To: Chair Jennings and Members of the Planning Commission

Prepared by: Didier Murillo, Assistant Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: July 9, 2020            Meeting Date: July 20, 2020

Subject: Coastal Development Permit No. 17-088, Site Plan Review No. 19-030, Demolition Permit No. 19-023, and Code Violation No. 20-014 – An application for demolition of an existing residence and the construction of a new single-family residence and accessory development

Location: 6968 Dume Drive, not within the appealable coastal zone

APN: 4466-015-015

Owner: Highlands Investment Group LLC

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 20-53 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), approving Coastal Development Permit (CDP) No. 17-088 to allow for the demolition of an existing single-family residence and the construction of a new 7,472 square foot two-story single-family residence that includes a basement and attached garage, two trellised patios, swimming pool, spa, site fencing and gates, new onsite wastewater treatment system (OWTS), grading, landscaping, hardscaping, and associated development, including Site Plan Review (SPR) No. 19-030 to allow for construction of a pitched roof 28-feet in height and Demolition Permit (DP) No. 19-023 for the demolition of the existing single-family residence located in the Rural Residential-One Acre (RR-1) zoning district at 6968 Dume Drive (Highlands Investment Group LLC).

DISCUSSION: This agenda report provides a project overview, a summary of the project setting and surrounding land uses, a description of the proposed scope, an analysis of the proposed project’s consistency with applicable provisions of the Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC), and environmental review pursuant to CEQA. The analysis and findings contained herein demonstrate the proposed project is consistent with the LCP and MMC.
Pursuant to LCP Local Implementation Plan (LIP) Section 13.13.1, the Planning Director may process this permit application administratively, as an administrative coastal development permit, because the scope of work is for a single-family dwelling and the permit is not appealable to the California Coastal Commission (CCC). However, the Planning Director, with the concurrence of the applicant, may accept the application for filing as a regular coastal development permit pursuant to LIP Section 13.13.2(B). The applicant has requested that the application be processed as a regular coastal development permit under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

**Project Overview**

The subject parcel is a rectangular shaped lot, approximately 1.22 acres in size. The parcel is zoned RR-1 which allows for residential uses and is located within the Point Dume neighborhood (Figure 1). The parcel is currently developed with an 1,857 square foot single-family residence. According to information from the Los Angeles County Assessor records, the existing single-family residence was constructed in 1953. The existing development as well as the proposed development will be located on the flat portion of the property.

![Figure 1 – Aerial Photograph](source: GovClarity 2020)

The proposed project involves the demolition of the existing single-family residence and the construction of a new two-story, single-family residence that will include an attached three-car garage and basement, two trellised patios and accessory development, and
construction of a new OWTS. The project plans are included as Attachment 2. This property was not affected by the November 2018 Woolsey Fire.

SPR No. 19-030 has been included to allow for a 28-foot-tall pitched roof. Based on the project plans, story poles (which are still in place), and staff’s site visit, it was determined that the proposed development is not likely to obstruct primary views of neighboring residences or have a visual impact from public scenic areas, and would not adversely affect neighborhood character. Furthermore, the surrounding neighborhood includes a mix of single-story and two-story residences. DP No. 19-023 has also been included as part of the application to allow for the demolition and removal of the existing onsite development.

Furthermore, on June 14, 2019, a code enforcement action was taken on the property for a new electric front gate, block wall along the side property line, grading, and installation of drainage pipes taking place without the benefit of planning approvals and building permits. As a result of the work observed on June 14, 2019, a Code Violation (CV) No. 20-014 was added to the subject application. The work described above is included as part of the proposed project and upon approval of the subject application, issuance of building permits, and final inspections of the property, the code enforcement case will be resolved.

Surrounding Land Uses and Project Setting

As previously shown on Figure 1, the subject property is located in the Point Dume residential neighborhood along Dume Drive. The site is currently developed with a single-family residence and attached garage which is typical of older homes in the Point Dume neighborhood. Development within the Point Dume residential neighborhood is limited to 4 to 1 slopes or flatter. The majority of the property is relatively flat with a gentle slope located at the rear of the property. The project site does not contain mapped trails on or adjacent to it according to the LCP Park Lands Map. Additionally, the property is not located in a designated Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map.

The property is an infill lot bordered to the north, south, east and west by single-family residences. Table 1 provides a summary of the neighboring land uses and lot sizes.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Address</th>
<th>Lot Size</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>6956 Dume Dr.</td>
<td>1.02 acres</td>
<td>RR-1</td>
<td>Single-Family Residence</td>
</tr>
<tr>
<td>South</td>
<td>6980 Dume Dr.</td>
<td>1.03 acres</td>
<td>RR-1</td>
<td>Single-Family Residence</td>
</tr>
<tr>
<td>West</td>
<td>6969 Dume Dr.</td>
<td>1.03 acres</td>
<td>RR-1</td>
<td>Single-Family Residence</td>
</tr>
<tr>
<td>East</td>
<td>7005 Grasswood Ave.</td>
<td>1.33 acres</td>
<td>RR-1</td>
<td>Single-Family Residence</td>
</tr>
</tbody>
</table>

Source: City GIS 2020
Table 2 provides a summary of the lot dimensions and lot area of the subject parcel. The subject site is similar in size to the adjacent lots shown in Table 1.

<table>
<thead>
<tr>
<th>Table 2 – Total Property Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Depth</td>
</tr>
<tr>
<td>Lot Width</td>
</tr>
<tr>
<td>Gross Lot Area</td>
</tr>
<tr>
<td>Area Comprised of 1:1 Slopes or Easements</td>
</tr>
<tr>
<td>Net Lot Area*</td>
</tr>
</tbody>
</table>

*Net Lot Area = Gross Lot Area minus the area of access easements and 1 to 1 slopes.

Neighborhood Character

The subject property is located within the Point Dume neighborhood. Construction in Point Dume consists of single-story ranch style homes in the 2,000 square foot range and larger homes in a wide variety of architectural styles. The proposed residence is consistent with the General Plan description of other homes in the Point Dume neighborhood. The area around the subject parcel was affected by the Woolsey Fire. The property directly in front of the subject parcel was destroyed by the Woolsey Fire along with many residences on Bluewater Road. Many of the affected properties are currently in the rebuild process and are expected to be constructed in the upcoming years.

Neighboring Residences

While not required for conformance review by City codes or Council direction, staff has included for reference, at the Commission’s request, a table showing the Los Angeles County Tax Assessor’s records for properties within a 500-foot radius of the subject property (Attachment 4). This County square footage information is not the equivalent of the City’s total development square footage (TDSF) metric since it is based on the assessor’s rules for property valuation. The table shows that the proposed TDSF is larger than the average in the neighborhood based on County records. However, through the fire rebuild process of many of the surrounding affected residences, the average size home in the neighborhood is expected to rise in the upcoming years.
Project Description

The proposed scope of work is as follows:

1. Demolition of:
   a. Demolition of the existing single-family residence and attached garage.

2. Construction of:
   a. Construction of a new 7,472 square foot two-story single-family residence with attached three-car garage (6,672 sq. ft. habitable and 800 sq. ft. garage), plus a 999 square foot basement (not included in TDSF)\(^1\);
   b. Two trellised patios totaling 400 square feet and 576 square feet, respectively (not included in TDSF);
   c. Swimming pool and spa;
   d. In-ground gas fire pit;
   e. Trash enclosure;
   f. Site fencing and gates;
   g. New OWTS;

\(^1\) Per LIP Section 3.6.K. The square footage of a basement shall be included in the calculation of total development square footage (TDSF), consistent with the following formula: The initial one-thousand (1,000) square feet of a basement shall not count toward TDSF; additional area in excess of one-thousand (1,000) square feet shall be included in the calculation of TDSF at the rate of one (1) square foot of TDSF for every two (2) square feet of proposed basement square footage.
h. Grading;
i. Landscaping; and
j. Hardscaping.

**Discretionary Requests:**

1. SPR No. 19-030 to allow for construction of a pitched roof not to exceed 28 feet in height; and
2. DP No. 19-023 for the demolition of the existing onsite development.

**Proposed Total Development Square Footage (TDSF)**

<table>
<thead>
<tr>
<th>Level</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Floor</td>
<td>5,109 sq. ft.</td>
</tr>
<tr>
<td>Second Level</td>
<td>2,363 sq. ft.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7,472 sq. ft.</strong></td>
</tr>
</tbody>
</table>

**LCP Analysis**

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies implementing the Coastal Act in the City of 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 coastal development permit 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) Coastal Development Permit; 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 findings in the following chapters are applicable to the proposed project: Coastal Development Permit (including the required findings for the SPR, and DP), and Hazards. These chapters are discussed in the **LIP Findings** section of this report. The findings required by the MMC Section 17.70.060 for the demolition permit are also discussed.

**LIP Conformance Analysis**

The proposed project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District 29 (WD29), and the Los Angeles County Fire Department (LACFD) (Attachment 3 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable
LCP codes, standards, goals and policies with the inclusion of SPR No. 19-030, and DP No. 19-023.

Zoning (LIP Chapter 3)

The proposed project is subject to non-beachfront residential development and design standards set forth under LIP Sections 3.5 and 3.6. Table 3 provides a summary and indicates the proposed project meets those standards, inclusive of the requested SPR and DP.

<table>
<thead>
<tr>
<th>Table 3 – LCP Zoning Conformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Requirement</td>
</tr>
<tr>
<td><strong>SETBACKS (ft.)</strong> <em>(Two-story single-family residence with attached garage)</em></td>
</tr>
<tr>
<td>Front Yard</td>
</tr>
<tr>
<td>Rear Yard</td>
</tr>
<tr>
<td>Side Yard (Minimum 10%)</td>
</tr>
<tr>
<td>Total Side Yard (Cumulative 25%)</td>
</tr>
<tr>
<td><strong>SETBACKS (ft.)</strong> <em>(Swimming pool)</em></td>
</tr>
<tr>
<td>Rear Yard</td>
</tr>
<tr>
<td>Side Yard</td>
</tr>
<tr>
<td><strong>PARKING</strong></td>
</tr>
<tr>
<td>Enclosed</td>
</tr>
<tr>
<td>Unenclosed</td>
</tr>
<tr>
<td><strong>TOTAL DEVELOPMENT SQUARE FOOTAGE</strong></td>
</tr>
<tr>
<td><strong>IMPERMEABLE COVERAGE</strong></td>
</tr>
<tr>
<td><strong>HEIGHT (ft.)</strong></td>
</tr>
<tr>
<td>Single-Family Residence</td>
</tr>
<tr>
<td>Accessory Structures (Trellised patios)</td>
</tr>
<tr>
<td>Basement Ceiling Height</td>
</tr>
<tr>
<td>1st Floor x 2/3rd = 2nd Floor (sq. ft.) + volume &gt; 18 feet</td>
</tr>
<tr>
<td><strong>NON-EXEMPT GRADING</strong></td>
</tr>
<tr>
<td><strong>CONSTRUCTION ON SLOPES</strong></td>
</tr>
<tr>
<td><strong>FENCES/WALLS/HEDGES/GATES</strong></td>
</tr>
</tbody>
</table>
Because the proposed TDSF is near the limit allowed for the lot size, a condition has been included to note that changing the trellised patios to solid roofs or other such changes that would increase the project TDSF over the maximum would not be allowed without submittal of an application to demonstrate changes to the project comply with the TDSF limits.

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 for a residential parcel. The project proposes 831 cubic yards of non-exempt grading (45 cubic yards of cut and 786 cubic yards of fill) and 4,404 cubic yards of exempt grading, the majority (2,900 cubic yards) of which is removal and recompaction to prepare the building pad. The excavation that will take place for the foundation and basement is considered as non-exempt because it is understructure and will not alter the property’s topography. The grading that took place and resulted in the June 14, 2019, code enforcement action is included as part of the calculations above. The proposed project complies with grading requirements set forth under LIP Section 8.3.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires certain procedures be followed to determine potential impacts on archaeological resources. A Phase I Archaeological Survey was prepared by James J. Schmidt and Gwen Romani of Compass Rose Archaeological, Inc., for the subject property in March 2017. No indication of prehistoric or historic archaeological resources was discovered in the project area. The Compass Rose report determined that any proposed improvements should have no adverse impacts to known cultural resources.

Nevertheless, a condition of approval has been incorporated into the proposed project which states that in the event that potentially important cultural resources be 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. The project has been conditioned to meet this requirement and complies with LIP Chapter 11.

**Water Quality (LIP Chapter 17)**

The City Public Works Department reviewed and approved the proposed project for conformance to LIP Chapter 17 requirements for water quality protection. A standard condition of approval for this project requires that prior to the issuance of any development permit, a Local Storm Water Pollution Prevention Plan incorporating construction-phase Erosion and Sediment Control Plan and Best Management Practices, must be approved by the City Public Works Department. Additionally, the Ocean between Latigo Point and the West City limits have been established by the State Water Resource Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. A standard condition of approval for this project requires that the applicant shall provide a drainage system that addresses ASBS requirements. Furthermore, a Water Quality Mitigation Plan (WQMP) is also required and a standard condition of approval has been added. With the implementation of the conditions mentioned above, the proposed project conforms to the water quality protection standards of LIP Chapter 17.

**Wastewater Treatment System Standards (LIP Chapter 18)**

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The proposed project includes an OWTS to serve the proposed development. This new OWTS consists of a 3,634 gallon MicroSepTec ES12 with ultraviolet disinfection unit. The new OWTS will be located at the front of the residence within the western portion of the site. The system has been reviewed by the City Environmental Health Administrator and 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. Conditions of approval have been included in this resolution, which require continued operation, maintenance, and monitoring of onsite facilities.

**LIP Findings**

**A. Coastal Development Permit (LIP Chapter 13)**

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

*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.*
The proposed project is located in the RR-1 residential zoning district, an area designated for residential uses. The proposed project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project conforms to the LCP and MMC in that it meets all applicable residential development standards, inclusive of the requested SPR and DP.

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).

This finding does not apply because the project is not located between the first public road and the sea. However, the subject property does not contain any mapped trails as depicted on the LCP Park Lands Map. The project complies with the access requirements of the Coastal Act.

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

This analysis assesses whether alternatives to the proposed project would significantly lessen adverse impacts to coastal resources. Based on LCP conformance review, the project as proposed will not result in any significant adverse impacts. Nevertheless, the following alternative was considered.

Alternative Project – The applicant could propose to remodel the existing home and add on additional square footage. Given the age of the existing home it is likely that a remodel and addition would result in the alteration of the foundation and more than 50 percent of the existing exterior walls resulting in a new (replacement) structure that requires conformance with all current LCP standards. While a remodel that does not propose a new basement would result in less grading, the scope of the project would still result in a new structure and site disturbance. This alternative also does not meet the property owner’s objectives. A one-story home could also be proposed; however, this would result in a larger footprint on the site and is not necessary since the proposed two-story home is not visible from public scenic viewing areas.

Proposed Project – The proposed project consists of the demolition of an existing single-family residence and the construction of a new 7,472 square foot two-story single-family residence including a 999 square foot basement and attached three-car garage, two trellised patios, swimming pool, spa, site fencing and gates, grading, landscaping, hardscaping, and associated development, including SPR No. 19-030 to allow for the construction of a 28 foot tall pitched roof. The new OWTS will replace the existing system and provide environmentally superior treatment, including disinfection. The project as proposed complies with the size, height and location requirements of the LCP, inclusive of the site plan review. The project also avoids slopes of 4 to 1 and steeper, as required.
in the Point Dume area. The selected location has been reviewed and conditionally approved by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29 and the project meets the City’s residential development policies of the LCP and MMC.

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.

The subject property is not designated as containing ESHA or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Therefore, Environmental Review Board review was not required, and this finding does not apply.

B. Site Plan Review for Construction in Excess of 18 Feet in Height (LIP Section 13.27.5)

LIP Section 3.6(E) limits the height of structures to 18-feet unless findings for a SPR can be made to authorize a height up to 28-feet in height with pitched roof. The applicant is requesting SPR No. 19-030 to allow for the single-family residence to have a maximum roof height of 28-feet. LIP Section 13.27.5(A) requires that the City make four findings in consideration and approval of a site plan review. Two additional findings are required pursuant to MMC Section 17.62.040(D) when a project exceeds 18-feet. Based on the foregoing evidence contained in the record, the required findings for SPR No. 19-030 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 proposed project has been reviewed for all relevant policies and provisions of the LCP, and the proposed project is consistent with all applicable development and design standards of the LCP.

Finding 2. The project does not adversely affect neighborhood character.

SPR No. 19-030 would allow for the construction of a new two-story residence on a lot that is currently developed with a one-story single-family residence that was constructed in the 1950s. Generally, new construction in the Point Dume area is trending larger than the original homes and often includes a second story. Staff visited the project site on May 28, 2020, photo-documented the story poles and evaluated the project for conformance with City codes and how the size, bulk and height relates to the surrounding area (Attachment 5 – Story Pole Photographs). Neighboring properties located along Dume Drive are developed with a mix of one- and two-story residential structures of similar size with mature landscaping, properties are a mix of vintage homes constructed in the 1950s,
60s and 70s and more recent construction in 2013. The two-story structures on neighboring properties share similar roof heights. The proposed residence is designed to break up massing. The second-story is articulated from the first-story in a way to avoid a box appearance, the project meets the 2/3rds rule, and similar size two-story homes are found adjacent to the subject parcel (6950 and 7002 Dume Drive). Furthermore, given the front yard setback of the proposed residence, the massing of lower development in front of the two-story residence proposed landscaping, and surrounding development, the project is not expected to adversely affect neighborhood character.

**Finding 3. The project provides maximum feasible protection to significant public views as required by Chapter 6 of the Malibu LIP.**

Staff visited the subject parcel on May 28, 2020, to view the story poles and surrounding neighborhood, and it was determined that the proposed residence will not be visible from scenic areas or roads. The proposed residence is not expected to create obstructions or encroachments into public views and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

**Finding 4. The proposed project complies with all applicable requirements of State and local law.**

The proposed 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 residence will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

**Finding 5. The project is consistent with the City's general plan and local coastal program.**

As discussed in Section A, the proposed project is consistent with the LCP in that the project is located in an area that has been identified for residential use. The goals and policies of the General Plan intend to maintain rural character in this area, and the proposed project is consistent with the development standards set forth in the MMC zoning standards to implement this goal. The proposed residence incorporates siting and design measures to minimize visual impacts. The project as recommended by staff, would be consistent with the applicable land use designation and is consistent with all applicable development and design standards of the LCP and with the General Plan.

**Finding 6. The portion of the project that is in excess of 18 feet in height 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).**
Based on the visual impact analysis (aerial photographs, story poles, and site visits), staff has determined that the proposed construction above 18-feet in height is not expected to 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). No public comments regarding the story poles on height of the proposed project have been received.

C. 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.

D. Native Tree Protection (LIP Chapter 5)

There are no native trees on or adjacent to the subject lot. Therefore, the findings of LIP Chapter 5 do not apply.

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

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit 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 not located along, within, nor provides views to or is visible from any scenic area, scenic road or public viewing area. Therefore, the findings LIP Chapter 6 are not applicable.

F. 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.

G. 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.
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.

The applicant submitted geotechnical and engineering reports and addenda prepared by Alpine Geotechnical, Inc. and GeoWorks, Inc. which are on file with the City. The reports evaluate site-specific conditions and recommendations are provided to address any pertinent issues. Potential hazards analyzed include geologic, seismic and fault rupture, liquefaction, landslide, groundwater, tsunami, and flood and fire hazards. It has been determined that the project is not located in a hazard zone, except that the project site is located within an extreme fire hazard area. Based on review of the project plans and associated geotechnical reports by City Environmental Health Administrator, City Public Works Department, City geotechnical staff, and LACFD, these specialists determined that adverse impacts to the project site related to the proposed development are not expected. The proposed project, including the new OWTS, will neither be subject to nor increase the instability from geologic, flood, or fire hazards. In summary, 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.

The project, as conditioned, will incorporate all recommendations contained in the above cited geotechnical report and conditions required by the City Public Works Department, City geotechnical staff, and the LACFD, including foundations, OWTS, and drainage. As such, the proposed project will not increase instability of the site or structural integrity from geologic, flood, or any other hazards. All recommendations of the City geotechnical staff and City Public Works Department shall be incorporated into the final design and construction including foundations and grading. Final plans shall be reviewed and approved by the City geotechnical staff and City Public Works Department prior to the issuance of a grading permit.

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. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards. The proposed development may decrease the site’s susceptibility to wildfire through compliance with fuel modification requirements and the use of appropriate building materials will be utilized during construction.
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 have been included in the resolution to require compliance with all LACFD development standards. As such, the proposed project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the site or structural integrity involving wildfire hazards.

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, the proposed project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As previously stated in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative.

Finding 4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29. It has been determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Section A, Finding 3, there are no feasible alternatives to the proposed development that would result in less site disturbance.

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 Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

H. 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 parcel is located on the seaward side of PCH but is separated
from the bluff top by multiple properties. Therefore, the findings of LIP Chapter 10 are not applicable.

I. 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, and the property is not located on a bluff or near a recreational area. Therefore, the project conforms to LIP Chapter 12 and further findings need not be made.

J. Land Division (LIP Chapter 15)

This project does not include a land division. Therefore, the findings of LIP Chapter 15 are not applicable.

K. Demolition Permit Findings (MMC Chapter 17.70)

MMC Section 17.70.060 requires that a demolition permit be issued for projects that result in the demolition of any building or structure. The project includes the demolition of the existing single-family residence and attached garage. Therefore, the findings for DP No. 19-023 are made as follows:

Finding 1. The demolition permit is conditioned to assure that it will be conducted in a manner that will not create significant adverse environmental impacts.

Conditions of approval, including the recycling of demolished materials, have been included to ensure that the proposed project will not create significant adverse environmental impacts.
Finding 2. A development plan has been approved or the requirement waived by the City.

This CDP application is being processed concurrently with DP No. 19-023, and approval of the demolition permit is subject to the approval of CDP No. 17-088.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Director has analyzed the proposed project. The Planning 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 Sections 15301(l)(1) Demolition and 15303(a) and (e) - New Construction. The Planning Director 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: Staff has not received any public correspondence regarding this project.

PUBLIC NOTICE: Staff published a Notice of Public Hearing Notice in a newspaper of general circulation within the City of Malibu on June 25, 2020 and mailed the notice to property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

SUMMARY: The required findings can be made that the project complies with the LCP. Further, the Planning Department’s findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this project subject to the conditions of approval contained in Section 5 (Conditions of Approval) of Planning Commission Resolution No. 20-53. The project has been reviewed and conditionally approved for conformance with the LCP by Planning Department staff and appropriate City and County departments.

ATTACHMENTS:
1. Planning Commission Resolution No. 20-53
2. Project Plans
3. Department Review Sheets
4. Habitable Square Footages
5. Story Pole Photographs
6. Radius Map
7. Public Hearing Notice
CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 20-53

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 17-088 TO ALLOW FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW 7,472 SQUARE FOOT TWO-STORY SINGLE-FAMILY RESIDENCE THAT INCLUDES A BASEMENT AND ATTACHED GARAGE, TWO TRELLISED PATIOS, SWIMMING POOL, SPA, SITE FENCING AND GATES, NEW ONSITE WASTEWATER TREATMENT SYSTEM, GRADING, LANDSCAPING, HARDSCAPING, AND ASSOCIATED DEVELOPMENT, INCLUDING SITE PLAN REVIEW NO. 19-030 TO ALLOW FOR CONSTRUCTION OF A PITCHED ROOF 28-FEET IN HEIGHT AND DEMOLITION PERMIT NO. 19-023 TO ALLOW FOR THE DEMOLITION OF THE EXISTING SINGLE-FAMILY RESIDENCE LOCATED IN THE RURAL RESIDENTIAL ONE ACRE ZONING DISTRICT AT 6968 DUME DRIVE (HIGHLANDS INVESTMENT GROUP LLC)

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

SECTION 1. Recitals.

A. On September 13, 2017, an application for Coastal Development Permit (CDP) No. 17-088 was submitted to the Planning Department by applicant, Burdge and Associates, on behalf of the property owners Valley Executive Telecom Trust. The application was routed to the City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, and the Los Angeles County Fire Department for review.

B. On April 30, 2019, the project was deemed complete.

C. On June 14, 2019, a code enforcement action was taken on the property for a new electric front gate, block wall along the side property line, grading and drainage pipes being constructed without the benefit of planning approval and building permits. Code Violation (CV) No. 20-014 was added to the subject application.

D. On March 27, 2020 revised plans were submitted.

E. On May 28, 2020, Planning Department staff conducted a site visit to document story poles, site conditions, the property and surrounding area.

F. On May 29, 2020, an updated grant deed was submitted by the applicant for the new property owners Highlands Investment Group LLC.

G. On June 16, 2020, a Notice of Coastal Development Permit Application was posted on the subject property.
H. On June 25, 2020, 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.

I. On July 20, 2020, 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 Sections 15301(l)(1) Demolition and 15303(a) and (e) – New Construction. 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. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to LIP including Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, and approves CDP No. 17-088, Site Plan Review (SPR) No. 19-030 and Demolition Permit (DP) No. 19-023 to allow for the demolition of an existing single-family residence and the construction of a new 7,472 square foot two-story single-family residence including a 999 square foot basement and attached three-car garage, two trellised patios, swimming pool, spa, site fencing and gates, new onsite wastewater treatment system (OWTS), grading, landscaping, hardscaping, and associated development, including SPR No. 19-030 to allow for construction of a pitched roof 28-feet in height and DP No. 19-023 for the demolition of the existing single-family residence in the Rural Residential One-Acre (RR-1) zoning district located at 6968 Dume Drive.

The project is consistent with the LCP’s zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed SPR and DP, the project, as conditioned, has been determined to be 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. The proposed project is located in the RR-1 residential zoning district, an area designated for residential uses. The proposed project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the proposed project conforms to the LCP and MMC in that it meets all applicable residential development standards, inclusive of the requested SPR and DP.
2. Evidence in the record demonstrates that the project as proposed and conditioned, does not involve any significant adverse environmental impacts. It complies with all applicable LCP development standards, avoids slopes of 4 to 1 and steeper in Point Dume and does not affect biological resources. It also does not result in scenic or visual impacts and has no impacts on coastal access. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment. The project is the least environmentally damaging alternative.

B. Site Plan Review for Construction in Excess of 18 Feet in Height (LIP Section 13.27.5)

1. As previously discussed in Section A, the proposed project has been reviewed for all relevant policies and provisions of the LCP, and the proposed project is consistent with all applicable development and design standards of the LCP.

2. SPR No. 19-030 would allow for the construction of a new two-story residence on a lot that is currently developed with a one-story single-family residence that was constructed in the 1950s. Generally, new construction in the Point Dume area is trending larger than the original homes and often includes a second story. Staff visited the project site on May 28, 2020, photo-documented the story poles and evaluated the project for conformance with City codes and how the size, bulk and height relates to the surrounding area (Attachment 5 – Story Pole Photographs). Neighboring properties located along Dume Drive are developed with a mix of one- and two-story residential structures of similar size with mature landscaping, properties are a mix of vintage homes constructed in the 1950s, 60s and 70s and more recent construction in 2013. The two-story structures on neighboring properties share similar roof heights. The proposed residence is designed to break up massing. The second-story is articulated from the first-story in a way to avoid a box appearance, the project meets the 2/3rds rule, and similar size two-story homes are found adjacent to the subject parcel (6950 and 7002 Dume Drive). Furthermore, given the front yard setback of the proposed residence, the massing of lower development in front of the two-story residence proposed landscaping, and surrounding development, the project is not expected to adversely affect neighborhood character.

3. Staff visited the subject parcel to view the story poles on May 28, 2020, and surrounding neighborhood, and it was determined that the proposed residence will not be visible from scenic areas or roads. The proposed residence is not expected to create obstructions or encroachments into public views and provides the maximum feasible protection to significant public views as required by LIP Chapter 6.

4. The proposed 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 residence will comply with all building code requirements and will incorporate all recommendations from applicable City agencies and project consultants.

5. As discussed in Section A, the proposed project is consistent with the LCP in that the project is located in an area that has been identified for residential use. The goals and policies of the General Plan intend to maintain rural character in this area, and the proposed project is consistent with the development standards set forth in the MMC zoning standards to implement this goal. The proposed residence incorporates siting and design measures to minimize visual impacts. The project
as recommended by staff, would be consistent with the applicable land use designation and is consistent with all applicable development and design standards of the LCP and with the General Plan.

6. Based on the visual impact analysis (aerial photographs, story poles, and site visits), staff has determined that the proposed construction above 18-feet in height is not expected to 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). No public comments regarding the story poles on height of the proposed project have been received.

G. Hazards (LIP Chapter 9)

1. Evidence in the record demonstrates that the project 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. While the project is located in a high wildfire hazard area, it has been reviewed, conditioned and approved by LACFD for compliance with fire codes.

2. The proposed project, as designed, conditioned, and approved by the applicable departments and agencies, will not have any significant adverse impacts on the site stability or structural integrity from geologic or flood hazards due to project modifications and other conditions.

3. As previously stated in Section A, the project, as proposed and conditioned, is the least environmentally damaging alternative.

4. The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, LACFD, and WD29. It has been determined that the proposed project does not impact site stability or structural integrity. As previously discussed in Section A, Finding 3, there are no feasible alternatives to the proposed development that would result in less site disturbance.

5. As discussed in Section A, the proposed project, as designed and conditioned, is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.

K. Demolition Permit Findings (MMC Chapter 17.70)

1. Conditions of approval, including the recycling of demolished materials, have been included to ensure that the proposed project will not create significant adverse environmental impacts.

2. This CDP application is being processed concurrently with DP No. 19-023, and approval of the demolition permit is subject to the approval of CDP No. 17-088.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 17-088, SPR No. 19-030, and DP No. 19-023, subject to the following conditions.

SECTION 5. Conditions of Approval.

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. Approval of this application is to allow for the project described herein. The scope of work approved includes:

   a. The demolition of the existing single-family residence and attached garage;
   b. The construction of a new 7,472 square foot two-story single-family residence with attached three-car garage (6,672 sq. ft. habitable and 800 sq. ft. garage), plus a 999 square foot basement (not included in TDSF);
   c. Two trellised patios totaling 400 square feet and 576 square feet, respectively (not included in TDSF);
   d. Swimming pool and spa;
   e. In-ground gas fire pit;
   f. Trash enclosure;
   g. Site fending and gates;
   h. New OWTS;
   i. Grading;
   j. Landscaping; and
   k. hardscaping
   l. Discretionary Requests:
      i. SPR No. 19-030 to allow for construction of a pitched roof not to exceed 28 feet in height; and
      j. DP No. 19-023 to allow for the demolition of the existing onsite development.

3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped March 27, 2020. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event 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 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 days of this decision and/or prior to issuance of any development permits.

5. The applicant shall digitally submit a complete set of plans, including the items required in Conditions 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 resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the agenda report for this project 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 City of Malibu Environmental Sustainability Department for plan check, and the City of Malibu Public Works Department for an encroachment permit (as applicable).

7. 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. 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 City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, as applicable. Notwithstanding this review, all required permits shall be secured. 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 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. The CDP is not effective until all appeals have been exhausted.

12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.
Cultural Resources

13. 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.

14. 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.

Lighting

15. 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.

16. Night lighting for sports courts or other private recreational facilities shall be prohibited.

17. 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.

18. 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.

19. String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.
20. Motion sensor lights shall be programmed to extinguish ten minutes after activation.

21. 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.

Site-Specific Conditions

22. No exterior lighting is proposed as part of this project; therefore, no new exterior lighting is permitted as part of this project.

23. The project as approved is near the maximum for TDSF on this site. Converting the trellised roofs over the patios or other changes that would increase the TDSF over the maximum shall not be allowed unless an application is submitted for review to demonstrate other changes to the project that comply with TDSF standards.

Demolition/Solid Waste

24. Prior to demolition activities, the applicant shall receive Planning Department approval for compliance with conditions of approval.

25. 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.

26. 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 Department. 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.

27. 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.

28. No demolition permit shall be issued until building permits are approved for issuance. Demolition of the existing structure and initiation of reconstruction must take place within a six-month period. Dust control measures must be in place if construction does not commence within 30 days.

29. 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.

30. 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.
31. Upon completion of demolition activities, the applicant shall request a final inspection by the Building Safety Division.

Construction / Framing

32. Prior to the commencement of work, the applicant shall submit a copy of the Construction Management Plan. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.

33. A construction staging plan shall be reviewed and approved by the Building Official prior to plan check submittal.

34. 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 Department for review and sign off on framing.

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.

Color and Materials

37. Every residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material, except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited.

Biology/Landscaping

38. Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.

39. Prior to a final plan check approval, the property owner/applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.

40. 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.
41. Invasive plant species, as determined by the City of Malibu, are prohibited.

42. 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).

43. No non-native plant species shall be approved greater than 50 feet from the residential structure.

44. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.

45. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to 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 nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

46. Up-lighting of landscaping is prohibited.

47. 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.

**Public Works**

48. The applicant shall obtain encroachment permits from the Public Works Department prior to the commencement of any work within the public right-of-way. The driveway shall be constructed of either six inches of concrete over four inches of aggregate base, or four inches of asphalt concrete over six inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

49. Several existing private improvements are located within the public right-of-way, such as (but not limited to) landscaping, railroad ties, and fencing. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant / property owner shall place notes on the development plans for the removal of existing encroachments within the public right-of-way. Prior to the Public Works Department’s approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the public right-of-way.
50. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
   a. Is located within or adjacent to ESHA, or
   b. Includes grading on slopes greater than 4 to 1.

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.

51. 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.

52. 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 shall be shown on this 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;
   d. The limits to 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 beyond the limits of grading shall be included within the area delineated;
   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 this plan is required by the City Biologist;
   f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
   g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.
   h. 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.

53. 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 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, outlets, post-construction
BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

54. 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. A note shall be placed on the project plans that address this condition.

55. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
   a. Installation of BMPs that are designed to treat the potential pollutants in the stormwater runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
   b. Prohibits the discharge of trash.
   c. Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e., no additional pollutant loading).
   d. Elimination of non-storm water discharges.

56. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to issuance of grading/building permits. This plan shall include and Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

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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.
57. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. 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 BMPs that have been implemented in the design of the project. 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.

58. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP 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 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 biofiltrate 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. 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
   g. 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.

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

60. Prior to 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.
Environmental Health

61. 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).

62. 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).

63. 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.

64. 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.

65. 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.”

66. All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. The floor plans must show all drainage fixtures, including in the kitchen and laundry areas. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

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

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

69. 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. Please note only original “wet signature” documents are acceptable.

70. 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.

71. Project geologist/geotechnical consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
72. City geotechnical staff final approval shall be submitted to the City Environmental Health Administrator.

73. Planning department final approval of OWTS plans shall be obtained.

74. 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**

75. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City Geologist 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.

76. Final plans approved by the City Geologist 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.

**Swimming Pool / Spa**

77. Onsite noise, including that which emanates from swimming pool and air conditioning equipment, shall be limited as described in MMC Chapter 8.24 (Noise).

78. Pool and air conditioning equipment that will be installed shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall comply with LIP Section 3.5.3(A).

79. All swimming pools shall contain double walled construction with drains and leak detection systems capable of sensing a leak of the inner wall.

80. 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 in to the MS4 or to the ASBS (including tributaries).

81. Discharges not meeting the above-mentioned methods must be trucked to a Publicly Owned Wastewater Treatment Works.

82. A sign stating “It is illegal to discharge pool, spa, or water feature waters to a street, drainage course, or storm drain per MMC Section 13.04.060(D)(5)” 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.
Deed Restrictions

83. 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 department staff prior to final planning approval.

Prior to Occupancy

84. Prior to, or at the time of a Planning final inspection, the property owner / applicant shall submit to the Planning Department the plumbing permit for the irrigation system installation signed off by the Building Safety Division.

85. Prior to a final Building 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.

86. Prior to the issuance of a Certificate of Occupancy, the City Biologist shall inspect the project site and determine that all Planning Department conditions to protect natural resources are in compliance with the approved plans.

87. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Environmental and Sustainability Department. A final approval shall not be issued until the Planning Department has determined that the project complies with this CDP.

88. 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.

Fixed Conditions

89. This coastal development permit shall run with the land and bind all future owners of the property.

90. 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.
SECTION 6. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 20th day of July 2020.

JEFFREY JENNINGS, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

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. Appeal forms may be found online at www.malibucity.org/planningforms. If you are unable to submit your appeal online, 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.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 20-53 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting held on the 20th day of July 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary
THE WARLEY AVENUE TRUST RESIDENCE

MALIBU, CA

MARCH, 2020

SCOPE OF WORK:

- NEW BLOCK WALL
- NEW DRAINAGE
- NEW GRADING

BUILDING FOOTPRINT   2,972 Sq.Ft.   5,544 Sq.Ft.

EXISTING PROPOSED

A-1.2 PROPOSED FIRST FLOOR PLAN
A-1.1 PROPOSED BASEMENT PLAN
A-0.1 PROPOSED SITE PLAN & GATE PLAN

ARCHITECTURAL

T-1.2 SURVEY
T-1.1 RESIDENCE DRAWING NO.

GENERAL

5.1.1 COVER SHEET
5.1.2 SHEET INDEX

PROJECT TEAM

ADDITIONAL DRAWING INDEX

APPENDIX

APPLICATIONS

ATTACHMENT 1

ABBREVIATIONS

SYMBOL LEGEND

PROJECT DATA

VICINITY MAP

REMARKS

6968 DUME DR.

Malibu, CA

D.W.B.,

Douglas W. Burdge, A.I.A.

Burdge & Associates Architects, Inc.

9100 Wilshire Blvd, Suite 100w

Los Angeles, CA 90045

Mike Leary

Ventura, CA 93003

Mike Leary

Ventura, CA 93003

Land & Air Surveying, Inc.

22741 Pacific Coast Highway Suite #400A

Malibu, CA 90265

24911 Pacific Coast Hwy

Malibu, CA 90265

California Electrical Code (CEC), and California Energy Code (CEnC)

Project shall comply with Title 24 and 2016 California Residential Code

APPLICABLE CODES
THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

21235 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

480 WASHINGTON AVE.
KETCHUM, ID 83340
TEL: 208-495-3228

SUITE 204 C
6968 DUME DR

D.W.B., A-1.1
PROPOSED BASEMENT PLAN

#Project Name
6968 DUME DR.
Malibu, CA

4'-0" 4"
4" 4'-0"

215.125' 217.000'
213.250' 213.250'

12' SCREEN
SEPTIC LIFT
PUMP
PROJECTOR
GARAGE
SLAB ON GRADE
ABOVE
6' CH
MECH.

6' CRAWL SPACE
ACCESS
MECH.#2
SNACK
SLAB
ABOVE
6' CRAWL SPACE
ACCESS
12' SCREEN
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PUMP
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MALIBU, CA 90265
TEL. 310-456-5905

480 WASHINGTON AVE.
KETCHUM, ID 83340
TEL: 208-495-3228

SUITE 204 C
6968
DUME DR
RESIDENCE

Plot Date: 12/7/17
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SUITE 204 C
6968 DUME DR
RESIDENCE

Plot Date: 12/7/17

D.W.B., A-2.1

PROPOSED MAIN HOUSE ELEVATIONS

AS NOTED
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21235 PACIFIC COAST HWY.
MALIBU, CA 90265
TEL. 310-456-5905

480 WASHINGTON AVE.
KETCHUM, ID 83340
TEL: 208-495-3228

SUITE 204 C
6968 DUME DR
RESIDENCE

Plot Date: 12/7/17
D.W.B., A-2.2
PROPOSED MAIN HOUSE ELEVATIONS

#Project Name
6968 DUME DR.
Malibu, CA
2017-09-13 PLANNING SUBMITTAL

SCALE: 1/4" = 1'-0"

SOUTH ELEVATION
NORTH ELEVATION

AS NOTED
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WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.
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).

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

Contact Information:
Dave Crawford, Contract Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277
Steven Hongola, Contract Biologist, shongola@malibucity.org, (310) 456-2489, extension 301
Christopher Julian, Contract Biologist, cjulian@malibucity.org, (310) 456-2489, extension 301
BIOLOGY REVIEW SHEET

PROJECT INFORMATION

| Applicant: Robyn Moruzzi (name and email address) | Robyn@buala.com |
| Project Address: 6968 Dume Drive Malibu, CA 90265 | |
| Planning Case No.: CDP 17-088 | |
| Project Description: Demo ESFR, NSFR, OWTS, Pool, Landscaping | |
| Date of Review: 11/28/17 | |
| Reviewer: Dave Crawford | Signature: [Signature]
| Contact Information: Phone: (310) 456-2489 ext. 307 Email: dcrawford@malibucity.org |

SUBMITTAL INFORMATION

| Site Plans: | |
| Site Survey: | |
| Grading Plans: | |
| OWTS Plan: | |
| Planting Plan: 11/16/17 | |
| Hydrozone/Water Budget Calculations: 11/16/17 | |
| Bio Assessment: | |
| Bio Inventory: | |
| Native Tree Survey: | |
| Native Tree Protection Plan: | |
| Miscellaneous: | |
| Previous Reviews: | |

REVIEW FINDINGS

- **INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
- **COMPLETE**: All required information has been received and a conformance review shall be completed within the next 30 days.
- **APPROVED**: The project has been approved with regards to biological impacts.
- **NOT APPROVED**: The proposed project does not conform to the requirements of the MMC and/or LCP.

- **Environmental Review Board (ERB):** 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
DISCUSSION:

1. The Maximum Applied Water Allowance (MAWA) for this project totals 312,115 gallons per year. The Estimated Applied Water Use (EAWU) totals 178,621 gpy, thus meeting the Landscape Water Conservation Ordinance Requirements.

RECOMMENDATIONS:

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

   A. Prior to installation of any landscaping, the applicant shall obtain plumbing permit for the proposed irrigation system from the Building Safety Division.

   B. 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.

   C. 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.**

   D. 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 (6) 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.

       **NOTE:** The proposed cherry trees along the front yard are approvable, but may be difficult to maintain at 42 inches in height. It is recommended a smaller plant be selected.

   E. Invasive plant species, as determined by the City of Malibu, are prohibited.

   F. 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).

   G. No non-native plant species shall be approved greater than 50 feet from the residential structure.
H. The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote and copper arsenate.

I. Grading/excavation/vegetation removal scheduled between February 1 and September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than 5 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 2 business days of completion of surveys.

J. 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 any lighting of natural habitat areas.

K. Up-lighting of landscaping is prohibited.

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.

---

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
## ENVIRONMENTAL HEALTH REVIEW
### REFERRAL SHEET

**TO:** City of Malibu Environmental Health Administrator  
**DATE:**

**FROM:** City of Malibu Planning Department

<table>
<thead>
<tr>
<th>PROJECT NUMBER:</th>
<th>CDP 17-088</th>
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<tr>
<td>JOB ADDRESS:</td>
<td>6968 DUME DR</td>
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<tr>
<td>APPLICANT / CONTACT:</td>
<td>Robyn Moruzzi, Burdge &amp; Associates Architects, In</td>
</tr>
</tbody>
</table>
| APPLICANT ADDRESS: | 24911 Pacific Coast Highway  
Malibu, CA 90265 |
| APPLICANT PHONE #: | (310)456-5905 |
| APPLICANT FAX #: | 
| APPLICANT EMAIL: | robyn@buaia.com |
| PROJECT DESCRIPTION: | Demo ESFR, NSFR, OWTS, Pool, Landscape |

**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 Plumbing Code (MPC). 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 MPC. 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  
- [X] REQUIRED (attached hereto)  
- [ ] REQUIRED (not attached)

**Signature**  
**Date:** January 24, 2018

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.

Rev 141008
ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Robyn Moruzzi, Burdge &amp; Associates</th>
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<tbody>
<tr>
<td>(name and email</td>
<td><a href="mailto:robyn@buaia.com">robyn@buaia.com</a></td>
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<td>address)</td>
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<tr>
<td>Project Address:</td>
<td>6968 Dume Drive</td>
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<td>Malibu, California 90265</td>
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<tr>
<td>Planning Case No.</td>
<td>CDP 17-088</td>
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<tr>
<td>Project Description:</td>
<td>Demo ESFR, NSFR, OWTS, Pool, Landscape</td>
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<tr>
<td>Date of Review:</td>
<td>January 24, 2018</td>
</tr>
<tr>
<td>Reviewer:</td>
<td>Matt Janousek</td>
</tr>
<tr>
<td>Contact Information:</td>
<td>Phone: (310) 456-2489 ext. 307</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:mjousek@malibucity.org">mjousek@malibucity.org</a></td>
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SUBMITTAL INFORMATION

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<tr>
<td>OWTS Plan:</td>
<td>Included in Alpine Geologic and Soils report dated 7-12-2017, Addendum letter II dated 12-7-17</td>
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<tr>
<td>OWTS Report:</td>
<td>Alpine Geologic and Soils report dated 7-12-2017, Addendum letter II dated 12-7-17; Addendum III letter dated 1-4-2018 (received 1-11-2018)</td>
</tr>
<tr>
<td>Geology Report:</td>
<td>Alpine Geotechnical: Seeage Pit Percolation report for 6956 Dume Drive dated 7-20-2017 (property located north of the subject site); Geologic and Soils report dated 7-12-2017 (received 11-2-2017)</td>
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</tbody>
</table>

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 alternative onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed OWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2016 Edition with City of Malibu local amendments (Malibu Municipal Code Section 15.12; hereinafter MPC), and the City of Malibu Local Coastal Program/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 OWTS Plot Plan:** A final plot plan shall be submitted showing an onsite wastewater treatment system (OWTS) design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, the proposed landscape plan for the developed property, and the proposed stormwater detention/dispersal plan. 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 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 the California-registered Civil Engineer, Registered Environmental Health Specialist, or Professional Geologist who is responsible for the design, and is a registered practitioner with the City of Malibu. 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. 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 fixture schedule, 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 OWTS. 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) 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 MPC.

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 obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.”

5) 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.

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. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.

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 alternative OWTS after construction shall be submitted. Please note only original “wet signature” documents are acceptable.
9) **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 alternative method of sewage disposal pursuant to the City of Malibu Uniform Plumbing 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) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS 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 OWTS 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 M.M.C. Chapter 15.14, 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.

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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
S.F.D.: 6 Bedrooms/105 Fixture Units (K)

TANK: w/UV Disinfection Unit (N)

ACTIVE: 2 - 6' x 45' BI w/ 5' Cap
  (projected; B-1, B-2) (N)

FUTURE: 2 - 6' x 45' BI w/ 5' Cap
  (projected; B-3, B-4) (N)

PERC RATE:
1. 11,760 gpd/13.9 gspf (prof; B-1)
2. 4,473 gpd/5.3 gspf (proj; B-2)
3. 5,895 gpd/7.0 gspf (prof; B-3)
4. 7,590 gpd/9.0 gspf (proj; B-4)

PERC RATE:
1. 11,760 gpd/13.9 gspf (prof; B-1)
2. 4,473 gpd/5.3 gspf (proj; B-2)
3. 5,895 gpd/7.0 gspf (prof; B-3)
4. 7,590 gpd/9.0 gspf (proj; B-4)

DESIGNER: Michael J. Leary, CEG (1519)

REFERENCE: Alpine: Geologic reports dated 7-12-2017, 12-7-2017, and 1-4-2018

NOTES:
1. This conformance review is for a 6 bedroom (105 fixture units) new single family dwelling. The new alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

SEPTIC PLOT PLAN

BY: ML DATE: 1/18 CLIENT: THE WARLEY AVENUE TRUST

REF: BURDGE & ASSOCIATES SUBJECT: SEPTIC PLOT PLAN

SCALE: 1" = 20'

AG: 1421-G
TO: Los Angeles County Fire Department
FROM: City of Malibu Planning Department
DATE: 9/13/2017

PROJECT NUMBER: CDP 17-088
JOB ADDRESS: 6968 DUME DR
APPLICANT / CONTACT: Robyn Moruzzi, Burdge & Associates Architects, I
APPLICANT ADDRESS: 24911 Pacific Coast Highway
Malibu, CA 90265
APPLICANT PHONE #: (310)456-5905
APPLICANT FAX #: 
PROJECT DESCRIPTION: Demo ESFR, NSFR, OWTS, Pool, Landscape

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 250 gallons per minute at 20 pounds per square inch for a 2 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.

Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project.  App'd  N/app'd
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.

SIGNATURE DATE 4/16/2018

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

Project Information
Date: January 9, 2018
Review Log #: 4066
Site Address: 6968 Dume Drive
Lot/Tract/PM #: n/a
Applicant/Contact: Robyn Moruzzi, robyn@buaia.com
Planning #: CDP 17-088
Contact Phone #: 310-456-5905
BPC/GPC #: Planner: Richard Mollica
Project Type: Demolish existing single-family residence, new single-family residential development, onsite wastewater treatment system (OWTS)

Submittal Information
Consultant(s) / Report Date(s): Alpine Geotechnical, Inc. (Leary, CEG 1519; Villafana, RCE 37354): 11-20-17, 7-12-17
Alpine Geotechnical, Inc. (Leary, CEG 1519): 12-7-17
Grading plan (Sheet 2 of 4) prepared by GeoWorks, Inc., dated November 22, 2017.
Previous Reviews: 10-6-17; Ref: Environmental Health Review Sheet dated 1-2-18, 11-15-17 and 9-25-17

Review Findings
Coastal Development Permit Review
☒ The residential development project is APPROVED from a geotechnical perspective.
☐ The residential development project 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 addendum reports and new site plan and grading plan were reviewed by the City from a geotechnical perspective. The proposed development includes the demolition of the existing residence and garage and constructing a new 6,703 square foot two-story single-family residence with a 999-square foot basement and attached 800 square foot 3-car garage with storage, a new swimming pool and spa, a 400 square foot pool pavilion, a 576 square foot dining pavilion, retaining walls, decking, hardscape, flatwork, and landscaping. Grading consists of 2,900 yards of R & R; 809 yards of cut and 175 yards of fill under structure; 520 yards of fill for safety; 45 yards of cut and 786 yards of fill non-exempt; and 627 yards of import. A new OWTS will be installed on the property that consists of a treatment tank system and two 5' diameter x 45’ BI seepage pits with 5’ caps and 100% expansion.

Building Plan-Check Stage Review Comments:

1. Please submit a fee of $957.00 to City geotechnical staff for building plan check review.

2. The structural consultant should evaluate the potential for lateral surcharge of the proposed basement sidewalks due to adjacent foundations/structures and/or daylighting bedding. Mitigation measures should be recommended, as necessary.

3. Based on the cross-sections across the seepage pits based on the grading plan, revisions to the capping depths of the seepage pits may be necessary. The Project Geotechnical Consultant needs to discuss any revisions to the design of the seepage pits (capping depths), based on the grading in the area of the seepage pits.

4. The Project Geotechnical Consultant needs to discuss whether or not a fault rupture hazard investigation is required for the proposed residential development in accordance with Section 5.3.1 of the City’s 2013 Geotechnical Guidelines, not the Alquist-Priolo Act.

5. Please clearly show the limits and depths of the R & R grading for proposed structures and subgrade for flat work/paving/decking on the grading plans. Include the yardages on the plans.

6. Please provide reduced setback letters from the OWTS, geotechnical and structural consultants for any reduced setbacks between the OWTS components and foundations, as applicable.

7. Please include the Project Geotechnical Consultant’s recommendations for removal and re-compaction of un-compacted backfill of test pits and borings across the site on the Grading Plans.

8. Section 7.4 of the City’s geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. Building plans shall reflect this requirement.

9. Include a detail for the swimming pool hydrostatic relief valve on the swimming pool plans.

10. The following note needs to be included into the project grading and swimming pool plans. ‘Prior to the placement of concrete slabs, the slab subgrade soils shall be pre-moistened to at least 130% of the optimum moisture content to the depth specified by the geotechnical engineer. The pre-moistened soils should be tested and verified to be by the geotechnical engineer within one day prior to the placement of the moisture barrier and sand.’

11. Include a note on the OWTS plans stating, “The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans.”

12. Two sets of final grading, retaining wall, swimming pool and spa, pool pavilion, dining pavilion, and residence 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

(MAL25377)
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 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:**

Christopher Dean, C.E.G. #1751, Exp. 9-30-18  
Engineering Geology Reviewer (310-456-2489, x306)  
Email: cdean@malibucity.org

**Geotechnical Engineering Review by:**

Franklin Fong, G.E. #315, Exp. 12-31-17  
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.
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, retaining wall, swimming pool and spa, pool pavilion, dining pavilion, and residence 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 and Grading Plans.

3. Include the following note on Grading and Foundation Plans: "Subgrade soils shall be tested for Expansion Index prior to pouring footings or slabs; Foundation Plans shall be reviewed and revised by the Project Geotechnical Consultant, as appropriate."

4. 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.”

5. 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.

6. Show the onsite wastewater treatment system on the Site Plan.

7. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

8. 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.
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<tr>
<th>TO:</th>
<th>Public Works Department</th>
<th>DATE: 9/13/2017</th>
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<tr>
<td>FROM:</td>
<td>City of Malibu Planning Department</td>
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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.
- 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:** 2/23/18
MEMORANDUM

To: Planning Department

From: Public Works Department
Jonathan Pichardo, Assit. Civil Engineer

Date: February 23, 2018

Re: Proposed Conditions of Approval for 6968 Dume Drive CDP17-088

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.

1. This project proposes to construct a new driveway within the City’s right-of-way. Prior to the Public Works Department’s approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the proposed driveway. The driveway shall be constructed of either 6-inches of concrete over 4-inch of aggregate base, or 4-inches of asphalt concrete over 6-inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.

2. Several private improvements located within the City’s right-of-way, such as (but not limited to) landscaping, railroad ties, fencing. These improvements are required to be removed as part of this project and must be shown on the plans. The applicant shall place notes on the plans for the removal of existing encroachments within the City’s right-of-way. Prior to the Public Works Department’s approval of the grading or building permit, the applicant shall obtain encroachment permits from the Public Works Department for the removal of the private improvements within the City’s right-of-way.

GRADING AND DRAINAGE

3. 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.

4. 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.**

5. 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.

6. 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.

7. 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. A note shall be placed on the project plans that address this condition.

STORMWATER

8. The ocean between Latigo Point and the West City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation allows discharge of storm water only where it is essential for flood control or slope stability, including roof, landscape, road and parking lot drainage, to prevent soil erosion, only occurs during wet weather, and is composed of only storm water runoff. The applicant shall provide a drainage system that accomplishes the following:

- Installation of BMPs that are designed to treat the potential pollutants in the storm water runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
- Prohibits the discharge of trash.
- Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e. no additional pollutant loading).
- Elimination of non-storm water discharges.

9. 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Preservation of Existing Vegetation</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Sediment Controls</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Silt Fence</td>
<td></td>
</tr>
<tr>
<td>Sand Bag Barrier</td>
<td></td>
</tr>
<tr>
<td>Stabilized Construction Entrance</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Storm Water Management</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Conservation Practices</td>
<td></td>
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<tr>
<td>Dewatering Operations</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Waste Management</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Material Delivery and Storage</td>
<td></td>
</tr>
<tr>
<td>Stockpile Management</td>
<td></td>
</tr>
<tr>
<td>Spill Prevention and Control</td>
<td></td>
</tr>
</tbody>
</table>
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.

10. 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.

11. 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 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.
Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

MISCELLANOUS

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

13. 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.

14. 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.
This table summarizes square footage of nearby residences, parcel sizes and year built based on data obtained from the Los Angeles County Assessor.

Building square footage is habitable area only, and does not include garages, covered patios and some other accessory structures.

Non-habitable areas has been deducted from the proposed project. Note that the Assessor’s data may not reflect all additions or other changes made to the property (permitted or unpermitted).

<table>
<thead>
<tr>
<th>Address / APN</th>
<th>Habitable Area Only</th>
<th>Parcel Size</th>
<th>Year Built</th>
</tr>
</thead>
<tbody>
<tr>
<td>6968 Dume Drive</td>
<td>6,672 sq. ft.</td>
<td>52,977 sq. ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>6900 Dume Drive</td>
<td>4,256 sq. ft.</td>
<td>24,539 sq. ft.</td>
<td>1979</td>
</tr>
<tr>
<td>6915 Dume Drive</td>
<td>1,808 sq. ft.</td>
<td>58,432 sq. ft.</td>
<td>1957</td>
</tr>
<tr>
<td>6916 Dume Drive</td>
<td>2,393 sq. ft.</td>
<td>44,616 sq. ft.</td>
<td>1960</td>
</tr>
<tr>
<td>6927 Dume Drive</td>
<td>1,782 sq. ft.</td>
<td>67,430 sq. ft.</td>
<td>1950</td>
</tr>
<tr>
<td>6930 Dume Drive</td>
<td>6,380 sq. ft.</td>
<td>45,963 sq. ft.</td>
<td>1958</td>
</tr>
<tr>
<td>6939 Dume Drive</td>
<td>2,810 sq. ft.</td>
<td>76,569 sq. ft.</td>
<td>1955</td>
</tr>
<tr>
<td>6949 Dume Drive</td>
<td>3,662 sq. ft.</td>
<td>53,043 sq. ft.</td>
<td>1974</td>
</tr>
<tr>
<td>6950 Dume Drive</td>
<td>5,338 sq. ft.</td>
<td>44,836 sq. ft.</td>
<td>2008</td>
</tr>
<tr>
<td>6956 Dume Drive</td>
<td>3,197 sq. ft.</td>
<td>44,286 sq. ft.</td>
<td>1959</td>
</tr>
<tr>
<td>6959 Dume Drive</td>
<td>3,067 sq. ft.</td>
<td>51,881 sq. ft.</td>
<td>1955</td>
</tr>
<tr>
<td>6969 Dume Drive</td>
<td>5,080 sq. ft.</td>
<td>45,101 sq. ft.</td>
<td>1994</td>
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<tr>
<td>6980 Dume Drive</td>
<td>3,522 sq. ft.</td>
<td>44,669 sq. ft.</td>
<td>1975</td>
</tr>
<tr>
<td>7002 Dume Drive</td>
<td>6,298 sq. ft.</td>
<td>45,522 sq. ft.</td>
<td>2013</td>
</tr>
<tr>
<td>Address</td>
<td>Size 1</td>
<td>Size 2</td>
<td>Year</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------</td>
<td>------------</td>
<td>------</td>
</tr>
<tr>
<td>7008 Dume Drive</td>
<td>5,272 sq. ft.</td>
<td>44,411 sq. ft.</td>
<td>1979</td>
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<tr>
<td>7013 Dume Drive</td>
<td>3,771 sq. ft.</td>
<td>46,276 sq. ft.</td>
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<tr>
<td>7016 Dume Drive</td>
<td>1,926 sq. ft.</td>
<td>44,632 sq. ft.</td>
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<tr>
<td>7026 Dume Drive</td>
<td>6,095 sq. ft.</td>
<td>45,825 sq. ft.</td>
<td>1949</td>
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<tr>
<td>7033 Dume Drive</td>
<td>1,753 sq. ft.</td>
<td>46,519 sq. ft.</td>
<td>1955</td>
</tr>
<tr>
<td>29209 Bluewater Road</td>
<td>4,777 sq. ft.</td>
<td>31,676 sq. ft.</td>
<td>1956</td>
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<tr>
<td>29214 Bluewater Road</td>
<td>1,574 sq. ft.</td>
<td>46,437 sq. ft.</td>
<td>1948</td>
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<tr>
<td>29223 Bluewater Road</td>
<td>1,839 sq. ft.</td>
<td>19,369 sq. ft.</td>
<td>1979</td>
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<tr>
<td>29233 Bluewater Road</td>
<td>3,066 sq. ft.</td>
<td>25,382 sq. ft.</td>
<td>1949</td>
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<tr>
<td>29245 Bluewater Road</td>
<td>2,412 sq. ft.</td>
<td>22,180 sq. ft.</td>
<td>1978</td>
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<tr>
<td>29172 Grayfox Street</td>
<td>2,010 sq. ft.</td>
<td>25,469 sq. ft.</td>
<td>1960</td>
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<tr>
<td>6907 Grasswood Avenue</td>
<td>3,872 sq. ft.</td>
<td>52,568 sq. ft.</td>
<td>1974</td>
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<tr>
<td>6917 Grasswood Avenue</td>
<td>3,131 sq. ft.</td>
<td>32,102 sq. ft.</td>
<td>1950</td>
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<tr>
<td>6925 Grasswood Avenue</td>
<td>2,944 sq. ft.</td>
<td>14,698 sq. ft.</td>
<td>1976</td>
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<tr>
<td>6935 Grasswood Avenue</td>
<td>3,108 sq. ft.</td>
<td>48,241 sq. ft.</td>
<td>1958</td>
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<tr>
<td>6938 Grasswood Avenue</td>
<td>4,991 sq. ft.</td>
<td>45,555 sq. ft.</td>
<td>1956</td>
</tr>
<tr>
<td>6943 Grasswood Avenue</td>
<td>3,224 sq. ft.</td>
<td>47,125 sq. ft.</td>
<td>1954</td>
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<tr>
<td>6950 Grasswood Avenue</td>
<td>2,476 sq. ft.</td>
<td>21,065 sq. ft.</td>
<td>1962</td>
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<tr>
<td>4466-012-014</td>
<td>Vacant</td>
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<tr>
<td>6962 Grasswood Avenue</td>
<td>7,398 sq. ft.</td>
<td>48,687 sq. ft.</td>
<td>1988</td>
</tr>
<tr>
<td>6972 Grasswood Avenue</td>
<td>3,179 sq. ft.</td>
<td>50,286 sq. ft.</td>
<td>1962</td>
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<tr>
<td>6995 Grasswood Avenue</td>
<td>6,879 sq. ft.</td>
<td>54,824 sq. ft.</td>
<td>1983</td>
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<tr>
<td>7002 Grasswood Avenue</td>
<td>1,376 sq. ft.</td>
<td>45,992 sq. ft.</td>
<td>1956</td>
</tr>
<tr>
<td>Address</td>
<td>Square Feet</td>
<td>Lot Size</td>
<td>Year</td>
</tr>
<tr>
<td>--------------------</td>
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<td>------------</td>
<td>--------</td>
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<tr>
<td>7005 Grasswood Ave</td>
<td>2,382</td>
<td>58,102</td>
<td>1966</td>
</tr>
<tr>
<td>7015 Grasswood Ave</td>
<td>6,777</td>
<td>52,837</td>
<td>2001</td>
</tr>
<tr>
<td>7022 Grasswood Ave</td>
<td>3,496</td>
<td>43,555</td>
<td>1992</td>
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<tr>
<td>4466-015-007</td>
<td>Vacant</td>
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<tr>
<td>7036 Grasswood Ave</td>
<td>3,168</td>
<td>11,413</td>
<td>1972</td>
</tr>
<tr>
<td>7037 Grasswood Ave</td>
<td>5,273</td>
<td>44,003</td>
<td>2009</td>
</tr>
<tr>
<td>7048 Grasswood Ave</td>
<td>2,315</td>
<td>46,652</td>
<td>1947</td>
</tr>
</tbody>
</table>
May Story Pole Photos

From Center of Dume Drive

From Front Gate

From Inside the Property Facing West

From Center of Dume Drive
The Malibu Planning Commission will hold a public hearing on Monday, July 20, 2020, at 6:30 p.m., on the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer’s Safer at Home Order.

COASTAL DEVELOPMENT PERMIT NO. 17-088, CODE VIOLATION NO. 20-014, SITE PLAN REVIEW NO. 19-030, AND DEMOLITION PERMIT NO. 19-023 - An application for the demolition of the existing single-family residence, construction of a new 7,472 square foot two-story single-family residence, swimming pool, onsite wastewater treatment system, and associated development, including a site plan review request to allow construction of a pitched roof over 18-feet in height, not to exceed 28-feet in height.

LOCATION / APN / ZONING: 6968 Dume Drive / 4466-015-015 / Rural Residential-One Acre (RR-1)
APPLICANT / OWNER: Robyn Moruzzi / Highlands Investment Group LLC
APPEALABLE TO: City Council
ENVIRONMENTAL REVIEW: Categorical Exemption CEQA Guidelines Sections 15303(a) and (e)
APPLICATION FILED: September 13, 2017
CASE PLANNER: Didier Murillo, Assistant Planner, dmurillo@malibucity.org (310) 456-2489, ext. 353

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center http://www.malibucity.org/agendacenter. Related documents are available for review by contacting the Case Planner. You will have an opportunity to testify at the public hearing; written comments, which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City’s action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit malibucity.org/virtualmeeting.

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 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 online, 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: June 25, 2020