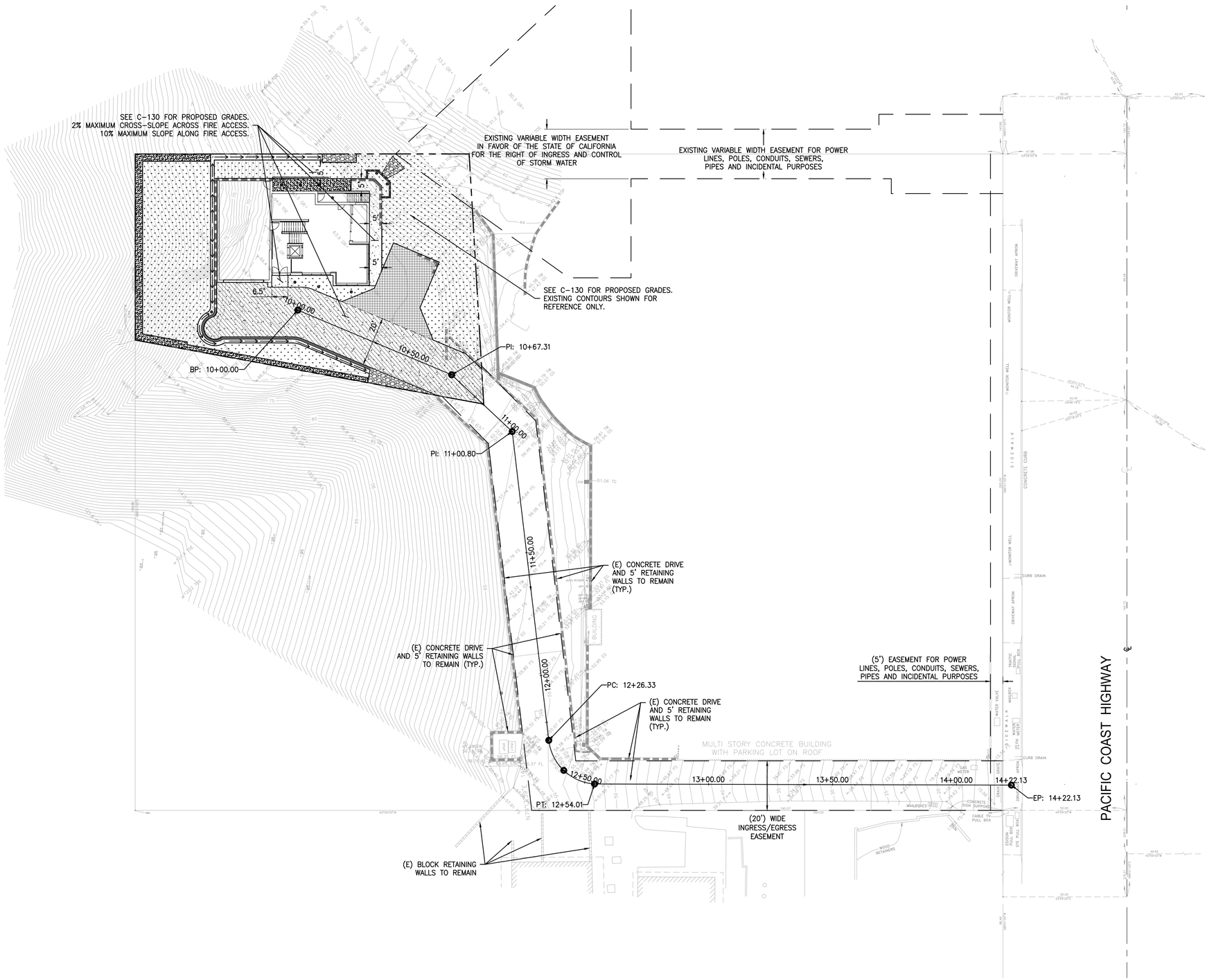
DATE	ISSUED FOR:

Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

FIRE LANE ROADWAY PROFILE

SHEET:
C-300

Drawing: P:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-300SC.dwg Last Saved: Tuesday, July 12, 2022 5:55:35 PM Last Plotted: Wednesday, August 30, 2023 11:59:21 AM By: Jesus Perez



PLAN
SCALE: 1" = 20'-0"
0 10' 20' 40'
GRAPHIC SCALE

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CIVIL
STATE OF CALIFORNIA

DATE		ISSUED FOR:

Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

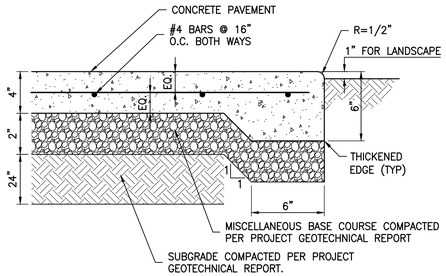
FIRE LANE ROADWAY ALIGNMENT

SHEET:
C-301

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10 NOT USED

N.T.S.

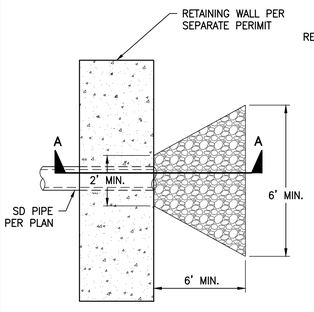


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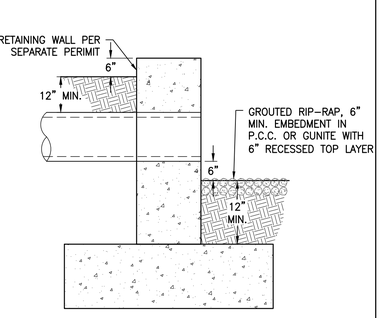
1. ALL TREAD SURFACES SHALL BE SLIP-RESISTANT.
2. REFER TO ARCHITECTURAL DRAWINGS FOR COLOR, PATTERN, TEXTURE, AND FINISH.
3. SEE PLAN FOR LOCATION OF CONTROL JOINTS.
4. CONCRETE MIX DESIGN SHALL CONFORM TO SSPWC 560-C-3250.

9 CONCRETE WALK SECTION

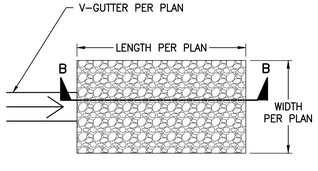
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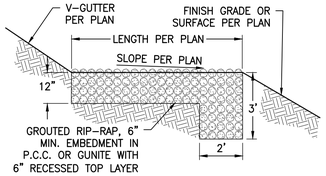
PLAN – RIP RAP AT WALL



SECTION A–A



PLAN – RIP RAP AT V-GUTTER



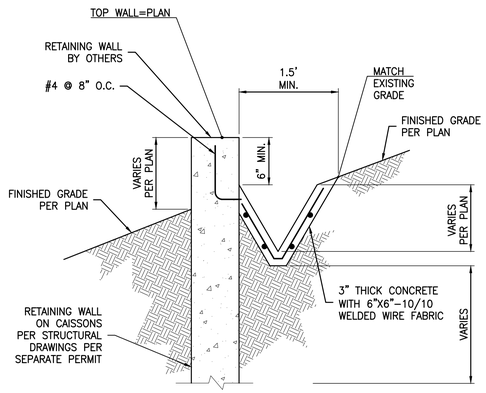
SECTION B–B

NOTES:

1. ROCKS FOR GROUTED RIP-RAP SHALL GOOD QUALITY BROKEN CONCRETE AND/OR RIVER RUN ROCK. SIZE OF ROCK SHALL BE 6"ø MIN. AND 12"ø MAX.
2. GROUT BED OF 2" MIN. BENEATH THE FIRST LAYER OF ROCK. MAXIMUM SPACING BETWEEN ROCKS SHALL BE 2" MAX. ALL VOIDS BETWEEN ROCKS SHALL BE FILLED WITH GROUT.
3. SURFACE RECESSED ROCKS SHALL BE EMBEDDED FROM 1/2 TO 2/3 OF THEIR MAXIMUM DIMENSION.

8 GROUTED RIP-RAP ENERGY DISSIPATION

N.T.S.

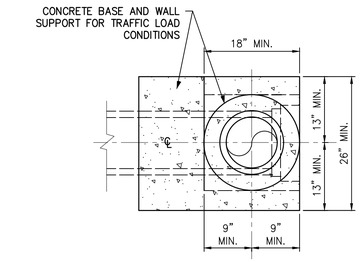


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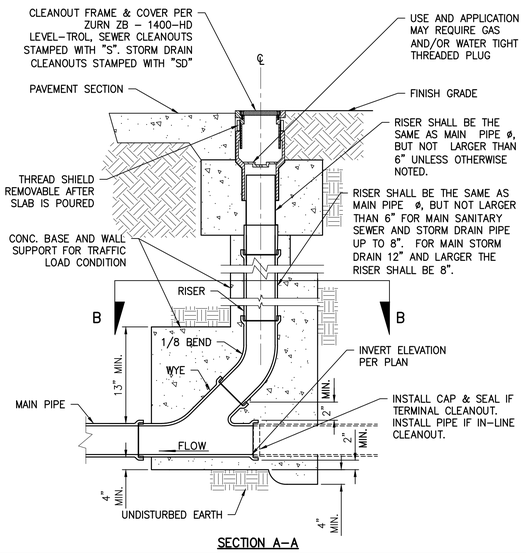
1. CONCRETE SHALL HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH AT 28 DAYS OF 2500 PSI.
2. REINFORCING SHALL BE 6"X6" W1.4XW1.4 WELDED WIRE MESH (WWM) OR APPROVED EQUAL.
3. GROUND SHALL BE PRE-WETTED TO THE SATISFACTION OF THE BUILDING OFFICIAL OR ENGINEER PRIOR TO PLACEMENT OF CONCRETE.

7 V-DITCH AT WALL

N.T.S.



SECTION B–B



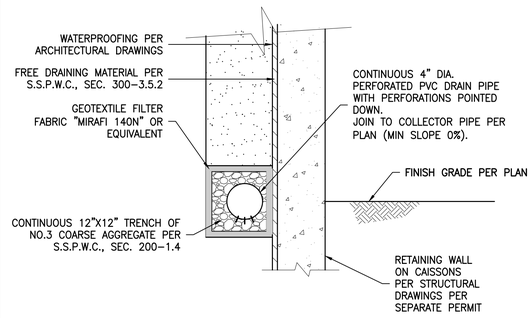
SECTION A–A

6 CLEANOUT

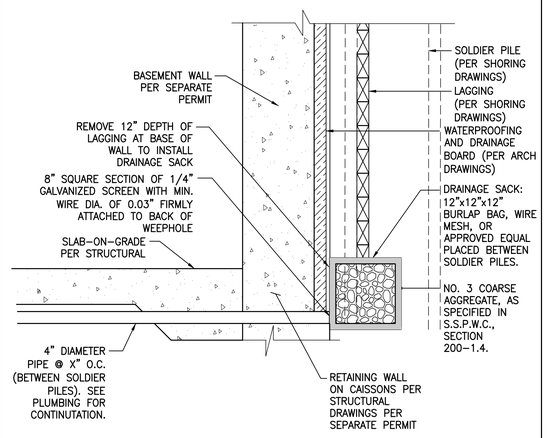
N.T.S.

5 NOT USED.

N.T.S.



TYPICAL CONTINUOUS PERFORATED DRAIN



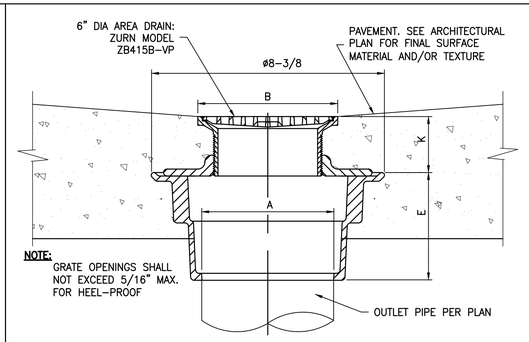
DRAINAGE FOR SHORED CONDITION AT BASEMENT

NOTES:

1. FOUNDATION WALL DRAINAGE SHALL ADHERE TO THE LATEST BUILDING ADMINISTRATIVE CODES.

4 FOUNDATION WALL DRAINAGE

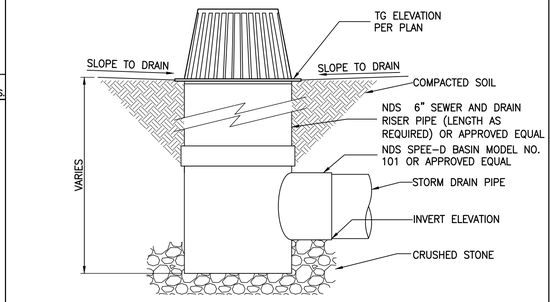
N.T.S.



A PIPE SIZE (IN)	B STRAINER (IN)	K (IN) MIN	K (IN) MAX	E (IN)	STRAINER OPEN AREA (SQ IN)
4	6 DIA	1-13/32	2-17/32	3-13/16	9

3 NON-TRAFFIC AREA DRAIN

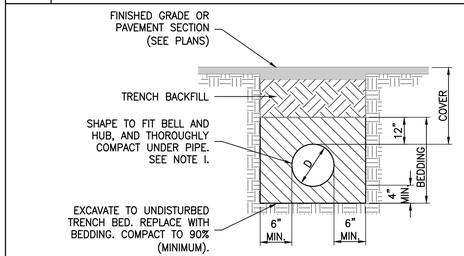
N.T.S.



SIZE	TYPE	MATERIAL	COLOR	MODEL NO.	FREE AREA (SQ IN/GPM)
4" DIA.	DOME	POLYOLEFIN	BLACK	78	17.00/22.27

2 NDS ATRIUM GRATE WITH NDS SPEE-D BASIN

N.T.S.



PIPE FOR GRAVITY FLOW SAN. SEWERS AND DRAINAGE P.V.C. CONFORMING TO A.S.T.M. D-3034 MAXIMUM SDR 35, GASKETED JOINTS FOR 4" TO 15" DIA. PIPE AND ASTM F-679 FOR 18" DIA. AND LARGER.

FOR PVC PRESSURE PIPE CONFORMING TO AWWA C900 FOR 4" TO 12" DIA. PIPE AND AWWA C905 FOR 14" AND LARGER DIA. PIPE.

BEDDING CRUSHED ROCK. SHALL CONFORM TO SUBSECTION 200-1.2 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION WITH 1/2" MAXIMUM ROCK GRADATION.

INITIAL BACKFILL NATIVE MATERIAL – MAXIMUM SIZE NOT TO EXCEED 1-1/2".

TRENCH BACKFILL NATIVE MATERIAL – 90% COMPACTION MIN. UP TO CLASS IV SOILS, TYPE ML, CL. FINE GRAINED, LL<50, MEDIUM TO NO PLASTICITY. NOTE, IF CLASS IV SOIL, TYPE MH OR ALL CLASS V SOILS THEN REPLACE WITH CLEAN SAND. SUBGRADE AND AGGREGATE BASE SECTION COMPACTIONS ABOVE THE UTILITY TRENCH SHALL MATCH THE MINIMUM COMPACTIONS FOR PAVEMENT SECTION ABOVE THE UTILITY TRENCH, WHERE IT IS APPLICABLE.

CLEAN SAND SHALL CONFORM TO THE REQUIREMENTS OF SAND FOR PORTLAND CEMENT CONCRETE AS SPECIFIED IN SECTION 200-1.5.5 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

NOTES:

1. EXCAVATE FOR BELLS OR HUBS SO FULL LOAD IS CARRIED BY PIPE BARRELS.
2. BEDDING MATERIAL SHALL BE PLACED IN A MANNER SUCH AS SLICING SHOVEL-SPADING, OR SHOVEL RODDING TO INSURE COMPLETE FILLING OF THE "HAUNCH AREAS" BELOW THE PIPE. (JETTING OF BEDDING MATERIAL IS NOT AUTHORIZED UNLESS PREVIOUSLY APPROVED).
3. TRENCH BACKFILL SHALL BE COMPACTED IN ACCORDANCE WITH SECTION 306-12 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION WITH THE FOLLOWING EXCEPTIONS:

   (1) JETTED TRENCH BACKFILL SHALL NOT BE USED.
   (2) MINIMUM COMPACTION OF BEDDING AND TRENCH BACKFILL SHALL BE 90% RELATIVE COMPACTION.

1 FLEXIBLE PIPE BEDDING DETAIL

N.T.S.

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CONSULTANTS:

REGISTERED PROFESSIONAL ENGINEER ALI KHAMSI No. C74768 Exp. 12/31/23 CIVIL STATE OF CALIFORNIA

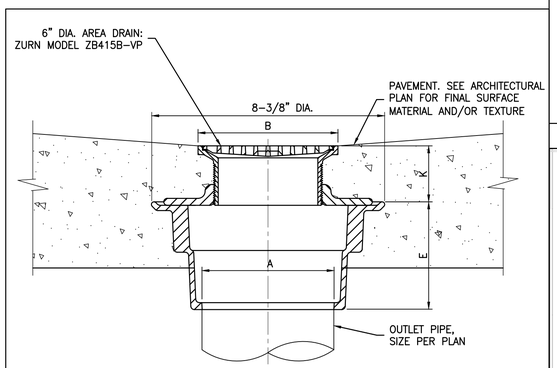
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Date: 8/30/2023
Project Number: 1900079
Drawn By: TN
Checked By: JP
Scale: AS SPECIFIED

DETAILS

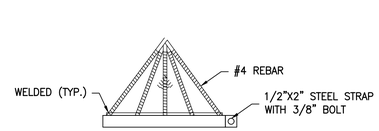
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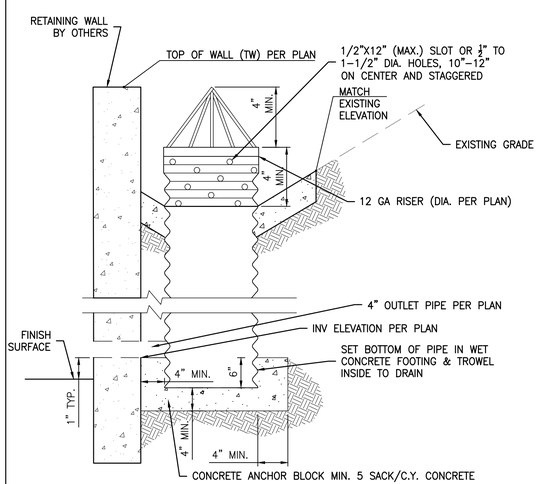


A PIPE SIZE (IN)	B STRAINER (IN)	K (IN) MIN.	K (IN) MAX.	E (IN)	STRAINER OPEN AREA (SQ IN)
4	6 DIA.	1-13/32	2-17/32	3-13/16	9

4 NON-TRAFFIC AREA DRAIN N.T.S.

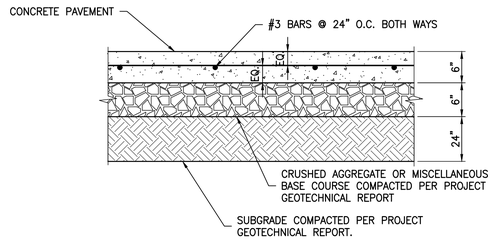


GRATE ASSEMBLY DETAIL



DRAIN PIPE AND RISER

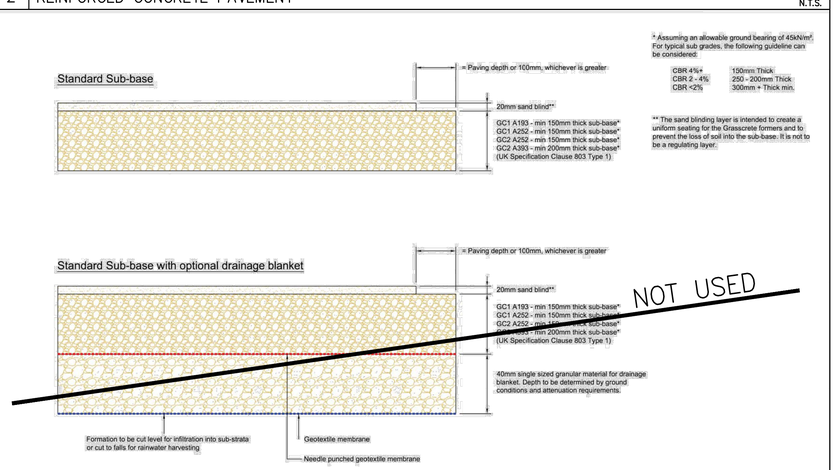
3 DESILTING INLET N.T.S.



NOTES:

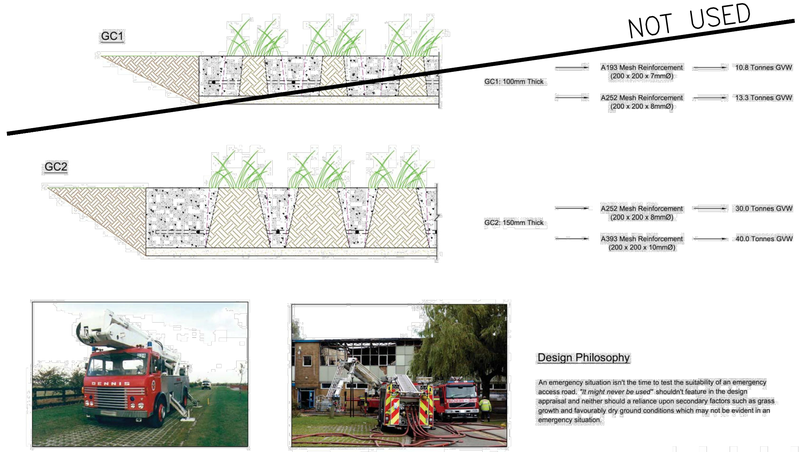
1. REFER TO ARCHITECTURAL PLANS FOR CONCRETE COLOR, PATTERN, TEXTURE, AND FINISH.
2. SEE PLAN FOR LOCATION OF CONTROL JOINTS.
3. CONCRETE MIX DESIGN SHALL CONFORM TO SSPWC 560-C-3250.

2 REINFORCED CONCRETE PAVEMENT N.T.S.



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142 Thornes Lane
Thornes
Wakefield
WF2 7RE
England
Tel: +44 (0) 1924 379443
Fax: +44 (0) 1924 290289
info@grasscrete.com
www.grasscrete.com

Client	Site Details	Revision History	Drawn By	Date
N/A	N/A		D Moorhouse	24.01.2011
Client Address:	Site Address:		Checked By: REH	Scale: 1:50 @ A3
			Project Reference	Project Title: Typical Grasscrete Fire Access Details - Sub-base details
			Drawing Number: GC-CAD-0013	Revision: -



Design Philosophy

An emergency situation isn't the time to test the suitability of an emergency access road. *"It might never be used"* shouldn't feature in the design appraisal and neither should a reliance upon secondary factors such as grass growth and favourably dry ground conditions which may not be evident in an emergency situation.

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Duncan House
142 Thornes Lane
Thornes
Wakefield
WF2 7RE
England
Tel: +44 (0) 1924 379443
Fax: +44 (0) 1924 290289
info@grasscrete.com
www.grasscrete.com

Client	Site Details	Revision History	Drawn By	Date
N/A	N/A		D Moorhouse	26.01.2011
Client Address:	Site Address:		Checked By: REH	Scale: 1:5 @ A3
			Project Reference	Project Title: Typical Grasscrete Fire Access Details - Design Philosophy
			Drawing Number: GC-CAD-0011	Revision: -

1 GRASSCRETE PAVEMENT N.T.S.

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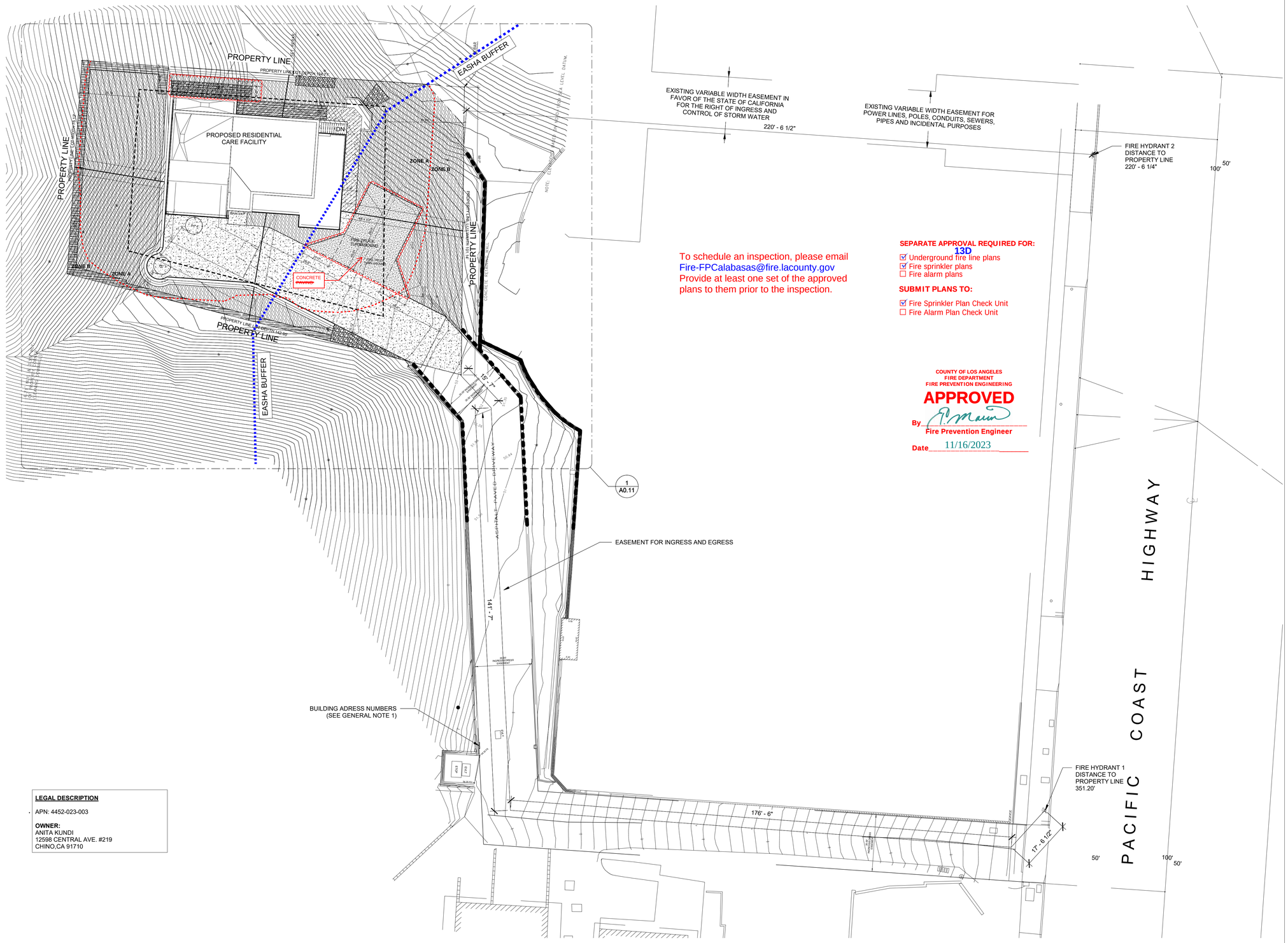
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DETAILS

SHEET:
C-501

Drawing: P:\2019\1900079 -19- Residential Care Facility - Malibu\DWG\SHEET\1900079C-1500T.dwg Last Saved: Wednesday, August 30, 2023 11:50:05 AM Last Plotted: Wednesday, August 30, 2023 11:59:39 AM By: Jesus Perez



To schedule an inspection, please email
Fire-FPCalabasas@fire.lacounty.gov
Provide at least one set of the approved plans to them prior to the inspection.

SEPARATE APPROVAL REQUIRED FOR:
13D
- ☑ Underground fire line plans
- ☑ Fire sprinkler plans
- ☐ Fire alarm plans

SUBMIT PLANS TO:
- ☑ Fire Sprinkler Plan Check Unit
- ☐ Fire Alarm Plan Check Unit

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
APPROVED
By _____
Fire Prevention Engineer
Date 11/16/2023

LEGAL DESCRIPTION

APN: 4452-023-003

OWNER:
ANITA KUNDI
12598 CENTRAL AVE. #219
CHINO,CA 91710

1 SITE PLAN
1/16" = 1'-0"

GENERAL NOTES

1. APPROVED BUILDING ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION SHALL BE PROVIDED AND MAINTAINED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. THE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND, BE ARABIC NUMERALS OR ALPHABET LETTERS, AND BE A MINIMUM OF 4 INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH. FIRE CODE 505.1
2. WHEN SECURITY GATES ARE PROVIDED, MAINTAIN A MINIMUM ACCESS WIDTH OF 20 FEET. THE SECURITY GATE SHALL BE PROVIDED WITH AN APPROVED MEANS OF EMERGENCY OPERATION, AND SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES AND REPLACED OR REPAIRED WHEN DEFECTIVE. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F220. GATES SHALL BE OF THE SWINGING OR SLIDING TYPE. CONSTRUCTION OF GATES SHALL BE OF MATERIALS THAT ALLOW MANUAL OPERATION BY ONE PERSON. FIRE CODE 503.6.
3. THE REQUIRED FIRE FLOW FOR FIRE HYDRANTS AT THIS LOCATION IS 1,250 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF ONE (1) HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 507.3 AND APPENDIX B105.1 APPENDIX B.
4. 6 X 4 X 2-1/2" FIRE HYDRANTS FBU-WATER & ACESS.
ALL FIRE HYDRANTS SHALL MEASURE 6" X 4" X 2-1/2", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL.
5. PROVIDE AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM AS SET FORTH BY BUILDING CODE.903 AND FIRE CODE 903. PLANS SHALL BE SUBMITTED TO THE SPRINKLER PLAN CHECK UNIT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION REASON: BUILDING CODE 435.7.1,FIRE CODE 903.2.8 AND 903.2.11.7. LOCATION: RCFE AND GARAGE TYPE OF FIRE SPRINKLER SYSTEM : FIRE CODE 903.3.1.3 - NFPA 13D.
6. HOUSEHOLD FIRE ALARM SYSTEMS INSTALLED IN ACCORDANCE WITH NFPA 72 THAT INCLUDE SMOKE ALARMS', OR A COMBINATION OF SMOKE DETECTOR AND AUDIBLE NOTIFICATION DEVICE INSTALLED AS REQUIRED BY THIS SECTION FOR SMOKE ALARMS, SHALL BE PERMITTED. THE HOUSEHOLD FIRE ALARM SYSTEM SHALL PROVIDE THE SAME LEVEL OF SMOKE DETECTION AND ALARM AS REQUIRED BY THIS SECTION FOR SMOKE ALARMS. WHERE A HOUSEHOLD FIRE WARNING SYSTEM IS INSTALLED USING A COMBINATION OF SMOKE DETECTOR AND AUDIBLE NOTIFICATION DEVICE, IT SHALL BECOME A PERMANENT FIXTURE OF THE OCCUPANCY AND OWNED BY THE HOMEOWNER. THE SYSTEM SHALL BE MONITORED BY AN APPROVED SUPERVISING STATION AND BE MAINTAINED IN ACCORDANCE WITH NFPA 72. RESIDENTIAL CODE R314.2
7. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED WITHIN AN INDIVIDUAL DWELLING UNIT THE ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R314.3
8. SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. RESIDENTIAL CODE R314.4
9. AN APPROVED CARBON MONOXIDE ALARM SHALL BE INSTALLED IN DWELLING UNITS AND IN SLEEPING UNITS WITHIN WHICH FUEL-BURNING APPLIANCES ARE INSTALLED AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES. REQUIRED CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING WHERE SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACK-UP. WHERE MORE THAN ONE CARBON MONOXIDE ALARM IS REQUIRED TO BE INSTALLED WITHIN THE DWELLING UNIT OR WITHIN A SLEEPING UNIT THE ALARM SHALL BE INTERCONNECTED IN A MANNER THAT ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. RESIDENTIAL CODE R315.1.2, BUILDING CODE 420.4.1
10. SINGLE- AND MULTIPLE- STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED AS COMPLYING WITH THE REQUIREMENTS OF UL 2075. CARBON MONOXIDE ALARMS REQUIRED BY (SECTIONS R315.1 AND R315.2) OR (SECTIONS 420.4.1 AND 420.4.2) SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS: 1. OUTSIDE OF EACH SEPARATE DWELLING UNIT SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM(S). 2. ON EVERY LEVEL OF A DWELLING UNIT INCLUDING BASEMENTS. 3. FOR R-1 ONLY. A. ON THE CEILING OF SLEEPING UNITS WITH PERMANENTLY INSTALLED FUEL-BURNING APPLIANCES. RESIDENTIAL CODE R315.3, BUILDING CODE 420.4.3
11. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)
12. CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 325
13. ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN BUILDING CODE 1505.1.1 (RESIDENTIAL CODE R327.5.2 & R902)
14. ELEVATORS, ESCALATORS AND MOVING WALKS SHALL COMPLU WITH THE REQUIREMENTS SET FORTH IN BUILDING CODE CHAPTER 30

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

SITE PLAN

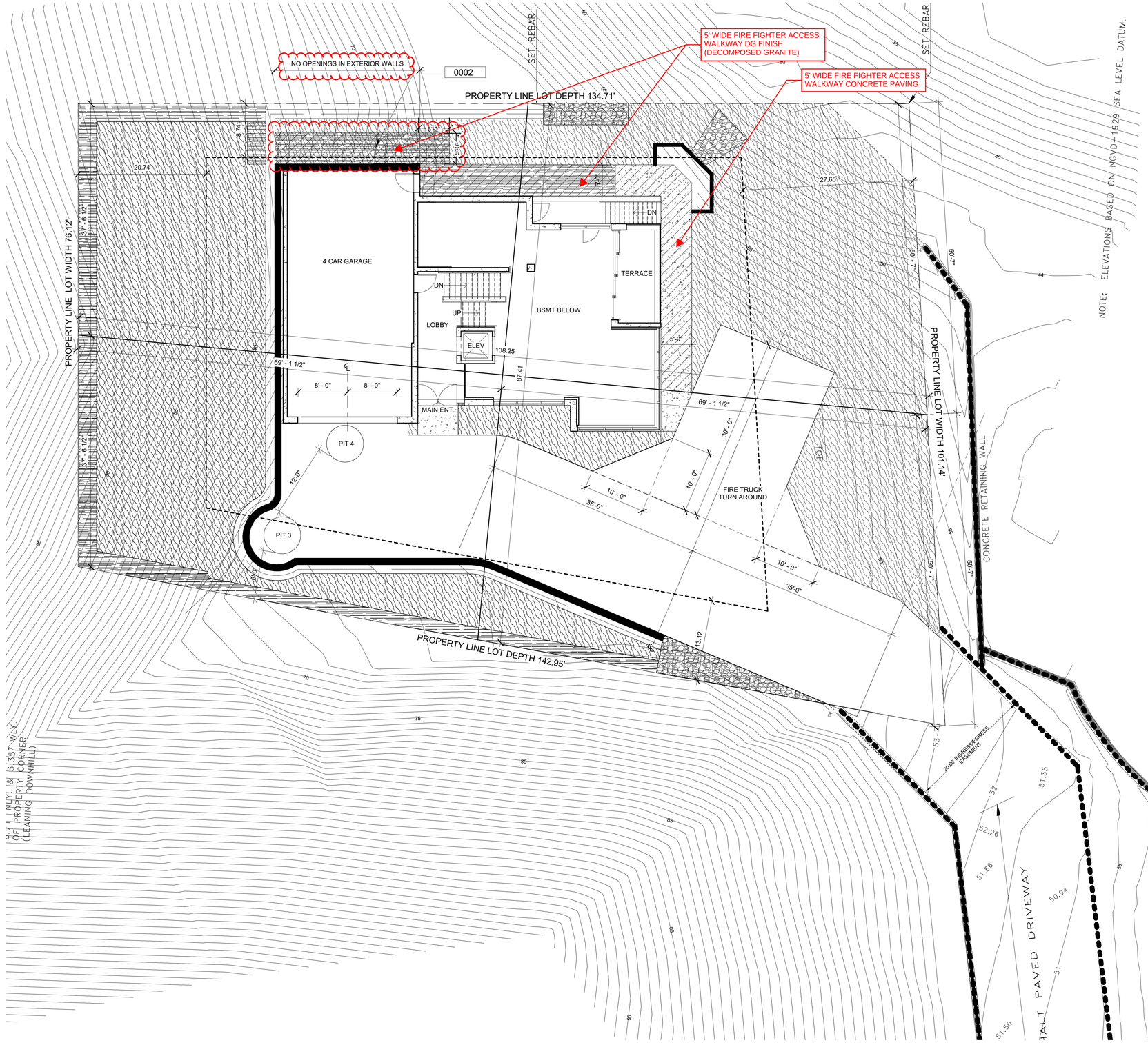
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A0.10

Scale As indicated

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1 ENLARGED SITE PLAN
1/8" = 1'-0"

KEYNOTES

NO.	DESCRIPTION

SIDE YARD SETBACKS NOTES

LOT DEPTH = 138.25
LOT WIDTH = 87.42

FRONT YARD LOT DEPTH
138.25 X 20% = 27.65

REAR YARD LOT DEPTH
138.25 X 15% = 20.74

SIDE YARD LOT WIDTH
87.42 X 25% = 21.86

MINIMUM SIDE YARD LOT WIDTH
87.42 X 10% = 8.74

DEVELOPMENT AREA: 25% OF 12,081 = 3020.25 SF.MAX
PROPOSED DEVELOPMENT AREA = 3016.31 SF.

LEGEND

- CONCRETE PAVING
- CONCRETE PAVING ~~GRASSCRETE~~
- PLANTER AREA / LANDSCAPE
- RIP - RAP +(REFER TO C5.00 FOR DETAILS)
- DG SERVICE PATH
- EXISTING RETAINING WALLS
- PROPOSED RETAINING WALLS

SEPARATE APPROVAL REQUIRED FOR:

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SUBMIT PLANS TO:

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COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING

APPROVED

By _____
Fire Prevention Engineer

Date 11/16/2023

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No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

ENLARGED SITE PLAN

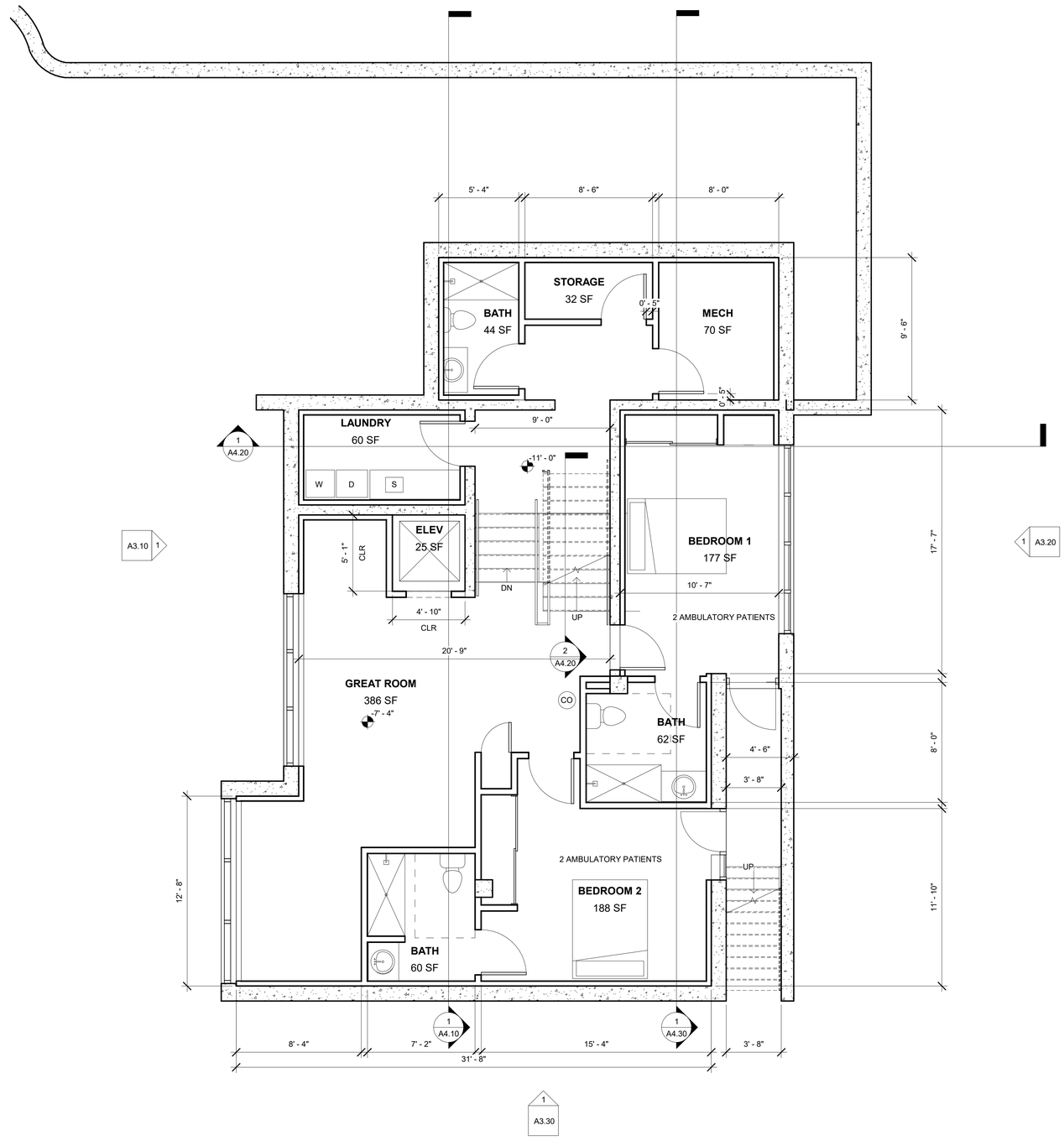
RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

A0.11

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1 BASEMENT FLOOR PLAN
1/4" = 1'-0"

KEYNOTES

NO.	DESCRIPTION

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE

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SEPARATE APPROVAL REQUIRED FOR:
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COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING

APPROVED

FOR R3.1/U
OCCUPANCY ONLY
By
Fire Prevention Engineer
Date 11/16/2023

☑ Subject to field inspection approval.
☑ Subject to conditions on plans.
FEPC2018-01738

The stamping of this plan and specifications SHALL NOT be held to permit or to be an approval of the violation of any provisions of any County/City Ordinance or State Law.

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-25
STATE OF CALIFORNIA

BASEMENT FLOOR PLAN

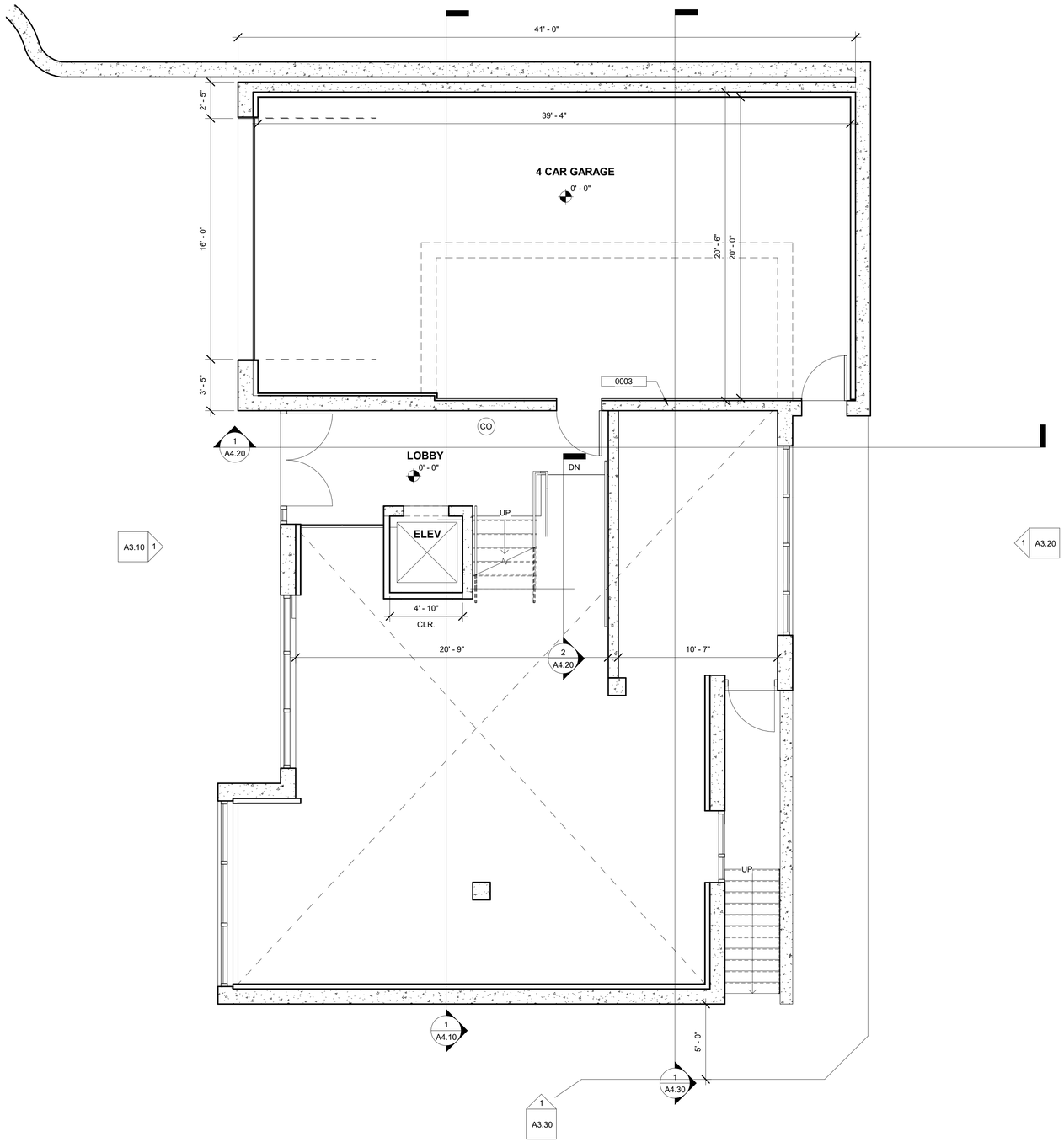
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.00

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1 ENTRY LEVEL FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS,GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES :THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTENDS OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL.
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL.

KEYNOTES

NO.	DESCRIPTION
0003	1 HOUR BARRIER BETWEEN THE "U" OCCUPANCY AND THE "R-3.1" OCCUPANCY. REFER TO BUILDING SECTION 1/A4.10

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

ENTRY LEVEL FLOOR PLAN

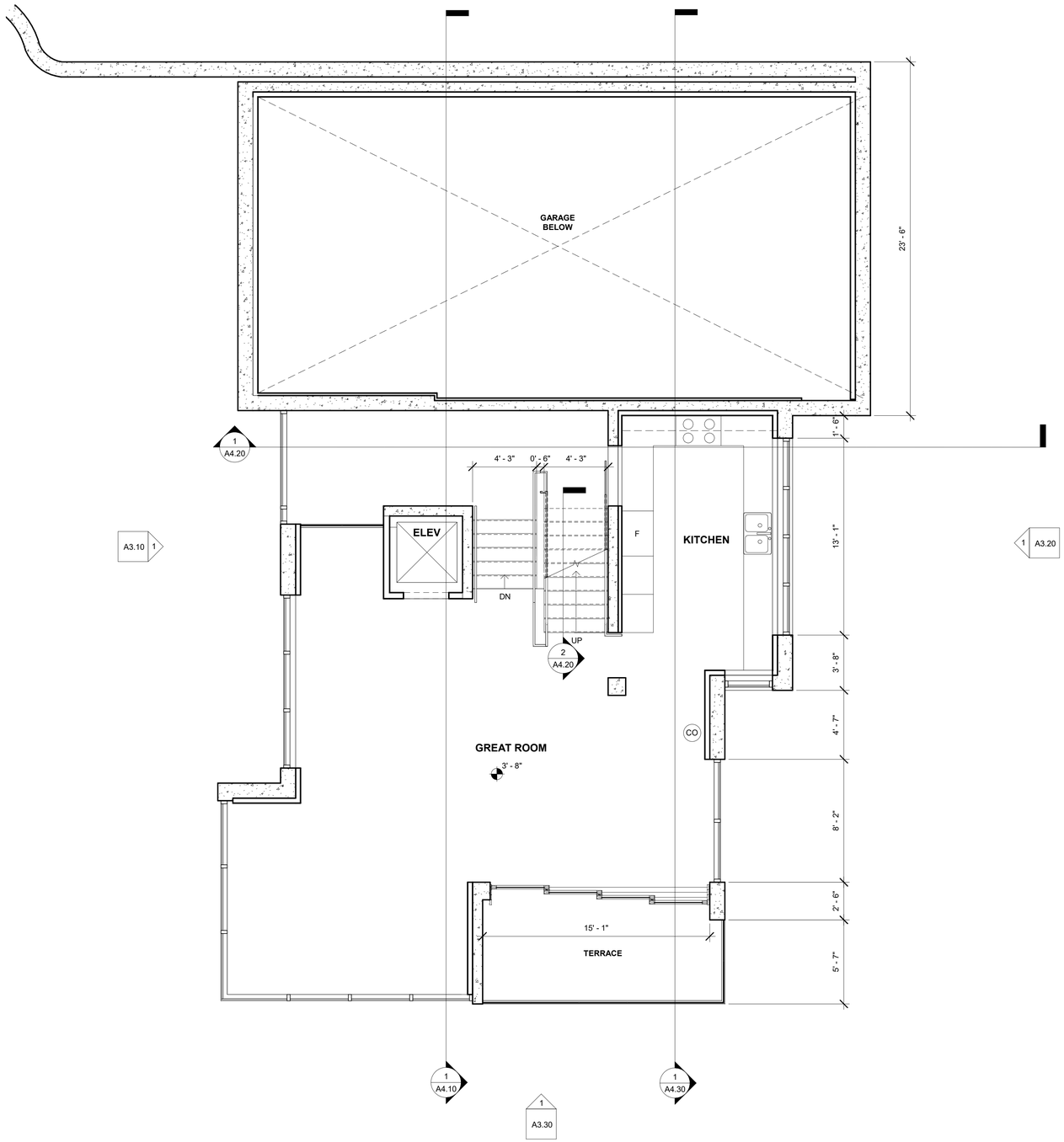
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.05

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1 FIRST FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS,GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES :THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTENDS OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL.
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL.

KEYNOTES

NO.	DESCRIPTION

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE

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COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING

APPROVED

FOR R3.1/U
OCCUPANCY ONLY
By
Fire Prevention Engineer
Date 11/16/2023
☑ Subject to field inspection approval.
☑ Subject to conditions on plans.
FEPC2018-01738

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LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

FIRST FLOOR PLAN

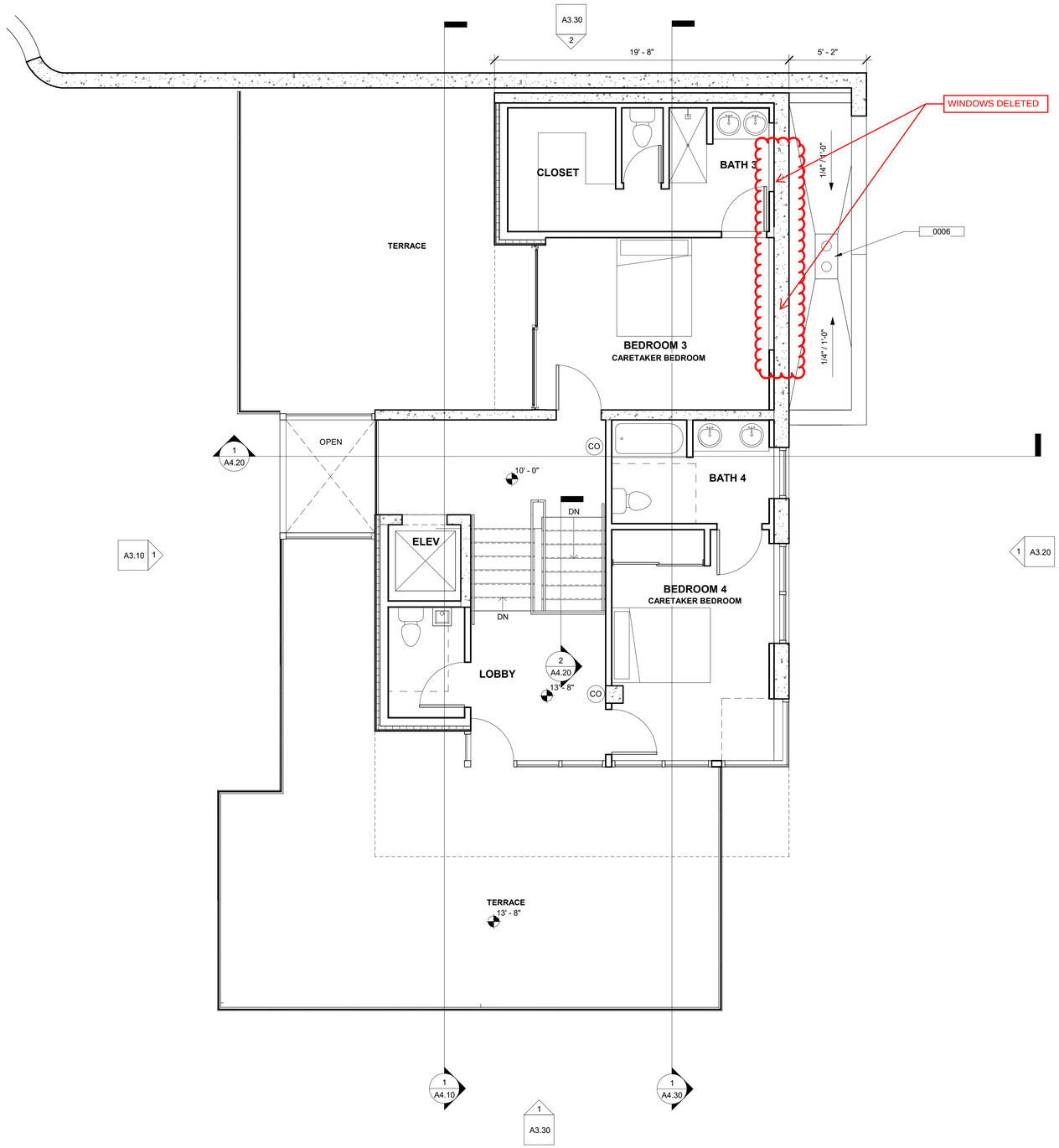
RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.10

Scale As indicated

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1 SECOND FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

NO.	DESCRIPTION
1	EXTERIOR WINDOWS, WINDOW WALLS,GLAZED DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE MULTI-PANE GLAZING UNITS WITH A MINIMUM OF ONE TEMPERED PANE.
2	EXTERIOR DOOR ASSEMBLIES :THE EXTERIOR SURFACE OR CLADDING SHALL BE OF NON COMBUSTIBLE OR IGNITION-RESISTANT MATERIAL.
3	CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS THAT EXTENDS OVER AN EXTERIOR WALLS SHALL BE PROTECTED BY NONCOMBUSTIBLE MATERIAL.
4	UNDERFLOOR AREAS SHALL BE ENCLOSED TO THE GRADE WITH EXTERIOR WALLS OR SHALL BE OF NON-COMBUSTIBLE MATERIAL.

KEYNOTES

NO.	DESCRIPTION
0006	ROOF DRAIN.

LEGEND

CO CARBON MONOXIDE DETECTOR / FIRE ALARM

CONCRETE

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COUNTY OF LOS ANGELES
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FIRE PREVENTION ENGINEERING

APPROVED

FOR R3.1/U
OCCUPANCY ONLY
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Date 11/16/2023
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FEPC2018-01738

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No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

SECOND FLOOR PLAN

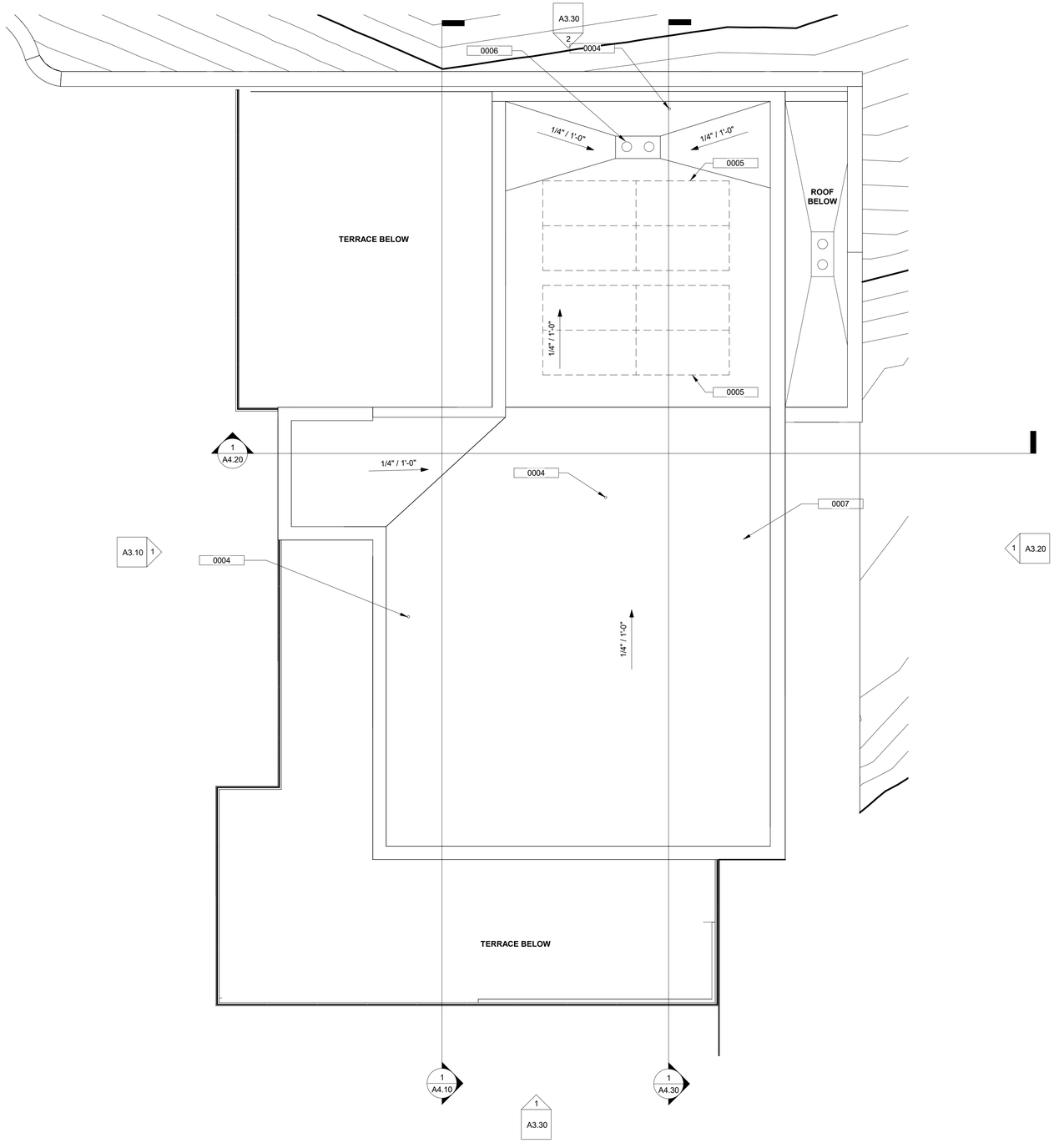
RESIDENTIAL CARE FACILITY FOR THE ELDERY

22549 PACIFIC COAST HWY. MALIBU, CA

A1.20

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1 ROOF PLAN
1/4" = 1'-0"

GENERAL NOTES

1. ROOF GUTTERS SHALL BE PROVIDED WITH A MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. (RESIDENTIAL CODE R327.534 AND BUILDING CODE 705A.4)

2. VENTS SHALL RESIST THE INTRUSION OF FLAME AND EMBERS AND FLAME THROUGH THE VENTILATION OPENINGS. VENT OPENINGS SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH A MINIMUM 1/16TH INCH OPENINGS AND SHALL NOT EXCEED 1/8TH INCH. VENTS SHALL NOT BE INSTALLED IN EAVES OR CORNICES. (RESIDENTIAL CODE R327.6.1 AND BUILDING CODE 706A.1)

KEYNOTES

NO.	DESCRIPTION
0004	VENT TUBE.
0005	P.V. PANELS. 6'-0"- 5'-5" X 3'-3", SLOPED 15D ANGLE, MAX T.O. PANEL 24'-0" HEIGHT LIMIT.
0006	ROOF DRAIN.
0007	REINFORCED PVC ROOFING SYSTEM; COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

ROOF PLAN

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A1.30

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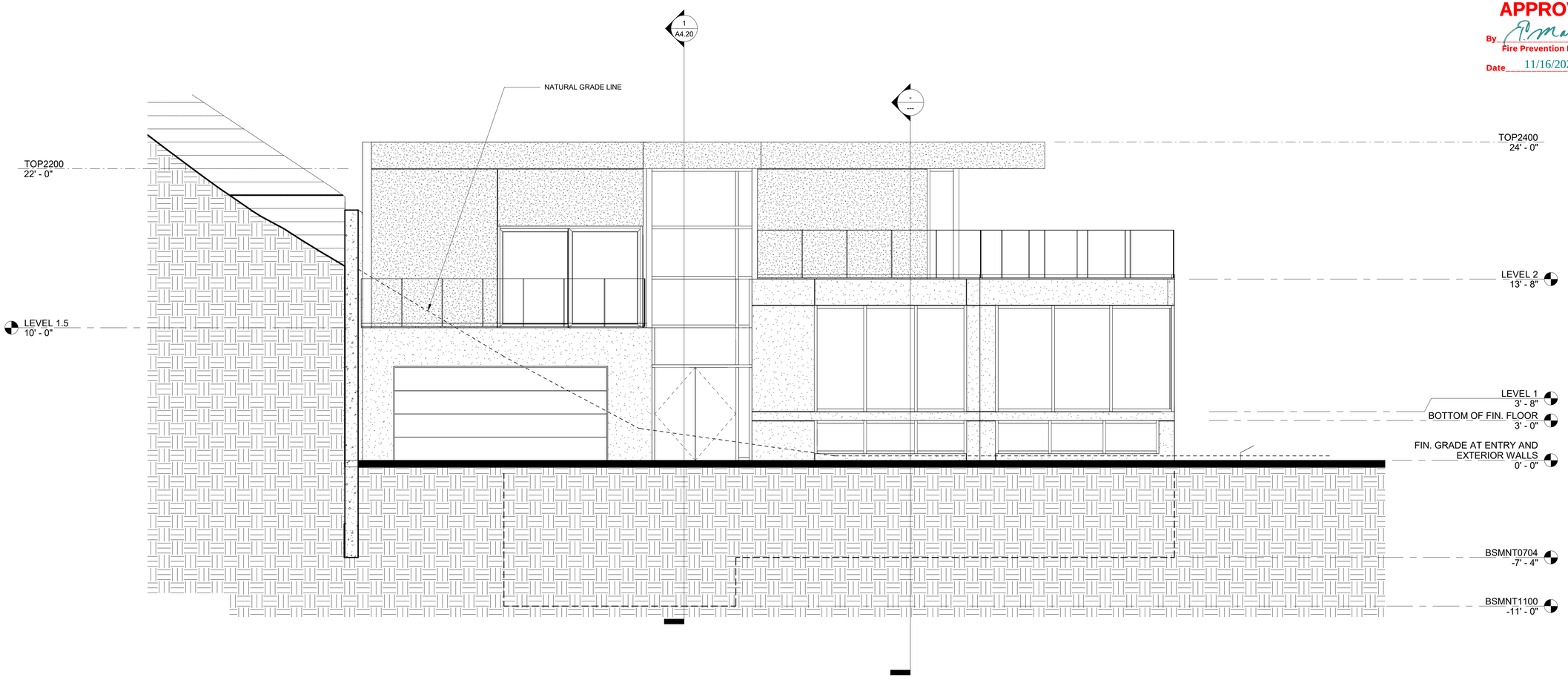
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FIRE DEPARTMENT
FIRE PREVENTION ENGINEERING
APPROVED
By _____
Fire Prevention Engineer
Date 11/16/2023



1 WEST ELEVATION
1/4" = 1'-0"

LEGEND

CONCRETE

PLASTER

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

WEST ELEVATION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A3.10

Scale 1/4" = 1'-0"

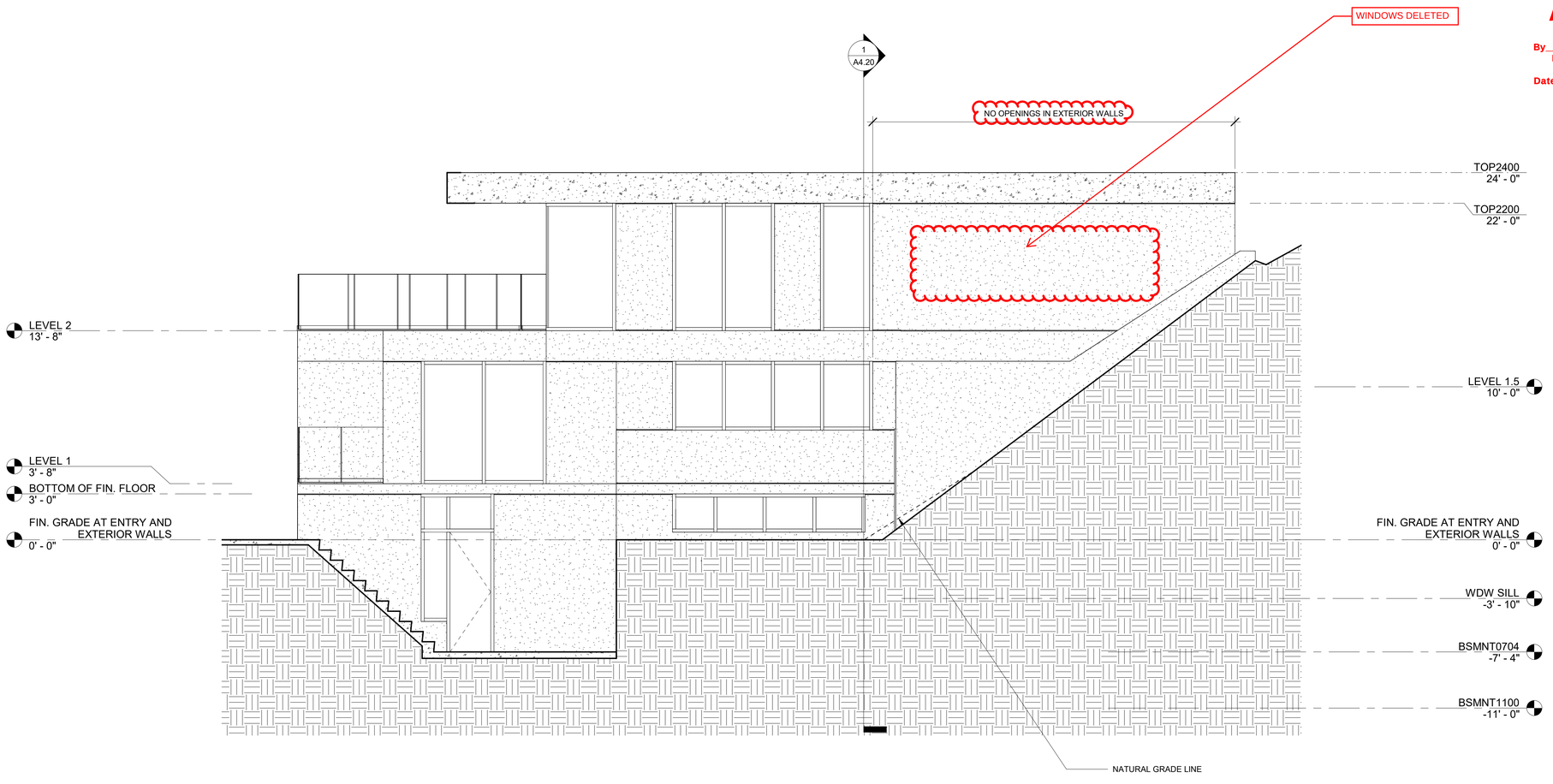
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APPROVED
By _____
Fire Prevention Engineer
Date 11/16/2023



1 EAST ELEVATION
1/4" = 1'-0"

LEGEND

- CONCRETE
- PLASTER

No.	Description	Date
2	BK02	06/29/2020

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
12-31-23
STATE OF CALIFORNIA

EAST ELEVATION

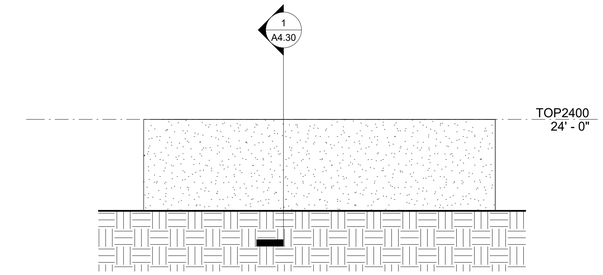
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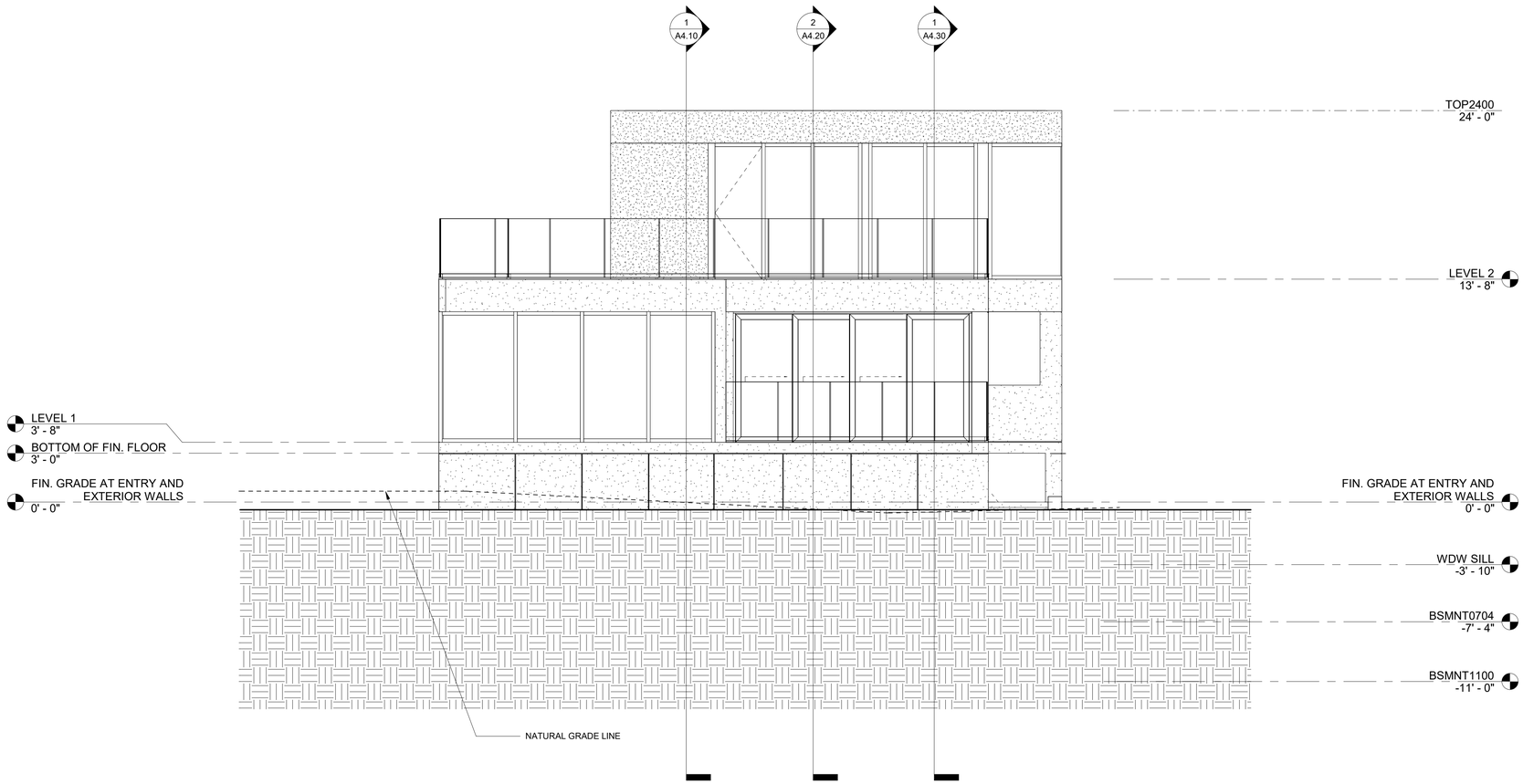
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2 NORTH ELEVATION
1/4" = 1'-0"



1 SOUTH ELEVATION
1/4" = 1'-0"

LEGEND

CONCRETE

PLASTER

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COUNTY OF LOS ANGELES
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FIRE PREVENTION ENGINEERING
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LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
EXP. 12-31-23
STATE OF CALIFORNIA

NORTH AND SOUTH ELEVATION

RESIDENTIAL CARE FACILITY FOR THE ELDERY

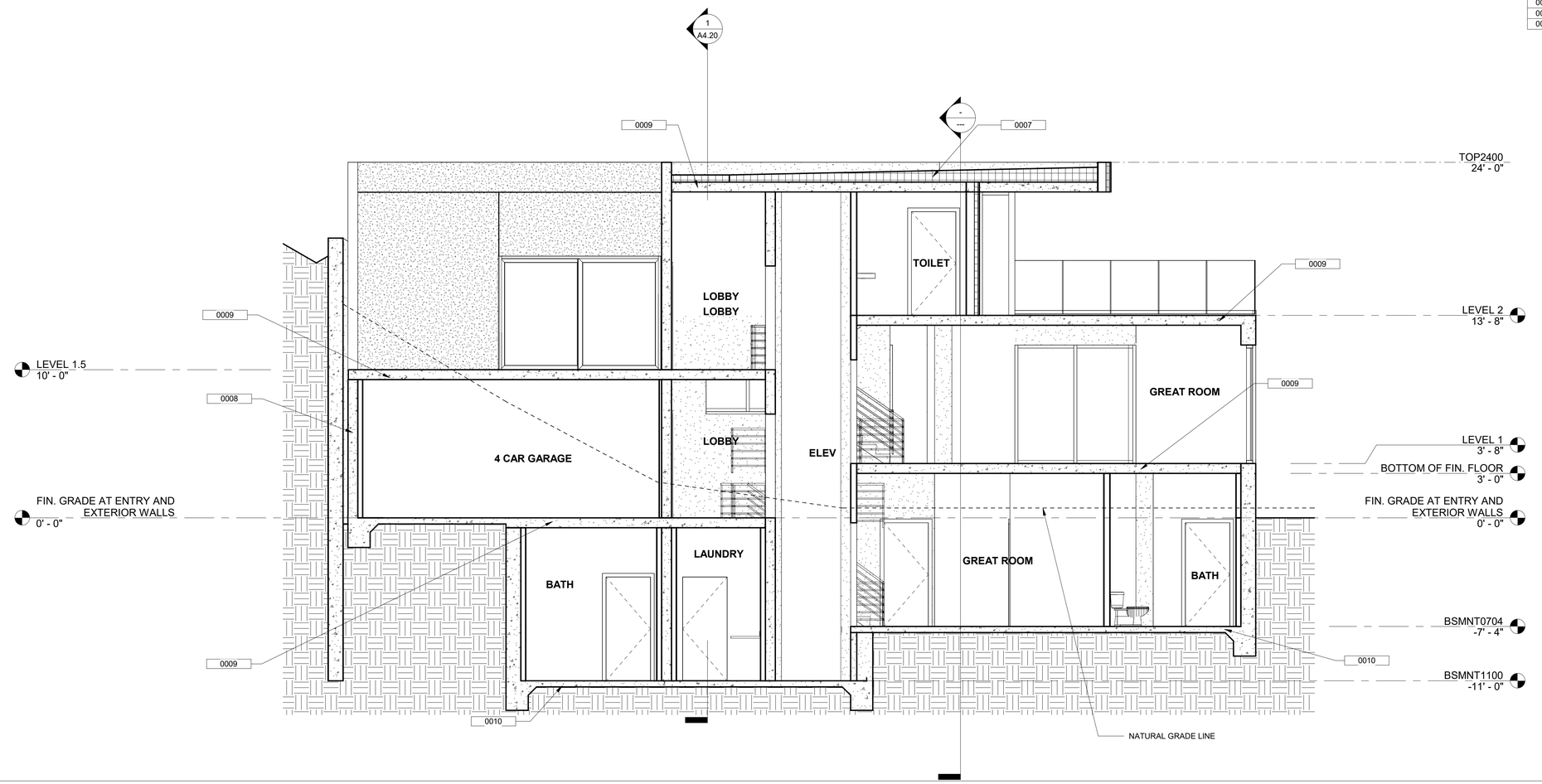
22549 PACIFIC COAST HWY. MALIBU, CA

A3.30

Scale 1/4" = 1'-0"

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KEYNOTES	
NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM; COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0008	8" CONCRETE WALL
0009	8" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE



1 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
EXP. 12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

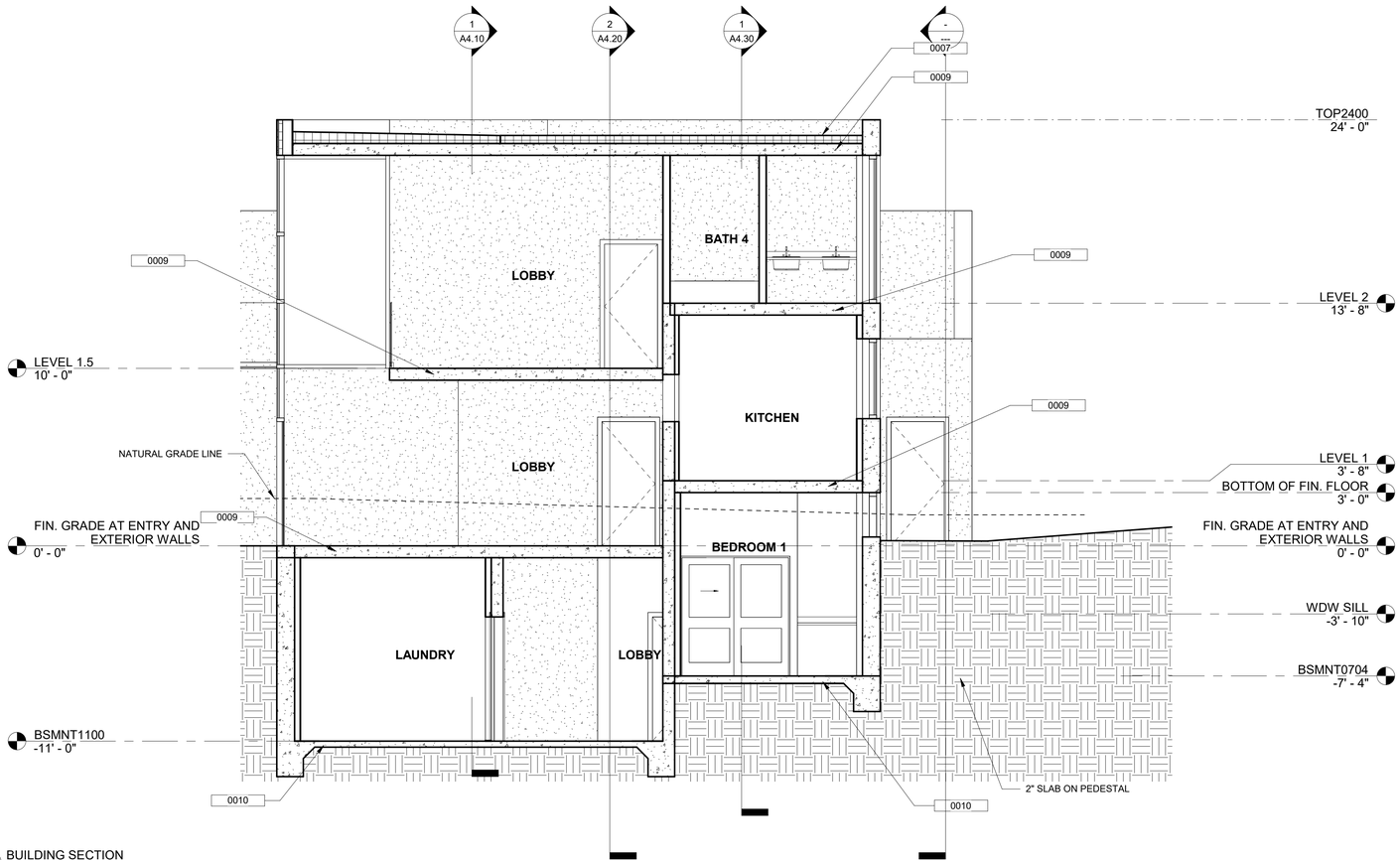
22549 PACIFIC COAST
HWY. MALIBU, CA

A4.10

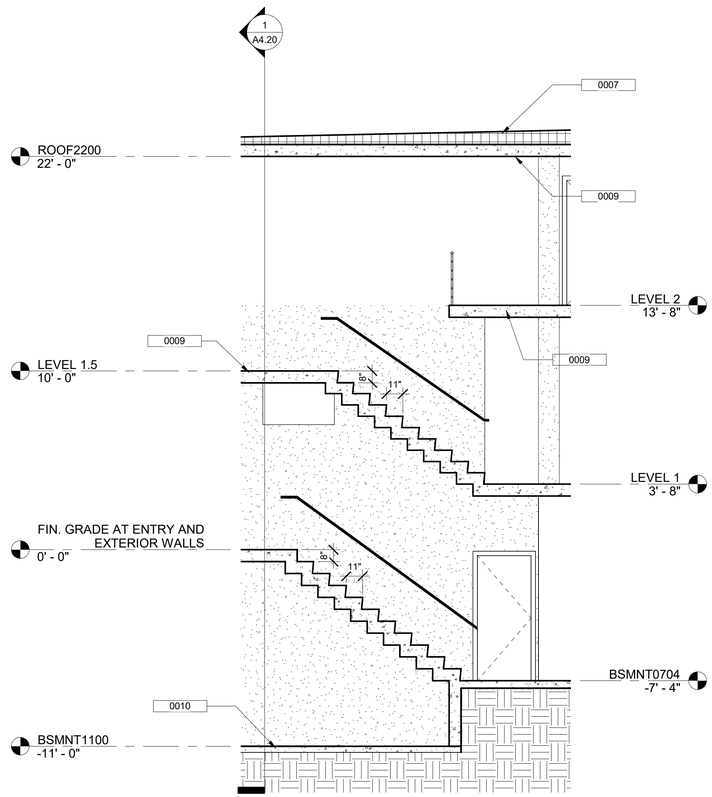
Scale 1/4" = 1'-0"

8/26/2023 11:16:30 AM

KEYNOTES	
NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM; COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0009	8" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE



1 BUILDING SECTION
1/4" = 1'-0"



2 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

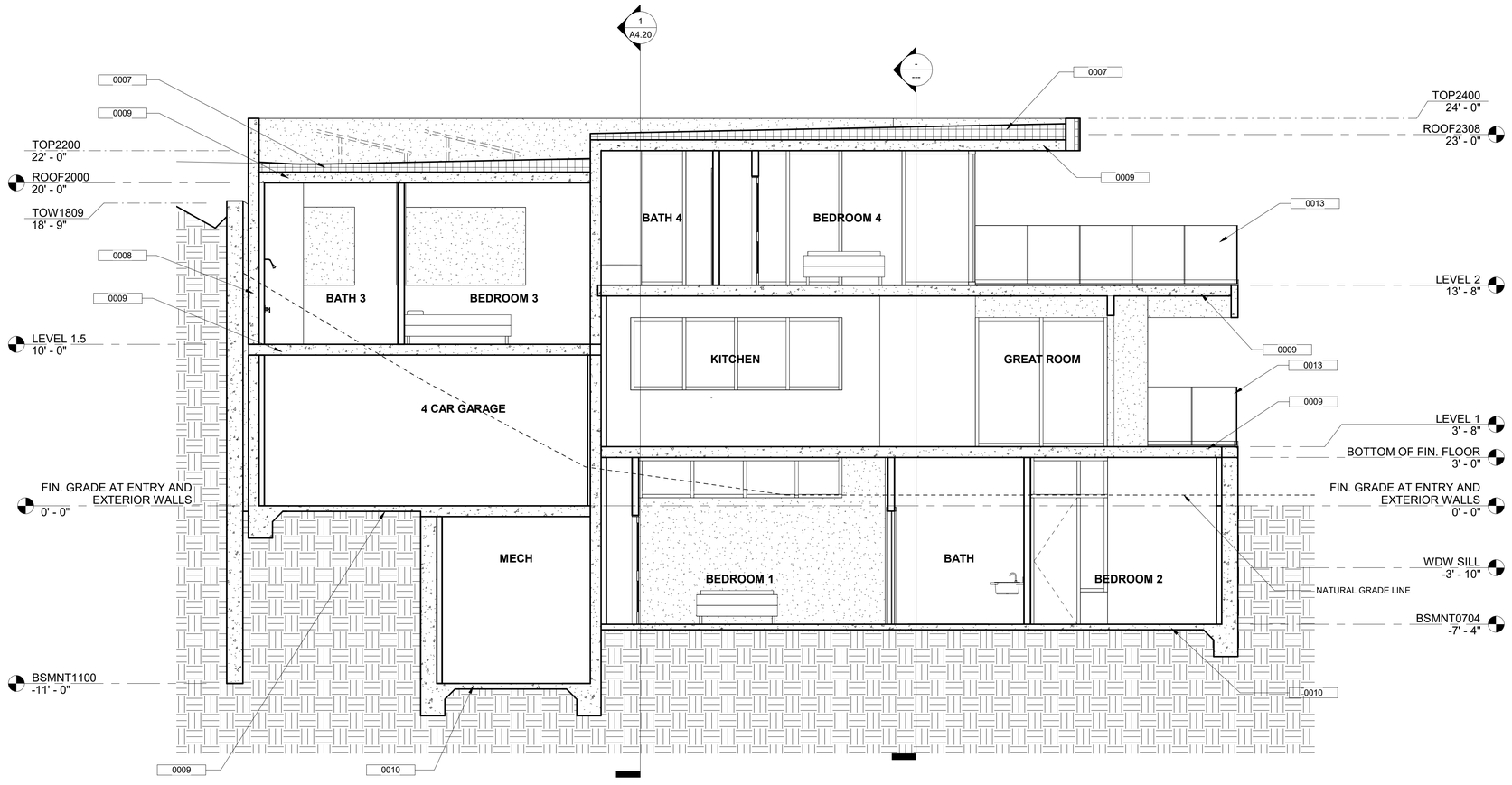
22549 PACIFIC COAST
HWY. MALIBU, CA

A4.20

Scale 1/4" = 1'-0"

8/26/2023 11:16:31 AM

KEYNOTES	
NO.	DESCRIPTION
0007	REINFORCED PVC ROOFING SYSTEM; COVERBOARD "DENSDECK" OVER "SARNAFIL G410-15" MEMBRANE OVER "SARNATHERM ISO" INSULATION R30.
0008	8" CONCRETE WALL
0009	8" TWO WAY CONCRETE SLAB
0010	5" CONCRETE SLAB ON GRADE
0013	3'-6" HIGH GLASS GUARDRAIL



1 BUILDING SECTION
1/4" = 1'-0"

No.	Description	Date

LICENSED ARCHITECT
GARY E. SIMMONS
C-21733
RENEW 12-31-23
STATE OF CALIFORNIA

BUILDING SECTION

RESIDENTIAL CARE
FACILITY FOR THE ELDERY

22549 PACIFIC COAST
HWY. MALIBU, CA

A4.30

Scale 1/4" = 1'-0"

8/26/2023 11:16:31 AM

ANTHONY C. MARRONE
FIRE CHIEF
FORESTER & FIRE WARDEN

"Proud Protectors of Life, the Environment, and Property"

COUNTY OF LOS ANGELES FIRE DEPARTMENT

FUEL MODIFICATION UNIT
605 NORTH ANGELENO AVENUE
AZUSA, CA 91702
(626) 969-5205
forestryfuelmodification@fire.lacounty.gov
www.fire.lacounty.gov/forestry-division/forestry-fuel-modification/

BOARD OF SUPERVISORS
JANICE HAHN, CHAIR
FOURTH DISTRICT

HILDA L. SOLIS
FIRST DISTRICT

HOLLY J. MITCHELL
SECOND DISTRICT

LINDSEY P. HORVATH
THIRD DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

March 21, 2024

Dear Applicant:

FUEL MODIFICATION PLAN – 22549 PACIFIC COAST HIGHWAY., CITY OF MALIBU
PARCEL #4452-023-003 FM PROJECT #8774 – FFFM #202100037

The Final Fuel Modification Plan has been reviewed and approved. Occupancy is subject to onsite inspection and approval of required fuel modification. Inspections are to be performed by Forestry Division personnel.

Questions regarding this response should be directed to the Fuel Modification Unit. Office hours are Monday through Thursday, from 8:00 a.m. to 4:00 p.m. Plan checkers are available 8:00 a.m. to 10:00 a.m. and by appointment. The Fuel Modification Unit may best be reached by email using our office email (forestryfuelmodification@fire.lacounty.gov).

Very truly yours,

WILLIAM ROMO, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

WR:lp

Enclosures

Story Pole Photos
22549 PCH
(CDP No. 18-038)



1 – View from Entrance SW of Site Looking NE

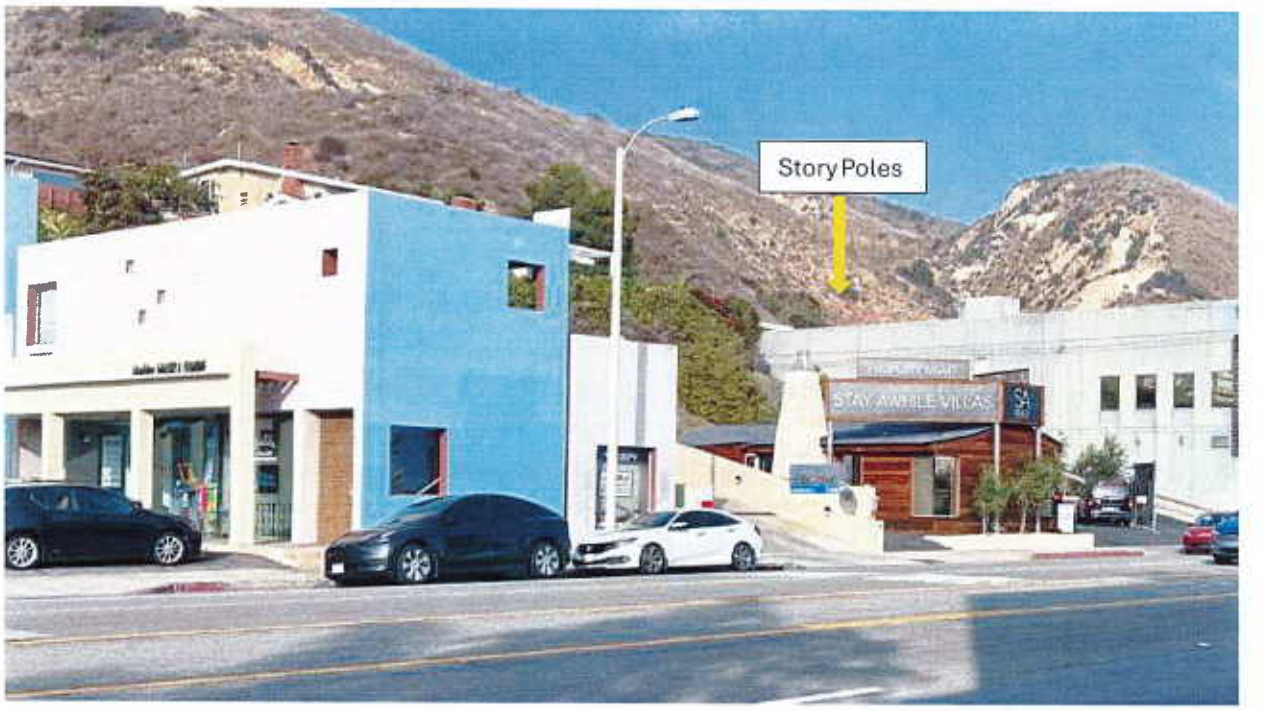
ATTACHMENT 4



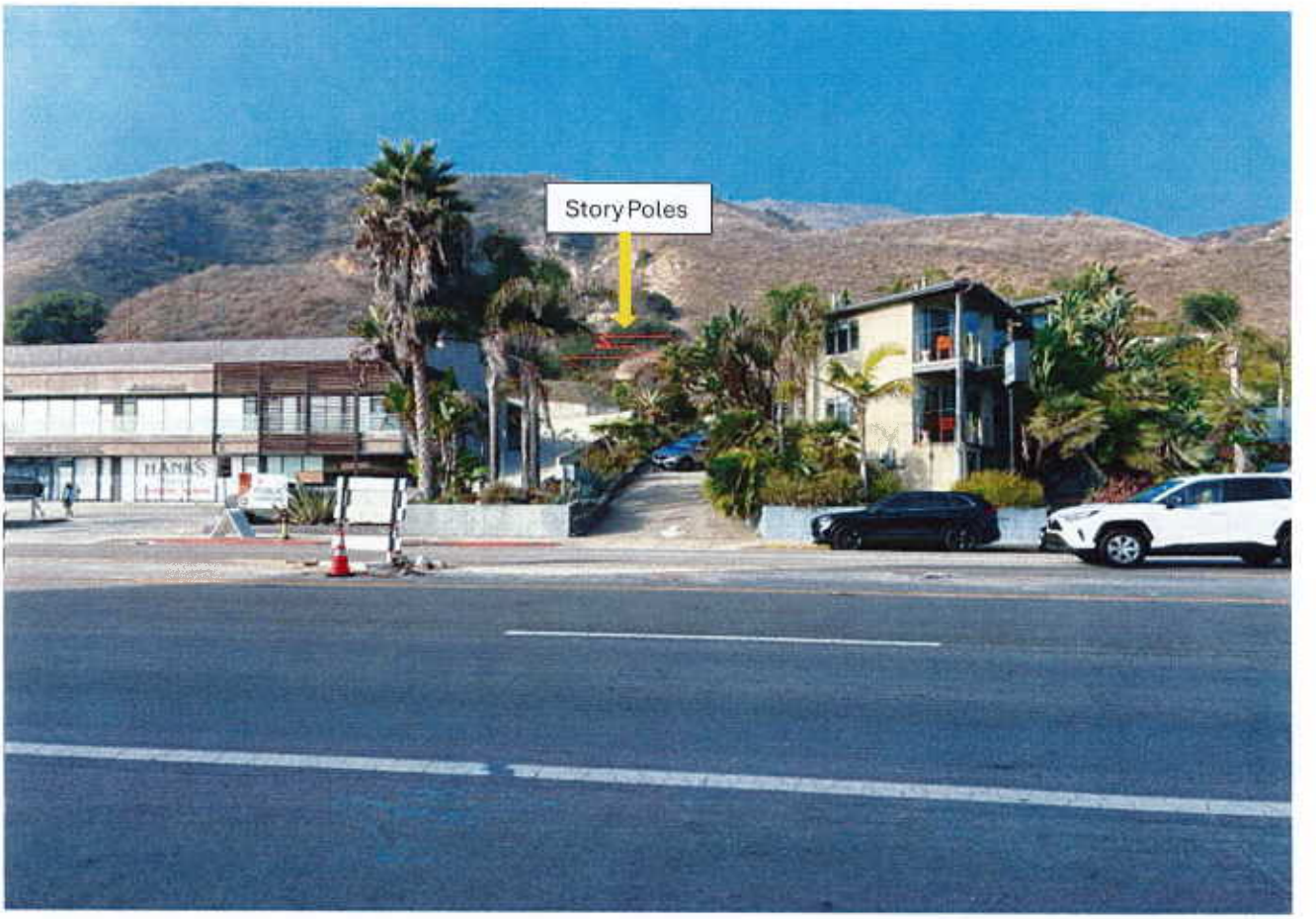
2 – View from NW on Site Looking SE



3 - View from SW on Site Looking NE



4 - View from PCH, West of Site, Looking NE



5 – View from PCH Across from Site



6 – View from PCH, East of Site, Looking NW

Environmental Review Board – Summary of Comments and Responses
Project/Site: 22549 Pacific Coast Highway, CDP 18-038
ERB Meeting Date: 6-7-23

Attendees:
ERB: Clark Stevens, Jennifer Brent, Barbara Coffman, Patrick Kaufman
City Staff: Richard Mollica, Adrian Fernandez, Courtney McCammon, Allison Cook
Applicant Team: Anita Kundi (Applicant/Owner), and applicant's architect

Comments are from ERB members. Responses are from Planning Department staff and/or the applicant team.

1. Consider the feasibility of a bioswale-type element on the upslope behind the retaining wall on the north slope.

   Response: Bioswales are not recommended because they could affect the integrity of the retaining wall.

2. Is the slope setback requirement in the State Building Code being met for the ascending slope on the north? Is an "H over 2" requirement necessary to meet? Provide the necessary wall setback.

   Response: The "H over 2" slope setback distance requirement does not apply to this project. Issues relating to slope setback have been addressed with the City geotechnical consulting staff. The slope setback will be reviewed as part of building plan check to ensure compliance with appropriate codes and standards. The Building Safety Department structural engineer consultant reviewed the proposed 24-foot-tall retaining wall on the northern edge of the project site and accepted the design on a conceptual basis on December 17, 2024.

3. Integrate native planting into the landscape area. Fuel modification Zone A can have native plants.

   Response: The applicant is supportive of incorporating native species. A project condition of approval has been added in the Resolution to include native species in landscaped planter areas along the borders of the site, which would be near natural habitat.

4. It will be the adjacent neighbors' responsibility to clear vegetation on their own land, as determined by the County Fire Department. Regarding the habitat mitigation the City requires for habitat impacts due to fuel modification, does it account for off-site fuel modification?

   Response: The City considers the potential for fuel modification/vegetation thinning and removal on off-site properties when the fuel modification zones for a project extend beyond the project site. The City Biological Consultant requires a project condition (see conditions in Resolution) whereby the applicant would

mitigate for the habitat impacts from fuel modification, including that which may occur off-site by neighboring property owners.

5. From where on the site is height measured?

   Response: Pursuant to the definition of "Height, Non-Beachfront Lot" in LIP Chapter 2 – Definitions, building height is measured between the top of the structure and the natural grade (existing grade) or finished grade, whichever results in a lower building height allowance.

6. When was the last vegetation delineation conducted on the site?

   Response: The biological assessment was conducted in 2018 by Forde Biological Consultants.

7. Is the ravine located off-site or on-site?

   Response: The ravine is off-site, to the east of the project site, and will not be affected by the project.

8. Ensure that the project lighting is night-sky compliant.

   Response: No exterior lighting is proposed as part of the project. If lighting is proposed at a later date, it will need to be evaluated for compliance with all lighting regulations of the City.

9. The natural drainage pattern appears to descend to the west and then to PCH. How will the storm water drain upon development of the site? Concern for altering the existing drainage pattern was expressed.

   Response: Existing drainage flows over the hillside onto the vacant undeveloped pad area and over the southerly hillside or sheet flows over the paved shared driveway to PCH. With the project, hillside runoff would continue to flow down the easterly side (Discharge Point #1 on Civil Sheet C-130) and the westerly side (Discharge Point #3) of the site. As in the existing condition, Discharge Point #3 will sheet flow down the existing shared driveway and fire lane (via an access agreement for the westerly residences at 22605 PCH) to an existing trench drain at the base of the shared driveway. The proposed fire truck turnaround and paved areas on-site would also sheet flow down the shared driveway, mimicking existing conditions. Minor walkway and planter drains would be conveyed to a storm drain pipe that discharges at the southeast corner of the site (Discharge Point #2).

10. Consider permeable pavers and planters for water infiltration as storm water Best Management Practices.

    Response: The Public Works Department requires the applicant to prepare a Local Storm Water Pollution Prevention Plan (including Erosion and Sediment

Control Plan) and a Water Quality Management Plan, along with Best Management Practices (BMPs). The BMPs will be evaluated in the Building and Safety plan check phase of the project and approved by the Public Works Department.

11. The project appears to be compliant with the Americans with Disabilities Act (ADA) for the allowed percent slope on the site. Is there a requirement to provide ADA travel to the on-site parking areas or to the right-of-way?

    Response: The project will be assessed for compliance with the ADA, including access to parking areas, driveways and any roads, during the Building and Safety plan check review phase.

*****

City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF LCP AMENDMENT MATERIALS

NOTICE OF PUBLIC HEARING AND OF AVAILABILITY OF LOCAL COASTAL PROGRAM AMENDMENT MATERIALS

The Malibu Planning Commission will hold a public hearing on **Tuesday, December 16, 2025, at 6:30 p.m**. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA for the project identified below. Public comment can be submitted ahead of the public hearing to planningcommission@malibucity.org for inclusion in the public record. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

LOCAL COASTAL PROGRAM AMENDMENT NO. 23-003, ZONING MAP AMENDMENT NO. 18-001, COASTAL DEVELOPMENT PERMIT NO. 18-038, VARIANCE NOS. 21-001, 21-002, 21-003, SITE PLAN REVIEW NO. 18-044 AND CONDITIONAL USE PERMIT NO. 19-002 - An application to change the land use designation and rezone the property from Commercial Neighborhood to Community Commercial and construct a two-story 1,792 square foot residential care facility for assisted senior living with an additional 1,194 square-foot basement and 805 square-foot attached four-car garage, onsite wastewater treatment system, retaining walls, landscaping, and associated development; including variances for retaining wall and other wall heights, construction on slopes, and development and fuel modification into Environmentally Sensitive Habitat Area (ESHA) and EHSA buffer, a site plan review for structure height above 18 feet, and a conditional use permit to allow a residential care facility for the elderly in the Community Commercial zone

LOCATION / APN / ZONING:	**22549 Pacific Coast Hwy** / 4452-023-003 / Commercial Neighborhood (CN)
APPLICANT / OWNER:	Anita Kundi
ENVIRONMENTAL REVIEW:	Statutory Exemption CEQA Guidelines Section 15265 and Categorical Exemption CEQA Guidelines Section 15303(a) & (e)
APPLICATION FILED:	September 5, 2018
CASE PLANNER:	Allison Cook, Contract Planner, capstonecityplan@gmail.com (805) 415-1991

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Planning Commission regarding these matters will be afforded an opportunity in accordance with the Planning Commission's procedures.

AVAILABILITY OF DOCUMENTS – Copies of all related documents can be reviewed by any interested person at City Hall, Malibu Public Library, and the CCC District office during regular business hours. Oral and written comments may be presented to the Planning Commission on, or before, the date of the meeting and to the City Council on, or before, the date of a future noticed public hearing.

LOCAL APPEAL & COASTAL COMMISSION APPEAL – This is a recommendation hearing where the Planning Commission will provide its recommendation to the City Council regarding the project. As decisionmaker, the City Council would consider the project at a future noticed public hearing. Therefore, there is no local appeal to the City Council. If the project is approved by the City Council, the LCPA must be certified by the California Coastal Commission (CCC) before it takes effect. For a coastal development permit (CDP) that is appealable to the CCC, an aggrieved person may appeal an approval by the City Council to the CCC within 10 working days of the issuance of the City's Notice of Final Action (NOFA). A NOFA on the CDP would not be issued unless and until the LCPA is certified by the CCC. Appeal forms may be found online at www.coastal.ca.gov or in person at the CCC South Central Coast District office located at 89 South California Street in Ventura, or by calling 805-585-1800. Such an appeal must be filed with the CCC, not the City.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

YOLANDA BUNDY, Community Development Director — Date: November 20, 2025

ATTACHMENT 6