To: Chair Jennings and Members of the Planning Commission

Prepared by: Jessica Thompson, Associate Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: May 21, 2020                         Meeting date: June 1, 2020

Subject: Administrative Coastal Development Woolsey Fire No. 20-006 – to install a new onsite wastewater treatment system (OWTS) to replace the existing OWTS serving an existing single-family residence on a Woolsey Fire affected parcel

Location: 5853 Busch Drive, within the appealable coastal zone
APN: 4469-012-023
Owner: 5853 Busch Drive, LLC

RECOMMENDED ACTION: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit No. 20-006.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program Local Implementation Plan (LIP) Section 13.13, the Planning Director shall report in writing to the Planning Commission any administrative coastal development permits that were approved by the City of Malibu. If the majority of the Planning Commissioners present so request, the issuance of an administrative coastal development permit shall not become effective, but shall, if the applicant wishes to pursue the application, be treated as a regular coastal development permit application under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

Local Implementation Plan Sections 13.13 and 13.29 (Administrative Permits Applicability)

The Planning Director may process administrative permits if: 1) the proposed project is not appealable as defined in LIP Chapter 2; 2) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and
any other developments not in excess of $100,000.00, other than any division of land; 3) water wells; or 4) onsite wastewater treatment systems.

**Permit Issuance and Local Appeal Period**

On May 26, 2020, the Planning Director will issue the administrative coastal development permit thus beginning the appeal period. The appeal period will begin on May 26, 2020 and end on June 5, 2020. In addition, since this project is located within the Appealable Jurisdiction of the California Coastal Commission as depicted on the Post- LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu, the project is appealable to the California Coastal Commission.

The project is more specifically described in the Planning Director's decision attached hereto.

**PUBLIC NOTICE:** A Notice of Application and Notice of Decision were mailed to property owners and occupants within a 500-foot radius of the subject property.

**ATTACHMENT:** Administrative Coastal Development Permit Woolsey Fire No. 20-006
NOTICE IS HEREBY GIVEN that the City of Malibu has APPROVED an application by Clive Dawson A.I.A. Architecture and Planning, on behalf of the property owner, 5853 Busch Drive LLC, for an Administrative Coastal Development Permit Woolsey Fire (ACDPWF) to install a new onsite wastewater treatment system (OWTS) to replace the existing OWTS serving an existing single-family residence on a Woolsey Fire affected parcel. The subject parcel is zoned Rural Residential-Two Acre (RR-2) and is partially located within the Appeal Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu. The proposed scope of work will be taking place within the Appeal Jurisdiction.

**Proposed Description**

The project involves the abandonment of an existing OWTS and installation of a new 5,000 gallon Jensen precast equalization tank, 7,540 gallon MicroSepTec ES25 treatment disinfection tank with ultraviolet disinfection unit, and a 3,717-square foot subsurface dispersal field (Attachment 1 – Department Review Sheets including OWTS Plot Plan). The proposed new system will not result in any non-exempt grading.

The subject site is developed with a single-family residence containing a non-medical alcoholism and drug abuse recovery/treatment facility (residential care facility1) that has a total occupancy of six program participants, licensed and certified by the State of California Department of Health Care Services (DHCS). The residential care facility is known as “Cliffside Malibu,” and has an active license. The proposed OWTS will service the existing three-bedroom single-family residence/residential care facility and the 23 employees associated with the existing operations. Currently, there are three work shifts: 10 employees during the day shift (8 hours), 10 employees during the evening shift (8 hours), and three employees during the night shift (8 hours). Since the use is licensed and certified by the State of California and the use is permitted by right in the RR zoning district the OWTS is treated as a normal residential OWTS. Staff has no discretion other than ensuring that the OWTS complies with all LCP and Malibu plumbing code requirements. The project will ensure this property is served by a sufficient, compliant OWTS.

1 Per LIP Appendix 1 Table B Permitted Uses “Residential Care Facilities (serving 6 or fewer persons)” is a permitted use in the Rural Residential zoning district.
Administrative Permits Applicability (LIP Sections 13.13 and 13.29)

The Planning Director may process ACDPs if: 1) the proposed project is not appealable as defined in the LCP Local Implementation Plan (LIP) Chapter 2; 2) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of $100,000.00, other than any division of land; 3) water wells; and 4) OWTS.

The project consists of the removal of an existing OWTS and installation of a new OWTS. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively.

Project Background

Administrative Coastal Development Permit Application

- Application Date: January 14, 2020
- Posting of Property: April 6, 2020
- Completeness Determination: April 8, 2020
- Notice of Application Mailer: May 7, 2020
- Notice of Decision Mailer: May 21, 2020
- Issuance of ACDP: May 26, 2020
- Planning Commission Reporting: June 1, 2020
- Local Appeal Period: May 26, 2020 through June 5, 2020
Surrounding Land Uses and Setting

The subject parcel is a rectangular shaped lot and is located along the northwest side of Busch Drive, in the RR-2 zoning district. The parcel is approximately 24,358-square feet in size. Per the LCP Park Lands Map, there are no trails in the vicinity of the subject lot.

California Environmental Quality Act

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Director has analyzed the proposed project. The Planning Director has 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 Section 15303(d) – New Construction or Conversion of Small Structures. The Planning Director has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

Local Coastal Program Conformance

The LCP consists of a Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the California Coastal Act in Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a CDP must adhere. This project has been reviewed and approved for LCP conformance review by the Planning Department, City Biologist, City geotechnical staff, City Environmental Health Administrator, and City Public Works Department (Attachment 1 – Department Review Sheets).
Administrative Coastal Development Permit Findings

The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP goals and policies. Based on the foregoing evidence contained within the record and pursuant to LIP Section 13.13, the Planning Director hereby makes the following findings of fact.

Onsite Wastewater Treatment System Coastal Development Permit (LIP Section 13.29.2)

Finding 1. The proposed OWTS is consistent with the LCP and all applicable LCP provisions, local laws and regulations regarding OWTS.

The City Biologist, City geotechnical staff, City Environmental Health Administrator, and City Public Works Department have reviewed the proposed project and found it to meet the requirements of the Malibu Municipal Code (MMC) and LCP. The proposed project is for the replacement of an existing OWTS with a 7,540-gallon MicroSepTec Tank with UV Disinfection Unit, 5000-gallon Equalization tank and 3,717-square foot subsurface irrigation dispersal field. The applicant is required to record a covenant indicating the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included for the proposed project to require continued operation, maintenance and monitoring of the subject system.

Finding 2. The proposed OWTS does not require a new or upgraded shoreline protective device.

The subject parcel is not located along a shoreline and therefore, no new or upgraded shoreline protection devices are proposed.

Finding 3. The proposed OWTS is necessary to protect public health and/or improve water quality.

The State Water Resources Control Board requires all residential development located within the City of Malibu that is not served by a public or private sewage utility to provide treatment of wastewater through an OWTS that meets minimum design standards intended to protect public health. The subject parcel is not served by a public or private sewage utility and has been designed to meet all applicable design standards as determined by the City Environmental Health Administrator. Therefore, the replacement of the existing OWTS with a new OWTS in conformance with current design standards promotes public health by minimizing potential contamination of the groundwater table in the area and nearby Pacific Ocean.

Finding 4. The proposed OWTS has been conditioned in accordance with the LCP.

The proposed project has been designed to meet all applicable LCP requirements and has been conditions in accordance with the LCP.

Approval of ACDPWF No. 20-006

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves ACDPWF No. 20-006, subject to the conditions of approval.
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. This approval is for the replacement of the existing OWTS with a new OWTS consisting of a 7,540-gallon MicroSepTec Tank with UV Disinfection Unit, 5000-gallon Equalization tank and 3,717-square foot subsurface irrigation dispersal field, located on the western portion of the property (within the rear yard). This approval does not involve any non-exempt grading.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, dated as received on January 14, 2020. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.

5. The applicant shall digitally submit a complete set of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This decision, signed Affidavit of Acceptance of Conditions, and all attached Department Review Sheets shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the Building Safety Division for plan check.

7. The ACDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. 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. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All development shall conform to requirements of the Environmental Sustainability Department, City Coastal Engineer, City geotechnical staff, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Waterworks District No. 29 and the Los Angeles County Fire Department, 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 Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.

11. This permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission requests that the ACDP becomes effective, pursuant to LIP Section 13.13.6.

12. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the administrative coastal development permit is effective. The ACDP is not effective until all appeals, including those to the CCC, have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the ACDP approved by the City is void.

13. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.

*Cultural Resources*

14. 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.

15. 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.

*Site Specific Conditions*

16. 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.

17. Prior to issuance of a building/demolition permit, an Affidavit and Certification to implement a Waste Reduction and Recycling Plan (WRRP) shall be signed by the Owner or Contractor and submitted to the Environmental Sustainability Department. The WRRP shall indicate the agreement of the applicant to divert at least 50 percent of all construction generated by the project.

18. Prior to final building inspection, the applicant shall provide the Environmental Sustainability Department with a WRRP Final Summary Report. The Final Summary Report shall designate all materials that were landfilled or recycled, broken down by material types. The Environmental Sustainability Department shall approve the Final Summary Report.
Biology

19. The use of pesticides, including insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade biological resources shall be prohibited throughout the City of Malibu. The eradication of invasive plant species or habitat restoration shall consider first the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls. Herbicides may be selected only after all other non-chemical methods have been exhausted. 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 use for a limited time.

20. 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 to exceed 2,500 square feet in area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

21. No new portion of the OWTS shall occur within 50 feet of the drainage course.

Environmental Health

22. 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.

23. 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, existing improvements, and proposed improvements, 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). The final OWTS plan must be signed, stamped, and dated.

24. 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).

25. Any above-ground equipment associated with the installation of the OWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42 inches tall.

26. The final design report 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). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department.

27. The following note shall be added to the plan drawings included with the OWTS final design: “Prior to commencing work to abandon, remove, or replace the existing Onsite Wastewater Treatment System (OWTS) components, an ‘OWTS Abandonment Permit’ shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.”

28. Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS’ proper abandonment in conformance with the MMC.

29. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as constructive notice to any successors in interest that: 1) the private sewage disposal system serving the development on the property does not have a 100 percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in the use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall
be in a form acceptable to the City Attorney and approved by the City Environmental Sustainability
Department.

30. Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.

31. An operations and maintenance manual specified by the OWTS designer shall be submitted to the property
owner and maintenance provider of the proposed OWTS.

32. Prior to final Environmental Health approval, 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 OWTS
after construction shall be submitted. Only original wet signature documents are acceptable and shall be
submitted to the City Environmental Health Administrator.

33. Prior to final Environmental Health approval, 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 MMC. Said covenant shall be provided by the City of Malibu Environmental Health
Administrator.

34. The City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

35. In accordance with MMC Chapter 15.44, prior to Environmental Health approval, an application shall be made
to the Environmental Sustainability Department for an OWTS operating permit.

Geology

36. Two sets of OWTS plans (approved by City Environmental Health) incorporating the project geotechnical
consultant’s recommendations must be reviewed, wet stamped, and manually signed by the project engineering
geologist and project geotechnical engineer prior to the issuance of an OWTS permit.

37. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City
geotechnical staff 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 staff prior
to the issuance of a grading permit.

38. Final plans approved by the City geotechnical staff shall be in substantial conformance with the approved
ACDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a
CDP amendment or a new CDP.

Public Works

39. Exported soil from the 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 LIP Section 8.3. A note shall be placed at the project site
that addresses this condition.
40. 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:

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41. Best Management Practices (BMPs) 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.

42. The proposed improvements are located within a Special Flood Hazard Area (SFHA) and are subjected to the National Flood Insurance Program regulations and the City’s Flood Plain Management Ordinance, MMC Chapter 15.20. The proposed improvements were evaluated as a non-substantial improvement and, therefore, the existing structure does not require any additional improvements or documentation to conform to the City’s Flood Plain Management Ordinance. If there are any modifications to this project, the applicant must submit the revised plans to the Public Works Department for further evaluation. If the revised plans are considered a substantial improvement, the structure located within SFHA must meet all requirements of the City of Malibu Flood Plain Management Ordinance.

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

44. 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.

Construction

45. 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.

46. 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.
Prior to Final Inspection

47. Prior to a final Building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. The final Summary Report shall designate all material that were land filled or recycled, broken down by material types.

48. The applicant shall request a final Planning Department inspection prior to final inspection by the Building Safety Division.

Deed Restrictions

49. 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.

Fixed Conditions

50. This ACDP runs with the land and binds all future owners of the property.

51. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

Appeals and Reporting

LOCAL APPEAL – Pursuant to Local Coastal Program Local Implementation Plan (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. Appeals shall be emailed to psalazar@malibucity.org and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Anyone unable to submit an appeal via email should contact Patricia Salazar at (310) 456-2489, extension 245, at least two business days before the appeal deadline to arrange alternative delivery of the appeal. Appeal forms may be found online at malibucity.org/planningforms, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Director’s decision to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.
REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the June 1, 2020, Regular Planning Commission meeting. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Date: May 26, 2020

Prepared by:  Approved by:

Jessica Thompson Bonnie Blue
Jessica Thompson Bonnie Blue
Associate Planner Planning Director

Attachments:

1. Department Review Sheets including OWTS Plot Plan
2. Notices
ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu’s decision of approval and agrees to abide by all terms and conditions for Administrative Coastal Development Permit No. 20-006, dated May 26, 2020, for the project located at 5853 Busch Drive, Malibu, CA 90265. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

Date     Signature of Property Owner

____________________________________
Print Property Owner Name

Date     Signature of Property Owner

____________________________________
Print Property Owner Name

ACKNOWLEDGMENT

STATE OF CALIFORNIA
County of __________________________

On ____________________________ before me ___________________________________________________,

(insert name and title of the officer)

personally appeared ______________________________________________________________

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Notary Public’s signature in and for said County and State)  (Seal)
TO: City of Malibu Biologist
FROM: City of Malibu Planning Department

DATE: 1/14/2020

PROJECT NUMBER: ACDP 20-006
JOB ADDRESS: 5853 BUSCH DR
APPLICANT / CONTACT: Erin Anderson, Clive Dawson AIA. Architecture a
APPLICANT ADDRESS: 28925 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-1921
APPLICANT FAX #: (310) 589-1121
APPLICANT EMAIL: erin@dawsonarchitects.com
PLANNER: To Be Assigned

PROJECT DESCRIPTION: New OWTS

TO: Malibu Planning Department and/or Applicant
FROM: City Biologist, Dave Crawford

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).

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

Date 2/4/20

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

Contact Information:
Dave Crawford, City Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277
# Biology Review Sheet

## Project Information

<table>
<thead>
<tr>
<th>Applicant: Erin Anderson</th>
<th><a href="mailto:erin@dawsonarchitects.com">erin@dawsonarchitects.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address: 5853 Busch Drive</td>
<td>Malibu, CA 90265</td>
</tr>
<tr>
<td>Planning Case No.: ACDP 20-006</td>
<td></td>
</tr>
<tr>
<td>Project Description: NOWTS</td>
<td></td>
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<tr>
<td>Date of Review: February 4, 2020</td>
<td></td>
</tr>
<tr>
<td>Reviewer: Dave Crawford</td>
<td></td>
</tr>
<tr>
<td>Contact Information: Phone: (310) 456-2489 ext. 307</td>
<td></td>
</tr>
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</table>

## Submittal Information

<table>
<thead>
<tr>
<th>Site Plans:</th>
<th>Site Survey:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grading Plans:</td>
<td>OWTS Plan: 1/14/20</td>
</tr>
<tr>
<td>Planting Plan:</td>
<td>Hydrozone map, water budget calcs, irrigation</td>
</tr>
<tr>
<td>Bio Assessment:</td>
<td>Bio Inventory:</td>
</tr>
<tr>
<td>Native Tree Survey:</td>
<td>Native Tree Protection Plan</td>
</tr>
<tr>
<td>Miscellaneous:</td>
<td>Previous Reviews:</td>
</tr>
</tbody>
</table>

## Review Findings

- **Review Status:**
  - ☐ INCOMPLETE Please respond to the listed review comments and provide any additional information requested.
  - ☐ CANNOT APPROVE AS SUBMITTED The submitted project does not meet one or more regulations or codes. Please contact your Planner.
  - ✔ APPROVED The proposed project is recommended for approval with the attached conditions.

 Environmental Review Board: This project has the potential to impact ESA and may require review by the Environmental Review Board.
RECOMMENDATIONS:

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

   A. No portion of the new OWTS shall occur within 50 feet of any drainage course.

   B. 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 (6) feet in height, or change 2,500 sq.ft. or more of the existing landscaping, a detailed landscape plan shall be submitted for review and approval prior to any planting.

   -000-

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 DATE: 1/14/2020
FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 20-006
JOB ADDRESS: 5853 BUSCH DR
APPLICANT / CONTACT: Erin Anderson, Clive Dawson A.I.A. Architecture an
APPLICANT ADDRESS: 28925 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-1921
APPLICANT FAX #: (310) 589-1121
APPLICANT EMAIL: erin@dawsonarchitects.com
PROJECT DESCRIPTION: New OWTS

TO: Malibu Planning Department and/or Applicant
FROM: City of Malibu Environmental Health Reviewer

✓ 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)

Signature Date

January 28, 2020

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.
ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: Erin Anderson, Clive Dawson A.I.A. Architecture and Planning
(name and email address) erin@dawsonarchitects.com

Project Address: 5853 Busch Drive
Malibu, California 90265

Planning Case No.: ACDP 20-006

Project Description: New OWTS

Date of Review: January 28, 2020

Reviewer: Matt Janousek
Signature:

Contact Information:
Phone: (310) 456-2489 ext. 307
Email: mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans: 
Grading Plans:
OWTS Plan: Ensitu: OWTS plan dated 1-7-2020 (received 1-14-2020)
OWTS Report: Ensitu: OWTS report dated 1-7-2020 (received 1-14-2020)
Miscellaneous: Compliance Agreement dated 2-21-2018
Previous Reviews:

REVIEW FINDINGS

Planning Stage: ☒ CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). 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 MMC. 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 (MMC) 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.

Page 1 of 4

Recycled Paper
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 plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. The final OWTS plan must include an accurate scale.

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 OWTS design submittal shall contain the following information (in addition to the items listed above).

   a. The final OWTS design report and plot plan must clearly and consistently indicate the final fixture unit count (e.g., 34 or 107).

   b. The final OWTS design shall include flow from any bedrooms or fixtures in the Accessory Building.

   c. 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.

   d. Sewage and effluent pump design calculations (as applicable).

   e. 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.

   f. 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 (gfps). 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.

g. 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) Existing OWTS to be Abandoned: Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS’ proper abandonment in conformance with the Malibu Municipal Code.

4) Worker Safety Note and Abandonment of Existing OWTS: The following note shall be added to the plan drawings included with the OWTS final design: “Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an “OWTS Abandonment Permit” shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtention of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.”

5) Reference Architectural Plans: Reference architectural plans shall be submitted for Environmental Health review and comparison to the OWTS design.

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 OWTS 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 City of Malibu Recorder.
10) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the City of Malibu Recorder’s Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. *Please submit a certified copy issued by the City of Malibu Recorder.*

11) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

12) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

13) **City of Malibu Public Works Approval:** City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

14) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.

15) **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.

16) **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.

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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
1. This conformance review is for a new advanced on-site wastewater treatment system (OWTS) for an existing 3 bedroom (34 fixture units) single family dwelling. The advanced OWTS 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.
# GEOTECHNICAL REVIEW SHEET

## Project Information

<table>
<thead>
<tr>
<th>Date:</th>
<th>February 3, 2020</th>
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<tbody>
<tr>
<td>Site Address:</td>
<td>5853 Busch Drive</td>
</tr>
<tr>
<td>Lot/Tract/PM #:</td>
<td>n/a</td>
</tr>
<tr>
<td>Applicant/Contact:</td>
<td>Erin Anderson, <a href="mailto:erin@dawsonarchitects.com">erin@dawsonarchitects.com</a></td>
</tr>
<tr>
<td>Contact Phone #:</td>
<td>310-589-1921</td>
</tr>
<tr>
<td>Project Type:</td>
<td>Replace Onsite Wastewater Treatment System (OWTS)</td>
</tr>
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</table>

## Review Log #: 4617

### Planning #: ACDP 20-006

### BPC/GPC #: [ ]

### Planner: Jessica Thompson

## Site Address:

### 5853 Busch Drive

## Lot/Tract/PM #: n/a

## Applicant/Contact:

### Erin Anderson, erin@dawsonarchitects.com

## Contact Phone #: 310-589-1921

## Project Type:

### Replace Onsite Wastewater Treatment System (OWTS)

## Submittal Information

<table>
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<th>Consultant(s) / Report</th>
<th>Date(s):</th>
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<td>GeoConcepts, Inc. (Barrett, CEG 2088; Walter, GE 2476)</td>
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<td>GeoConcepts, Inc. (Barrett, CEG 2088)</td>
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## Previous Reviews:

### None; Environmental Health Review Sheet dated 1-28-2020

## Review Findings

### Coastal Development Permit Review

- The new OWTS is **APPROVED** from a geotechnical perspective.

- The new OWTS 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 OWTS infiltration and supporting geologic report, OWTS Design report, and OWTS plans were reviewed by the City from a geotechnical perspective. Based on the submitted information, the project includes installing a new treatment tank system and a 3,713 square foot subsurface irrigation dispersal field. The design flow is 1,350 gpd and the loading rate is 0.366 gpsfd. The existing OWTS components on the property will be properly abandoned.
Review Comments:

1. None.

Building Plan-Check Stage Review Comments:

1. Please submit a fee of $232.00 to City geotechnical staff for final building plan check review.
2. Please depict all the existing OWTS components that will be abandoned on the plans.
3. Please include recommendations on the plans to properly abandon the existing OWTS components on the property, as appropriate.
4. Include a note on the OWTS plans stating, “The Project Engineering Geologist shall observe and approve the installation of the subsurface irrigation dispersal field and provide the City inspector with a field memorandum(s) documenting and verifying that the field was installed per the approved OWTS plans.”
5. Two sets of final OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists’ recommendations and items in this review sheet must be reviewed and wet stamped and manually signed by the Project Engineering Geologist. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants’ recommendations and items in this review sheet over the counter at City Hall. Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.

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

Engineering Geology Review by:    2/3/2020
Christopher Dean, C.E.G. #1751, Exp. 9-30-20
Engineering Geology Reviewer (310-456-2489, x306)
Email: cdean@malibucity.org

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.
NOTES FOR BUILDING PLAN-CHECK

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

1. One set of OWTS and residence remodel and addition 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 Building 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 project 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 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.
TO: Public Works Department
FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 20-006
JOB ADDRESS: 5853 BUSCH DR
APPLICANT / CONTACT: Erin Anderson, Clive Dawson A.I.A. Architecture an
APPLICANT ADDRESS: 28925 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-1921
APPLICANT FAX #: (310) 589-1121
APPLICANT EMAIL: erin@dawsonarchitects.com
PROJECT DESCRIPTION: New OWTS

---

TO: Malibu Planning Department and/or Applicant
FROM: Public Works Department

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

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]
[Date: 1/29/2020]
City of Malibu
MEMORANDUM

To: Planning Department

From: Public Works Department
      Aaron So, Assistant Engineer

Date: January 29, 2020
Re: Proposed Conditions of Approval for 5853 Busch Drive ACDP 20-006

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:

<table>
<thead>
<tr>
<th>Erosion Controls</th>
<th>Scheduling</th>
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<tbody>
<tr>
<td></td>
<td>Preservation of Existing Vegetation</td>
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<tr>
<td>Sediment Controls</td>
<td>Silt Fence</td>
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<td>Sand Bag Barrier</td>
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<td>Stabilized Construction Entrance</td>
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<td>Non-Storm Water Management</td>
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<td>Dewatering Operations</td>
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<td></td>
<td>Sanitary/Septic Waste</td>
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<td>Management</td>
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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.

MISCELLANEOUS

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

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT - WOOLSEY FIRE NO. 20-006 - An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

LOCATION / APN / ZONING: 5853 Busch Drive / 4469-012-023 / Rural Residential-Two Acre (RR-2)

APPLICANT / OWNER(S): Clive Dawson A.I.A, Architecture and Planning / 5853 Busch Drive LLC

APPEALABLE TO: Planning Commission

ENVIRONMENTAL REVIEW: Categorical Exemption CEQA Guidelines Section 15303(d)

APPLICATION FILED: January 14, 2020

CASE PLANNER: Jessica Thompson, Associate Planner, jthompson@malibucity.org

(310) 456-2489, ext. 280

PUBLIC COMMENT PERIOD - Related documents are available for review by contacting the Case Planner during regular business hours. Written comments, concerns, or questions may be presented to the Planning Department at any time prior to the issuance of a decision. On or after May 26, 2020, the Planning Director may issue a decision on the permit application.

NOTIFICATION - The Notice of Decision will be available to all those wishing to receive such notification by contacting the Case Planner.

REPORTING - The Planning Director’s decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on June 1, 2020. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review by contacting the Case Planner during regular business hours. An approved permit shall not become effective until completion of the Planning Commission reporting.

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1, a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission. Should a decision be issued on May 26, 2020, the appeal period would expire on Friday, June 5, 2020. An appeal shall be emailed to psalazar@malibucity.org within ten days following the date of action and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal via email, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

BONNIE BLUE, Planning Director

Date: May 7, 2020

ATTACHMENT 2
NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT-WOOLSEY FIRE NO. 20-006 - An application for a new onsite wastewater treatment system for a Woolsey Fire affected parcel

LOCATION / APN / ZONING: 5853 Busch Drive / 4469-012-023 / Rural Residential-Two Acre (RR-2)
APPLICANT / OWNER(S): Clive Dawson A.I.A. Architecture and Planning / 5853 Busch Drive LLC
ENVIRONMENTAL REVIEW: Categorical Exemption CEQA Guidelines Section 15303(d)
APPLICATION FILED: January 14, 2020
ISSUE DATE: May 26, 2020
CASEPLANNER: Jessica Thompson, Associate Planner, jthompson@malibucity.org (310) 456-2489, ext. 280

REPORTING - The Planning Director’s decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on June 1, 2020. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: http://www.malibucity.org/agendacenter. Related documents are available for review by contacting the Case Planner. An approved permit shall not become effective until completion of the Planning Commission reporting. To view or sign up to speak during the meeting, visit malibucity.org/virtualmeeting.

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan Section 13.20.1, a decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission. Should a decision be issued on May 26, 2020, the appeal period would expire on Friday, June 5, 2020. An appeal shall be emailed to psalazar@malibucity.org within ten days following the date of action and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal via email, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

COASTAL COMMISSION APPEAL - An aggrieved person may appeal the Planning Director’s approval directly to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. More information may be found online at www.coastal.ca.gov or by calling 805-585-1800.

BONNIE BLUE, Planning Director Date: May 21, 2020